

# Agenda Including Addeds

## Planning and Environment Committee

18th Meeting of the Planning and Environment Committee

November 13, 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](mailto:PEC@london.ca) or 519-661-2489 ext. 2425.

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**6. *(ADDED) Confidential (Enclosed for Members Only)***

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to appeals related to 2005 Kilally Road at the Ontario Land Tribunal (“OLT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

**7. Adjournment**



## 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:** LJM Developments (Halton Hills) Inc. – Application for  
Brownfield Community Improvement Plan Incentives  
400 Southdale Road East  
Ward 12

**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Economic Services and Supports, the following actions be taken with respect to the application of LJM Developments (Halton Hills) Inc. relating to the property located at 400 Southdale Road East:

- a) A total expenditure of up to a maximum of \$624,000 in municipal brownfield financial incentives **BE APPROVED AND ALLOCATED** at the Municipal Council meeting on November 28, 2023, under the following program in the Community Improvement Plan (CIP) for Brownfield Incentives ('Brownfield CIP'):
  - i) Provide a grant through the Development Charges Rebate Program for the eligible remediation costs, as follows:
    - A) If development charges are paid in one lump sum amount, the Development Charges Rebate grant will be issued in one instalment.
    - B) If development charges are paid annually over six years, the Development Charges Rebate grant will be issued in six annual instalments, noting that any interest charged by the City of London for deferred development charge payments is not included in the rebate.
- b) The applicant **BE REQUIRED** to enter into an agreement with the City of London outlining the relevant terms and conditions for the incentives that have been approved by Municipal Council under the Brownfield CIP. The agreement between the City of London and LJM Developments (Halton Hills) Inc. will be transferable and binding on any subsequent property owner(s).

**IT BEING NOTED** that no grants will be provided through the Brownfield CIP until:

- i) All remediation work approved under this application is finished.
- ii) The payment of development charges has begun.
- iii) A Record of Site Condition is filed with the Government of Ontario's Environmental Site Registry.
- iv) The City of London receives receipts showing the actual cost of the eligible remediation work.

## Executive Summary

LJM Developments (Halton Hills) Inc. ('the applicant') is seeking financial incentives through the Brownfield CIP to help cover the cost of remediating the property at 400 Southdale Road East. Municipal Council approval is required for Brownfield CIP financial incentive programs and this approval is required prior to the start of remediation.

## Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to provide grant funding up to a maximum of \$624,000 in municipal brownfield financial incentives through the Development Charges Rebate Program.

## Rationale of Recommended Action

1. The development represents a significant investment on Southdale Road East including the construction of 179 new residential units on a remediated brownfield site.
2. The development includes four affordable housing units that will help in addressing the growing need for affordable housing in London. The development is in alignment with the Housing Stability Action Plan 2019-2024 and its Strategic Area of Focus 2: Create More Housing Stock.
3. The development will eventually generate significant tax revenues over and above the grants that are provided.
4. Brownfield incentive applications support the Housing and Homelessness and Wellbeing and Safety Strategic Areas of Focus in the *City of London Strategic Plan 2023-2027*.

## 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 by directing growth and intensification to strategic locations in a way that maximized existing assets and resources.
- **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

PEC Report – [400 Southdale Road East \(OZ-9261\)](#) – July 26, 2021.

PEC Report – [400 Southdale Road East](#) – January 9, 2023.

#### 1.2 Brownfield Community Improvement Plan

The Community Improvement Plan (CIP) for Brownfield Incentives ('Brownfield CIP') was adopted by Municipal Council on February 20, 2006, and approved by the Province of Ontario, with modifications, on November 21, 2006.

The purpose of the Brownfield CIP is to remove or reduce the obstacles that hinder brownfield remediation and redevelopment. The financial incentive programs are used to evaluate contaminated properties and encourage the private sector to invest in those properties. There are four incentive programs to encourage the investigation, remediation, and redevelopment of brownfield sites in London.

The Contamination Assessment Study Grant Program assists property owners in conducting a Phase II Environmental Site Assessment (ESA) and is capped at \$10,000 per property. Municipal Council approval is not required for the Study Grant Program. The applicant did not require this program because ESAs completed by the previous property owner were obtained through the purchase of the property.

The remaining three programs: Property Tax Assistance, Development Charge Rebate, and Tax Increment Equivalent Grants require Municipal Council approval. These programs may be significant in terms of financial assistance and are considered based on the evaluation of a business case from the applicant and the availability of program funding. The applicant applied to these three programs.

### 1.3 Brownfield CIP Eligibility Requirements

Eligibility requirements for each brownfield incentive program are outlined in the CIP. Municipal Council may consider providing any one incentive or combination of incentives based on the relevant CIP eligibility requirements and merits of each application; however, under the Brownfield CIP incentive programs the cumulative amount of funding that may be provided through the Property Tax Assistance Program, Tax Increment Equivalent Grant Program, and Development Charge Rebate Program cannot exceed the eligible site remediation costs for the subject property.

In addition to the general requirements in Section 2 of the CIP, specific eligibility requirements apply to the three programs. Each application is evaluated on a case-by-case basis to consider the public and economic benefit of providing one or more incentive(s) to a property.

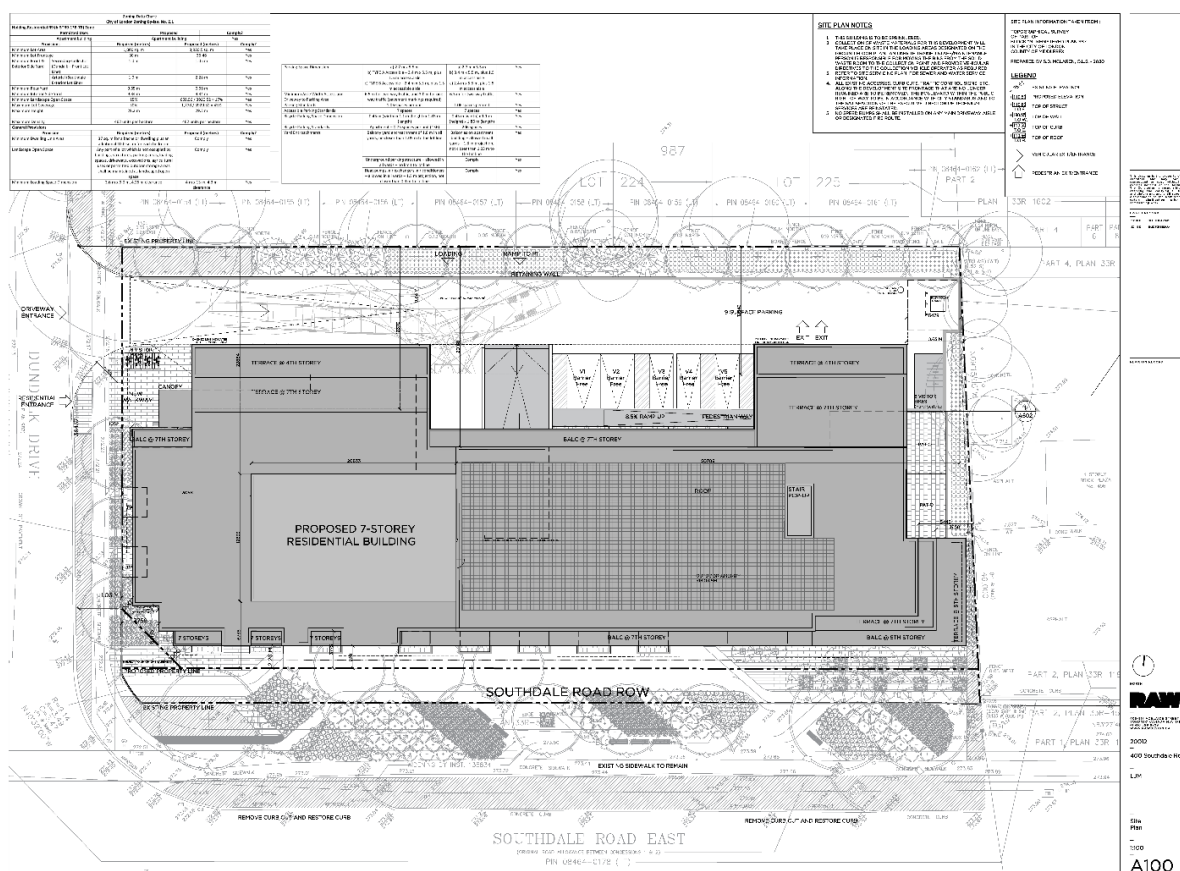
### 1.4 400 Southdale Road East Development Project

The applicant is constructing a seven-storey residential development with two levels of underground parking and a third partial level of parking and locker storage. 179 units will be created with four of the units being transferred to the City of London for affordable housing.

An Official Plan and Zoning By-law Amendment application (OZ-9261) was received in August 2020 and a revised proposal was received in March 2021. Municipal Council approved the application in August 2021.

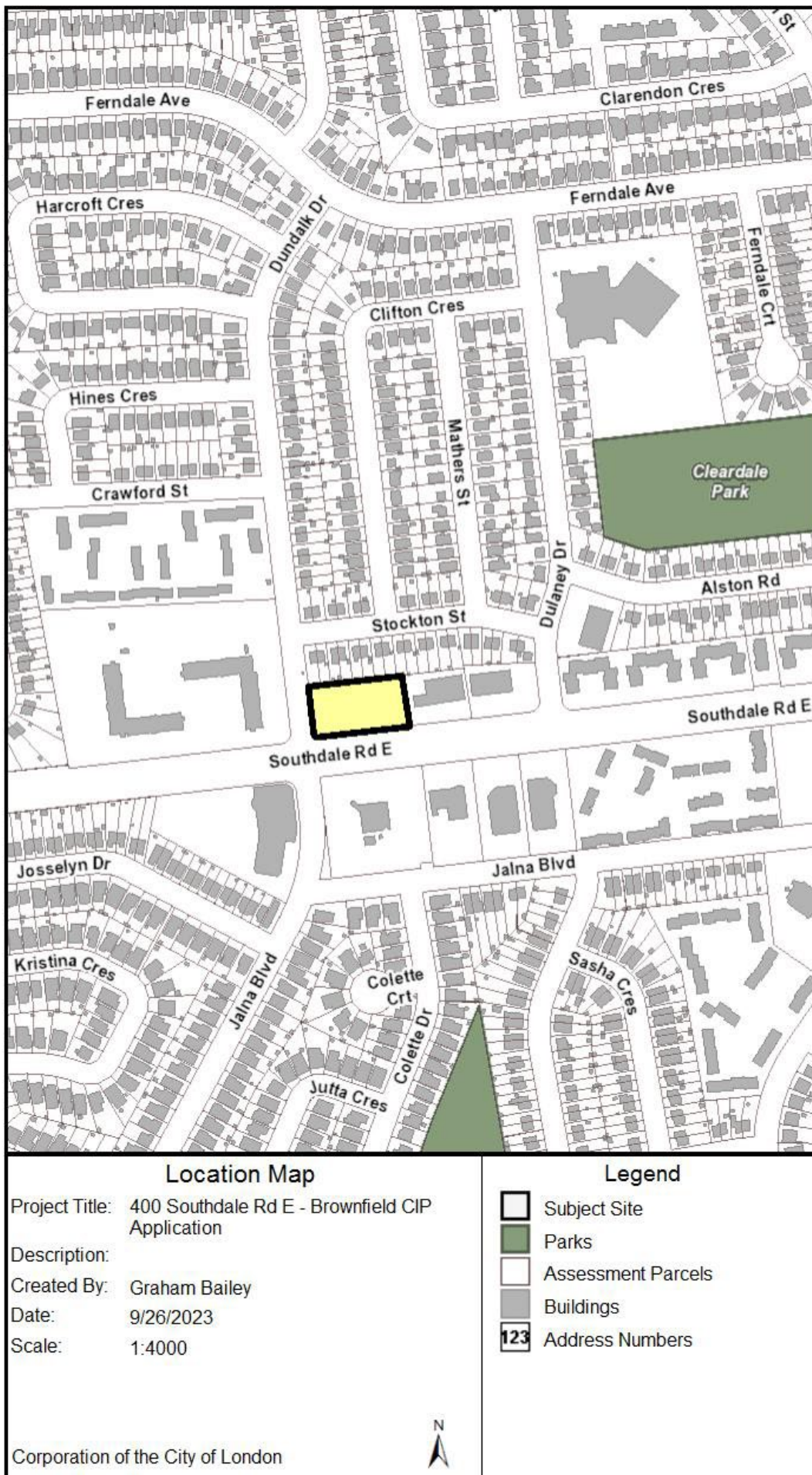
In December 2021, the Site Plan Control Application (SPA21-118) was received by City staff. A public site plan meeting was held at the Planning and Environment Committee in January 2023. As of writing this report, the SPA is still open, and the City is waiting on a resubmission from the applicant to revise drawings before issuing site plan approval.

### Proposed 400 Southdale Road East Site Plan (subject to change)





### 400 Southdale Road East Location Map



### 1.5 Site Remediation Investigations

Under Provincial Regulation, it is mandatory that a Record of Site Condition (RSC) be filed with the Ontario Ministry of Environment, Conservation and Parks (MECP) for

contaminated properties if a land use change is proposed that goes to a more sensitive use, to confirm that the site is 'clean', and that the property meets the applicable site condition standards for the intended use.

From the late 1980s until 2012, 400 Southdale Road East operated as a gas station and carwash. In 2012, the infrastructure was removed, and the property was remediated to an industrial, commercial, community (ICC) property use. Between 2012 and 2018, the following was completed at the property:

- Sampling during the removal of five underground storage tanks (USTs).
- Excavating 28 test pits to investigate areas of potential environmental concern (APECs).
- Advancing 13 boreholes
- Groundwater sampling to delineate areas of impact.
- Remedial excavation and confirmatory soil and groundwater sampling to address areas identified soil and groundwater contamination.

Roughly 1,685 tonnes of impacted soil was excavated for offsite disposal. The soil contained concentrations of benzene, toluene, ethylbenzene, xylenes (BTEX), petroleum hydrocarbons (PHCs) and/or electrical conductivity (EC) or Sodium Adsorption Ratio (SAR) exceeding the O. Reg. 153/04 Table 5 stratified Site Conditions Standards (SCS) for ICC property use, non-potable groundwater, and medium/fine-textured soil.

After the remediation, all confirmatory soil samples met the O. Reg. 153/04 Table 5 ICC SCS parameters.

Since the vacant property has been purchased for residential development, a new RSC will need to be filed to support the change in land use from ICC to a more sensitive use, residential, parkland, institutional (RPI).

Based on the business case and supporting environmental site assessments it is confirmed that the property constitutes a brownfield under the CIP definition and that further remediation must be undertaken in accordance with O. Reg. 153/04 before the site can be redeveloped for a residential use.

An RSC cannot be filed with the MECP until such time as the required remediation has been undertaken and the condition of the site confirmed as meeting relevant Provincial standards. The applicant is required to submit the RSC to the City of London after filing it with the MECP.

## **2.0 Discussion and Application Evaluation**

### **2.1 Brownfield Community Improvement Plan Overview**

The Brownfield CIP's purpose is to remove or reduce the obstacles that hinder brownfield remediation and redevelopment. The Brownfield CIP's financial incentive programs help property owners with bringing a brownfield up to the same standard as a greenfield site. In other words, to 'level the playing field'.

The applicant is applying for funding under the Brownfield CIP because the site constitutes a brownfield and remediation work is required to meet minimum Provincial environmental standards. A Record of Site Condition must be filed. Under the Brownfield CIP, incentives can only be provided to compensate property owners for costs that they incur to remediate the property.

Brownfield CIP applications are not approved as-of-right but evaluated on a case-by-case basis to consider the need for remediation and the public and economic benefit of providing financial incentives to a property owner. Financial incentives under the Brownfield CIP are specifically applied only to eligible site remediation costs. The maximum of all grants and tax assistance for eligible brownfield properties cannot exceed the cost of remediating the property.

Brownfield CIP financial incentives may be recommended by the Civic Administration for approval when:

- a) The landowner/applicant has not contributed to the site contamination.
- b) There are not outstanding property taxes, municipal orders, or by-law infractions on the subject property.
- c) All relevant supporting documentation and reports (for example, ESA's Remedial Action Plans, Risk Assessments) have been provided to the City.
- d) Financially supporting the proposal is both cost-effective for the City and in the public interest.
- e) The incentives are considered necessary to make the remediation and redevelopment on the subject property feasible.
- f) The amount of available and budgeted municipal funding is sufficient to cover the cumulative cost of all incentives that have been approved.
- g) Municipal Council deems that the costs associated with providing the program incentives are outweighed by the cumulative benefits of providing the incentive(s).

Eligible remediation costs that are identified in the CIP include:

- 100% of the costs associated with building demolitions.
- Site remediation.
- Rehabilitation of any existing structures.
- Environmental insurance premiums during the remediation phase.

The City is not under any obligation to approve Brownfield CIP incentives for a property.

If the application is approved by Municipal Council, an agreement is required between the City and the applicant outlining the terms and conditions that apply to the approved incentives. Upon completion of the site remediation work, the applicant must provide the City with supporting documents to confirm that the required work has been undertaken in a satisfactory manner and paid for in full.

## 2.2 Business Case (Appendix “A”) and Application Evaluation

### Remediation Costs

The applicant retained PGL Environmental Consultants to prepare a business case (Appendix “A”) for Brownfield CIP incentives. The business case includes an estimate of site remediation costs based on the findings of the studies and past remediation to the industrial, commercial, community (ICC) property use standard.

The costs that were identified in the business case as potentially being eligible for incentives under the Brownfield CIP are summarized below in Table 1:

**Table 1 – Brownfield Site Remediation Costs proposed by LJM Developments (Halton Hills) Inc. Project at 400 Southdale Rd. E.**

#	Item	Estimated Cost
1	Soil removal (impacted material)	\$390,000
2	Excess soil removal (excluding impacted material)	\$190,000
3	Consulting fees – impacted soil removal (including ESA reports and RSC)	\$130,000
4	Consulting fees – Excess soil management	\$40,000
5	Consulting fees – Hydrogeological impact assessment	\$10,000
6	Contingency (20%)	\$152,000
	<b>Total</b>	<b>\$912,000</b>

## **Civic Administration Comments**

The application and business case were circulated and reviewed by Civic Administration. Civic Administration comments and the applicant's responses are available in Appendix 'B'.

## **Previous Brownfield CIP Applications**

Although Brownfield CIP applications are reviewed on a case-by-case basis, a brief review of the previous Brownfield CIP incentive applications helps the Civic Administration ensure the applications are evaluated in a fair and transparent manner.

The five (of nine total) most recent Brownfield CIP incentive applications that have been approved by Municipal Council are:

- 100 Fullarton Street, 475-501 Talbot Street, and 93-95 Dufferin Avenue (Rygar Properties Inc.) – Approved May 2, 2017, for up to \$2,735,007. 64% of the estimated remediation cost is the disposal of contaminated soil that cannot be sold or reused for a residential, parkland, or institutional (RPI) use. This property was sold to Old Oak and construction is underway. As of writing this report, no grants have been issued.
- 1156 Dundas Street (McCormick Villages Inc.) – Approved May 2, 2017, for up to \$2,500,000. Site remediation work began in 2018. A Record of Site Condition was filed in March 2022. \$23,151 in grants was provided over the maximum three-year period through the Property Tax Assistance program. As of writing this report, no other grants have been issued.
- 32, 36, and 40 York Street (Tricar Properties Limited) – Approved January 31, 2018, for up to \$192,000. Site remediation work began in 2018 and the high-rise apartment building has been constructed. A Record of Site Condition was filed in May 2018. As of writing this report, a Tax Increment Equivalent Grant of \$190,788 was issued on February 8, 2023.
- 391 South Street (Medallion Developments) – Approved July 24, 2018, for up to \$4,328,520. The project is under construction. A Record of Site Condition was filed in December 2022. As of writing this report, no grants have been issued.
- 250-272 Springbank Drive (2355440 Ontario Inc.) – Approved October 26, 2021, for up to \$2,895,020. As of writing this report, no construction has occurred on site and no grants have been issued.

For the previous brownfield applications, contaminated soil that was required to be excavated, removed, and disposed of was considered an eligible remediation cost under the Brownfield CIP, even if that soil was located where underground parking, building foundations, and basements would be constructed. In these instances, Civic Administration and the applicant ensured only work related to the treatment and removal of contaminated soil was included in the estimates.

## **Disposal Fees**

In the business case, the applicant indicated a \$120/tonne impacted soil (brownfield waste) disposal fee. The rate of \$120/tonne includes the tipping fee, plus extra fees for loading, hauling, tracking, labour, and consulting oversight.

In previous Brownfield CIP applications, a \$35/tonne tipping fee and a \$30/tonne excavation and mucking fee were used by applicants. The \$120/tonne disposal fee in this application includes extra eligible fees beyond what previous Brownfield CIP applicants included in their business cases.

The Civic Administration reviewed the \$120/tonne disposal fee and accept it as reasonable and consistent with fees quoted in previous Brownfield CIP applications because of the inclusion of other eligible fees.

Further, once the remediation work is completed, receipts are required from the applicant to determine the actual cost of the remediation work including disposal fees.

### **Excess Soil Management**

In December 2019, Ontario passed a regulation under the Environmental Protection Act, entitled 'On-Site and Excess Soil Management' ('the regulation') to support improved management of excess construction soil.

This regulation is a key step to support the proper management of excess soils, ensure valuable resources don't go to waste, and to provide clear rules on managing and reusing excess soil.

The regulation is being phased in over time, with the first phase (reuse rules, including risk-based standards, waste designation, and approvals) having started on January 1, 2021. The second phase (testing, tracking, and registration) started on January 1, 2023. The second phase requirements were in place briefly between January and April 2022, and were then suspended until January 1, 2023. The third phase (restrictions on landfilling soils) begins on January 1, 2025.

These regulatory changes have affected the construction industry and introduced participants to new risks and legal requirements regarding the excavation, removal, and transport of excess soil between sites.

### **Refinement of Estimated Remediation Costs**

In reviewing the application and business case, Civic Administration asked the applicant about the quoted cost of excess soil removal (excluding impacted material), and the consulting fees for excess soil management and the hydrogeological impact assessment. Civic Administration are obliged to confirm that only costs related to the remediation of contaminated soil on the property are in the business case and cost estimate.

Civic Administration are of the opinion that excess soil management and the hydrogeological impact assessment should not be included in the Brownfield CIP funding request.

The hydrogeological impact assessment is required to support the development application and is not required for the RSC filing.

Since coming into effect in 2021, excess soil management is a cost to be borne by property owners and developers when removing soil from a property. Civic Administration is of the opinion that the removal of unimpacted (clean) soil is not an appropriate cost to be funded through the Brownfield CIP. The Brownfield CIP is a tool to help property owners manage the cost of impacted (dirty or contaminated) soil.

Excess soil management would be generated in virtually all development applications, and the costs associated with the handling and management of clean soil should be borne by the developer. It is a cost of doing business in today's development environment. For example, the City of London must incorporate excess soil management practices on every one of its infrastructure projects, which comes with a cost.

There are 20% contingencies built into the business case, which is standard for brownfield remediation. If these contingencies are not required, and barring no unforeseen expenses, the actual remediation costs will be lower than the maximum grant request.

Based on the review of the application and business case, as well as the applicant's response to comments, Civic Administration are recommending a total expenditure of up to a maximum of \$624,000 in municipal brownfield financial incentives be approved and allocated. The items being recommended for approval are summarized in Table 2 below:



**Table 2 – Civic Administration’s Recommended Brownfield Site Remediation Costs for LJM Developments (Halton Hills) Inc. Project at 400 Southdale Rd. E.**

#	Item	Estimated Cost
1	Soil removal (impacted material)	\$390,000
2	Consulting fees – impacted soil removal (including ESA reports and RSC)	\$130,000
3	Contingency (20%)	\$104,000
	<b>Total</b>	<b>\$624,000</b>

**Public and Economic Benefits of Remediation and Redevelopment**

Since the Brownfield CIP financial incentives are paid by a property tax supported reserve fund, Municipal Council must deem that the costs associated with providing the financial incentives are outweighed by the cumulative public and economic benefits of providing the incentive.

Several benefits for supporting the remediation at this property have been identified, including:

- Remediation to serve a more sensitive use of a site that was previously contaminated.
- Infill development on a vacant site.
- The development will eventually generate significant tax revenues over and above the grants that are provided through the Brownfield CIP.
- The development will include 179 residential units including four affordable housing units, providing new accommodations in the area to help:
  - Meet the Housing Stability Action Plan 2019-2024’s Strategic Area of Focus 2: Create More Housing Stock by providing four units allocated towards affordable housing.
  - Support the City’s Roadmap to 3,000 Affordable Units.
  - Increase foot traffic on Southdale Road East.
  - Support businesses on Southdale Road East and the surrounding neighbourhood.

**Brownfield CIP Criteria Evaluation**

In evaluating applications, the Brownfield CIP programs note that approval of the incentive(s) may be recommended where:

- a) The landowner/applicant has not contributed to the site contamination.
  - According to the business case, the applicant did not contribute to any contamination since purchasing the site. Civic Administration agree that the landowner/applicant did not contribute to the site’s contamination.
- b) There are no outstanding property taxes, municipal orders, or by-law infractions on the subject property.
  - This requirement is confirmed prior to issuing a grant. If there are any outstanding property taxes, municipal orders, or by-law infractions on the property, Civic Administration asks the applicant to clear the outstanding issue(s) prior to the grant cheque being requested.
- c) All relevant supporting documentation and reports (i.e., ESAs, RAPs, RAs) have been provided to the City.
  - All documents and reports have been provided to the City.
- d) Financially supporting the proposal is both cost-effective for the City of London and in the public interest.

- The benefits provided by the project including the increase in taxes and its contribution to the development of Southdale Road East outweigh the magnitude of the incentive request.
- e) The incentives are considered necessary to make the remediation and redevelopment of the subject property feasible.
- Civic Administration are not party to the applicant's financial pro forma for the project and must rely on the submitted business case to help determine if the incentives are necessary to make the project feasible. In this instance, the estimated remediation cost is \$624,000, which is a large sum of money to spend to dispose of soil that cannot be used for a residential, parkland, or institutional use.
- f) The amount of available and budgeted municipal funding is sufficient to cover the cumulative cost of all incentives that have been approved.
- In reviewing site-specific applications for Brownfield incentives, it is important to consider the implications that potential expenditures will have on overall program funding.
  - Financial Planning and Policy has reviewed the funding request and confirm that the request can be covered through the Community Improvement Program Reserve Fund.
- g) Municipal Council deems that the costs associated with providing the program incentives are outweighed by the cumulative benefits of providing the incentive(s).
- Municipal Council to decide based on this report, its recommendation, and the applicant's input including the business case.

## **Evaluation Summary**

Overall, the project represents a significant investment on Southdale Road East and should be supported by Brownfield CIP financial incentives. The municipal component of the 2023 property taxes on the vacant site is \$17,140 per year. At full project build out, the municipal portion of the property taxes will significantly increase.

Further, the value of all incentives that are provided under the Brownfield CIP is capped once it reaches the total eligible cost of remediation incurred by the property owner. In the business case, the applicant provided a breakdown of estimated remediation costs that would be eligible for incentives under the Brownfield CIP. These costs are based on available information and some assumptions about the environmental standards that are applied under existing Provincial regulations.

### **2.3 Brownfield CIP Funding Request**

A request was made for funding from the three Brownfield CIP financial incentive programs to cover environmental remediation costs associated with the project.

Civic Administration are recommending Municipal Council approve only the Development Charges Rebate Program because that program can cover the remediation funding request from the applicant.

#### **Development Charge Rebate Program**

The Development Charges (DC) Rebate Program provides a grant for site remediation up to 50% of the DCs paid.

The language used in the Development Charge Rebate Program requirements can be (erroneously) interpreted to imply the applicant is receiving a rebate on DCs. This is not the case. The rebate is in all practicality a reimbursement of remediation costs from the City's Community Improvement Plan financial incentive funding sources. DCs are used only as a program measuring tool to calculate how much of the remediation costs will be reimbursed, not the reimbursement of DCs.

Table 3 estimates the development charges related to the development project at 400 Southdale Road East.

**Table 3 – Estimated Development Charges for LJM Developments (Halton Hills) Inc. Project at 400 Southdale Rd. E**

	<b>1 bedroom</b>	<b>2 bedrooms +</b>
2023 DC Rate	\$19,491	\$26,412
# of Units	147	32
Subtotal	\$2,865,177	\$845,184
<b>Estimated Gross DC Amount</b>	<b>\$3,710,361</b>	
Demolition Credits (estimated at 2023 commercial DC rate)	\$0	
<b>Estimated Net DC Amount</b>	<b>\$3,710,361</b>	

Under the Brownfield CIP up to 50% of the total amount (\$3,710,361 x 50% = \$1,855,181) may be granted to cover eligible remediation costs that are incurred by the property owner. This estimate may not reflect the actual DCs for the project. Final determination of DCs will be made by the Chief Building Official (or designate) at the appropriate time.

When and how the applicant decides to pay development charges will affect how the Development Charge Rebate Program grant is paid. For deferred development charge types, owners are required to pay development charges in six annual instalments beginning on the date the building is first occupied and continuing the following five anniversaries of that date. However, the owner may choose to enter into an alternative payment agreement with the City of London and pay development charges in full on the date the building permit is issued (lump sum).

The applicant has yet to decide on when development charges for this project will be paid (instalments or one lump sum). As a result, Civic Administration are recommending the following to Municipal Council:

- If development charges are paid in six instalments, the Development Charge Rebate Program grant will also be paid in six annual instalments. If interest is charged by the City of London for this option, the interest will not be granted to the applicant through the Development Charges Rebate Program.
- If development charges are paid in one lump sum on the date the building permit is issued, the Development Charge Rebate Program grant will be paid in one instalment.

### **Brownfield CIP – Financial Incentives Summary**

The Development Charges Rebate Program can cover the recommended grant funding of \$624,000. Table 4 summarizes the estimated grant payment schedule for the scenario where the property owner pays development charges in one lump sum and the grant is provided back in one instalment. Table 5 summarizes the estimated grant payment schedule for the scenario where the property owner pays development charges in six annual instalments and the grant is provided back in five instalments (the sixth grant instalment is not required). In both scenarios, the total does not exceed the recommended funding of \$624,000. It is important to remember that Table 4 and 5 represent estimates. The actual grant payments — both the year and the amount — cannot be determined until net development charges have been calculated and construction has started.

**Table 4 – Summary – 400 Southdale Road East (DCs paid in one lump sum)**

<b>Program</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>Total</b>
DC Rebate		\$624,000					<b>\$624,000</b>

**Table 5 – Summary – 400 Southdale Road East (DCs paid in six instalments)**

<b>Program</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>Total</b>
DC Rebate		\$154,598	\$154,598	\$154,598	\$154,598	\$5,608	<b>\$624,000</b>

### **3.0 Financial Impact/Considerations**

Financial Planning and Policy was circulated the Brownfield CIP application for 400 Southdale Road East and confirmed that the Community Improvement Program Reserve Fund can cover the estimated remediation cost.

### **Conclusion**

The applicant is proposing a 179-unit residential development on Southdale Road East on a vacant site that is contaminated from past commercial activity. In addition to the environmental benefits that will result from site remediation, this development will provide public and economic benefits including the creation of new residential units and the generation of significant new tax revenues for the City of London.

The applicant retained PGL Environmental Consultants to prepare a business case which provides information on the existing environmental conditions. The business case and supporting Phase I and II Environment Site Assessments confirms that site remediation is required so that the proposed residential development can satisfy Provincial environmental standards.

After reviewing the applicant’s business case, Civic Administration have identified removing impacted soil, the consulting fees related to removing impacted soil (including ESA reports and RSC), and a 20% contingency as being eligible site remediation costs.

As a result, the Development Charges Rebate Program is being recommended to cover eligible site remediation costs associated with the application up to a maximum amount of \$624,000.

Prior to issuing any financial incentives an agreement will be executed between the applicant and the City of London outlining the nature of the development proposal and specifying the relevant terms and conditions that apply under the provisions of the Brownfield CIP.

**Prepared by:** **Graham Bailey, MCIP, RPP**  
**Senior Planner, Core Area and Urban Regeneration**

**Reviewed by:** **Jim Yanchula, MCIP, RPP**  
**Manager, Core Area and Urban Regeneration**

**Recommended by:** **Stephen Thompson, MCIP, RPP**  
**Director, Economic Services and Supports**

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

## **Appendix A – Business Case**

Business Case Submission for Brownfield Incentives – 400 Southdale Road East,  
London, ON – *attached separately*.

July 31, 2023  
PGL File: 6026-01.02

**Via E-mail: gbailey@london.ca**

The Corporation of the City of London  
Planning and Development Services  
300 Dufferin Avenue  
London, ON  
N6B 1Z2

**Attention: Graham Bailey, MCIP, RPP  
Senior Planner**

**RE: BUSINESS CASE SUBMISSION FOR BROWNFIELD INCENTIVES –  
400 SOUTHDALE ROAD EAST, LONDON, ON**

PGL Environmental Consultants (PGL) has prepared this Environmental Business Case for 400 Southdale Road East in London, Ontario on behalf of LJM Developments (LJM). Please accept this submission as a request for funding under the City of London's Community Improvement Plan (CIP) Financial Incentive Program. This application is for funding through the following programs:

- Contamination Assessment Study Grant;
- Property Tax Assistance;
- Development Charges Rebate; and
- Tax Increment Equivalent Grant.

## **1.0 LOCATION AND SITE DESCRIPTION**

The Site is in the Cleardale neighbourhood of London, Ontario. It is located at the northeast corner of the intersection of Southdale Road East and Dundalk Drive. Single-family residential properties are located to the north of the Site, a commercial strip plaza is to the east, Southdale Road East followed by a church is to the south, and Dundalk Drive followed by a residential apartment building is to the west. The Site was most recently occupied by a gasoline service station, which was decommissioned in 2012. The Site has been vacant since. Soil remediation and completion of a Record of Site Condition (RSC) to industrial/commercial/community (ICC) standards was filed in 2021.

## **2.0 PROJECT DESCRIPTION**

LJM is proposing a residential development for the Site, consisting of a seven-storey residential development with two full levels of underground parking and a third partial level of parking/locker storage. Roughly 180 residential units are proposed, four of which will be transferred to the City of London for low-income housing as part of their Housing Stability Action Plan.

Due to the Site's former use, and the intended land use change, contamination in soil is still present at the Site. Additional remediation and a new RSC are required under Ontario Regulation (O.Reg. 153/04).

### 3.0 BACKGROUND

The Site was used for agricultural purposes from at least 1946 until the 1970s. The first non-agricultural use appears to be as a storage yard in 1974. By 1975, the Site was cleared and used for parking truck trailers. The Site was briefly vacant from the late 1970s until the later 1980s when the gasoline service station and associated carwash were constructed. Petro-Canada/Suncor Energy Products Partnership operated the gas station until 2012 when the infrastructure was removed, and the Site was remediated.

Between 2012 and 2018, the following work was completed at the Site:

- Sampling during the removal of five underground storage tanks (USTs);
- Excavating 28 test pits to investigate areas of potential environmental concern (APECs);
- Advancing 13 boreholes at the Site;
- Groundwater sampling to delineate areas of impact; and
- Remedial excavation and confirmatory soil and groundwater sampling to address areas of identified soil and groundwater contamination.

Roughly 766m<sup>3</sup> (1,685 tonnes) of impacted soil was excavated for offsite disposal in May 2012, from December 2012 to May 2013, and from February to March 2016. The soil contained concentrations of benzene, toluene, ethylbenzene, xylenes (BTEX), petroleum hydrocarbons (PHCs), and/or electrical conductivity (EC) or Sodium Adsorption Ratio (SAR) exceeding the O.Reg. 153/04 Table 5 stratified Site Condition Standards (SCS) for ICC property use, non-potable groundwater, and medium/fine-textured soil. Most of the impacted soil was excavated from along the southern property boundary, near the former pump islands and piping infrastructure.

Soil samples were collected to assess quality of the soil remaining at the Site. Soil samples were analyzed for BTEX/PHCs and/or EC/SAR, based on their location relative to the APECs and previously exceeding samples. All confirmatory soil samples from the final limits of the excavations met the O.Reg. 153/04 Table 5 ICC SCS for the analyzed parameters.

The Site has been vacant since the decommissioning and remediation work. In preparation of the sale of the property, an RSC was filed for the Site, based on the work completed to date. The RSC confirms the Site was remediated to Table 5 ICC SCS. LJM purchased the property in 2020, filed the RSC in 2021, and began the Site Plan Approval process with the City of London (the City).

As the intended development is residential in nature, a new RSC will need to be filed to support the change in land use to more sensitive uses (i.e., from ICC to residential/parkland/institutional).

Applying residential/parkland/institutional (RPI) standards to the confirmation samples collected during the remediation work results in exceedances in samples that had previously met the ICC standards. Due to the now-exceeding soil results, remediation of the remaining impacts is required before a new RSC can be filed. Groundwater standards are consistent between land uses, and no new impacts to groundwater have been observed.

### 4.0 PROPOSED REMEDIATION

The proposed remediation work will aim to remove the residual contamination at the Site from the previous gasoline service station use and support the filing of an RSC to RPI standards. We propose completing the following tasks as part of the rehabilitation of the Site:

- Remediate soils impacted with PHCs/BTEX within the south portion of the Site, near the area of the former pump islands and piping infrastructure. This includes monitoring the removal and

collecting confirmation samples to confirm that the impacts have been removed and that soil remaining meets the RPI standards and cost of disposal for impacted soils by volume;

- Remove excess soil/fill, excluding impacted material;
- Update the environmental reports with new data/sample information, including the Phase One ESA, Phase Two ESA (including appendices), the Phase Two Conceptual Site Model (CSM) and the RSC;
- Manage excess soil before and during soil removal; and
- Conduct a Hydrogeological Impact Assessment.

## 5.0 ESTIMATED BROWNFIELD REMEDIATION COSTS

Projected remediation costs are provided below. Costs include environmental consultant fees required as part of clean up of the Site. Assumptions to support the development of the cost estimate are included below:

- Standards that will be applied to the Site moving forward will be the O.Reg. 153/04 Table 3 Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for residential/parkland/institutional use;
- Total area of the Site to be redeveloped = 3,200m<sup>2</sup>;
- Maximum depth of development = 8m below ground surface (bgs)
- Areas of impact:
  - Pump islands and fueling infrastructure:
    - Area = 500m<sup>2</sup>; and
    - Depth of impact ranges from 2.0m bgs to 3.5m bgs = 1.5m thickness of soil impacts.
  - Exceedances from the former tank nest:
    - Area = 160m<sup>2</sup>; and
    - Depth of impact from surface to depth of excavation = 4.5m thickness of soil impacts.
- Depth of impact ranges from 2.0m bgs to 3.5m bgs = 1.5m thickness of soil impacts within the area of impact;
- Assumed a conversion of 2.2 tonnes per m<sup>3</sup>;
- Assumed disposal costs of:
  - Impacted soil = \$120/tonne; and
  - Unimpacted soil = \$5/tonne;
- Includes a 20% contingency;
- Excludes the following:
  - Shoring costs; and
  - Trucking and haulage for excess soil.

**Table A: Estimated Brownfield Costs**

Item	Cost
Soil Removal (impacted material)	\$390,000
Excess Soil Removal (excluding impacted material)	\$190,000
Consulting fees – Impacted Soil Removal (including ESA reports and RSC)	\$130,000
Consulting fees – Excess Soil Management	\$40,000
Consulting fees – Hydrogeological Impact Assessment	\$10,000
Contingency (20%)	\$152,000
<b>TOTAL</b>	<b>\$912,000</b>



## **6.0 VALUE AND BENEFITS FOR COMMUNITY IMPROVEMENT**

The City has adapted a CIP for Brownfield incentives to encourage brownfield remediation and development within the municipality. Brownfield redevelopment can improve environmental conditions, stimulate the local economy, improve the surrounding community, and make use of existing infrastructure and land potential. These initiatives are intended to support compact urban form, efficient use of existing serviced lands and municipal infrastructure, and reduce adverse environmental impacts from contaminated sites.

LJM is proposing a residential development of a property formerly occupied by a gasoline service station, which has been vacant and under-utilized for the past decade. The Site and proposed development meet the necessary requirements for the City's CIP and Brownfield incentives, and supports the intent of the City's Official Plan. The redevelopment of this brownfield site directly supports the planning objectives of the municipality and provincial interests as outlined in the Provincial Policy Statement by:

- Promoting healthy and viable rural areas within the municipality;
- Promoting long-term economic prosperity through redevelopment of the Site;
- Promoting intensification through redevelopment and development of an under-utilized area/property;
- Using existing public services and infrastructure; and
- Remediating a contaminated site for the proposed use to avoid adverse effects from impacts.

The proposed development will replace an eye-sore along a major east-west artery within the City with an exceptional building designed with step backs on the uppermost storeys with a variety of building materials to break up the massing of the building. The development will provide a well-defined built edge, and create a positive public interface and human scale at street level. The new development will be an ideal location for City residents with easy access to local transit, nearby stores and local businesses, parks, and schools, and will rejuvenate the neighbourhood.

## **7.0 CONCLUSIONS**

LJM is proposing a residential development for the Site, consisting of a seven-storey residential development with two full levels of underground parking and a third partial level of parking/locker storage. Roughly 180 residential units are proposed. Due to the Site's former use and the intended land use change, contamination in soil is still present at the Site. Additional remediation and a new RSC are required under O.Reg. 153/04. As such, LJM has submitted this request for funding under the City of London's CIP Financial Incentive Program.

LJM has proposed a development that will help revitalize the Cleardale neighbourhood, and bring a new purpose to an under-utilized property along a main thoroughfare. The development meets the needs and objectives of the CIP and request financial aid for the remediation work to support this development.

## **8.0 STATEMENT OF LIMITATIONS AND CONDITIONS FOR REPORT**

### **8.1 Complete Report**

All documents, records, data and files, whether electronic or otherwise, generated as part of this assignment are a part of the Report, which is of a summary nature and is not intended to stand alone without reference to the instructions given to PGL by the Client, communications between PGL and the Client, and any other reports, proposals or documents prepared by PGL for the Client relative to the specific site described herein, all of which together constitute the Report.

In order to properly understand the suggestions, recommendations and opinions expressed herein, reference must be made to the whole of the Report. **PGL is not responsible for use by any part of portions of the Report without reference to the whole report.**

## 8.2 Basis of Report

The Report has been prepared for the specific site and purposes that are set out in the contract between PGL and the Client. The findings, recommendations, suggestions, or opinions expressed in the Report are only applicable to the site and purposes in relation to which the Report is expressly provided, and then only to the extent that there has been no material alteration to or variation from the information provided or available to PGL.

## 8.3 Use of the Report

The information and opinions expressed in the Report, or any document forming part of the Report, are for the sole benefit of the Client. No other party may use or rely upon the Report or any portion thereof without PGL's written consent, and such use shall be on terms and conditions as PGL may expressly approve. Ownership in and copyright for the contents of the Report belong to PGL. Any use which a third party makes of the Report, is the sole responsibility of such third party. **PGL accepts no responsibility whatsoever for damages suffered by any third party resulting from use of the Report.**

## 9.0 CLOSING

We trust that this meets your needs. If you have any questions or require clarification, please contact Elizabeth Foran or Kim Worboy at 905-430-5517 and 905-430-5500, respectively.

### PGL ENVIRONMENTAL CONSULTANTS

Per:



Elizabeth Foran, P.Eng., QP<sub>ESA</sub>  
Environmental Consultant



Kim Worboy, P.Eng., QP<sub>ESA</sub>  
Vice President, Operations

EAF/KJW/mtl

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## Appendix B – Comments

### City of London – Brownfield Community Improvement Plan Comments for 400 Southdale Road East

#### General:

Comment Number	Comment	Applicant Response
1.	If possible, please confirm the total number of units in the development and the unit splits by bedroom type (for example, the number of bachelor, one-bedroom, and two-bedroom units).	Total units = 179 (Studio = 8, 1-B = 139, 2-B = 32, 3-B = 0)
2.	If known, please confirm when development charges are being paid for this project (for example, when the building permit is issued or in six annual instalments beginning on the date the building is first occupied).	Not known at this time.

#### Engineering:

Comment Number	Comment	Applicant Response
1.	Based on the chronology of the Site presented in the business case, it appears LJM purchased the property in 2020, and filed the RSC with the MECP in 2021. They then proceeded with the SPA process with the City. Why did LJM file an RSC for an industrial/community/commercial (I/C/C) property use, when there was a clear direction to pursue a residential land use, which would then trigger an additional RSC through the change in land use?	The RSC was completed as part of a purchase and sale agreement. While it was completed under the current owner's name, the specifics of the RSC were determined by the previous owner and the agreement.
2.	The report indicates that soil results which met the I/C/C generic soil quality standards now require removal to meet the most stringent residential/parkland/institutional (R/P/I) generic soil quality standards, before a new RSC can be filed. Note that soil removal is not the only mechanism to secure a new RSC. Has the landowner and their consultant considered pursuing an RSC through a Risk Assessment (RA)? The RA approach is an option for property owners who want to file an RSC when their property does not meet the generic SCS applicable to their site and would likely not require full removal of the material.	Risk Assessment could be conducted instead of soil removal. Given the cost and time of Risk Assessment, it was not determined to be the best option. The costs for soil removal and consulting fees were estimated at \$390,000 plus \$130,000. There is a high degree of certainty in this approach. If Risk Assessment was conducted, costs could run similar, with a ballpark estimate of \$350,000. However, soil will also need to be removed within the footprint of the development for

		additional costs. In addition, Risk Assessment is a lengthy process (roughly 2 years), and time delay costs would also have to be estimated.
3.	The business case notes that a hydrogeological impact assessment is required to be prepared. Is the hydrogeological impact assessment a requirement of the RSC filing, or to support the development application process for the site?	The hydrogeological impact assessment would be to support the development application. It is not required for the RSC filing.
4.	Assumptions in Section 5.0 of the business case indicate that disposal costs associated with impacted soil (i.e., presumably soil which exceeds the Table 3 R/P/I SCSs), were assumed to be at \$120/tonne. Is there a rationale to this assumption? The unit rate for brownfield waste disposal at the City of London's W12A Landfill is \$34/tonne.	Unit rates for the disposal costs provided are not solely the tipping fee. The rate of \$120/tonne includes the tipping fee, plus additional fees for loading, hauling, tracking, labour, and consulting oversight. This is a typical budgetary cost for remediation of contaminated soil used in the industry for over a decade.
5.	There is an assumption in the business case which suggests that unimpacted soil would be disposed of at \$5/tonne, for a total cost of \$190,000 (Table A). Is there a rationale as to why soil which does not exceed the generic R/P/I SCSs would be covered under the CIP?	Management of Excess soil is covered under the Brownfields Regulations.
6.	There is lump sum line item in Table A which indicates that consulting fees for excess soil management would be \$40,000. Is the excess soils management related to the impacted material, or material which would have otherwise been handled as part of the project? Note that if the landowner is pursuing a new RSC, they may be exempt from certain planning requirements under Reg 406 as it relates to impacted soil.	As updated reports will be required for the RSC, we have excluded the costs for the Assessment of Past Uses and Soil Characterization Report from the consulting fees. Although not explicitly stated, we understand that the Phase One and Two ESAs can be used to support excess soil management under O.Reg. 406/19. The dollar value included is for management of all soil that will be leaving the Site, regardless if it is impacted or not.

## 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 – October 2023  
**Date:** Monday November 13, 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 October 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 October 2023:

- 68 Albion Street (B/P HCD): two-storey rear addition
- 189 Dundas Street (DNTN HCD): signage
- 34 Empress Avenue (B/P HCD): one-storey rear addition, porch railings
- 27 Victor Street (WV-OS HCD): new front porch
- 261 Wortley Road (WV-OS HCD): new dormer

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 CACCP or Municipal Council for a decision (Table 1).

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

	<b>Delegated Authority</b>	<b>Municipal Council</b>	<b>Total</b>
<b>HAP applications (October 2023)</b>	5	0	5
<b>HAP applications (year to date)</b>	81	6	86
<b>HAP applications (2022)</b>	89	14	103
<b>HAP applications (2021)</b>	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 October 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, MPA, P.Eng.  
Deputy City Manager, Planning and Economic  
Development

**Subject:** Sifton Properties Ltd.  
6019 Hamlyn Street  
File Number: Z-9654, Ward 9

**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Sifton Properties Ltd. relating to the property located at 6019 Hamlyn Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 28, 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 Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D75\*H20\*R8-4(62)) Zone with provisions for a maximum density of 75 units per hectare and a maximum height of 20 metres **TO** a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29)\*D100\*H20\*R8-4(\_)) Zone with provision of a maximum density of 100 units per hectare and a maximum height of 20 metres.

**IT BEING NOTED**, that the above noted amendment is being recommended for the following reasons:

- a) The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
- b) The recommended zone conforms to The London Plan, including but not limited to the Neighbourhoods Place Type, Environmental Review Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable The London Plan policies.
- c) The recommended zone conforms to the policies of the Southwest Area Secondary Plan.
- d) The recommended zone is appropriate and will permit open space/park uses consistency with the planned vision of the Neighbourhoods Place Type and built form that contributes to a sense of place, character and connectivity.

## 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 Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D75\*H20\*R8-4(62)) Zone with provisions for a maximum density of 75 units per hectare and a maximum height of 20 metres to a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29)\*D100\*H20\*R8-4(\_)) Zone with provision of a maximum density of 100 units per hectare, and a maximum height of 20 metres.

The two primary changes to the zoning on the identified property that staff are recommending for approval include a special provision that will facilitate reduced

setbacks under the Residential R8 (R8-4 ( ) Zone, as well as an increased maximum density from 75 units per hectare to 100 units per hectare.

Staff are recommending approval with holding provisions to ensure the development will only proceed once the lands are orderly developed and there is adequate provision of municipal services, including the looped watermain system.

The current zoning regulation permits a maximum density of 75 units per hectare, allowing for the development of approximately 108 units. The proposed amendment aims to increase density to a maximum of 100 units per hectare, accommodating an additional 35 units from the current zone. This zoning amendment application and development proposal could potentially contribute 143 residential units.

### **Purpose and the Effect of Recommended Action**

The recommended action will permit a development containing two (2) six (6) storey apartment buildings.

## **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 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**

**March 01, 2021** – Report to Planning and Environment Committee – Public Participation Meeting - 6019 Hamlyn Street - Liberty Crossing Subdivision – Application for approval of Draft Plan of Subdivision and Zoning By-law Amendment (39T-18504)

**December 16, 2022** – Report to Approval Authority of City of London – 6019 Hamlyn Street – Liberty Crossing Subdivision – Application for approval of Redline Revision of Draft Subdivision (39T-18504).

**March 27, 2023** – Report to Planning and Environment Committee – Public Participation meeting – 6019 Hamlyn Street – Application for Zoning By-law Amendment (Z-9654).

#### **1.2 Planning History**

The subject lands previously formed part of the Town of Westminster. In 1993, the subject lands, and the larger area south to Lambeth, were annexed into the City of London. The subject site is located within the Southwest Area Secondary Plan (SWAP).

The original application for a residential plan of subdivision and associated Zoning By-law Amendment was accepted by the City on September 24, 2018 and circulated to the appropriate commenting agencies and departments. Through the circulation process, issues were raised by Staff and the UTRCA regarding the impacts of the proposed development on the natural heritage system and hazard lands. Over the past several years, the applicant has worked to resolve issues and concerns from the City and the UTRCA. As part of this approach, a revised plan of subdivision application was submitted to the City.

On March 1, 2021 a public meeting was held to discuss the revised plan of subdivision and associated zoning by-law amendments. Council endorsed the plan of subdivision and approved the associated amendments.



On April 23, 2021 the Approval Authority granted draft approval to the plan of subdivision which permitted single-detached dwelling units, medium density blocks, open space and park blocks.

Since draft approval, the applicant and their consultants have been working with the City and UTRCA to develop an engineering plan for the plan of subdivision addressing servicing, water balance, cut and fill, natural heritage, and park design issues. As part of engineering review, the applicant applied for a redline revision to the plan to create an additional park block and more single-detached dwelling units. The redline revision request was granted by the Approval Authority on December 19, 2022, and a copy of the redlined draft subdivision plan can be seen below.

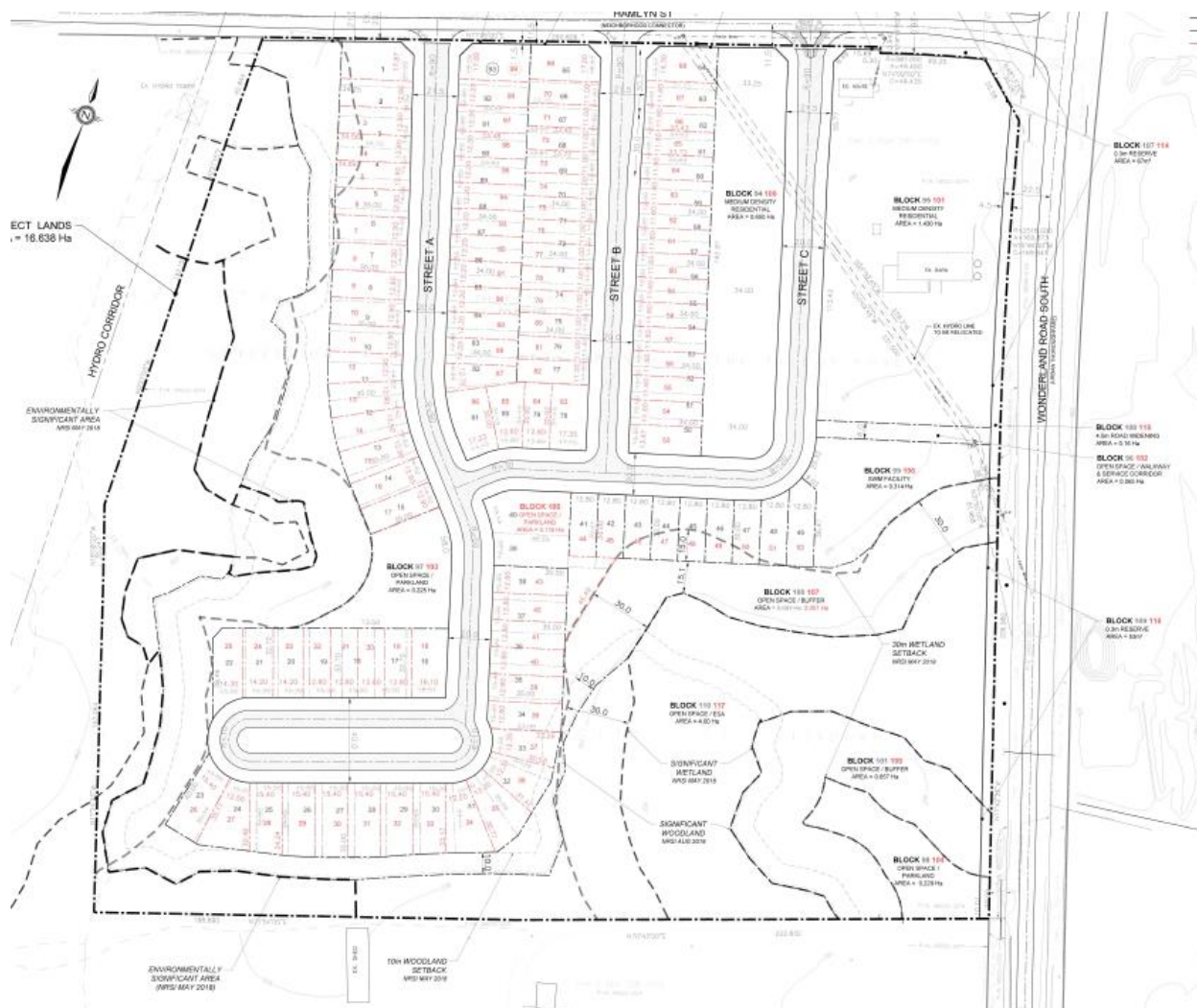


Figure 1- Redlined Draft Subdivision Plan

On March 27, 2023 a public meeting was held to discuss the zoning by-law amendment for Block 109 of the draft approved subdivision. Council endorsed the amendment on April 4, 2023.

### 1.3 Property Description and Location

The subject site is located at the southwest corner of Wonderland Road South and Hamlyn Street.

The property is identified as Block 101 in the draft approved plan of subdivision (39T-18504). In December 2022, a minor red-line revision was approved, permitting ninety-three (93) single-detached lots, two (2) medium density residential blocks, three (3) parkland blocks, three (3) open space blocks and one (1) SWM facility block, all served by three (3) new neighbourhood streets (Street A (Green Bend ) B (Liberty Crossing) and C (Calhoun Way))

The property is located to the east of Street 'C' (Calhoun Way) and a future residential development to the west, Hamlyn Street to the north, a future SWM facility to the south, and Wonderland Road South to the east. The site is currently vacant after structures, including a barn and home, were recently demolished.

The Draft Approved Plan of Subdivision is provided in Appendix C.

**Site Statistics:**

- Current Land Use: Agriculture and Vacant
- Frontage: 65 metres
- Area: 1.43 Ha
- Shape: rectangular
- Located within the Built Area Boundary: Yes

**Surrounding Land Uses:**

- North – Hamlyn Street, single-detached dwelling, agricultural
- East – Wonderland Road South, agricultural, open space
- South – Vacant, former agricultural, future residential
- West – Vacant, former agricultural, future residential

**Existing Planning Information:**

- Existing The London Plan Place Type: Neighbourhoods, along an intersection of Urban Thoroughfare and Neighbourhood Collector.
- Existing Zoning: Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D75\*H20\*R8-4(62)) Zone with provisions for a maximum density of 75 units per hectare and a maximum height of 20 metres

Additional site information and context is provided in Appendix B.



Figure 2- Aerial Photo of 6019 Hamlyn Street (Block 101) and surrounding lands





View to north along Hamlyn Street opposite side of the street to the site



View to south looking at the Natural Heritage Feature from the future SWM facility



View to the west including the site and barn, which has since been demolished



View to east across Wonderland Road South, opposite to the site

Figure 3 - Streetview of 6019 Hamlyn Street (Block 101) from different directions and streets

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The applicant is proposing two (2) six (6) storey apartment buildings, fronting on Wonderland Road South. Access to the site will be facilitated through private roads/driveways extending from Street 'C' to the apartments, leading to a parking area situated to the west of the two buildings. Street 'C' is designated as a Neighbourhood Street in the draft approved plan of subdivision for these lands. Additionally, an amenity area is proposed between the two structures.

The site will be going through the Site Plan Application process, at which time details of the site such as solid waste and snow storage, plantings, and other aspects would be finalized.

The proposed development includes the following features:

- Land use: Residential
- Form: Apartments
- Height: 6 Storeys (max 20 metres)
- Residential units: 143 units
- Density: 100 units / hectare
- Parking spaces: 171 (surface parking)
- Landscape open space: 25%

Additional information on the development proposal is provided in Appendix B.

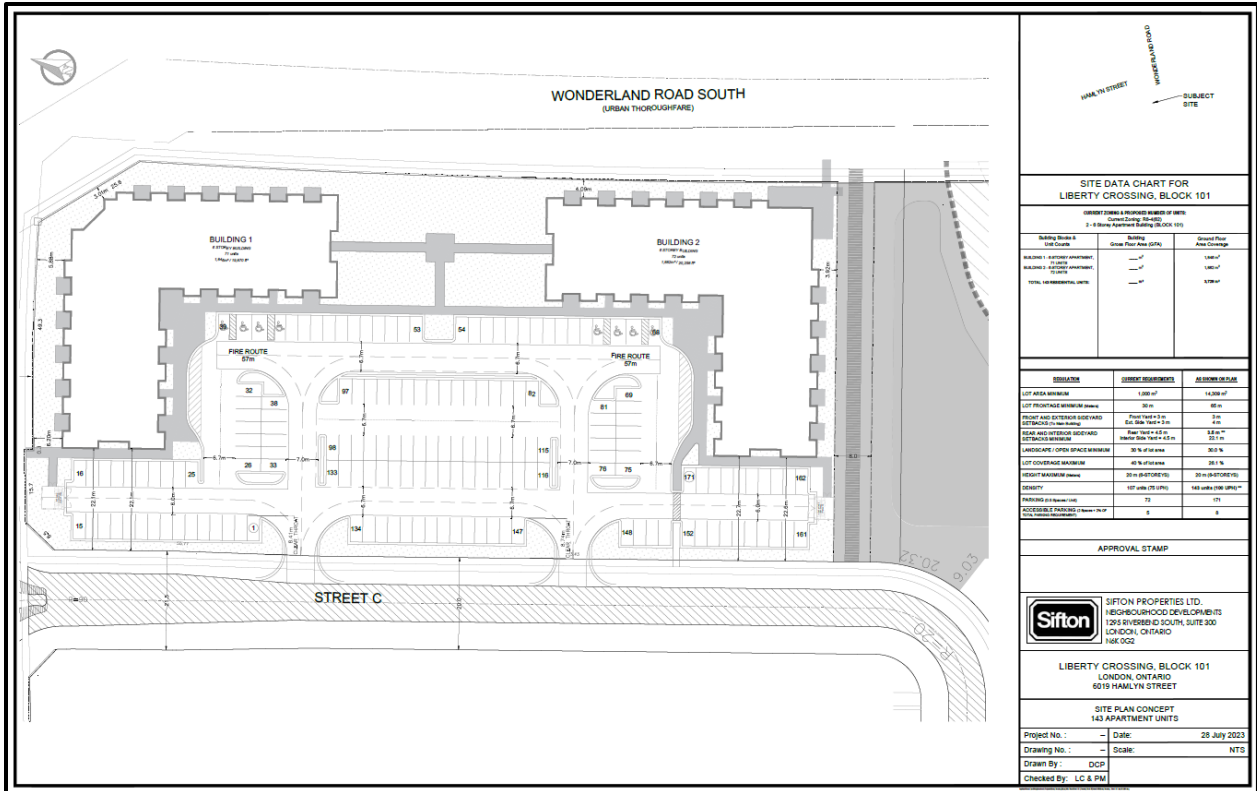


Figure 4 - Conceptual Site Plan



Figure 5 – Massing model, views from different directions

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 By-law Z.-1 to rezone the property from a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D75\*H20\*R8-4(62)) Zone with provisions for a Maximum Density of 75 units per hectare and a Maximum Height of 20 metres to a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D100\*H20\*R8-4( )) Zone with special provisions for a minimum interior side and rear yard depth of 3.0 metres, a minimum front and exterior side yard depth to the sight triangle of 0.8 metres, a maximum front and exterior side yard depth to the main building of 7.0 metres, a minimum landscaped open space of 25%, a maximum

density of 100 units per hectare, and a maximum height of 20 metres .

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

<b>Regulation (R8-4(_))</b>	<b>Proposed</b>
Interior Side & Rear Yard (Minimum):	3.0m
Front and Exterior Side Yard Depth to Sight Triangle (Minimum):	0.8m
Front and Exterior Side Yard Depth (Maximum):	7.0m
Landscaped Open Space (%) Minimum:	25%
Density – Units Per Hectare Maximum	100 UPH

### **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. Detailed internal and agency comments are included in Appendix D of this report.

### **2.4 Public Engagement**

On September 19, 2023, a Revised Notice of Application was sent to 13 property owners and residents in the surrounding area. Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 28, 2023. A “Planning Application” sign was also placed on the site.

There was no response received during the public consultation period.

### **2.5 Policy Context**

#### **The Planning Act and the Provincial Policy Statement, 2020**

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns, healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1.(a)).

#### **The London Plan, 2016**

In accordance with The London Plan, the subject lands are classified under the Neighbourhoods Place Type, allowing for various uses, primarily residential and small-scale community facilities. Additionally, community centers, public parks, recreational facilities, and similar community-oriented spaces are welcomed in this category. The proposal adheres to the Provincial Policy Statement and all relevant legislation.

The evaluation criteria encompass:

1. Compliance with Our City, Our Strategy, City Building, and Environmental policies.
2. Adherence to Neighbourhoods Place Type policies.
3. Consideration of applicable guideline documents.
4. Accessibility to municipal services.

5. Assessment of potential impacts on nearby properties, with strategies for management and mitigation.
6. Harmony of the proposal within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

### **Southwest Area Secondary Plan**

The land is subject to the Medium Density Residential policies of the Wonderland Boulevard Neighbourhood. The Medium Density Residential designation is intended to provide for a higher intensity of medium density residential development than typically occurs in medium density areas. It permits a range of residential uses from triplexes to low-rise apartment buildings and requires development to occur at a minimum density of 30 units per hectare, a maximum of 75 units per hectare and upper maximum of 100 units per hectare, may be permitted. Building heights shall generally not be permitted to exceed six storeys.

### **3.0 Financial Impact/Considerations**

None.

### **4.0 Key Issues and Considerations**

#### **4.1 Land Use**

The proposed residential use aligns with the policies outlined in the Provincial Policy Statement (PPS) and is consistent with the Neighbourhoods Place Type as defined in The London Plan (TLP 921\_). The site is situated on an Urban Thoroughfare (Wonderland Road South) and a Neighbourhood Connector (Hamlyn Street), allowing for a variety of low-rise residential options, including single-detached, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, low-rise apartments, and mixed-use buildings (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

In alignment with The London Plan, the recommended apartment buildings will enhance the existing housing variety in the area. These two six-story buildings, comprising 143 units, will offer diverse housing choices for current and future residents. Notably, there's no need for new roads since the site is part of the approved draft plan of subdivision. Access to the property will be provided through 'Street C,' one of the new streets outlined in the subdivision draft plan. The site offers convenient access to open spaces, community facilities, and shopping areas, as detailed in Appendix B of this report. Given its location on a major road and its proximity to similar residential developments, the proposed use is considered suitable by staff.

#### **4.2 Intensity**

The proposed level of intensity aligns with the policies of the PPS, encouraging residential intensification (PPS 1.1.3.3 and 1.4.3), efficient land use (PPS 1.1.3.2), and a diverse housing mix (PPS 1.4.3). The heightened development intensity on the site will leverage existing and planned transit services, nearby recreational facilities, local and regional institutions, as well as shopping, entertainment, and service amenities.

The London Plan envisions residential intensification in suitable locations, emphasizing harmony with existing neighborhoods (83\_, 937\_, 939\_ 2. and 5., and 953\_ 1.). The Plan permits intensification in all areas allowing residential use (84\_), following the guidelines outlined in the City Structure Plan and the Residential Intensification policies within the Neighbourhoods Place Type.

The London Plan assesses intensity in the Neighbourhoods Place Type based on building height. It suggests a minimum of 2 storeys and a maximum of 4 storeys, with potential flexibility to reach up to 6 storeys for properties along Neighbourhood Connectors and Urban Thoroughfares (Table 11 – Range of Permitted Heights in the



Neighbourhoods Place Type). The development's intensity should be proportionate to the lot size (953\_3.).

The subject lands are also subject to the Medium Density Residential policies of the Wonderland Boulevard Neighbourhood in Southwest Area Secondary Plan. The Medium Density Residential designation is intended to provide for a higher intensity of medium density residential development than typically occurs in medium density areas.

The subject lands have frontage on Wonderland Road South, an Urban Thoroughfare, indicating its suitability for higher intensity uses. Currently, the site is underutilized, featuring only a single-detached dwelling. The proposed six (6) storey structure aligns with The London Plan and Southwest Area Secondary Plan's guidelines and permissions.

#### **4.3 Form**

The proposed built form is street oriented and in conformity with the City Design policies of The London Plan. The front building helps defines the street edge and encourages a street-oriented design with entrances facing the streets. Exact design details will be provided through the Site Plan Approval process.

The parking area is screened from the street, being located behind the two buildings on site, and does not extend beyond the building façade. Similar to building form and design details, parking will be further detailed during the Site Plan Approval process.

### **Conclusion**

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property to increase the residential density from 75 units per hectare to 100 units per hectare, and include a special provision that will facilitate reduced setbacks under the requested Residential R8 (R8-4 ( ) Zone. Staff are recommending approval of the requested Zoning By-law amendment with the additional density and special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit two, six (6) storey, apartment buildings for a total of 143 units. The recommended zoning amendment represents good planning.

**Prepared by:** Archi Patel  
Planner, Subdivision Planning

**Reviewed by:** Bruce Page  
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

Copy:  
Peter Kavcic, Manager, Subdivisions and Development Inspections  
Michael Pease, Manager, Site Plans  
Ismail Abushehada, Manager, Subdivision Engineering  
Brent Lambert, Manager, Development Engineering

## Appendix A – 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 6019  
Hamlyn Street

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 6019 Hamlyn Street, as shown on the attached map comprising part of Key Map No. A114 **FROM** a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D75\*H20\*R8-4(62)) Zone with provisions for a Maximum Density of 75 units per hectare and a Maximum Height of 20 metres **TO** a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*R4-3(2)\*R5-7(18)\*R6-5(74)\*R7(29) \*D100\*H20\*R8-4(\_)) Zone with provision of a maximum density of 100 units per hectare and a maximum height of 20 metres. Section Number 9.4 of the R8 Zone is amended by adding the following Special Provisions:

R8-4(\_) 6019 Hamlyn Street

a) regulations

- |  |            |
|--|------------|
| i) Interior Side & Rear Yard:  | 3.0 metres |
| ii) Front and Exterior Side Yard Depth to<br>Sight Triangle (Minimum): | 0.8 metres |
| iii) Front and Exterior Side Yard<br>Depth (Maximum):                  | 7.0 metres |
| iv) Landscaped Open Space (%) Minimum:                                 | 25%        |
| v) Density – Units Per Hectare Maximum:                                | 100 UPH    |

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

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

PASSED in Open Council on November 28, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.




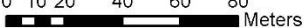

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – November 28, 2023  
Second Reading – November 28, 2023  
Third Reading – November 28, 2023

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



<p>File Number: Z-9654                  Planner: AP                  Date Prepared: 2023/10/10                  Technician: RC                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 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	Agriculture
Frontage	65 m (Hamlyn Street)
Area	1.43 ha.
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

#### Surrounding Land Uses

North	Shopping Area
East	Neighbourhoods and Green Space
South	Neighbourhoods and Environmental Review
West	Neighbourhoods and Environmental Review

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods Place Type on an intersection of Urban Thoroughfare and Neighbourhood Connector
Current Zoning	Holding Residential R4/R5/R6/R7/R8 Special Provision (h*h-100*R4-3(2)*R5-7(18)*R6-5(74)*R7(29) *D75*H20*R8-4(62)) Zone with provisions for a maximum density of 75 units per hectare and a maximum height of 20 metres

#### Requested Designation and Zone

Requested Place Type	No change requested
Requested Zoning	Holding Residential R4/R5/R6/R7/R8 Special Provision (h*h-100*R4-3(2)*R5-7(18)*R6-5(74)*R7(29) *D100*H20*R8-4(_)) Zone with provisions for a maximum density of 100 units per hectare and a maximum height of 20 metres

#### Requested Special Provisions

Regulation (R8-4(_))	Proposed
Interior Side & Rear Yard (Minimum):	3.0m
Front and Exterior Side Yard Depth to Sight Triangle (Minimum):	0.8m
Front and Exterior Side Yard Depth (Maximum):	7.0m
Landscaped Open Space (%) Minimum:	25%
Density – Units Per Hectare Maximum	100 UPH

### C. Development Proposal Summary

#### Development Overview

The development consists of two (2) apartment buildings. The buildings are proposed to be six (6) storeys in height and contain parking to be west of two buildings.

### Proposal Statistics

Land use	Residential
Form	Apartment buildings
Height	6 Storeys (max 20 metres)
Residential units	143
Density	100 units per hectare
Landscape open space	25%
New use being added to the local community	No

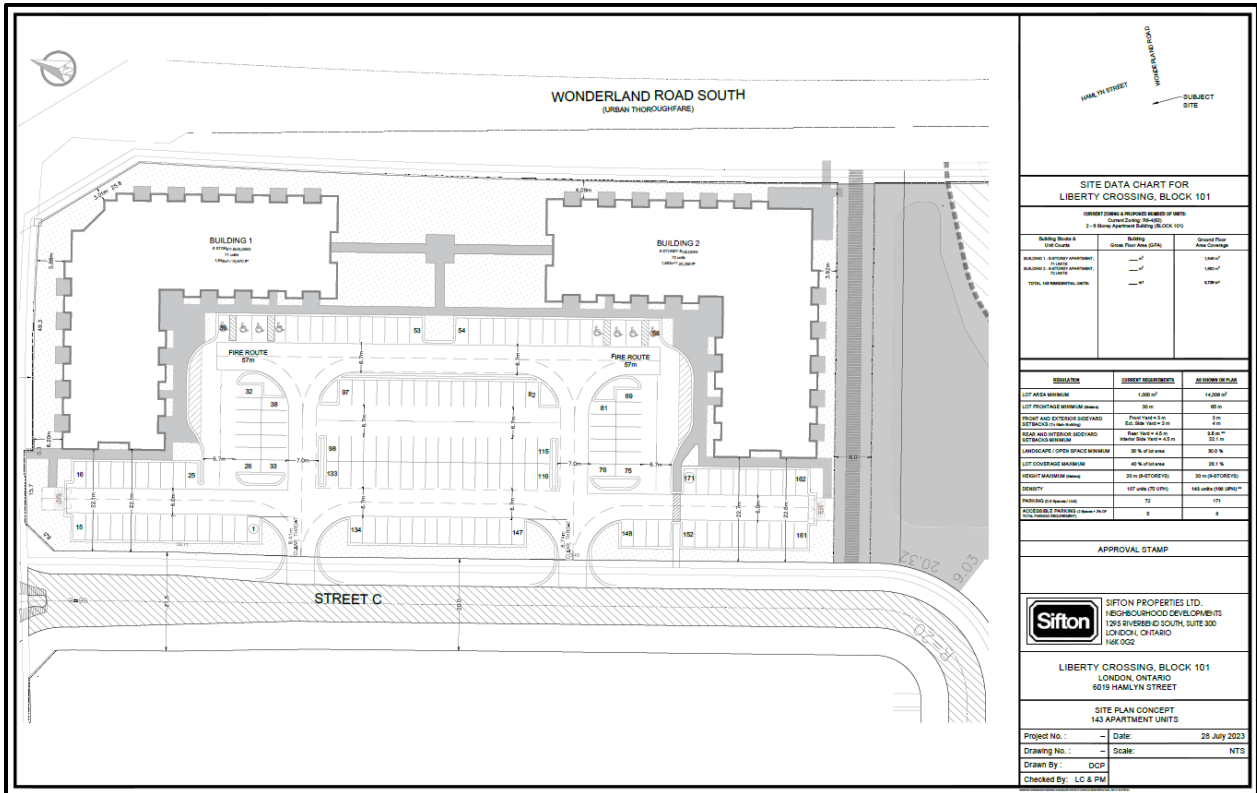
### Mobility

Parking spaces	171 surface
Vehicle parking ratio	0.5 spaces per unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	0
Secured bike parking ratio	N/A
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	Yes

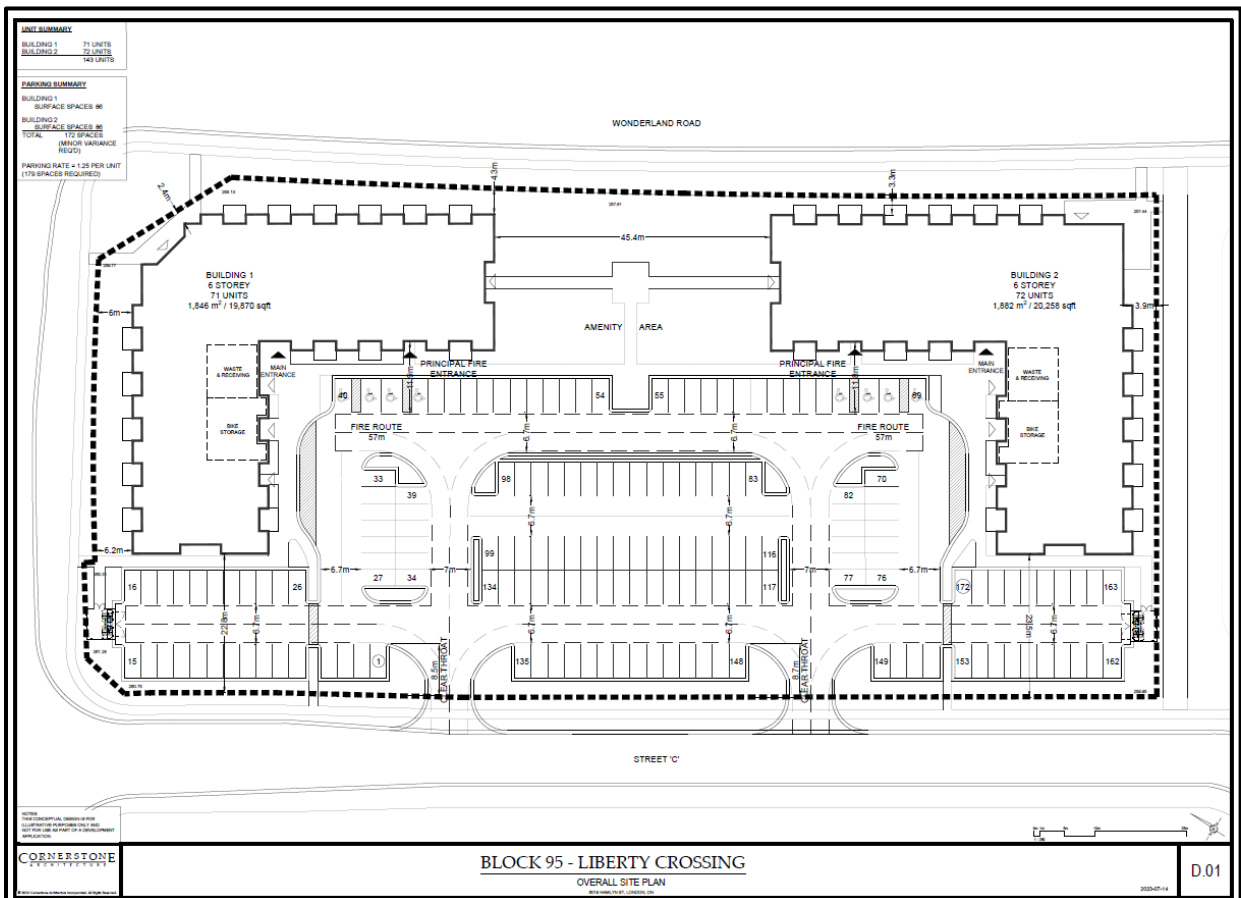
### Environmental Impact

Tree removals	N/A
Tree plantings	N/A (to be determined at Site Plan)
Tree Protection Area	N/A
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



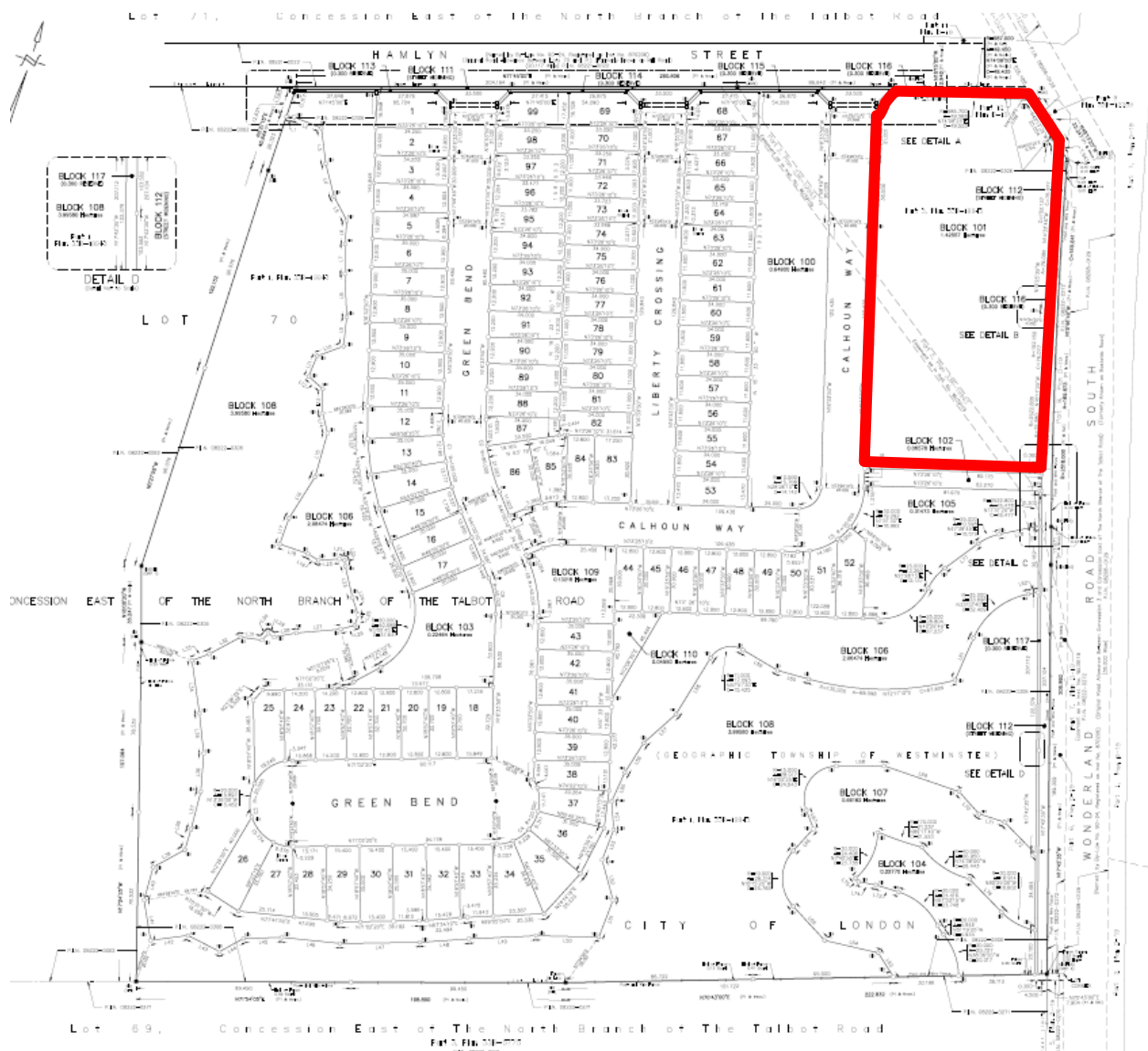
Site Concept Plan



Floor Plan



Massing model looking from different Directions.



Draft approved plan of subdivision

## Appendix D – Internal and Agency Comments

### Urban Design:

Urban Design is generally supportive of the proposed Urban Design is generally supportive of the proposed development and has the following comments:

### Matters for Zoning

1. A minimum front yard and exterior side yard setback (north and east) should encourage street-orientation while avoiding encroachment of footings and canopies and consider the incorporation of patio or forecourt space that spills out into the setback to further activate the space and provide an amenity for the residents. The London Plan [TLP 259, 286, 288]
2. A maximum front and exterior side yard setback (north and east) should discourage window streets, restrict parking between the buildings and the public streets yet ensure a sense of enclosure to the street. [TLP 269, 272, 288]
3. A minimum setback to the west should allow a landscape buffer to screen the surface parking visible from Street C
4. A minimum setback to the south should consider the incorporation of patio or forecourt space that spills out into the setback to provide an amenity for the residents and further activate the public realm along the walkway
5. The following site and building features are supported and should be carried forward through zoning:
  - Façade treatment and high-level of transparent glazing to address the north-east and south-east corner at the intersection of Wonderland Road South with Hamlyn Street and the public walkway
  - A step-back above the 4<sup>th</sup> storey

### Matters for Site Plan

1. The following site plan and building design features are supported and should be carried forward:
  - Street orientated development with windows, balconies and porches extending into the setback to create a pedestrian-oriented streetscape along Wonderland Road South, Hamlyn Street and the public walkway to the south to facilitate active uses at grade for promoting accessibility, wayfinding and passive surveillance along the public realm. [TLP 291, 228]
  - Providing active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented residential units facing Wonderland Road South, Hamlyn Street and the public walkway in order to activate the street edge
2. If underground parking is no longer being considered, Urban Design would encourage reducing the amount of surface parking to the minimum required and breaking the large lot into smaller areas to reduce the amount of hard surface and limit visibility from the public streets
  - All surface parking shall be screened from the Hamlyn Street, Street C and the public walkway by enhanced all-season landscaping. Southwest Area Secondary Plan [SWASP 20.5.3.9 iii g]
3. Ensure that the building facades facing the outdoor amenity space have the same level of windows and transparent glazing as the front elevation to offer passive surveillance. [TLP 228]
4. If direct walkway connection from individual ground floor unit is not feasible, consider extending the walkway through the outdoor amenity space to provide a centralised shared connection with Wonderland Road South
4. Provide a full set of dimensioned elevations for all sides of the proposed buildings. Further urban design comments may follow upon receipt of the elevations.



## **Site Plan**

### **Major Issues**

1. This proposed development should further complement its surroundings and the neighbourhood character. The current design visually emphasizes the first four stories in contrast with the neighbouring lower residential buildings (both existing and proposed). Instead, further articulation of the first two to three stories instead of the upper floors would improve the silhouette (e.g., increased step back, softened contours, less delineation between upper stories, dormer roof).

### **Matters for ZBA**

1. Site Plan Consultation would be required prior to making a Zoning By-law Amendment application.

### **Matters for Site Plan**

1. Screen/buffer all exposed parking visible from the street with low landscaping, planting, or low masonry landscape walls (C.P.-1455-541 2.6.3.d.iii). Please illustrate each tree, whether existing or proposed, on the site plan as well as within 3 metres of property lines. Indicate which, if any, trees will be removed. Provide tree protection notes and details for trees to be preserved. For landscape strips along a public street, add at least one tree per every 12 metres, or every 15 metres otherwise (C.P.-1455-541 Table 9.4).
2. Visitor parking is required at a rate of one (1) space for every ten (10) dwelling units (C.P.-1455-541 6.2.a.ii). Ensure visitor parking spaces are a minimum of 3 metres from dwellings containing windows to habitable rooms. Include parking curb stops between parking spaces and erect structures (e.g. building, light pole, etc.).
3. Include bicycle parking spaces (Z.-1 4.19.14). Ensure the bicycle parking is within 15 metres of the building entrance (C.P.-1455-541 Table 14.1). Clarify which bicycle parking spaces are long-term and which are short-term (Z.-1 4.19.14.c; Z.-1 4.19.15).
4. Make all walkways at least 1.5 metres or 2.1 metres if abutting parking spaces, with at least a 1-metre setback from parking area(s) (C.P.-1455-541 Table 7.1). Pedestrian pathways should be graded to alleviate verticality and where applicable, prioritize ramps over staircases or steps (C.P.-1455-541 7.2). Ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist.
5. Clarify how snow storage is stored and accommodated on-site (C.P.-1455-541 1.5.p). Snow storage should be located to not impede the pedestrian pathway nor parking (C.P.-1455-541 1.5.p).
6. Identify the location of fire route signage and provide a standard detail on the site plan. For the design of the fire route, refer to Tables 6.2 and 6.3 of the Site Plan Control By-law. Show turning movements of emergency vehicles (C.P.-1455-541 6.7). Identify the correct fire route sign (FR1, FR2 or FR3) (C.P.-1455-541 Figure 6.4).

### **Complete Application Requirements**

1. Record of Site Plan Consultation.

## **Engineering**

### **Wastewater:**

The following items are to be considered during a future site plan application stage:

- SED requests the maximum population including bedroom unit count and peak flow of the proposed development. The applicant's engineer is to provide a sanitary servicing capacity analysis and brief demonstrating adequate capacity up to the 200mm diameter at 0.50%.
- Additional comments will be forthcoming from SED and may not be supportive of this increase in density as it wasn't contemplated and could have negative



impacts on the downstream sewer depending on the maximum intended population.

- SED requires updated area plans and design sheets when blocks develop over/under the allocated amount as this is the only form of tracking that SED can maintain to ensure adequate conveyance. Blocks A-13/A-14/A-15 on the accepted subdivision servicing drawings are required to have updated populations and design sheets and need to supersede the outdated populations.

### **Water:**

Water is available via the future watermain on Street C within Liberty Crossing Subdivision.

### **Stormwater:**

#### Comments Specific to the Site

- The site is within the Dingman Creek Screening Area of UTRCA and therefore the applicant is to engage as early as possible with UTRCA to confirm any requirements/approvals for this site.
- The subject lands appear to be within a proposed draft plan of subdivision 39T-18504. Services including Storm, Water and sanitary, road access etc. will need to be provided and constructed as part of the future subdivision. The plan of subdivision shall be registered, MECP ECA', security provided, agreement in place, services constructed, inspected and cleared prior to building permits and any site plan approvals.
- The proposed development is within the Hamlyn Subdivision (39T-1804) which is currently under City review. Therefore, servicing for the proposed is contingent, and should be coordinated through the engineering design of the proposed subdivision, including items as listed below. The Applicant should coordinate with the subdivision engineer for servicing constraints of the proposed site.
- The consulting engineer shall ensure all necessary SWM servicing and drainage requirements/controls are adhered to.
- A Stormwater Servicing Report and SWM design shall be provided as part of the complete application and will address design details of the proposed SWM strategy, objectives, and targets.
- Based on the Dingman Subwatershed study, the runoff control hierarchy for the 25mm event is to be achieved for sites within the Subwatershed. The consulting engineer is to ensure that any proposed option of LID solutions are to be in compliance with the LID Screening Tools Section 6.5.2.2 Stormwater Management of the Design Specifications & Requirements Manual.
- 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
- Consulting is to demonstrate on how the proposed development will meet City of London water quality and quantity SWM design criteria (as per Stormwater Management Design Specifications and Requirements Manual) and the Dingman Creek Subwatershed EA. The SWM report shall include SWM design target requirements for each block in accordance with the Dingman EA and Stormwater Management Design Specifications and Requirements Manual.

- Additional SWM related comments will be provided upon future review of this site.

#### General comments for sites within Dingman Creek Subwatershed

- The subject lands are located in the Dingman Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Dingman 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 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.

#### **Transportation:**

- Detailed comments regarding access design and location will be made through the site plan process.
- An updated Traffic Impact Assessment was requested at site plan level.

#### **Parks**

- Parkland dedication for this development was satisfied through the Subdivision process.

#### **Heritage**

- The archaeological assessment was previously submitted and approved. Archaeological matters on this property have been addressed.

#### **Ecology**

##### **Major issues identified**

- 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, including, but not limited to, Potential ESA's, Unevaluated Wetlands, and Unevaluated Vegetation Patches.

#### **Ecology – complete application requirements**

- None associated with this application, ecological requirements and buffer delineations addressed through subdivision process.

**Notes**

- None.

**London Hydro:**

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

**Enbridge:**

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

**Appendix E – Public Engagement**

**There is no response received during the public consultation period.**

## 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 and Heritage Alteration Permit  
**Application at 187 Wharncliffe Road North,  
 Blackfriars/Petersville Heritage Conservation District, Ward 13  
 Public Participation Meeting**

**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the demolition of the existing building and approval for a proposed new mixed use building comprised of office and residential, as described herein and shown in Appendix C, on the property at 187 Wharncliffe Road North, within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

- a) Horizontal painted wood or fiber cement board be used for the exterior cladding of the proposed building, including the gable ends;
- b) Painted wood doors be used on the north and west elevations of the proposed building;
- c) Front (west) porch to feature panelled columns with cap and base details, and a painted wood railing/guard following EC-2 of SB-7, primed and painted;
- d) Side (north) porch to feature panelled columns with cap and base details, primed and painted;
- e) Front yard parking is prohibited;
- f) Any signage for the proposed office use be limited to the small band above the west entrance and be indirectly illuminated by hanging light fixtures, as indicated on plans submitted;
- g) The Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,
- h) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

## Executive Summary

The property at 187 Wharncliffe Road North is a Contributing Resource in the Blackfriars/Petersville Heritage Conservation District. The property is presently vacant and has a history of property standards issues. Following extensive discussion, a demolition request for the existing building and Heritage Alteration Permit application for a new building has been submitted. The form of development will remain a detached dwelling at 187 Wharncliffe Road North, with a proposed office use on the ground floor, continuing the use of the building on the property proposed for demolition.

A Heritage Impact Assessment assessed the impacts of the proposed demolition, as well as the compatibility of the proposed new building. Staff are recommending approval of the demolition request as well as the approval of the Heritage Alteration Permit application for the new building with terms and conditions. Staff are satisfied that the terms and conditions serve to help mitigate the loss of this Contributing Resource and ensure the appropriate execution of the new building at the time of construction.

## Linkage to the Corporate Strategic Plan

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

- London has safe, vibrant, and health 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 Location

The property at 187 Wharncliffe Road North is located on the southeast corner of Wharncliffe Road South and Blackfriars Street (Appendix A).

#### 1.2 Location

The property at 187 Wharncliffe Road North is located within the Blackfriars/Petersville Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* in 2015. The property at 187 Wharncliffe Road North is identified as a Contributing Resource by the *Blackfriars/Petersville Heritage Conservation District Plan*, meaning it contributes to the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District.

#### 1.3 Description

The building located at 187 Wharncliffe Road North is a 1 ½ -storey frame building with a gable roof (Appendix B). The building on the property was constructed c. 1903. The building is clad in aluminum siding and features some remnants of original gable and bargeboard detailing on the west elevation (Image 1). A Building Condition Assessment (Tacoma Engineers, 2021) indicated that “wood tongue and groove horizontal wood siding could be observed beneath the [aluminum] siding.” The building sits on a corner lot with tight front and side yards and is highly visible from the north along Wharncliffe Road North (Image 5).

#### 1.4 Property History

According to the Blackfriars/Petersville Heritage Conservation District Study (2014), when Mahlon Burwell began surveying London Township in 1810, a proof line was drawn from the Thames River in a northerly direction through lands to be surveyed, intending the proof line to be an allowance for a road through the township. The proof line began at the main branch of the Thames River and acted as an extension of the Wharncliffe Highway which ran through Westminster Township to the south. The two were not connected until 1914 when a bridge was constructed over the Thames. The Blackfriars/Petersville Heritage Conservation District Study (2014) reports that the early growth of the Blackfriars/Petersville area (previously known as London West), is attributed to two important transportation links: Blackfriars Bridge offering the earliest east-west access to the town of London north of the main branch of the Thames River as early as the 1820s, and Wharncliffe Highway (or Proof Line) serving as the main north-south throughfare as early as 1824. The Wharncliffe Highway/Proof Line was the first route used by settlers to return to London to purchase supplies or market their goods, typically travelling across the Blackfriars Bridge connecting land on the east and west sides of the north branch of the Thames River.

In 1823, John Kent, a native of Staffordshire, England, immigrated to Upper Canada and later in the same year purchased Lots 1 and 2, east of the Wharncliffe Highway (or Proof Line). This land abutted the north branch of the Thames River and provided excellent farmland. In 1848, Kent had his lands between the road (Wharncliffe Highway/Proof Line) to Blackfriars Bridge (now Blackfriars Street) and the forks of the Thames River divided into Park Lots, with a north-south road down the middle, named Centre Street (now Wilson Avenue).

John Kent and neighbouring landowners across the Wharncliffe Highway saw the value of subdividing their farmland into building lots for the growing population of the City of London. Lot 1, East of the Wharncliffe Highway, and west of Centre Street (now Wilson Avenue), was purchased by Duncan Campbell in 1852. In May 1856, Campbell surveyed the park lot into smaller lots for development in RP111(W). Lot 21, RP191, was created at this time, later to be subdivided again for construction of the dwelling on the property at 187 Wharncliffe Rd North.

The beginning of the 20<sup>th</sup> century saw a significant increase in residential building along Wharncliffe Road North. William Nicholls, a Post Office clerk, purchased the Lot 21B, RP191, from Duncan Campbell in 1889. Several of the houses surrounding the subject property at 187 Wharncliffe Road North were built between 1900 and 1910. While the Heritage Impact Assessment (TD-BAS Inc.) prepared for the subject property indicates that the house on the property at 187 Wharncliffe Road North was constructed in about 1903, tax assessment records indicate a building date of 1890. The 1892, revised 1907, Fire Insurance Plan of the City of London shows a 1 ½ storey structure on the property at 187 Wharncliffe Road North, likely confirming a construction date for the extant building on the property between 1890 and 1907. By 1910 William Nicholls had obtained ownership of the nearby properties located at 171, 175, 179 and 185 Wharncliffe Road North.

The first occupant of the house on the property at 187 Wharncliffe Road North was William Nicholls' son, Charles James Nicholls. Shortly after the construction of the house at 187 Wharncliffe Road North, Charles moved elsewhere. William Nicholls continued to hold ownership and rented the house out until 1944. According to Vernon's City of London Directory, the property was subsequently owned by Archie McLean by 1945 until 1955. The Vernon's City of London Directory indicates that Mrs. Margaret Anne Cundell purchased the house by 1956. Cundell's Beauty Salon was opened shortly after, likely indicating the date of the beginning of commercial use of the house.

The HIA (TD-BAS Inc.) prepared for the subject property states that "it is evident the house was now duplexed as two separate occupants are noted in Vernon's Directory: one a tenant and the other a business called 'The Cottage'" (TD-BAS Inc., 21). Further research into the Vernon's City of London directories indicates that there were two businesses operating from the property at 187 Wharncliffe Road North, "Annis & Associates Real Estate & Insurance," and "The Village Salon." In the 1981 Vernon's City of London Directory, a third tenant, "D. Allen" is indicated along with the two businesses. While it is unclear when the property became two units, it appears that multiple tenants, both business and residential, had occupied the property by at least 1981, as demonstrated in the City Directory. The following three decades saw the house on the property used for various businesses including a beauty salon, a real estate and insurance office, a local constituency office for a Member of Parliament, and most recently a paralegal office. Throughout this time, a residential unit was located on the second floor.

## 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 42 of the *Ontario Heritage Act* requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit:

- a) The permit applied for;
- b) Notice that the council is refusing the application for the permit; or
- c) The permit applied for, with terms and conditions attached. (Section 42(4), *Ontario Heritage Act*)

Municipal Council must make a decision on the Heritage Alteration Permit application within 90 days or the request is deemed permitted (Section 42(4), *Ontario Heritage Act*).

### **2.1.3 The London Plan**

The policies of *The London Plan* found in the Cultural Heritage chapter support the conservation of London’s cultural heritage resources. Policy 554\_ of *The London Plan* articulates one of the primary initiatives as a municipality to “ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.”

To help ensure that new development is compatible, Policy 594\_ of *The London Plan* provides the following direction:

1. *The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district.*
2. *The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area.*
3. *Regard shall be had at all times to the guidelines and intent of the heritage conservation district plan.*

Policy 597\_ states,

*Where a property is located within a heritage conservation district designated by City Council, the alteration, erection, demolition, or removal of buildings or structures within the district shall be subject to the provisions of Part V of the Ontario Heritage Act.*

Policy 600\_ states,

*Where a property within a heritage conservation district is to be demolished or removed, the City will ensure the owner undertakes mitigation measures including a detailed documentation of the cultural heritage features to be lost, and may require the salvage of materials exhibiting cultural heritage resources for the purpose of re-use or incorporation into the proposed development.*

## **2.2 Blackfriars/Petersville Heritage Conservation District**

The Blackfriars/Petersville Heritage Conservation District is recognized for its significant cultural heritage value, not just for its individual cultural heritage resources (Contributing Resources) but for the value that they have together, collectively. The goals of the designation of Blackfriars/Petersville as a Heritage Conservation District pursuant to Part V of the *Ontario Heritage Act* support the conservation of its resources. Specifically for its cultural heritage resources:

*Goal: To encourage the conservation of contributing heritage resources including buildings, landmarks, and other structures that contribute to the cultural heritage value of the district by:*

- *Encouraging that alterations, additions, and renovations to heritage resources be consistent with the identified cultural heritage value of the area;*
- *Encouraging the maintenance and retention of significant heritage landmarks identified in the district;*
- *Avoiding unnecessary demolition and inappropriate alterations of identified heritage resources that contribute to the heritage value of the district; and,*
- *Encouraging sympathetic design and appropriate alterations when new development is proposed to ensure that there is no negative impact on the heritage value of the area, with particular attention to form, scale, massing, and setback.*

To implement this goal and these objectives, the policies of Section 7.5 (Demolition of Contributing Resources), Section 7.7.1 (Residential Area), and the design guidelines of Section 10.3.2 (Design Guidelines – New Buildings – Residential), and applicable Architectural Conservation Guidelines of Section 11 were considered in the evaluation of the demolition request and Heritage Alteration Permit application.

The *Blackfriars/Petersville Heritage Conservation District Plan* identifies Contributing Resources and Non-Contributing Resources. The property at 187 Wharncliffe Road North is identified as a Contributing Resource. Contributing Resources are defined as *A property, structure, landscape element, or other attribute of a Heritage Conservation District that supports the identified cultural heritage values, character, and/or integrity of the HCD. Contributing Resources are subject to the policies and guidelines for conservation, alteration, and demolition.*

The demolition of a Contributing Resource is discouraged by the policies and guidelines of the *Blackfriars/Petersville Heritage Conservation District Plan*. Section 7.5.1 recognizes that situations may arise where the demolition of a Contributing Resource is necessary. The demolition of a Contributing Resource is the last option, after all other potential options have been exhausted.

Applicable policies of Section 7.5.1 regarding the demolition of a Contributing Resource include:

- Policy 7.5.1.c      *The demolition or relocation of contributing resources located within the Blackfriars/Petersville Heritage Conservation District is strongly discouraged and will only be permitted in exceptional circumstances.*
- Policy 7.5.1.d      *All options for on-site retention of contributing resources must be exhausted before resorting to relocation or demolition. The following alternatives must be given due consideration in order of priority:*
- i) On-site retention in the original use and integration with the surroundings;*
  - ii) On site retention in an adaptive reuse;*
  - iii) Relocation to another site within the Heritage Conservation District; and,*
  - iv) Relocation to another site within the City.*
- Policy 7.5.1.e      *In the event that demolition, relocation or irrevocable damage to a contributing resource is unavoidable as determined by Council, thorough archival documentation is required to be undertaken by the proponent and made available to the City for archival purposes.*
- Policy 7.5.1.f      *The above-noted archival documentation must be prepared by a qualified heritage architect or built heritage specialist and include at least the following as appropriate, or additional matters as specified by the City:*



- i) *Architectural measured drawings;*
- ii) *Land use history; and,*
- iii) *Photographs, maps and other available materials about the cultural heritage resource and its surrounding context.*

Policy 7.5.1.g *Any proposal to demolish or relocate a contributing resource, or portion thereof, located within the Blackfriars/Petersville Heritage Conservation District shall require the approval of the Council of the City of London;*

Policy 7.5.1.h *The proponent of any proposal to demolish a contributing resource, or portion thereof, located within the Blackfriars/Petersville Heritage Conservation District shall be required to provide supporting evidence and documentation demonstrating the necessity of the demolition, as well as the exploration of all other, more desirable conservation approaches to the satisfaction of the City's Heritage Planner. This may take the form of a Heritage Impact Assessment and/or Demolition Plan.*

Policy 7.5.1.i *Salvage or reclamation of materials from a demolished contributing resource is encouraged.*

The policies of Section 7.7, *Blackfriars/Petersville Heritage Conservation District Plan*, are intended to assist in the management of change within the Residential Area of the Blackfriars/Petersville Heritage Conservation District. Guidelines for new buildings are found within Section 10.3.2 of the *Blackfriars/Petersville Heritage Conservation District Plan*.

### **3.0 Demolition Request and Heritage Alteration Permit Application**

A demolition request and Heritage Alteration Permit application have been submitted by Thor Dingman (TD-BAS Inc.) for the property at 187 Wharncliffe Road North, a Contributing Resource in the Blackfriars/Petersville Heritage Conservation District, owned by Radoslava Knezic. The property owner's written notice of intention to demolish the building located at 187 Wharncliffe Road North was received on October 17, 2023. The demolition request was accompanied by a Heritage Impact Assessment (Thor Dingman B. Architectural Sc. Inc., dated August 31, 2023).

The Heritage Alteration Permit application was submitted by an authorized agent for the property owners and received on October 17, 2023. The applicant has applied for a Heritage Alteration Permit for a new building with the following details:

- New, proposed mixed use (office and residential) building with the following details:
  - 2 ½ storey with a footprint of 112.2m<sup>2</sup> (1208 square feet), approximately 7.9m (25'-11") in width by 13.4m (44'-0") in depth built on a concrete foundation with a crawl space;
  - Asymmetrical west façade composition, with a covered front entry below a protruding bay on the north side of the west elevation;
  - Asymmetrical north façade composition, with a covered entry below a central protruding bay;
  - Fibreglass porch columns with paneled (framed) mouldings, capital, and base trim;
  - Elevations clad in horizontal fiber cement, composite, or wood siding;
  - Gables clad in fiber cement, composite, or wood shingles;
  - Double or single hung two-over-two windows with simulated divided lights (grilles on exterior of window panes);
  - Round-topped casement window in north and west elevation gables;
  - Front door facing Wharncliffe Road North, with additional entry door on north elevation facing Blackfriars Street;
  - Gable roof with flat top (12/12 pitch) clad in asphalt shingles;

- Covered front (west elevation) porch beneath protruding bay with gable roof and paneled columns, as well as a guard rail following EC-2 of SB-7, Supplemental Standards, OBC;
- Covered side (north elevation) porch beneath protruding bay with gable roof and paneled columns, set on a concrete pad;
- New pathways on through north and west yards leading to entrances;
- Rear yard converted to parking to allow for three (3) parking stalls (no garage proposed).

Drawings for the proposed building are attached to this report as Appendix C. The Heritage Impact Assessment (Thor Dingman B. Architectural Sc. Inc., dated August 31, 2023) is attached as Appendix D.

As the demolition of a Contributing Resource is a major alteration within a Heritage Conservation District, consultation with the Community Advisory Committee on Planning (CACCP) is required and was held on November 8, 2023. Consistent with Policy 7.5.1.g of the *Blackfriars/Petersville Heritage Conservation District Plan*, a decision of Municipal Council is required.

Per Section 42(4) of the *Ontario Heritage Act*, Municipal Council must make a decision on this demolition request and Heritage Alteration Permit application by January 15, 2024, or the request is deemed permitted.

The scope of the designation of the subject property in the Blackfriars/Petersville Heritage Conservation District is limited to the exterior of the building and property; interior design is not subject to the approvals required pursuant to the *Ontario Heritage Act*.

## 4.0 Analysis

One of the goals of the designation of the Blackfriars/Petersville Heritage Conservation District pursuant to the *Ontario Heritage Act* is to avoid the unnecessary demolition of identified heritage resources (Contributing Resources). It is the onus of the proponent to demonstrate the necessity of the demolition of a Contributing Resource in compliance with Policy 7.5.1.h of the *Blackfriars/Petersville Heritage Conservation District Plan*.

To support the demolition request, a Heritage Impact Assessment (HIA) (Thor Dingman B. Architectural Sc. Inc., dated August 31, 2023) was submitted as part of the demolition Request. The HIA is appended to this report as Appendix D.

### 4.1 Review of the Heritage Impact Assessment

The HIA (TD-BAS Inc., dated August 31, 2023) undertook site-specific analysis to understand how the subject property *fits* within the context of the Blackfriars/Petersville Heritage Conservation District. The property-based research did not identify any specific or significant historical associations of the subject property beyond its linkage to 20<sup>th</sup> century expansion and development in the surrounding area. Extensive documentation and consideration of the property's context was presented. The HIA found that the area's building stock east of Wharncliffe Road North is generally small, with most homes being 1 and 1 ½ storeys in height. Within the viewshed area of 187 Wharncliffe Road North, most houses are 2 and 2 ½ storeys in height.

The HIA undertook an evaluation of the property using the criteria of O. Reg. 9/06. As the property has been identified as a Contributing Resource as part of the *Blackfriars/Petersville Heritage Conservation District Plan*, designated pursuant to Part V of the *Ontario Heritage Act*, it was unclear why this evaluation was completed. The evaluation found that the property has met four of the nine criteria, therefore reinforcing the cultural heritage value of the subject property.

## 4.2 Demolition of a Contributing Resource

Demolition of a Contributing Resource is strongly discouraged. Policy 7.5.1.c, *Blackfriars/Petersville Heritage Conservation District Plan*, directs that demolition of a Contributing Resource should be permitted only in exceptional circumstances.

The HIA (TD-As Inc., 34) outlines that the building was severely damaged in a fire in 2014. Subsequently, all services have been severed and the building has been “unheated and subject to a leaking roof” since. Options for retention of the Contributing Resource were considered in Section 4.3 (Property Condition Assessment) of the HIA (TD-BAS Inc., 34). It concluded that “the building is in an advanced state of deterioration and is uninhabitable” and that, based on a Building Condition Assessment conducted in 2021 by Tacoma Engineers Inc., it is “not feasible or practical to rehabilitate the structure” (TD-Bas Inc., 35). The HIA has articulated that demolition of the existing Contributing Resource at 187 Wharncliffe Road North is “the only practical course of action.”

This Contributing Resource has suffered years of neglect, resulting in the position that it is not “feasible or practical” to repair the resource because of its “advanced state of deterioration” (TD-BAS Inc.) The property has not been inhabited since 2014 and is currently vacant. Persistent property standards issues have been noted since a Property Standards Order was issued in December 2016 with no resolution.

The HIA considered options for on-site retention, on-site retention and adaptive reuse, and relocation, in compliance with Policy 7.5.1.d, *Blackfriars/Petersville Heritage Conservation District Plan*. Section 7.0 of the HIA (TD-BAS Inc., 49) states:

*As established in the Property Condition Assessment section, although the building demonstrates heritage value, retention of the building within the requirements of the Ontario Building Code for residential use is untenable. Relocation of the building for another purpose may have been feasible if the wood frame structure was structurally sound. As described in the structural engineer’s report, long term settlement resulting from sub-standard foundations, together with the recent inability of access to attend to roof repairs, and the absence of services and space heating facilities, has created impossible conditions for the retention of the existing building (TD-BAS Inc., 49).*

Demolition of a Contributing Resource in the Blackfriars/Petersville Heritage Conservation District is the least desired outcome. The analysis completed in the HIA found no alternatives to the demolition of the building, citing its deteriorated condition. It is noted in the HIA that “commemoration of 187 Wharncliffe Road ... is an available option to mitigate the loss of the existing building.”

The demolition of a Contributing Resource will have a negative impact on the cultural heritage values of the subject property and on the Blackfriars/Petersville Heritage Conservation District. The HIA states,

*In conclusion, the loss of the contributing heritage property at 187 Wharncliffe Road North results in a negative impact on the neighbourhood along Blackfriars Street and throughout its connection within the broader context of the HCD. Due to serious and irreversible structural deterioration, the heritage resource cannot be retained. Mitigation of this loss is achieved through the effective incorporation of the HCD design guideline recommendations in the design of the new house (TD-BAS Inc., 52).*

The HIA recommends that the loss of this Contributing Resource can be mitigated by the design of a new building at the property.

Pursuant to Policies 7.5.1.e-f of the *Blackfriars/Petersville Heritage Conservation District Plan* and Policy 600\_ of *The London Plan*, archival documentation of the subject property is required. The information contained within the HIA, accompanied by this report, can serve to document the land use history of the property and other available material about the cultural heritage resource. Measured drawings of the existing building on the property at 187 Wharncliffe Road North have been submitted to the

satisfaction of the Heritage Planner, as part of the HIA. No further documentation is recommended.

With the advanced state of deterioration of the existing building noted by the HIA, no elements of the existing building have been identified or recommended for salvage prior to demolition.

### 4.3 Heritage Alteration Permit (New Building)

As the HIA has articulated that the demolition of the existing Contributing Resource on the property at 187 Wharnclyffe Road North is unavoidable, the HIA recommends the mitigation of this loss through the design and construction of a new building on the property that complies with the design guidelines for new buildings. While the approval of a Heritage Alteration Permit with terms and conditions may signal an intent or desire, no municipal planning mechanism can compel the construction of a new building.

Section 7.7 of the *Blackfriars/Petersville Heritage Conservation District Plan* identifies policies for the residential area. These policies are intended to ensure the conservation of the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District. The following policies were used in the analysis of the proposed building at 187 Wharnclyffe Road North.

Table 1: Policies and Analysis of Section 7.7.1, Residential Areas, of the Blackfriars/Petersville Heritage Conservation District Plan

Policies	Analysis
a) The predominant form of development within the residential area should continue to be single detached dwellings of 1 – 1 ½ storeys	Information presented in Section 3.4 of the HIA (TD-BAS Inc.) found that most buildings east of Wharnclyffe Road North were 1 and 1 ½ storeys in height. Within the most significant viewshed area, the HIA found that most houses are 2 and 2 ½ storeys in height along Wharnclyffe Road North, demonstrating the compatibility of a 2 ½ storey building on the highly visible corner lot at 187 Wharnclyffe Road North. The form of development will remain a detached dwelling at 187 Wharnclyffe Road North, with a proposed office use on the ground floor, continuing the use of the building on the property proposed for demolition.
b) Proposed development or site alteration that is not sympathetic to the heritage attributes and cultural heritage value of Blackfriars/Petersville Heritage Conservation District, and which may have a negative impact on the residential area, shall be discouraged	The design guidelines of Section 10.3.2 of the <i>Blackfriars/Petersville Heritage Conservation District Plan</i> will be applied to evaluate the design of the proposed building; see Table 2 (below).
c) Where incompatible land use and/or built form already exists, their replacement with land uses and built form that contribute to the cultural heritage value of Blackfriars/Petersville Heritage Conservation District should be encouraged	No land use change is proposed.

Policies	Analysis
d) The creation of new lots or enlarging existing lots within Blackfriars/Petersville Heritage Conservation District should be discouraged, unless resulting in lot(s) are of compatible depth, width, and overall size and configuration as surrounding and/or adjacent lots	No new lot/lot fabric alteration is proposed.
e) Continued or adaptive reuse of a contributing resource is encouraged rather than demolition and development	See Section 4.2 of this staff report and Appendix D; the HIA submitted in support of this application found the demolition of the existing Contributing Resource to be unavoidable.
f) Gaps in the streetscape are discouraged	To discourage a vacant lot within the Blackfriars/Petersville Heritage Conservation District, the demolition request for the existing Contributing Resource at 187 Wharncliffe Road North is being brought forward with a Heritage Alteration Permit application for a proposed building.
g) The conservation of front porches, gardens and other front yard features is encouraged to support a friendly atmosphere and interactions among neighbours	The proposed building retains the tight front and side yard character and high visibility of the existing property on a corner lot. The design of the proposed new building includes a front porch (west elevation) beneath a protruding bay as well as a side porch (north elevation) beneath a protruding bay (see Appendix C).
h) Replacement of buildings lost due to circumstances such as severe structural instability, fire, flood or other reasons shall be sympathetic, respectful, and contextual to the heritage attributes and cultural heritage value of Blackfriars/Petersville Heritage Conservation District	The design guidelines of Section 10.3.2 of the <i>Blackfriars/Petersville Heritage Conservation District Plan</i> will be applied to evaluate the design of the proposed building; see Table 2 (below).
i) New development shall conserve the continuity of the street edge by implementing setbacks, form, scale, and massing similar to adjacent protected resources along the streetscape	The proposed building maintains the general setback and skewed alignment with Wharncliffe Road North of the neighbouring dwellings on the east side of Wharncliffe Road North and contributes to the rhythm of the street in general form, scale, and massing.
j) Additions should be generally located in the rear or side yards to maintain the consistent street edge, front yard landscaping, front porches, and front façade of protected heritage resources	Not applicable.

Policies	Analysis
k) Parking should be located in the driveways at the side of the dwelling or in a garage at the rear of the main building, wherever possible. New garages shall not be permitted at the front of the building. Front yard parking shall be discouraged	<p>Parking for the proposed building is located to the east side at the rear of the property.</p> <p>No front yard parking is proposed or permitted.</p> <p>No garage is proposed.</p>
l) Ongoing maintenance of protected heritage resources should be promoted to build a sense of community pride. Property standards shall be enforced within the Blackfriars/Petersville Heritage Conservation District	Not applicable.
m) The conservation of landscaped areas and mature vegetation should be encouraged	The proposed building will maintain a grassed area in front and to the side of the proposed building. Planting is indicated on the north and south sides of the proposed new building. The HIA states that “mature trees are on the property and shall be protected during construction and retained.”
n) The planting of new trees where gaps exist to contribute to the urban forest should be encouraged	The proposed building will maintain a grassed area in front and to the side of the proposed building. Planting is indicated on the north and south sides of the proposed new building. The HIA states that “mature trees are on the property and shall be protected during construction and retained.”
o) Along major entrances, particularly along Wharncliffe Road North, Oxford Street West, Blackfriars Street, Riverside Drive/Queens Avenue, development should generally reflect the character of the area and instill a sense of arrival	Gateways in Section 12.9 of the <i>Blackfriars/Petersville Heritage Conservation District</i> are generally considered to be public features, rather than private property. The built form and setbacks of the proposed building will maintain a similar footprint to the existing building being proposed for demolition, in accord with the guidance of Section 10.2.1 (Key Elements: Building Form, Massing, Height, Width, and Visual Depth) of the <i>Blackfriars/Petersville Heritage Conservation District</i> .

Design guidelines included within Section 10.3.2 of the *Blackfriars/Petersville Heritage Conservation District Plan* were used in the analysis of the proposed building at 187 Wharncliffe Road North.

Table 2: Guidelines and Analysis of Section 10.3.2, New Buildings, of the Blackfriars/Petersville Heritage Conservation District Plan

Policies	Analysis
<p>Match setback, footprint, size and massing patterns of the area, particularly to the immediately adjacent neighbors. Match façade pattern of street or of “street wall” for solids and voids, particularly to ensure continuity of the street wall where one exists.</p>	<p>The setback of the proposed building is consistent with that of other properties on the east side of Wharncliffe Rod North. As demonstrated in the HIA, there is some variety of footprint, size, and massing, however the proposed building has been designed to generally fit within this character, using design elements found within the surrounding district. The proposed building will contribute to the street wall and maintain the rhythm and skewed placement of neighbouring buildings along street.</p>
<p>Setbacks of new development should be consistent with adjacent buildings. Where setbacks are not generally uniform, the new building should be aligned with the building that is most similar to the predominant setback on the street.</p>	<p>The setback of the proposed building is consistent with the properties on the east side of Wharncliffe Road North. The proposed building maintains a similar footprint to the existing building proposed for demolition.</p>
<p>New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the visual appeal of the district.</p>	<p>The proposed building has an entrance on the front (Wharncliffe Road North) elevation of the building accessing the proposed office space, as well as an entrance on the side (Blackfriars Street) elevation of the building accessing the residential units. The porches located beneath protruding bays on the front and side elevations provide architectural interest and contribute to the cultural heritage values of the Blackfriars/Petersville Heritage Conservation District by making use of design elements found within the district.</p>
<p>Respond to unique conditions or location, such as corner properties, by providing architectural interest and details on both street facing façades.</p>	<p>The subject property is a corner lot, highly visible from the southward view along Wharncliffe Road North. The HIA states that the proposed 2 ½ storey house provides a larger and more prominent massing on the property, contributing to increased definition of the gateway to the Blackfriars/Petersville Heritage Conservation District through Blackfriars Street.</p>
<p>Size, shape, proportion, number and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate areas.</p>	<p>The proposed windows are two over two single or double hung with simulated divided lights to replicate historic proportions and glazing patterns. The symmetrical placement of windows on the west elevation (Wharncliffe Road North) of the building is sympathetic to neighbouring houses to the north.</p>

Policies	Analysis
Use materials and colours that represent the textures and palette of the Blackfriars/Petersville area.	The proposed building is to be clad in horizontal siding to match the orientation and material finish quality of the existing house on the property. The porches must be constructed with panelled wood columns (and railings per EC-2 of SB-7 on the front porch).
Where appropriate, incorporate in a contemporary way, some of the traditional details that are standard elements in the principal façades of properties within the Blackfriars/Petersville area. Such details as transoms and sidelights at doors and windows, covered entrances, divided light windows and decorative details to articulate plain and flat surfaces, add character that complements the original appearance of the neighbourhood and add value to individual properties.	The proposed building does not mimic the existing building. The proposed building reflects the vernacular architectural character of the Blackfriars/Petersville Heritage Conservation District. It draws inspiration from popular historic forms and details without replicating any specific building. The proposed building includes a steeply pitched gable roof, simulated divided lights, and porches on the most prominent elevations; details which characterize many other Contributing Resources in the Blackfriars/Petersville Heritage Conservation District.
New buildings should not be any lower in building height than the lowest heritage building on the block or taller than the highest heritage building on the same block.	The proposed building may be taller than its neighbours to the south, but as a 2 ½ storey building, it is anticipated to fit well within an appropriate height range for the Blackfriars/Petersville Heritage Conservation District, specifically noting the taller 2 and 2 ½ storey houses to the north of the subject property along Wharncliffe Road North. The flat top to the steep gable roof (12/12) is anticipated to minimize any overwhelming appearance of height in the building and help it to better blend in with shorter neighbouring buildings when viewed from the south.

The proposed building at 187 Wharncliffe Road North complies with the policies of Section 7.5.1 and the guidelines of Section 10.3.2 of the *Blackfriars/Petersville Heritage Conservation District Plan*. The proposed building take influence from and complements the prevailing character of the Blackfriars/Petersville Heritage Conservation District, in accord with Policy 594\_2 of *The London Plan*. To ensure compliance, terms and conditions are recommended.

Office use is proposed on the ground floor of the proposed new building, maintaining the use previous use of the existing building on the property with office space on the ground level and residential on the upper level. Further municipal approvals, including but not limited to a Building Permit and Minor Variance, may be required for this project.

#### 4.4 Consultation

As per Council Policy for the demolition of buildings or structures on heritage designated 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, Urban League of London, and Blackfriars Neighbourhood Association. Notice was also published in *The Londoner*.



At the time of preparation of this report, one member of the public submitted comments regarding the proposed demolition and Heritage Alteration Permit application at 187 Wharncliffe Road North.

In accordance with Section 42(4.1), *Ontario Heritage Act*, consultation with the Community Advisory Committee on Planning (CACCP, the City's municipal heritage committee) is required. The CACCP was consulted on this request at its meeting held on November 8, 2023.

## Conclusion

The subject property at 187 Wharncliffe Road North has suffered long-term neglect since it was damaged by fire in 2014. The property is presently vacant and has a history of property standards issues.

The policies within the *Blackfriars/Petersville Heritage Conservation District Plan* seek to conserve existing resources that contribute to the cultural heritage values of an area that make it unique. On occasion, situations arise where retention and conservation of an existing resource are no longer possible. No significant historical or associative values unique to this property were identified.

Staff have reviewed the conclusions of the HIA in support of the demolition of the existing building at 187 Wharncliffe Road North and the appropriate design of a complimentary replacement building. Staff are of the opinion the proposed new building is designed in a manner that complies with the guidelines for new buildings in the *Blackfriars/Petersville Heritage Conservation District Plan*. The proposed new building conforms to the policy direction of *The London Plan*, protecting the character of London's Heritage Conservation Districts. Upon approval of this Heritage Alteration Permit application, terms and conditions are recommended to ensure its appropriate execution at the time of construction.

**Prepared by:** Konner Mitchener, M.Arch, Intern CAHP  
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	Drawings of Proposed Building
Appendix D	Heritage Impact Assessment (attached separately)

### 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.

Thor Dingman B. Architectural Sc. Inc., Heritage Impact Assessment: 187 Wharncliffe Road North, London, August 31, 2023.  
Vernon Directories. *Vernon's City of London (Ontario) Directories.*

**Appendix A – Location**

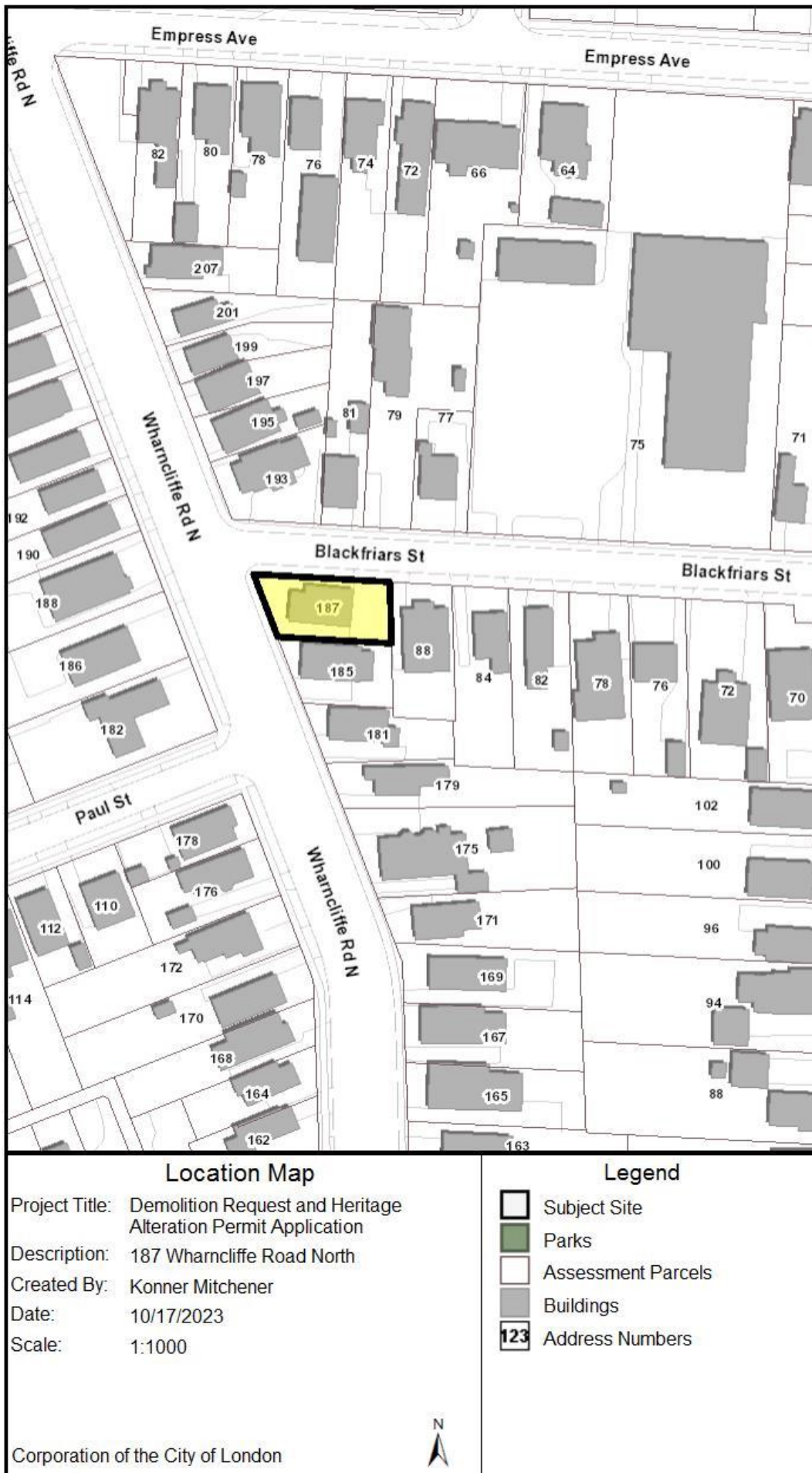


Figure 1: Location of the subject property at 187 Whamcliffe Road North in the Blackfriars/Petersville Heritage Conservation District.



Appendix B – Images



Image 1: Northwest corner of the Contributing Resource at 187 Wharncliffe Road North (taken February 5, 2016).



Image 2: North elevation of the Contributing Resource at 187 Wharncliffe Road North (taken February 5, 2016).





Image 3: Northeast corner of the Contributing Resource at 187 Wharncliffe Road North (taken February 5, 2016).



Image 4: Southwest corner of the Contributing Resource at 187 Wharncliffe Road North (taken September 2, 2022).





Image 5: The Contributing Resource at 187 Wharncliffe Road North (taken October 4, 2023).





Image 6: Northwest corner of the Contributing Resource at 187 Wharncliffe Road North (taken October 4, 2023).



Image 7: North elevation of the Contributing Resource at 187 Wharncliffe Road North (taken October 4, 2023).



**Appendix C – Drawings of Proposed Building**

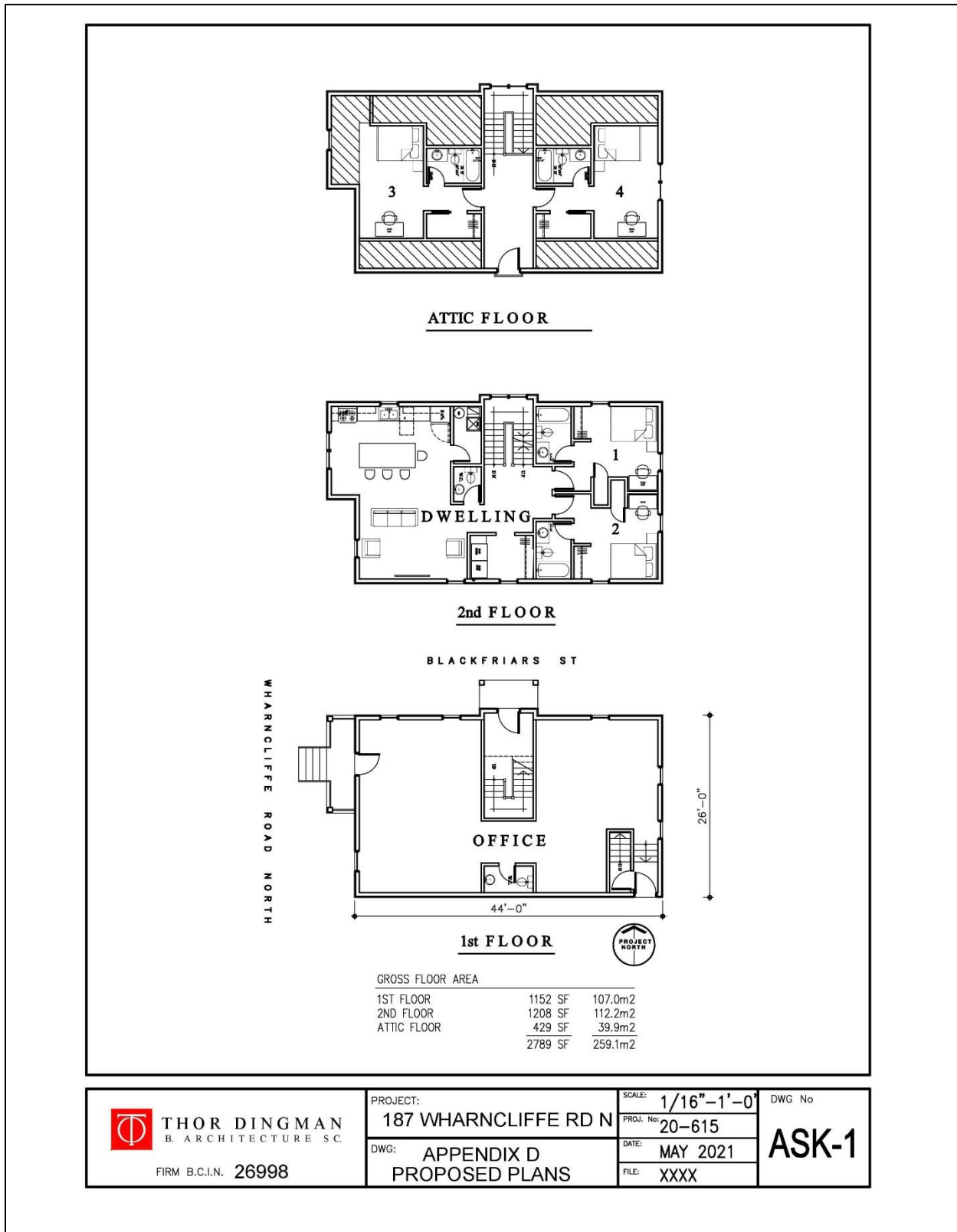


Figure 2: Floor plans of the proposed building at 187 Wharncliffe Road North (TD-BAS Inc., dated May 2021).

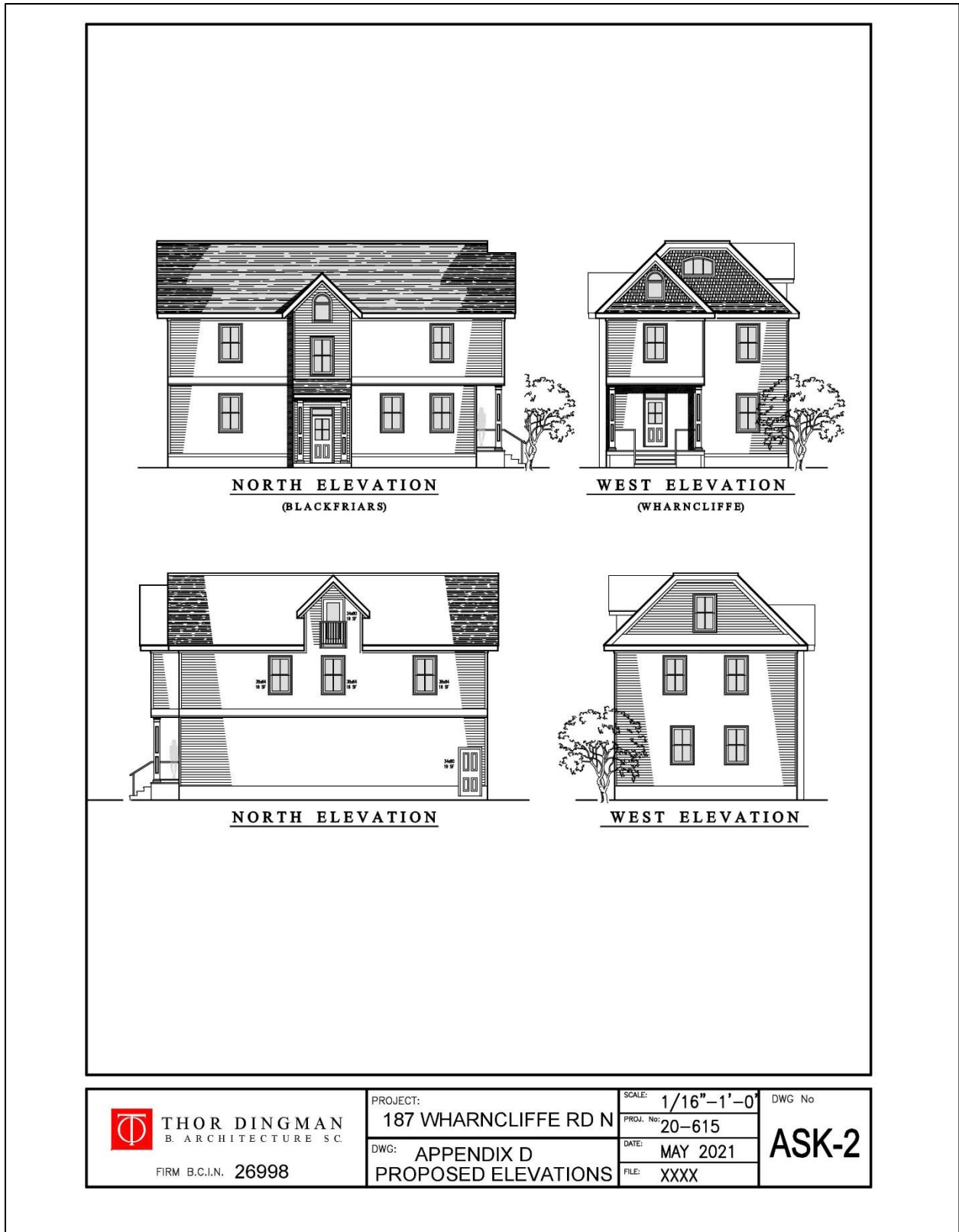


Figure 3: Elevation drawings of the proposed house at 187 Wharncliffe Road North (TD-BAS Inc., dated May 2021).

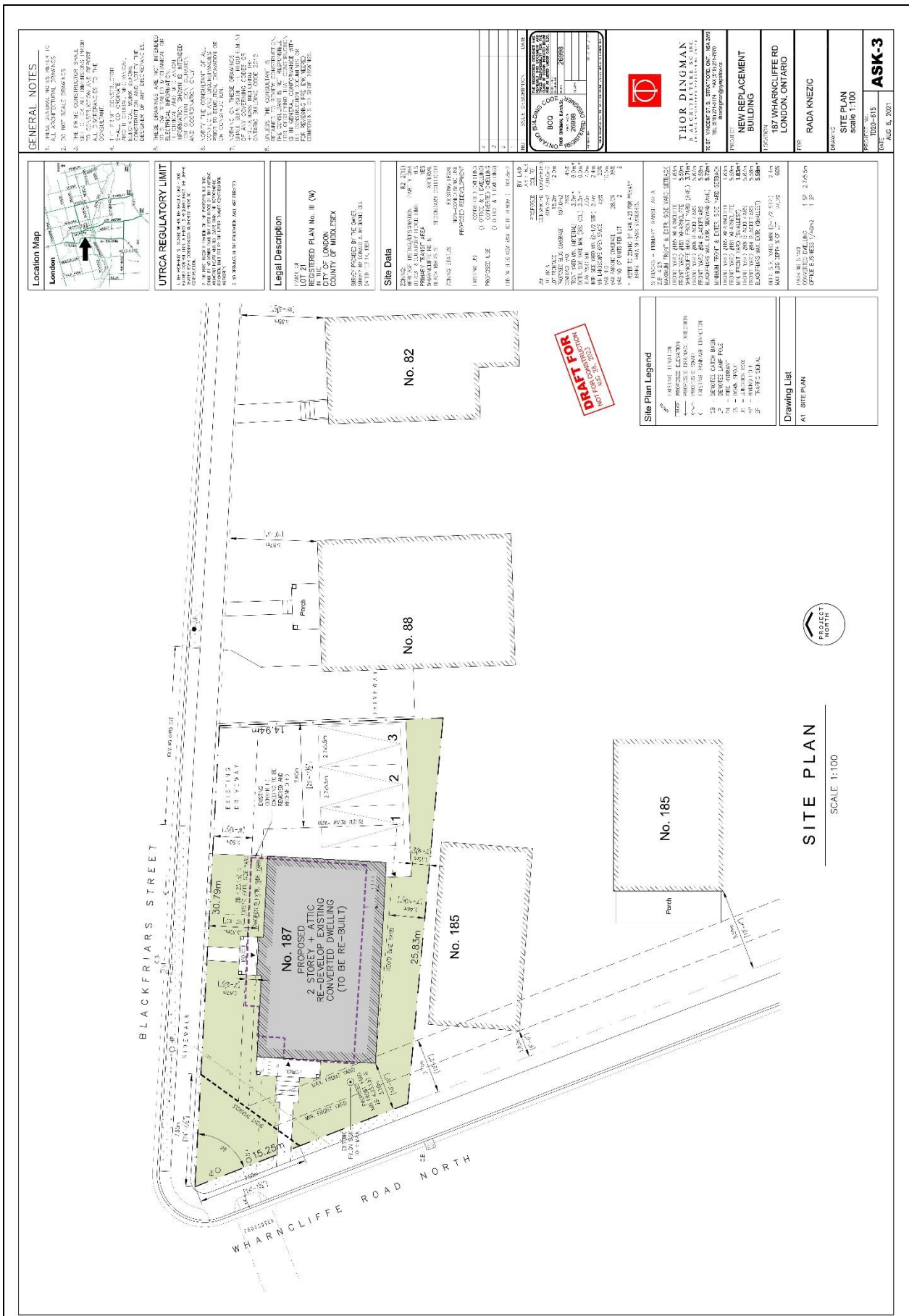


Figure 4: Site plan showing the proposed new building at 187 Wharncliffe Road North with the setbacks and footprints of adjacent buildings in the Blackfriars/Petersville Heritage Conservation District (TD-BAS Inc., dated August 6, 2021).



57. West elevation of the proposed building with indirectly illuminated sign board. The cornice sign board area is approximately 5% of the wall area and conforms to the City of London sign by-law.

Figure 5: West elevation of the proposed building with indirectly illuminated sign board for the proposed office use on the main floor (TD-BAS Inc., dated August 31, 2023).



54. Above: Photomontage streetscape study montage with a rendering of the proposed building at 187 Wharncliffe Road South. The view is looking southward along Wharncliffe Road North.

Figure 6: Rendering showing the proposed building at 187 Wharncliffe Road North in its context on the east side of Wharncliffe Road North (TD-BAS Inc., dated August 31, 2023).





55. Above: Photomontage streetscape study of the proposed building at 187 Wharnclyffe Road North. The view is looking northward along Wharnclyffe Road North.



56. Above: Photomontage streetscape study of the proposed building at 187 Wharnclyffe Road North. The view is looking westward along Blackfriars Street.

Figure 5: Renderings showing the proposed building at 187 Wharnclyffe Road North in its context on the east side of Wharnclyffe Road North (TD-BAS Inc., dated August 31, 2023).

**Appendix D – Heritage Impact Assessment**

*Attached separately.*

# Heritage Impact Assessment **187 Wharncliffe Road North**

August 2023

Submitted to the City of London,  
August, 2023

Project Number: TD20-615

Prepared for:  
Radoslava Knezic





August 31, 2023

**Radoslava Knezic**  
291 Chambers Avenue,  
London, Ontario  
N5X 4H3

**Re: 187 Wharncliffe Road North - Heritage Impact Assessment**

I am pleased to submit a completed Heritage Impact Assessment for the proposed building development at 187 Wharncliffe Road North. Please do not hesitate to call me if you have any questions or if you require any clarification of the findings of the impact assessment.

Respectfully Submitted,

Thor Dingman, B. Arch. Sc., CAHP, BCQ  
FIRM BCIN 26998

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## Appendices

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APPENDIX E: Proposed Site Plan  
APPENDIX F: Ownership & Occupants  
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**1.0 INTRODUCTION**

**1.1 Purpose**

The purpose of this Heritage Impact Assessment (HIA) is to determine if the cultural heritage resources or attributes are impacted by the proposed development. If negative impacts are identified, avoidance measures, alternative development strategies or mitigation may be recommended.

The subject property at 187 Wharncliffe Road North is included within the boundary of the Blackfriars-Petersville Heritage Conservation District (BPHCD). The District is designated under Part V of the *Ontario Heritage Act* (OHA), May 15, 2015. The property has been identified in the District Plan to be a contributing heritage resource within the District boundary.

A Heritage Impact Assessment (HIA) has been requested by the Heritage Planner to measure the effect of the proposed development on the property at 187 Wharncliffe Road North, and on the Blackfriars-Petersville Heritage Conservation District.

The owner, Radoslova Knezic, has retained Thor Dingman B. Architecture Sc. Inc. (TD-BAS) to prepare the HIA for the proposed redevelopment of the property. The HIA will form the primary rationale for the heritage permit application review process. The permit review process will be completed by city staff with the advice of the London Advisory Committee on Heritage (LACH). Demolition of a building within the Blackfriars-Petersville HCD requires final approval by London City Council.



1. The subject property, No. 187 Wharncliffe Road North, is identified as a contributing heritage resource to the Blackfriars-Petersville Heritage Conservation District.

2. Prior to a fire in the building, 187 Wharncliffe Rd North was an established mixed use building containing a professional office on the ground floor and an apartment on the second floor.

## 1.2 Objectives

The Heritage Impact Assessment has the following objectives;

1. To assess and determine the cultural heritage value and heritage attributes of the property at 187 Wharncliffe Road North.
2. To assess and determine the contributing cultural value of the property at 187 Wharncliffe Road North to the broader context of the Blackfriars-Petersville Heritage Conservation District.
3. To determine the potential negative impact of the proposed redevelopment on the cultural heritage resource at 187 Wharncliffe Road.
4. To determine the potential negative impact of the proposed development on the Blackfriars-Petersville Heritage Conservation District.
5. To provide recommendations including avoidance measures, alternative development strategies or mitigation of potential negative impacts by the proposed development.

## 1.3 Limitations

This assessment is the result of the observations, research, opinions and recommendations on cultural heritage matters. The assessment will follow good heritage practise in accordance with accepted technical and ethical standards as outlined by the Canadian Association of Heritage Professionals, the *Ontario Heritage Act* and the generally accepted heritage guidelines published by the Provincial Government of Ontario and the Federal Government of Canada.

This assessment is limited to heritage matters and shall not be interpreted as having opinions or recommendations, expressed or implied, on the adequacy of any buildings or structures for safe human occupancy. The opinions or recommendations within this assessment, expressed or implied, shall not be interpreted as taking responsibility for construction as defined under the *Ontario Building Act* or any other construction work.

### 1.4 Property Introduction

The owner of the property, Radoslava Knezic, proposes to redevelop the land 187 Wharncliffe Road North by building a new detached single dwelling with a ground floor office suite. Construction of the proposed new building requires the complete removal of the existing residential and mixed-use structure.

The property is located in the Blackfriars-Petersville Heritage Conservation District (BPHCD) and has been identified as a Contributing Heritage Resource. Approval to proceed with demolition of the structure will require internal municipal review and London City Council approval.

The existing house is vacant and is currently unsuitable for human habitation. The property was purchased by Radoslava Knezic in 2014. At the time of purchase the existing building was occupied by a registered massage therapy clinic with an apartment on the second floor. The building suffered a fire in October 2014 which originated in the basement. The fire and firefighting efforts to extinguish the blaze resulted in extensive damage to the structure and from water damage. Efforts to return the property to a usable asset have since been delayed by insurance settlement and demolition restrictions placed on the property through the Heritage Conservation District by-law. The owner has been continuously pursuing repair or redevelopment efforts since the fire. Local and municipal concern over the appearance and condition of the house is also on ongoing concern. The building has since been vacant and secured from authorized entry. The owner is regularly monitored the building against unauthorised entry.





3.(top left) East elevation.  
4, (top right) North-East elevation.



5. (bottom left) North elevation fronting on Blackfriars Street.  
6. (bottom right) West elevation fronting on Wharncliffe Road North.



1.5 Property Features Table

<b>88 Blackfriars Street</b>	
 <p style="text-align: center;">Key Maps</p>	
 <p style="text-align: center;">West elevation (view looking eastward)</p>	
Address	187 Wharnccliffe Road North, London Ontario, N6H 2B1
Ward & Planning District	Ward 13, West London
Legal Description	Part Lot 21, Plan 111(W) As In 533807, Roll Number 010120001000000
Neighbourhood	Blackfriars - Petersville
Historical Name	Unknown
Construction Date	1903
Original Owner at Construction	William H Nicholls
Original Use	Residential Single Family (assumed)
Current Occupancy	Mixed use Office and Residential. Currently: Unoccupied / Uninhabitable
Current Zoning	R2-2(19) Residential Zone - low density residential development, single detached dwellings, existing legally established semi-detached, duplex, converted (max. 2 unit) dwellings
Current Use	Unoccupied / Uninhabitable resulting from fire damage.
Site Dimensions	14.9m x 30.8m (irregular corner)
Building Footprint Area	94.5m <sup>2</sup> (1017 sq ft)
Building Height	2 Storey
Architect / Designer	Unknown
Architectural Style	Late Victorian/Queen Anne Cottage, vernacular variation
Additions / Alterations	Unknown
Heritage Status	Part V OHA, Blackfriars-Petersville Heritage Conservation District, By-law L.S.P.-3437-179. Contributing Heritage Resource.
Proposed Work	Demolition, Redevelopment

## 1.6 Scope of Work & Methods

The scope of work has been compiled to determine firstly, if the cultural heritage attributes of the property at 187 Wharncliffe Road North are significant, and secondly, if the attributes of the property are a contributing heritage resource to the Blackfriars-Petersville Heritage Conservation District.

The design form of the 1-1/2 storey house is well represented in the residential fabric of Blackfriars-Petersville Heritage Conservation District. The corner lot location at Wharncliffe Road North and Blackfriars Street provides greater street exposure than typical mid-block properties. Wharncliffe Road North sustains a heavily vehicle traffic load as an arterial street and is a rapid transit boulevard. The scope of the HIA will primarily focus on the immediate neighbourhood along the Wharncliffe Road North viewshed and secondarily, along the west end of Blackfriars Street.

The HIA will follow the generally accepted format outline for Heritage Impact Assessments and Conservation Plans as outlined by the Province of Ontario. The scope of the HIA will be adjusted where deemed appropriate to provide a complete and comprehensive assessment of the heritage resources, and for mitigation of any potential negative impacts.

A physical assessment of the property has been completed. Due to the unsafe condition of the structure, access to the interior of the house was limited. The methods of assessment are as follows;

- on-site review of the property
- photographic records
- as-built record building measurement
- as-built drawings of the existing building
- property boundary measurements
- topographic measurements of property and adjacent property
- tree and plant inventory

Historical research on the property within the larger context of the Heritage Conservation District has been completed using the following resources;

- Ontario Land Registry Office Title search
- Blackfriars-Petersville Study
- Blackfriars-Petersville HCD
- The London Room, London Public Library
- on-site review of the district
- photographic records
- building typology and analysis

## 1.7 Assessment Criteria

In determining individual cultural heritage value of the subject property, criteria from OHA Regulation 9/06 will be used. The *Ontario Heritage Act*, Regulation 9/06, Criteria For Determining Cultural Heritage Value or Interest, provides a set of criteria grouped into the following three categories. Evaluation in each category determines the cultural heritage value or interest of a potential heritage resource. High value in one or more categories is sufficient to determine cultural heritage value or interest.

According to Ontario Regulation 9/06, the following criteria will be used;

1. The property has **design value or physical value** because it,
    - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
    - ii. displays a high degree of craftsmanship or artistic merit, or
    - iii. demonstrates a high degree of technical or scientific achievement.
  2. The property has **historical value or associative value** because it,
    - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
    - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
    - iii. 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,
    - i. is important in defining, maintaining or supporting the character of an area,
    - ii. is physically, functionally, visually or historically linked to its surroundings, or
    - iii. is a landmark.
- O. Reg. 9/06, s. 1 (2).

Further guidance may be referenced in the Ontario Heritage Toolkit including the guide to Heritage Property Evaluation, published by the Ministry of Tourism Culture and Sport. Other references and resources that are recognised and established within the practice of cultural heritage conservation may be used as required.



## 2.0 PLANNING POLICY & FRAMEWORK

### 2.1 Ontario Heritage Act

Under Part V, Heritage Conservation Districts of the *Ontario Heritage Act*, R.S.O. 1990, C.O.18, the removal of a building within a HCD is not permitted without receiving a permit from the municipality. Section 42 under Part V of the act states the following;

42 (1) No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.
2. Erect any building or structure on the property or permit the erection of such a building or structure.
3. Demolish or remove, or permit the demolition or removal of, any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).
4. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property. 2005, c. 6, s. 32 (1); 2019, c. 9, Sched. 11, s. 19 (1); 2022, c. 21, Sched. 6, s. 7 (1).

### 2.2 Provincial Policy Statement

As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. Under the Ontario Provincial Policy Statement 2020 (PPS) clearly states the protection afforded to heritage resources;

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

### 2.3 London Official Plan

The London Plan was adopted by City Council in June 2016 and approved by the Province in December 2016. All of the City’s by-laws and public works must conform to the policies of *The London Plan*.

Through OLT decision May 25, 2022, the final phase of policy appeals have been resolved. Several site-specific appeals remain. The *1989 Official Plan* has been repealed by City Council.

#### 13.3.2. Changes to Buildings or Structures

After a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the Ontario Heritage Act and any secondary plan which takes the form of a Heritage Conservation District Plan. (Section 13.3.2. amended by OPA 438 Dec. 17/09)

#### 13.3.6. Heritage Conservation Districts

Within Heritage Conservation Districts established under the provisions of this Plan, the following policies shall apply:

- i) the character of the District shall be maintained by encouraging the retention of existing structures and landscape features;
- ii) the design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area;
- iii) regard shall be had at all times to the guidelines and intent of the Heritage Conservation District Plan

The Official identifies policies for near-campus neighbourhoods. A large portion of the Blackfriars-Petersville HCD is included in the “Near-Campus Neighbourhoods Area”. The following is an excerpt from 3.5.19 *Policies For Near-Campus Neighbourhoods*;

Near-Campus Neighbourhoods provide an extremely valuable asset to the City of London. They are important attributes in the City of London to attract and retain the brightest and best faculty and students. They are desirable and unique neighbourhoods, some of which offer an outstanding stock of heritage buildings and streetscapes. In addition, they provide close proximity to employment, culture and entertainment resources that their neighbouring educational institutions offer.



7. Detail of Near-Campus Neighbourhoods Area. The shaded portion show the area surrounding Western University. The red dot is the location of 187 Wharncliffe Road North.

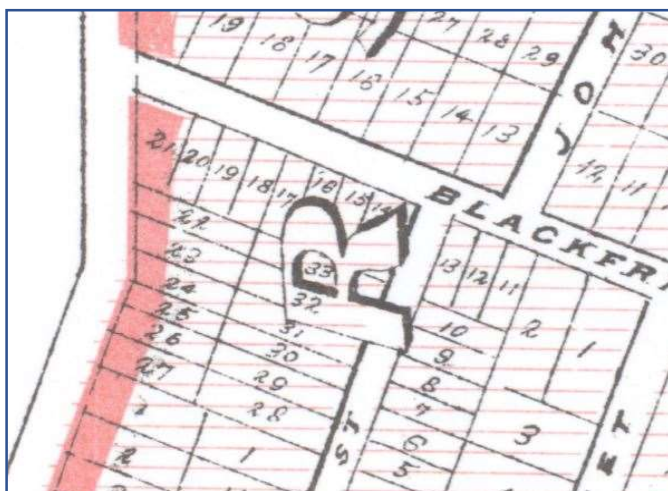
## 2.4 Blackfriars-Petersville Heritage Conservation District Plan

The assessment will rely principally on the previous research, evaluation and change management framework contained within the Blackfriars-Petersville Heritage Conservation District Plan (BPHCD) format. The BPHCD Plan, dated May 12, 2014, by Golder Associates and was adopted by London Municipal Council on May 6, 2014. The HCD was designated under Part V of the *Ontario Heritage Act* on May 15, 2015.

Where deemed appropriate for this assessment, direct reference will be made to relevant sections of the BPHCD Plan that sufficiently satisfy the goals of the HIA. A checkmark will appear under “Ref” column beside the relevant sections listed below. Where additional research is required to enhance the goals of the HIA, check mark will appear in the “Additional Comment” column of the table below.

BLACKFRIARS-PETERSVILLE HERITAGE CONSERVATION DISTRICT PLAN			Referenced in HIA	Additional Comment
<b>2.0</b>	<b>CONSERVATION DISTRICT</b>			
	2.1	Description of the Heritage Conservation District	✓	
	2.2	Heritage Conservation District Boundaries		
	2.3	Statement of Cultural Heritage Value	✓	
<b>3.0</b>	<b>HERITAGE CONSERVATION DISTRICT GOALS &amp; OBJECTIVES</b>		✓	
<b>4.0</b>	<b>HERITAGE CONSERVATION PRINCIPLES</b>		✓	
<b>5.0</b>	<b>ONTARIO HERITAGE ACT</b>		✓	
	5.1	Conflict		
	5.2	Contravention of the <i>Ontario Heritage Act</i>		
<b>6.0</b>	<b>MUNICIPAL POLICIES</b>			
	6.1	Introduction	✓	
	6.2	Official Plan	✓	
	6.3	Zoning By-law	✓	
	6.4	Site Plan Control	✓	
	6.5	Severances and Minor Variances		
	6.6	Building Permits	✓	
	6.7	Design Guidelines	✓	
	6.8	Archaeological master Plan		
	6.9	Sign & canopy By-law		
	6.10	Emergency management Plan		
<b>7.0</b>	<b>HERITAGE CONSERVATION DISTRICT POLICIES</b>			
	7.1	General	✓	
	7.2	Development Pattern	✓	
	7.3	Resources in Blackfriars-Petersville heritage Conservation District	✓	
	7.4	Contributing Resources	✓	
	7.5	Demolition of Contributing Resources	✓	
	7.6	Non-Contributing Resources		
	7.7	Residential Area	✓	
	7.8	Neighbourhood Commercial Node Area		

7.9	Open Space		
7.11	Building Conversion		
7.12	Public Realm		
7.13	Public Works & Infrastructure		
7.14	Part IV Designations within a heritage Conservation District		
7.15	Heritage Conservation Easements		
7.16	Adjacent Area		
<b>8.0</b>	<b>HERITAGE ALTERATION PERMIT PROCESS</b>	✓	
8.2	Heritage Alteration Permit & Other Permits	✓	
8.3	Emergency Repairs	✓	
<b>9.0</b>	<b>IMPLEMENTAION</b>		
9.1	Education and Information Programs		
9.2	Monitoring Programs	✓	
9.3	Heritage Preservation Incentive Programs		
<b>10.0</b>	<b>ARCHITECURAL DESIGN GUIDLINES</b>		
10.1	Introduction	✓	
10.2	Key Elements	✓	
10.3	Design Guidelines	✓	
<b>11.0</b>	<b>ARCHITECURAL CONSERVATION GUIDLINES</b>	✓	
11.1	Cycles of Restoration		
11.2	Conservation Guidelines		
<b>12.0</b>	<b>CULTURAL HERITAGE LANDSCAPE CONSERVATION &amp; DESIGN</b>		
12.1	Introduction		
12.2	Streets	✓	
12.3	Parking		
12.4	Signage		
12.5	Street Furniture		
12.6	Street Lighting		
12.7	Trees and Vegetation	✓	
12.8	Parks and Open Space		
12.9	Gateways	✓	
12.10	Interpretive Features		
12.11	Public Works and Infrastructure		



8. Map detail from the 1878 Middlesex Atlas. The subject property is contained within the original lot 21 laid out in the Duncan Campbell survey. Prior to 1889 Lot 21 was severed to create the current parcel at 187 Wharncliffe Road North. The subject property was transferred to William Nicholls on September 20 1889.

Credit:  
Map of the city of London and Suburbs,  
published in 1878 by Hammerburg  
Productions, Drawn by Jno Rogers.

### 3.0 HISTORICAL RESEARCH, SITE ANALYSIS and EVALUATION

#### 3.1 District History – Blackfriars-Petersville HCD Context

The following excerpt is taken from the Blackfriars–Petersville Heritage Conservation District Study;

##### 2.1 Overview (BPHCD Study)

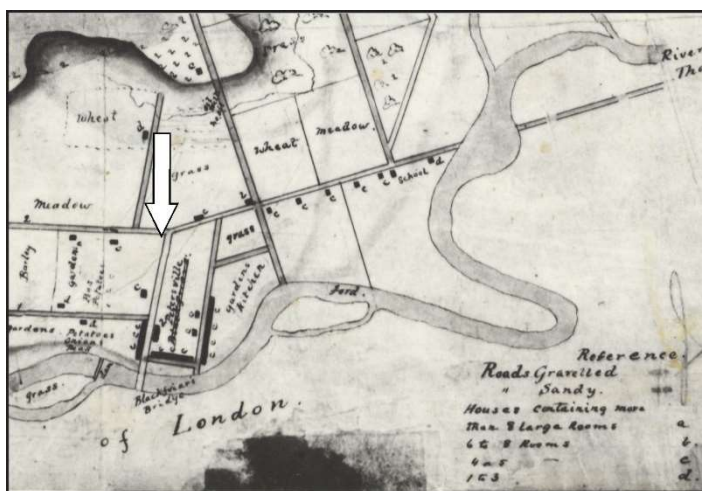
Historically, the river that dominates the area has served as both an enemy and a friend. Frequently overflowing its banks, the river has often created havoc with the homes and roads in the area. As a friend it has blanketed the plain with rich alluvial soil that fed Chippewa cornfields, produced rich farm crops and market gardens, and, because of the constant danger of flooding, provided a venue for low-income housing popular with labourers and craftsmen throughout its history.

The following excerpt is taken from the Blackfriars–Petersville Heritage Conservation District Plan;

##### 2.3 Statement of Cultural Heritage Value (BPHCD Plan)

Architecturally, the HCD exhibits a continuity of change based on a variation of working-class housing that was built predominantly from the 1880s to the 1930s. The majority of architectural forms and styles are of the vernacular Ontario cottage style with various renditions and features. The homes within the HCD are reflective of modest, economical home building in the late-19th and early-20th centuries.

The 1-1/2 storey house 187 Wharncliffe Road North is representative of modest housing that occur along side larger houses. The diversity of building size and height vary throughout the district. The diversity of housing size and height are one of the defining characteristics of Blackfriars–Petersville Heritage Conservation District. For further background on the Blackfriars–Petersville HCD, refer to the Study, dated January, 2014 and the Plan and Guidelines, dated by May 12, 2014. Both documents are by Golder Associates in association with IBI Group and Tausky Heritage Consultants.



9. Detail of Sketch Map dated 1867 attributed to R.M. Armstrong listing croplands and species of trees in surrounding woodlands. Four categories of house are listed in the legend in the bottom right corner according to the number of rooms from one to more than eight.

The area of the lot at 187 Wharncliffe Road North (white arrow) does not show evidence of any buildings.

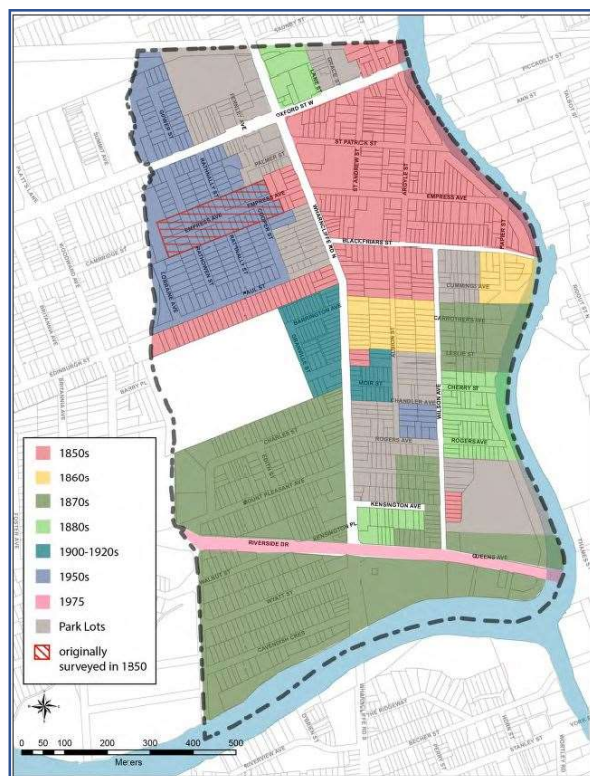
Credit:  
London Historic Map Collection,  
Western Libraries, University of  
western Ontario.

### 3.2 Wharncliffe Road North – History & Analysis

Early access to the lands north and west of the of the Thames River forks was along the Wharncliffe Proof Line. The proof line, laid out by Mahlon Burwell in 1810, began on the north bank of the Thames River, west of the forks, and extended northward. However, a bridge across the Thames to connect the south and north sides of Wharncliffe Road was not completed until 1914. With the construction of the first Blackfriars Bridge by the 1820s, a seminal point in determining the future shape of the Blackfriars–Petersville Heritage Conservation District had arrived. The following excerpt is taken from the Blackfriars–Petersville Heritage Conservation District Study;

The Wharncliffe/Proof Line route was the principal means whereby people journeying from London could travel to locations north and west of the river forks. It was the first route by which settlers travelled to find their locations, and whereby they returned to London to purchase supplies or market their goods. The route they actually took from the village of London would have been north along Ridout Street and then across Blackfriars Bridge, long the only bridge connecting land on the east and west sides of the north branch of the Thames. The historical record is mute on when the first primitive bridge was constructed at the site now linking the present Ridout and Blackfriars streets. But as early as 1823, the London District Quarter Sessions dealt with a petition from Lewis Hartman, who had spent £250 constructing a bridge there, who wished to be paid for an unpaid balance.<sup>21</sup>

Early in the first half of the nineteenth century the route over Blackfriars Bridge and along Blackfriars Street would become an important economic link between the London and the fertile lands west of and north of the Forks of the Thames. Subdivision of land first began north and south along Blackfriars Street in the 1850s as illustrated below.



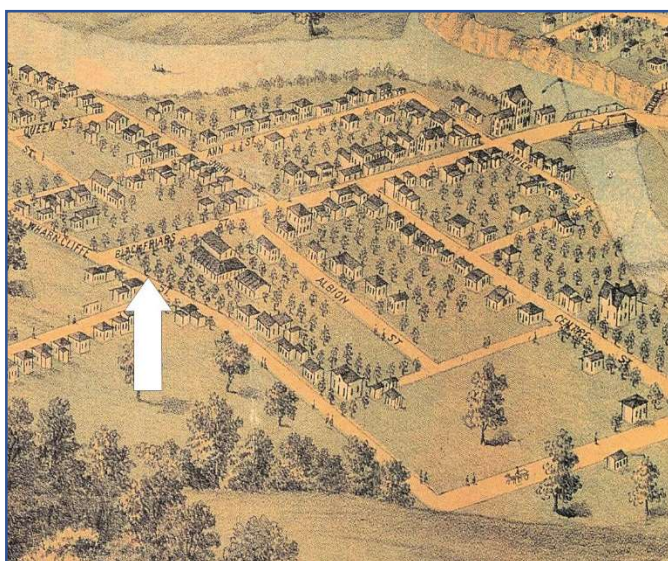
10. Map illustrating the approximate dates of surveys with the Blackfriars–Petersville HCD. The subject area at the corner of Blackfriars Street and Wharncliffe Road North is shaded in pink. This land was surveyed in the 1850s.

Reference: Figure 4, Blackfriars–Petersville Heritage Conservations District Study, 2014.



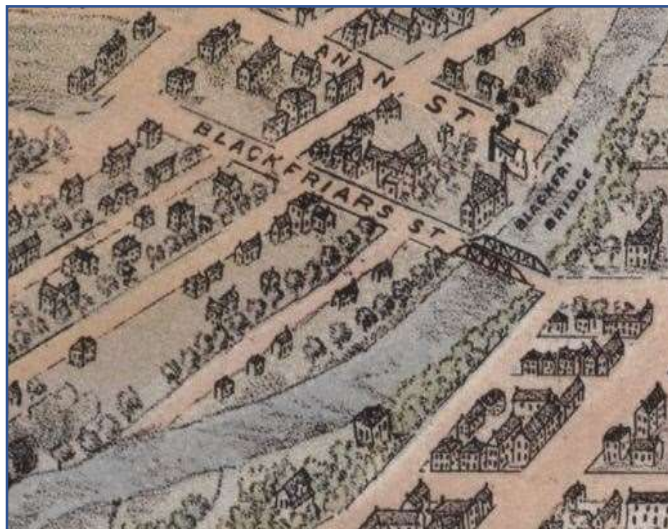
## Wharncliffe Road North – History & Analysis - continued

Land assessors' records show that by 1857, 53 persons had bought land in Petersville/Bridgetown with over 30 living there. In 1863 Duncan Campbell subdivided land south of Blackfriars Street, and east of Wharncliffe, which was a first step towards settlement of lands south of Blackfriars. Despite the opening of a new wooden bridge between the City of London and Kensington/Petersville in 1871, the bird's eye view map of 1872 above does not show any buildings at the corner of Blackfriars Street and Wharncliffe Road North.



11. At left is a bird's eyes map of London dated 1872 and drawn by E.S. Glover. The area of the lot at 88 Blackfriars Street (white arrow) does not show evidence of any buildings.

Credit:  
Reproduction: Canadian Cities: Bird's Eye Views, published in 1998 by the Association of Canadian Map Libraries and Archives, Ottawa, Canada. Reproduced from an original in the J.J. Talman Regional Collection Room, University of Western Ontario, London, Ontario.



12. Map of the City of London published in 1893. A building is illustrated at the corner of Wharncliffe Road North and Blackfriars Street. The building shown is two storey and is possible a generic rendering. The current house at 187 Wharncliffe North is 1903. The two residential buildings south of Blackfriars Street on the east side of Wharncliffe Road could be No 175.

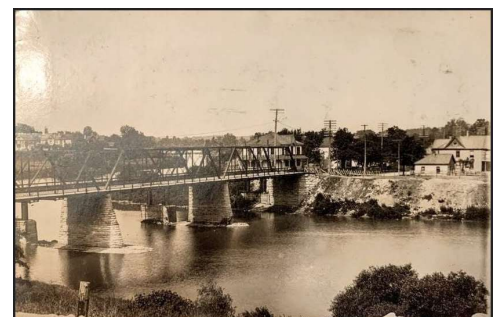
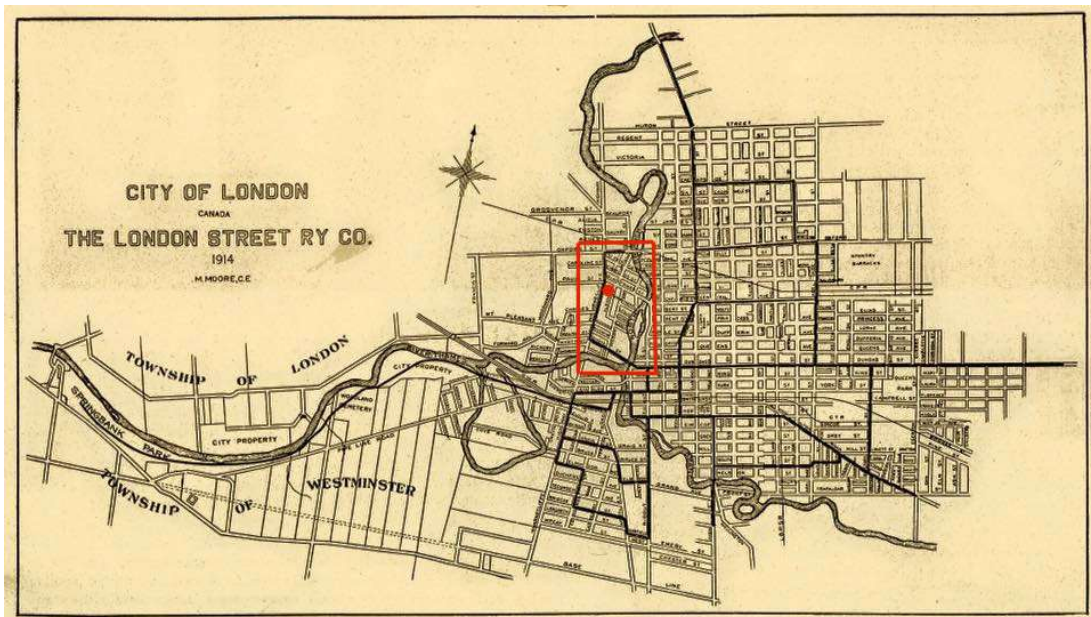
Credit:  
City of London, Canada, With View of Principal Business Buildings, Published by Toronto Lithography Co., Published in 1893.

London Historic Map Collection,  
Western Libraries, University of western Ontario.

**Wharncliffe Road North – History & Analysis - continued**

An increase in development and house construction in the vicinity of the subject site coincides with the annexation of West London by the City of London in 1897. During the same year a new dedicated rail bridge was constructed beside the Kensington Bridge to serve the newly expanded western boundary of the city. The London Street Railway (LSR) could now provide convenient transportation service to residents in the area and connect them to the wider London area.

Prior to 1897 the LSR only ran on the west and north side of the Forks of the Thames River. The street rails did not cross the Thames River and passengers were obliged to depart the rail cars and walk across Kensington Bridge on the south or over Oxford Bridge to the north. Starting in 1897 it was now possible to conveniently access all points on the London Street Railway system.



13. (top left) 1914 map London Street Railway routes. The outlined area shows service along Wharncliffe Road North.  
 14. (right) The newly constructed rail bridge beside Kensington Bridge opened continuous public transit service along Wharncliffe Road North.  
 15.(bottom left) Car number 20 of the London Street Railway, circa 1920.  
 Credit: London Room Digital Collection



**Wharncliffe Road North – History & Analysis - continued**

The beginning of the 20th century saw a significant increase in residential building along Wharncliffe Road North. The subject property and several of the neighbouring houses were built between 1900 and 1910. The aerial photograph below from 1922 illustrates that Wharncliffe Road, although a rapidly developing area, was still at the western edge of residential urban development. Very deep lots are evident on the west side of Wharncliffe Road North with a large expanse of cleared and open land beyond to the west.

The extension of the London Street Railway along Wharncliffe Road North in 1897, provided greater convenience for commuters to access opportunities elsewhere in the city. The London Street Railway ceased operations in 1940 and converted to diesel fueled buses. By this time North America had enthusiastically embraced the availability of affordable automobiles. By 1941, 88 percent of all US households owned a family car. Wharncliffe as a major connecting street would begin to receive an increasing volume of traffic during the middle of the 20<sup>th</sup> century.

16. (top left) 1921 Fire Insurance map 1914.  
Credit: London Room, London Public Library

17. (far right) 1921 Aerial photograph of the Wharncliffe Road North area.  
Credit: Western Map Library

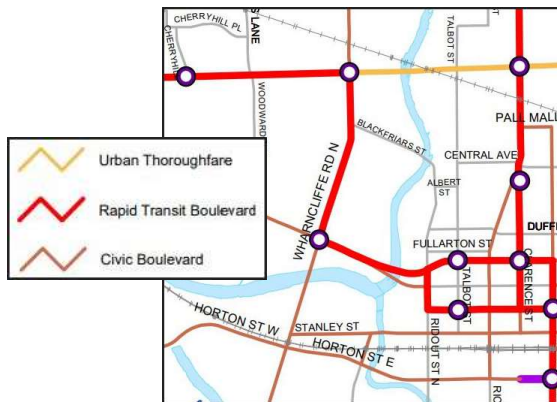
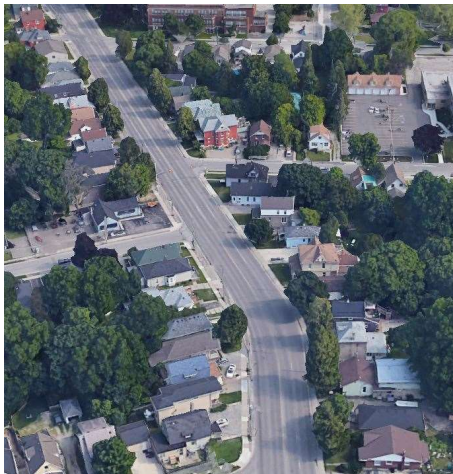
18. (bottom left) Detail of Protected Transit Area Map  
Credit: City of London.



**Wharncliffe Road North – History & Analysis - continued**

Today Wharncliffe Road North’s character has been greatly impacted by the evolution of the automobile. With four lanes of traffic, a high volume of cars and the resulting reduced residential front yard depths, it stands as a distinct dividing line between the so-called sub-areas of the Blackfriars-Petersville HCD.

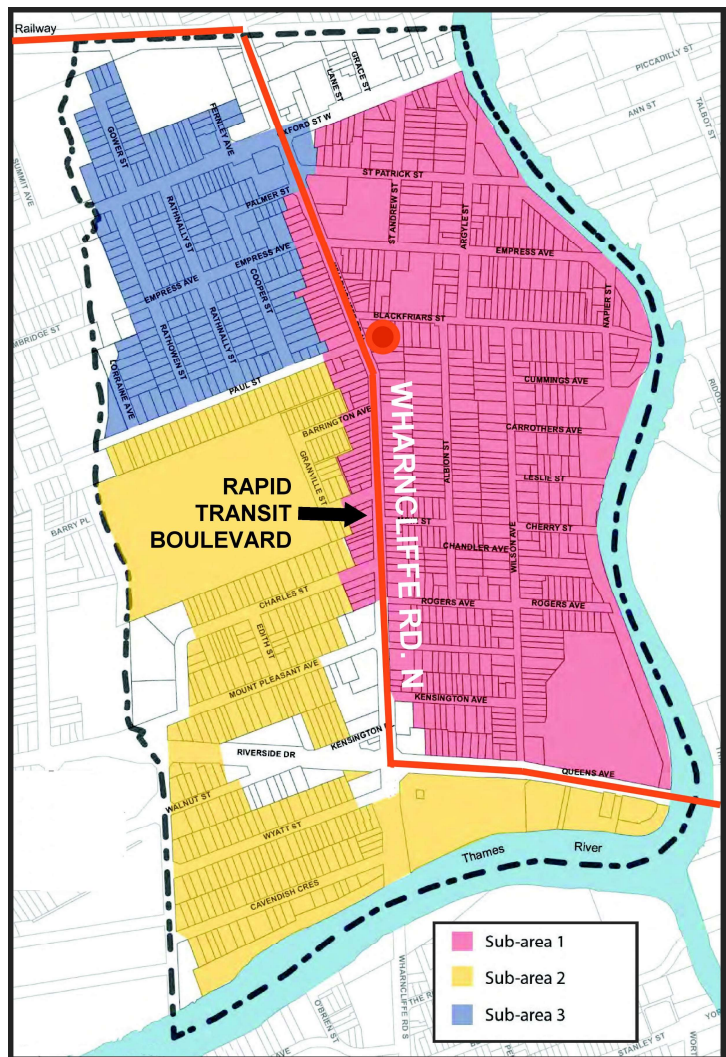
Wharncliffe Road North is currently classified as a Rapid Transit Boulevard and a Rapid Transit Protected Major Station Area. The historical use as an important connecting transportation corridor is anticipated to continue into the future. The London Official Plan generally envisions the sustained use of the transportation corridor along with the intensification of urban development along its routes including mixed use and commercial uses.



19. (top left) Aerial view of Wharncliffe Road North and the neighbourhood adjacent to No. 187. Credit: Google Earth

21. (far right) Sub-area map from the Blackfriars-Petersville West Guidelines, by GSP with modifications Credit: City of London

22.(bottom left) Detail of “Map 3 – Street Classification” from the London Plan and Map Legend.





## Wharncliffe Road North – History & Analysis - continued

The importance of Wharncliffe Road after its initial layout by surveyor Mahlon Burwell in 1810 began to emerge as a critical connection between the City of London and points west and north of the Forks of The Thames. With the construction of the first iteration of the Blackfriars Bridge in the 1820s, Wharncliffe Road would receive steadily increasing traffic as it provided a convenient transportation link for pioneers establishing farms and homesteads in the southern portion of London Township to the City of London.

In 1824 Col. Thomas Talbot assigned Burwell to complete the layout of the Wharncliffe Highway, both north and south of the Thames River, to connect the settlements north of the river in London Township, with settlements in Westminster lying to the south. The road was named after Talbot's friend, British soldier and politician, James A. Stuart-Wortley-Mackenzie, 1<sup>st</sup> Baron Wharncliffe.

Today the south and north portions of Wharncliffe Road extend a total of 10.7 km. Wharncliffe Road North is an important part of a planned future Rapid Transit Corridor linking Dundas Street and Riverside Drive portion of the transit route with the western end of Oxford Street. As urban growth continues in the City of London, Wharncliffe Road North is positioned to continue its important roll as transportation thoroughfare.



23. Col. Thomas Talbot (1771-1853) was an Irish born Canadian Soldier and colonial administrator. Talbot was responsible for enticing 50,000 people to settle in the Thames River area.



24. Talbot reportedly names the road the new highway after his friend James A. Stuart-Wortley, 1<sup>st</sup> Baron Wharncliffe. Stuart-Wortley was a British soldier and politician and lived from 1776 to 1845.

**3.3 187 Wharncliffe Road North - History**

The house at 187 Wharncliffe Road North was constructed in 1903. William Nicholls, a Post Office clerk purchased the Lot 21B from developer Duncan Campbell in 1889. By 1910 William Nicholls had obtained ownership of the adjacent properties at 171, 175, 179 and 185 Wharncliffe Road North.

The first occupant of the house at No. 187 was William’s son, Charles James Nicholls (1872–1945). Charles went on to operate a popular grocery business known as the New York store for 40 years. The New York Store was located in the building at 125 Dundas Street which stands today.

Shortly after the construction of 187 Wharncliffe Road North, Charles took up residency elsewhere. Willima Nicholls continued to hold ownership and rented the house until 1944. In 1955 the house was purchased by Margaret Anne Cundell. She began to operate Cundell’s Beauty Salon and this likely marks the date of the beginning of commercial use of the house.

In 1970 it is evident the house was now duplexed as two separate occupants are noted in Vernon’s Directory: one a tenant and the other a business called “The Cottage”. In the next forty years the house is used for various business uses including a beauty salon, a real estate and insurance office, a constituency office for MP Sue Barnes, and most recently a paralegal office. During these four decades a single apartment dwelling unit was located on the second floor.

165	H. McPherson. . . . .	44'11"x132'	5	220	480	700
167	J.C.and Geo.Stephenson	44'x132'	5	220	780	1000
169	E. N. Connor. . . . .	44'4"x132'	5	220	680	900
171	Wm. Nicholls. . . . .	36'10"x137'	5	180	520	700
175	Wm. Nicholls. . . . .	60'x150'	5	300	1500	1800
179	Wm. Nicholls. . . . .	48'5"x169'	5	240	310	550
v.L.	Wm. Nicholls. . . . .	50'x80'	3	150	.....	150
185	Wm. Nicholls. . . . .	50'x90'	4	200	650	850
187	Wm. Nicholl's. . . . .	46'x100'3"	6	275	625	900
BLACKFRIARS STREET—						
v.H.	William Scarrow . . . . .	36'x45'	3	100	200	300
EMPRES AVENUE—						



25. Above is from the City of London Tax assessment Roll for 1910. This shows the ambition of William Nicholls as a residential land lord having owned six adjacent properties,  
 26. William Nicholls land ownership on Wharncliffe Road North in 1910 is highlighted at right in purple.



27. 1980 Annis & Associates Real Estate & Insurance, later Annis Clinic in 2012.



28. 2009 It's A Dog Thing.

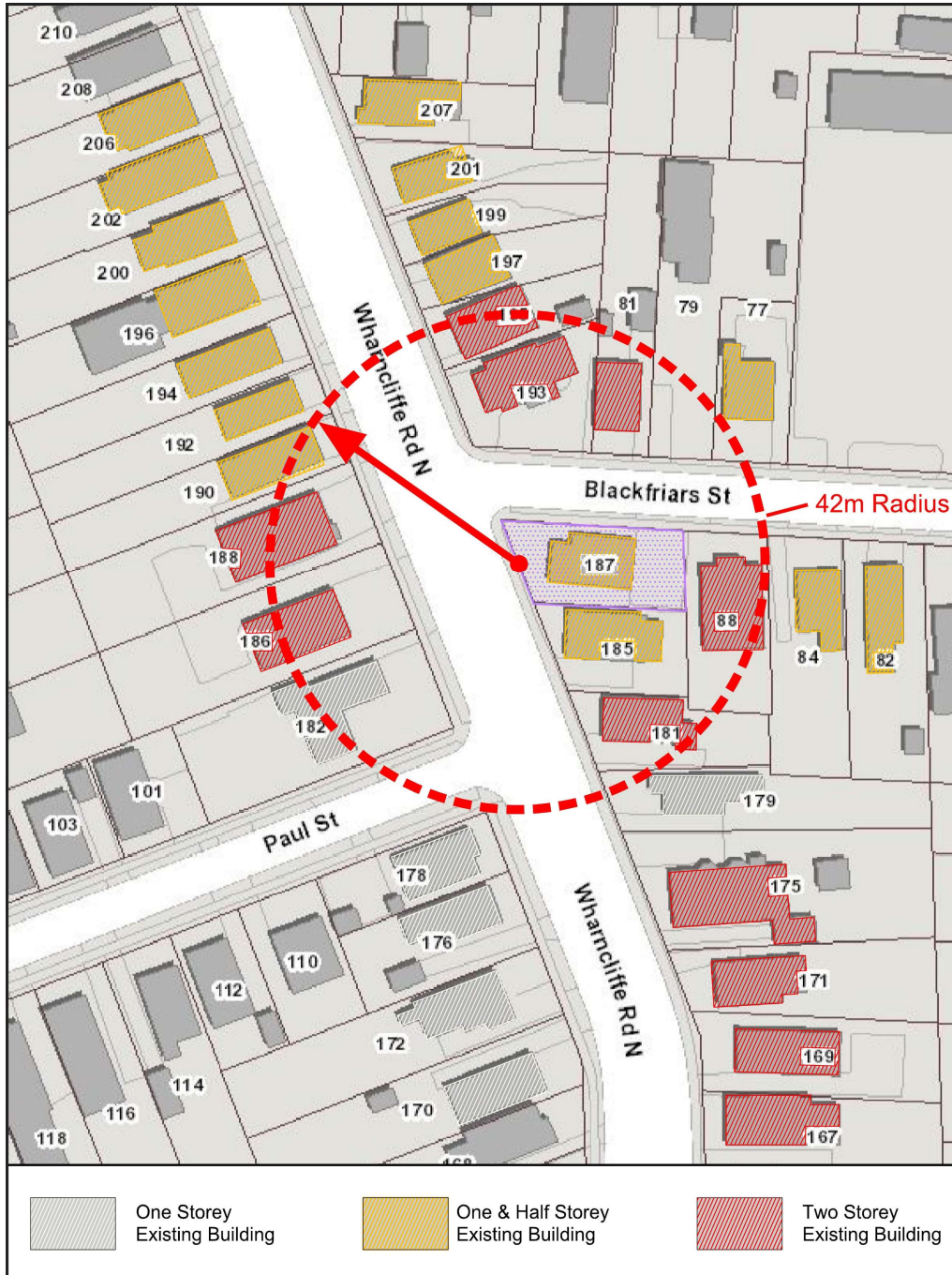


29. 2014 LexLegal paralegal office



### 3.4 Wharncliffe Road North - Building Inventory

The GIS map below illustrates building types according to height along the viewshed of Wharncliffe Road North in vicinity adjacent No. 187 Wharncliffe Rd N. Closely adjacent buildings are identified within a 42m (138ft) radius. Building data has been tabulated in the table on the following page.



30. Building height study in the adjacent neighbourhood of 187 Wharncliffe Road North.

### 3.4 Wharncliffe Road North - Building Inventory - continued

The table below lists data on the characteristics of the buildings and houses illustrated on the GIS map on the previous page. The Blackfriars/Petersville Heritage Conservation District Study (2013) observes:

The area’s building stock is unified by its generally small scale. Most homes are one or one and one-half storeys in height. Especially to the east of Wharncliffe, the haphazard layout of roads, differing in width and direction, as well as the variety of building styles, create unexpected views and reflects the composite of different surveys that preceded its development.

Analysis of the house height in the viewshed area of 187 Wharncliffe Road North indicate that the majority of houses are 2 to 2 and one-half storey in height. In the area adjacent to 187 Wharncliffe Rd N. half of the houses are 2 or 2 and one-half storey high.

Wharncliffe Road North At Blackfriars Street - Building Height and Style Inventory							
Wharncliffe Road North - West Side				Wharncliffe Road North - East Side			
Address	Storey	Date	Description	Description	Date	Storey	Address
				Empress Avenue			
				82 Empress Ave Frontage			
208	1	1910c	Hip Cottage	Gambrel	1940c	1-1/2	207
206	1	1910c	Hip Cottage	Gable	1940c	2	201
202	1-1/2	1910c	Gable Cottage	Gambrel	1940c	2	199
200	1-1/2	1910c	Gable Cottage	Gambrel	1940c	2	197
196	1-1/2	1910c	Gable Cottage	Queen Anne	1910c	2-1/2	195
194	1-1/2	1910c	Gable Cottage	Queen Anne	1910c	2-1/2	193
192	1-1/2	1910c	Gable Cottage	Edwardian	1910c	2	81(B)
190	1-1/2	1910c	Gable Cottage	Blackfriars Street			
188	2	2000c	Contemporary	Contemporary	2019	2	88(B)
186	2	2000c	Contemporary	Queen Anne Cottage	1903	1-1/2	187
182	1	1910c	Gable Cottage	Queen Anne Cottage	1902	1-1/2	185
Paul Street				Mock Gambrel	1900c	2-1/2	181
178	1	1910c	A&C Cottage	Cottage	1910c	1	179
176	1	1910c	Ontario Cottage	Queen Anne Revival	1910c	2-1/2	175
172	1	1910c	Hip Cottage	Queen Anne Revival	1910c	2	171
170	1	1910c	Hip Cottage	Gable	1910c	2	169
168	1	1910c	Gable Cottage	Queen Anne Revival	1910c	2-1/2	167
				(B) - Blackfriars Street Address			
<b>5</b>	Total Buildings In 42m Radius - See Image No.30						<b>7</b>
2	x 1 Storey = 17%	3 x 1-1/2 Storey = 25%			7 x 2+ storey = 58%		
<b>16</b>	Total Buildings in Viewshed						<b>16</b>
9	x 1 Storey = 28%	9 x 1-1/2 Storey = 28%			14 x 2+ storey = 44%		

31. Building characteristics table.



**Wharncliffe Road North – East Side**

The lower right photograph starts at 167 Wharncliffe Rd North and moves northward to end at the intersection with Empress Avenue.



32. Building inventory street elevations, east side.

**3.4 Wharncliffe Road North- Building Inventory - continued**

The building types vary from one storey to two and half story along Wharncliffe Road North. Within the immediate 42m radius of 187 Wharncliffe Rd North the majority of the houses are two storey in height. The houses at 193 and 195 Wharncliffe Rd North and at 81 Blackfriars Street are all of two storey with steeply pitched gable roofs and attic windows.



**Wharncliffe Road North - West Side**

The upper left photograph starts at 176 Wharncliffe Road North and moves northward to the No.



206.

**3.4 Wharncliffe Road North- Building Inventory - continued**

The west side of Wharncliffe Road North in the study area is predominantly built with one and one and half storey houses. An exception is located opposite to the subject site where two contemporary houses at No. 186 and 188 which are two storeys without attic levels. Number 182 Wharncliffe Road North operated as “Blackfriars Salon & Spa” prior to 2019.

Most of the dwellings appear to be single family residences with some presenting as duplexes. A common theme with many houses is a steeply pitched gable roof. This style is characteristic of the one and half storey Queen Anne cottage that was popular in this vicinity at the end of the 19<sup>th</sup> century and the beginning of the 20<sup>th</sup> century.

Many of the existing houses still have interesting wood detailing in the roof gables facing the street. Smaller verandahs and porches are also a common feature. Most wood frame buildings are clad with modern vinyl siding and tend to conceal any original decorative wood detailing.

## 4.0 IDENTIFICATION OF HERITAGE RESOURCES

### 4.1 187 Wharncliffe Road North Attributes



Exterior elevations of 187 Wharncliffe Road North, Clockwise from top left:

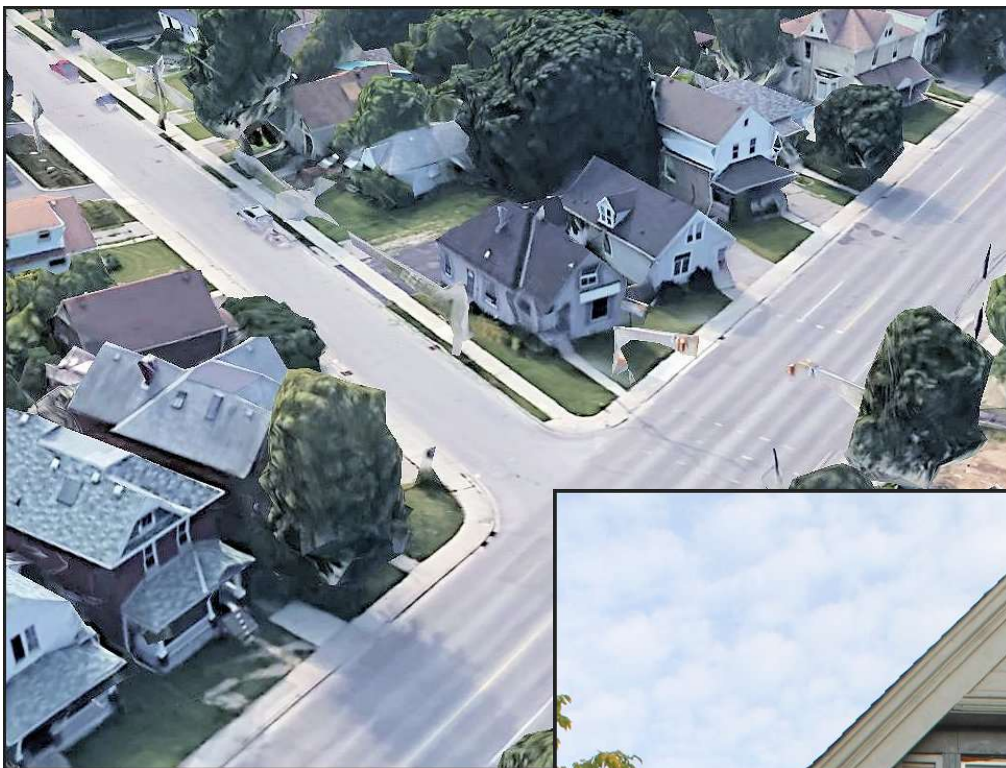
34. South elevation portion 35. West elevation. 36. East elevation 37. North elevation along Blackfriars Street.

The heritage attributes of the building at 187 Wharncliffe Road North are limited to its “figure-ground” presence in the neighbourhood’s low rise residential context. In other terms, the massing and the sight placement are what remain of the heritage character significance. Modifications to the fenestration, modern 8” aluminum siding and the loss or covering of wood detailing, leave the house bereft of contributing at a significant level to its surroundings. A window in the entry hallway and the west gable fascia moulding are original elements that remain exposed.



The condition of the house has substantially narrowed the field of possible physical heritage attributes available for assessment. Significant heritage attributes are limited to the form of the house and include;

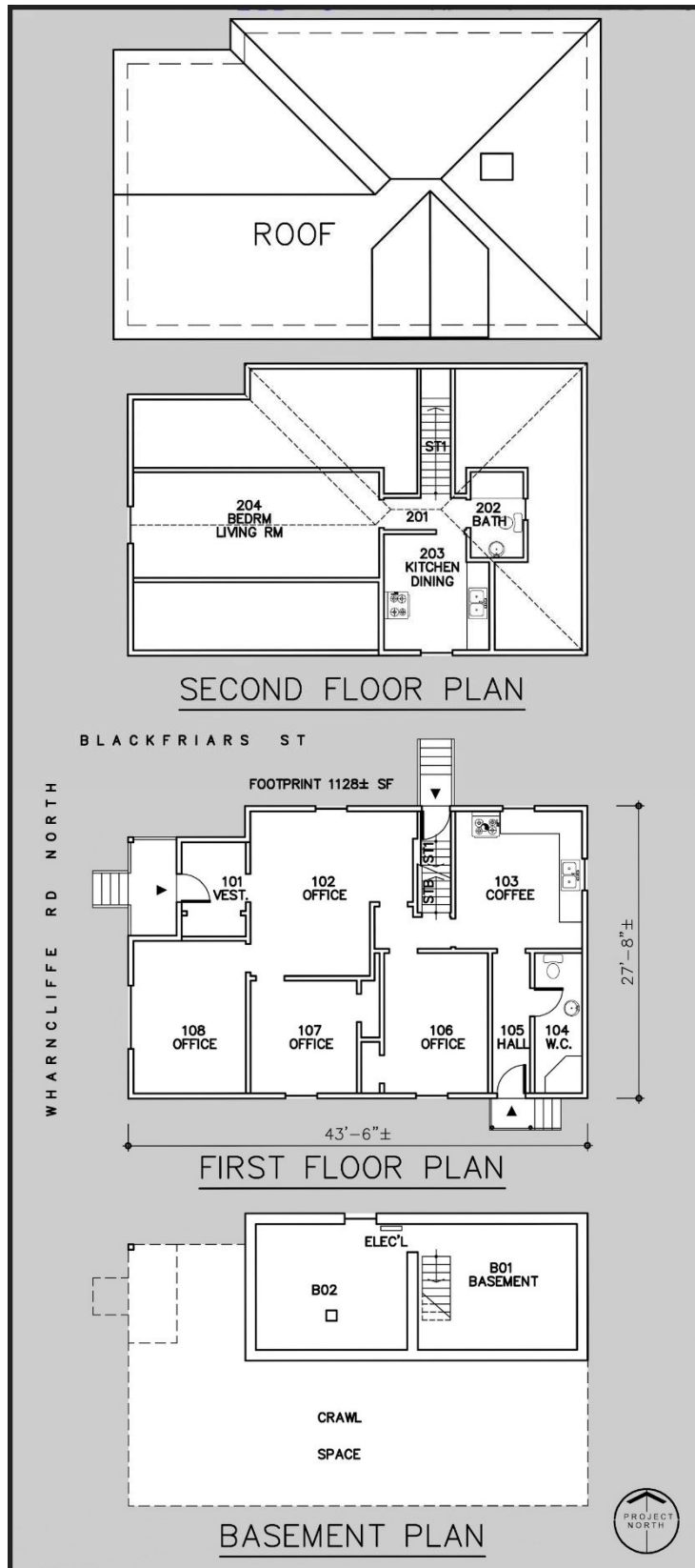
1. Small, 1-1/2 storey cottage form with compact massing and Queen Anne Revival style influences.
2. Tight front and exterior side yards support a well-defined street edge,
3. Skewed alignment with Wharncliffe Road and highly visible corner lot exposure within the southward Wharncliffe viewshed.



38. (top left) aerial view of the 187 Wharncliffe Road North illustrating its contributing attribute of building form and figure-ground configuration. Source; Google Earth



39. (right) The west gable of the existing house retains the original deep barge board with decorative moulding and triangular fronton above the central window.



40. (left) Measured plans of the existing building at 187 Wharncliffe Road North.



41. (left) Measured elevations of the existing building at 187 Wharncliffe Road North.

The following assessment of possible heritage value is arranged in tabular form according to Ontario Regulation 9/06.

<b>Heritage Attributes of the property at 187 Wharncliffe Road North</b>			
Ontario Regulation 9/06			
1. The property has <b>design value or physical value</b> because it,			
i) is a rare, unique, representative or early example of a style, type, expression, <i>material or construction method</i> ,			
Rare	no	The vernacular Queen Anne revival cottage form is fairly common in Ontario and, within the BPHCD the form is dominate with many extant examples.	23% of the building along Wharncliffe Rd N viewshed are 1-1/2 storey, gable cottage form.
Unique	no	The vernacular Queen Anne revival cottage form is fairly common in Ontario and, within the BPHCD the form is dominate with many extant examples.	23% of the building along Wharncliffe Rd N viewshed are 1-1/2 storey, gable cottage form.
Representative	no	The building is not a significant representation of the architectural style.	A large extent of the original materials and details are removed or altered
Early example	no	The building is not a significant early example of the residential expansion coinciding with the expansion of urban transit infrastructure.	Built in 1903 many similar extant examples are found in the HCD.
ii) displays a high degree of craftsmanship or artistic merit,			
Craftsmanship	no	Most visual surface indication of craftsmanship has been removed or are concealed from view.	
Artistic merit	no	Most visual surface indication of artistic merit has been removed or are concealed from view.	
iii) demonstrates a high degree of technical or scientific achievement.			
Technical Achievement	no	Typical period residential technics employed in construction	
Scientific achievement	no	Typical period residential technics employed in construction	

<b>Heritage Attributes of the property at 187 Wharncliffe Road North</b> Ontario Regulation 9/06			
2. The property has <b>historical value or associative value</b> because it,			
i). has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,			
Theme	<b>yes</b>	The building is representative of early suburban life in the development of the City of London expressed through built form. In the first half of the 20 <sup>th</sup> century the house provided modest rental accommodation.	The theme of upward economic ambitions is evident in the group of six adjacent properties owned and developed by W. Nicholls, a post office clerk.
Event	<b>no</b>	The building is not tied to any single significant event.	
Belief	<b>no</b>	No specific beliefs have been integral to the property.	
Person	<b>no</b>	No notable historic person has been connected to the property.	
Activity	<b>no</b>	The property is not tied to any specific activity.	The property was developed and used as a rental and later included a commercial tenant on the main level.
Organization or Institution	<b>no</b>	No organization has been connected to the property.	
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture,			
	<b>yes, limited</b>	The form yields apparent information on the development pattern of the area.	
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.			
	<b>no</b>	No specific designer or design influence can be attributed to the vernacular architecture.	



<b>Heritage Attributes of the property at 187 Wharncliffe Road North</b>			
Ontario Regulation 9/06			
3. The property has <b>contextual value</b> because it,			
i). is important in defining, maintaining or supporting the character of an area,			
Area character	<b>yes, limited</b>	The building is contributing heritage resource to the character of the area in form and figure-ground.	
ii. is physically, functionally, visually or historically linked to its surroundings			
	<b>yes, limited</b>	The building is a closely linked to 20 <sup>th</sup> century expansion and development	
iii. is a landmark.			
	<b>no</b>	The form of the building is a common archetype and does not function as a landmark on a broad urban or district scale.	

## 4.2 Blackfriars Street Viewsheds



Viewshed photographs, clockwise from upper left – 42. View southward from Wharncliffe Rd N. 43. View northward from Wharncliffe Rd N. 44. View westward along Blackfriars Street. 45. View east from Wharncliffe Rd N to the intersection with Blackfriars Street.

The top left and top right photographs show views along Wharncliffe Road North. The house is skewed approximately 24 degrees from the perpendicular angle to the street. This interesting angle is an influence of the dog leg turn in the layout of Wharncliffe Road to follow the course of the North Thames River. This results in an expanded exposure of the west façade of the house when viewed from the north.

In contrast to the southward view along Wharncliffe in the northward view the house at No. 187 is totally obscured by the adjacent house. Only the existing pole sign can be seen. The existing pole sign date of construction is unknown. It is assumed to have been installed in the early 1980s or coinciding with opening of a real estate and insurance office.

The eastward view from Wharncliffe Road north along Blackfriars Street provides the full and unobstructed view of the west elevation of the house which is primarily seen by pedestrians crossing at the Wharncliffe traffic lights. The westward view along Blackfriars Street shows the rear and utilitarian view of the existing house at 187 Wharncliffe Road North.

### 4.3 Property Condition Assessment

The condition of the building is in an advanced state of deterioration and is uninhabitable. As the result of a fire originating in the basement in 2014, all services have been severed and the building has been unheated and subject to a leaking roof.

46. (top left) Room 104 W.C.



47. (top right) Electrical panel has been disabled due to fire damage.



48. Room 203 Kitchen showing differential settlement in the wood framing.





**Property Condition Assessment - continued**

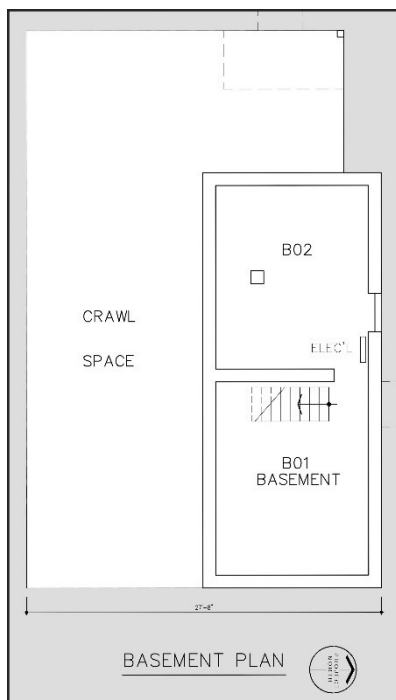
A Building Condition assessment report has been completed by Tacoma Engineers Inc. (June 22, 2012). A copy of the report is attached to the appendix of this report. The report observes that “almost all structural elements of the elements of the subject building are damaged in some manner and require repair”.

The scope of any possible rehabilitation is further exacerbated by unstable condition of the foundation. The Tacoma report states; “Given the foundation conditions on the excavation / crawl space area of the building, stabilization of the building foundation is required. This would require sub-excavation of the building perimeter and installation of a new permanent foundation system.”

The problematic crawl space area accounts for approximately 60% of the building area. In this area significant differential settlement is occurring between the basement foundation wall and the crawlspace perimeter. The resulting approximately 3” to 4” of settlement has been relayed to all floor levels and wood framing members rendering them unserviceable.

Due to the existing condition of the building it is not feasible or practical to rehabilitate the structure. Demolition is the only practical course of action. The demolition should proceed as quickly as possible, and as permitted through the HIA process, to mitigate the risks to public safety associated with a vacant and uninhabitable building.

A replacement building responding to the intent of the Blackfriars/Petersville Heritage Conservation District Plan is a positive course of action resulting from the loss of the contributing building and resource located at 187 Wharncliffe Road North.



50. (left) approximately 60% of the building area is over a crawl space. This entire crawl space structure is improperly founded and has resulted in differential settlement.

51. A9above) The crawl space wood skirting is deteriorating from improper lack of a proper foundation.

#### 4.4 Protection of Heritage Resource

Historical research and site analysis of the Blackfriars–Petersville Heritage Conservation District has demonstrated a connection between the heritage resource at 187 Wharncliffe Road North property and residential development at the turn of the 20<sup>th</sup> century. Additional connections have been made between the house and patterns of settlement, socioeconomic development, historic events and its contribution to the cultural heritage and architectural character of the district.

An evaluation of the heritage attributes according to Ontario Regulation 9/06 demonstrates the property has no significant heritage *design value* and has limited significant *historical or associative value* or *contextual value*. This assessment re-confirms that 187 Wharncliffe Road North is a contributing heritage resource within the Blackfriars–Petersville Heritage Conservation District as classified and stated in Figure 3 of the district Plan & Guidelines, 2014.

In view of the distress observed in the structural wood framing and upon the conclusions of the Structural Condition Assessment (Tacoma Engineers Inc.) the retention, repair and restoration, adaptive use or relocation of the building is untenable. Therefore, it is the finding of this Heritage Impact Assessment that no heritage protections should prevent removal of the existing structure at 187 Wharncliffe Road North and that a heritage permit should be issued for removal of the building as quickly as possible.

The broader scope of the heritage character of the Blackfriars–Petersville Heritage Conservation District shall continue to be protected through the application of the district’s guidelines for the design of a new infill building. As directed by the Plan & Guidelines for the HCD, the re-development of the property and the design of the replacement building shall be “respectful, sympathetic, and contextual to the cultural heritage value and heritage attributes of Blackfriars–Petersville Heritage Conservation District”. Conformance with the HCD Guidelines will be through the heritage permit review process by the City of London.



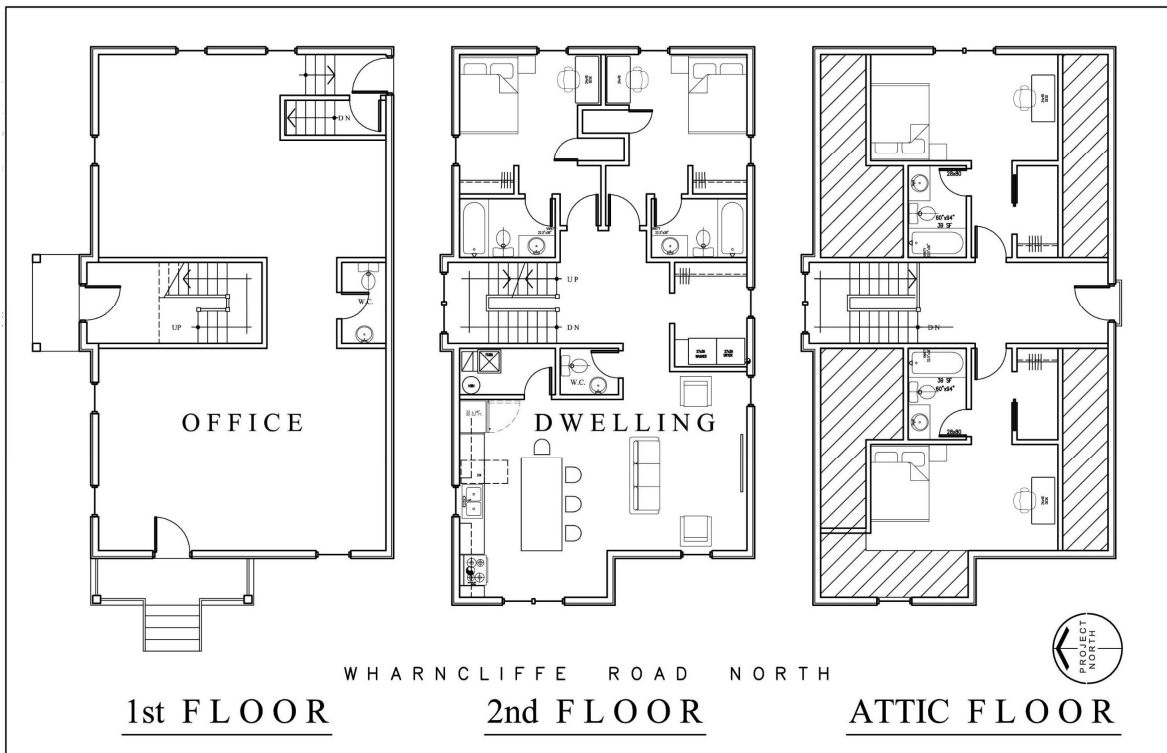
**5.0 PROPOSED REDEVELOPMENT**

**5.1 Proposed Building**

The proposed redevelopment will remove the existing, structurally compromised 1-1/2 -storey converted use house to construct a new 2-1/2 storey house. The proposed house will duplicate the use and configuration of the existing house with an office on the first floor and one dwelling unit on the upper floors. Please refer to the complete design proposal drawings dated August, 2023 attached in the HIA appendices.

The proposed building area footprint is 112.2m<sup>2</sup> (1208 square feet). The gross floor area over three floors is 259.1m<sup>2</sup> (2789 square feet). The building is proposed to include an unoccupied crawl space. The configuration of the crawl space is subject to review by the Upper Thames River Conservation Authority (UTRCA). It is anticipated that occupancy of the basement will be restricted by the policies of the UTRCA for service equipment only. A garage, either detached or attached, is not proposed for the property.

The R2-2(19) Zone only permits a single detached dwelling or other existing legally established occupancies to a maximum of 2 dwelling units. The proposed dwelling unit contains four bedrooms, each containing an ensuite bathroom and is intended for the rental market. This use is in alignment with the *Official Plan* direction that identifies Blackfriars-Petersville as a “Near Campus Neighbourhood”. Refer to further information on Near Campus Neighbourhoods in Section 2.0 of this HIA.



52. Above: Floor plans of the proposed redevelopment building for 187 Wharncliffe Rd North.

### 5.1 Proposed Building - Continued

The proposed house will continue its historical use as a converted dwelling with a dedicated first floor office suite. The existing dwelling was first converted to a duplex with a commercial use on the first floor in approximately 1955. The first business use commenced as “Cundell’s Beauty Salon”, and later as a real estate office and a MP Constituency office. The existing first floor suite has been used as a commercial use for approximately 68 years. Please refer to the Appendix F: Ownership and Occupancy for further information.

The design of the house is inspired by local vernacular examples of housing found in the Blackfriars-Petersville HCD. The architectural heritage of the Blackfriars-Petersville is rich and varied and provides a diverse context of style and scale. The existing house at 187 Wharncliffe was constructed during the end of the Late Victorian Period (1850-1910) with Queen Anne styling. Although the form of the existing house is uncomplicated, the recessed entrance over a well detailed and full width gable is a common and pleasing form in the neighbourhood.

The architectural design of the proposed house borrows some common elements of the Queen Anne style such as projecting bays on the west and north elevations and textured roof gable cladding. The cladding is proposed to be horizontal siding. The siding provides an opportunity for banding and borders in with polychrome treatment to achieve a more complex graphic rendering to the building.



53. Above: Architectural design elevations for the proposed reconstructed house at 187 Wharncliffe Road North.

The traditional front door to the proposed house remains facing onto Wharncliffe Road North. The dwelling unit entry door continues to face onto Blackfriars Street. The driveway access also remains unchanged with the entry from Blackfriars Street.

## 5.1 Proposed Building - Continued

The windows are proposed to be double-hung with a vertical simulated division in the upper and lower sashes. This is a traditional window form and will provide a layer of pattern and scale to the fenestration treatment of the building. Several featured windows are proposed to have shaped tops to emphasise scale and hierarchy in the roof gables.

The gable roof is sloped at 12/12 pitch and topped by a flat cap. The 12/12 roof slope is a common roof slope of the Victorian Period and revival styles. A very similar roof design can be seen in the neighbouring house at 193 Wharncliffe Road North, adjacent to the subject property across Blackfriars Street.



54. Above: Photomontage streetscape study montage with a rendering of the proposed building at 187 Wharncliffe Road South. The view is looking southward along Wharncliffe Road North.

The street corner exposure of the subject property is very prominent when approaching southbound along Wharncliffe Road North. The proposed house will maintain its 26-degree skew toward Wharncliffe which further enhances the west façade's unique exposure. This position provides a natural position for a business office along the busy arterial traffic route. The established two-storey eave height is noted on the two houses left of No. 187 in photomontage #54.



## 5.1 Proposed Building - Continued

The predominant building height along Wharncliffe Road North in the vicinity of No. 187 is two-storey, however some 1-1/2 storey houses are also common such as the adjacent house to the south at 185 Wharncliffe Road North. When viewed from the centre of Wharncliffe Road North, the south elevation is almost completely obscured by No. 185 with only half the proposed roof being visible as seen in photomontage #55.



55. Above: Photomontage streetscape study of the proposed building at 187 Wharncliffe Road North. The view is looking northward along Wharncliffe Road North.

The view westward along Blackfriars Street shown in photomontage #56 illustrates alignment with the existing two-storey eave lines of the houses adjacent to the property and opposite across Blackfriars Street. The corner of Wharncliffe Road North and Blackfriars Street creates an informal entry to the quieter internal areas of the neighbourhood to the east. Together with the two-storey house at 193 Wharncliffe Road North, the proposed house will punctuate the corner node and the entry to Blackfriars Street.



56. Above: Photomontage streetscape study of the proposed building at 187 Wharncliffe Road North. The view is looking westward along Blackfriars Street.

## 5.1 Proposed Building - Continued

The commercial use of the converted dwelling at 187 Wharncliffe Road North is long established dating back to Cundell's Beauty Salon in 1955. Currently there are two commercial signs on the property, a pole sign and a building face mounted internal illuminated box sign. The proposed building has a wall sign board wall mounted above the front entry and placed on the projecting porch bay. The sign board is proposed to be indirectly illuminated with snorkel light fixtures.



57. West elevation of the proposed building with indirectly illuminated sign board. The cornice sign board area is approximately 5% of the wall area and conforms to the City of London sign by-law.

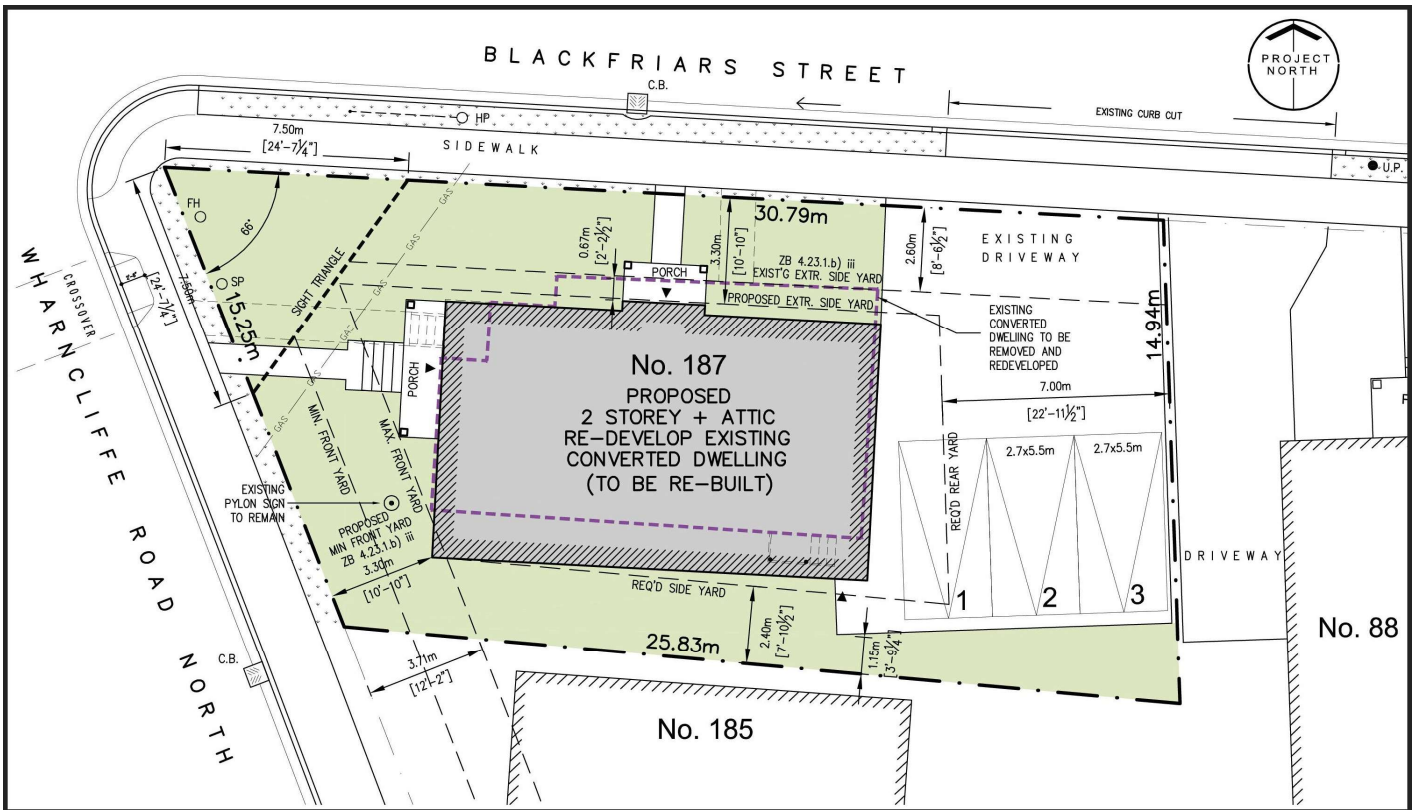


5.2 Proposed Site Development

Placement of the proposed building will closely duplicate the existing house footprint and its location with respect to Wharncliffe Rd North. The required exterior side yard along Blackfriars Street has been expanded by 0.67m (2'-2") from the existing building location to improve alignment with adjacent building setbacks on Blackfriars Street. Providing an expanded exterior side yard has been made possible by reducing the width of the proposed house and by shifting its location south up to the required interior side yard setback.

The driveway entry will remain at the rear of the property with access from Blackfriars Street. No garage is proposed and required parking will be on the parking area adjacent to the rear of the house. Existing trees of a significant or regulated calliper size are to remain on the property.

The proposed building will be two storeys in height with an attic level. Increases in shadowing will primarily fall onto Blackfriars Street allowance. The open space will remain grassed and unchanged in the existing front, side and rear yard. A new paved walk will connect from the public sidewalks to the first floor entry from Wharncliffe and to the upper floor entry from Blackfriars Street.



58. Above: Detail of the proposed site development plan for the 187 Wharncliffe Road North.


## 6.0 MEASUREMENT OF IMPACT

### 6.1 Potential Impact Assessment & Mitigation Matrix

<b>New Development</b> (7.10.1 Policies BPHCD Plan)		
a)	Council will endeavour, through its approval process, to discourage new development or redevelopment that detracts from the integrity or results in the destruction or negative impact on contributing resources and heritage attributes of Blackfriars-Petersville Heritage Conservation District;	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> new development shall conform to the HCD design guidelines
b)	New development shall be respectful, sympathetic, and contextual to the cultural heritage value and heritage attributes of Blackfriars-Petersville Heritage Conservation District. Heritage Impact Assessment may be required at the discretion of the Heritage Planner;	Loss of the contributing resource has a negative impact. A HIA will inform re-development <b>Mitigation:</b> new development shall conform to the HCD design guidelines
c)	Parking for new development should be located in the driveways at the side of the dwelling or in garages at the rear of the main building, wherever possible. Discourage new garages at the front of the building;	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> New development parking will be duplicated in driveway. Garage is not proposed.
d)	Building elevations will be required for development proposals. The Architectural Design guidelines provided in Section 10 of this Plan will be used to review and evaluate proposals for new buildings to ensure that new development is compatible with the adjacent context;	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> Building elevations have been provided to conform to the guidelines in the HCD Plan & Guidelines for compatibility
e)	Site Plan control may apply for new development within Blackfriars-Petersville Heritage Conservation District	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> City of London confirms the existing historical commercial does not trigger a Site Plan approval. Heritage permit review process shall ensure conformance with HCD goals
f)	A Tree Management Plan may be required for proposed development or site alteration to the satisfaction of the Urban Forester to evaluate the impacts on existing vegetation	Loss of the contributing resource has a negative impact.

	and promote conservation of mature healthy trees as a heritage attribute of the Blackfriars-Petersville Heritage Conservation District;	<b>Mitigation:</b> Mature trees are on the property and shall be protected during construction and retained to the satisfaction of the Urban Forester.
g)	Landscaping that complements the existing landscapes of the Blackfriars-Petersville Heritage Conservation District, screens parking areas and contributes to the overall pedestrian quality and contributes to the neighbourhood’s urban forest is encouraged for all new development. Specific landscape elements will be governed by Site Plan Approval requirements.	Loss of the contributing resource has a negative impact.  <b>Mitigation:</b> Existing grass cover over the open areas of the front yard will be maintained similar to the existing grass cover.

<b>Architectural Design Guidelines Key Elements (10.2 BPCH)</b>		
<b>10.2.1</b>	<b>Building Form, Massing, Height, Width and Visible Depth</b>	Loss of the contributing resource has a negative impact.
<b>Mitigation – Building Form:</b> The form of the proposed building follows a composition of platonic solids (cubes, triangles) that is common in residential buildings of the period. A steep, simple rectangular form roof is sympathetic to adjacent house and to the district.		
<b>Mitigation - Massing:</b> The massing of the new proposed building follows a simple vernacular form and is animated by a stepped back gable, projecting porches and dormers.		
<b>Mitigation - Height:</b> The massing of the new building is a departure from the existing one and one-half storey cottage. The adjacent houses on both sides predominately 2 storey, therefore the street character is able to accommodate the proposed two-storey height. Across the street the building at 193 Wharncliffe is a taller two-storey brick building and provides continuity of context.  Refer to the building height map in “3.4 Wharncliffe Road North Building Inventory” in this HIA.  London Plan 290 – Buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements.		
<b>Mitigation – Width:</b> The proposed building with is 0.3m narrower than the existing.  The requirements of the Rapid Transit Protected Major Station policy apply to the site and the front and exterior side yard setbacks are subject to final confirmation by the City of London. The proposed exterior side yard setback has been increased by 0.67m.  This will achieve the goal of an improved gateway to Blackfriars Street as outlined in BPHCD Gateways 12.9.		



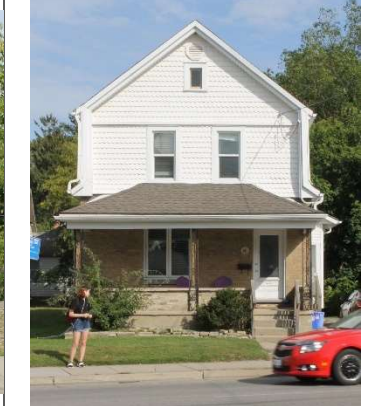
<p><b>Mitigation – Visible Depth:</b> The proposed building will closely match the existing building depth</p>		
10.2.2	Building Setting on Property	<p>Loss of the contributing resource has a negative impact. A HIA will inform re-development</p> <p><b>Mitigation:</b> The proposed building will have an identical setting on the property.</p>
10.2.3	Architectural Style	<p>Loss of the contributing resource has a negative impact.</p> <p><b>Mitigation:</b> The architectural style is based on Queen Anne Revival incorporating projecting bays, porches, and dormers and stepped gables. The opportunity to build references some of the extant high style adjacent building</p>
		
<p>195 Wharncliffe Rd N, BPHCD – Projecting offset gable</p> <p>193 Wharncliffe Rd N &amp; Blackfriars, BPHCD – projecting bay &amp; gable</p> <p>101 Wharncliffe Rd N &amp; Rogers Ave, BPHCD – projecting bay &amp; gables</p>		
10.2.4	Building Façade Elevation Layout and Shape, Projections and Reveals	<p>Loss of the contributing resource has a negative impact.</p>
<p>The proposed building façade has a clearly articulated vertical axis aligning the front entry with an offset gable dormer above. The side entry also aligns with a projecting gable bay.</p>		
10.2.5	Porches	<p>Loss of the contributing resource has a negative impact.</p> <p><b>Mitigation:</b> the proposed building has a front porch with a projecting bay and gable. A small porch covers the side entry.</p>

10.2.6	Roof Style, Chimneys, Dormers, Gables and Soffits	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> The roof style is 12/12 and contemporary with a majority of the building within the BPHCD including three dormers.
10.2.7	Windows, Doors and Accessories	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> Double hung windows are proposed with a two over two divisions, similar to the existing building. Accessories such a front door transom window.
10.2.8	Building Materials, Textures and Colours	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> the proposed building will be clad with horizontal siding and trim accessories. This will facilitate a polychrome scheme.
10.2.9	Key Elements for Commercial and Institutional Buildings	A permanently mounted wall sign is proposed for the commercial use. The proposed sign will be indirectly illuminated i.e., snorkel light fixtures.

<b>Design Guidelines – New Residential Buildings (10.3.2 BPCH)</b>		
10.3.2.1 a)	Match setback, footprint, size and massing patterns of the area, particularly to the immediately adjacent neighbors. Match façade pattern of street or of “street wall” for solids and voids, particularly ensure the continuity of the street wall where one exists;	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> placement and design of proposed building maintains the skewed angle with the street line. The proposed 2 storey punctuates the western gateway/ termination to Blackfriars Street
10.3.2.1 b)	Setbacks of new development should be consistent with adjacent buildings. Where setbacks are not generally uniform, the new building should be aligned with the building that is most similar to the predominant setback on the street;	Loss of the contributing resource has a negative impact. <b>Mitigation:</b> the proposed building is aligned with the adjacent building frontage line and closely match the existing building



<p>10.3.2.1 c)</p>	<p>New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the visual appeal of the district;</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> The projecting 2<sup>nd</sup> storey front bay and gable over the front door animates access from the street.</p>
<p>10.3.2.1 d)</p>	<p>Respond to unique conditions or location, such as corner properties, by providing architectural interest and details on both street facing façades;</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> the proposed 2 storey house provides greater massing at the corner of Wharncliffe and Blackfriars to increase special definition of the intersection and elevates the nodal character of the property as an entrance to Blackfriars Street.</p>
<p>10.3.2.1 e)</p>	<p>Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns;</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> The steep gable roof line is archetypical in the surrounding and consistent with the era of Queen Anne influenced house design found throughout the BPHCD.</p>
<p>10.3.2.1 f)</p>	<p>Respond to continuous horizontal patterns along the street such as roof lines, cornice lines, and the alignment of sills and heads of windows and doors;</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> The proposed roof gable peak height of 187 aligns with adjacent roof peak heights at 181, 193 and 195 Wharncliffe Road North.</p>
<p>10.3.2.1 g)</p>	<p>Size, shape, proportion, number and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate area;</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> The period proportions of the proposed windows are placed in a formal pattern and are sympathetic with the context of heritage buildings.</p>
<p>10.3.2.1 h)</p>	<p>Use materials and colours that represent the texture and palette of the Blackfriars-Petersville area;</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> The proposed 2-storey house will be clad with horizontal siding, trims casing and accents.</p>
<p>10.3.2.1 i)</p>	<p>Where appropriate, incorporate in a contemporary way some of the traditional details that are standard elements in the principal façades of properties in the</p>	<p>Loss of the contributing resource has a negative impact. <b>Mitigation:</b> projecting bays, porches. Porch columns, entry door transoms,</p>

	<p>Blackfriars–Petersville area. Such details as transoms and sidelights at doors and windows, covered entrances, divided light windows and decorative details to articulate plain and flat surfaces, add character that complements the original appearance of the neighbourhood and add value to the individual property;</p>	<p>double hung divided windows, raised panel front door, covered front door, and polychrome cladding are incorporated into the proposed building.</p>
<p>10.3.2.1 i)</p>	<p>New buildings should not be any lower in building height than the lowest heritage building on the block or taller than the highest heritage building on the same block.</p>	<p>Loss of the contributing resource has a negative impact.</p> <p><b>Mitigation:</b> The height of the proposed building shall not exceed any of the height of the tallest existing heritage building within the subject property’s block. Three of the tallest adjacent heritage buildings are pictured below.</p> <p>The final height of the building is subject to minimum foundation height requirements of the flood plain limit set by the Upper Thames River Conservation Authority.</p>
		
<p>195 Wharncliffe Road N, BPHCD</p>	<p>193 Wharncliffe Road N., BPHCD</p>	<p>181 Wharncliffe Road North, BPHCD</p>
<p>Above: three examples of two storey building heights located adjacent to the property.</p>		

## 7.0 AVOIDANCE, ALTERNATIVES & MITIGATING METHODS

As established in the Property Condition Assessment section, although the building demonstrates heritage value, retention of the building within the requirements of the *Ontario Building Code* for residential use is untenable. Relocation of the building for another purpose may have been feasible if the wood frame structure was structurally sound. As described in the structural engineer's report, long term settlement resulting from sub-standard foundations, together with the recent inability of access to attend to roof repairs, and the absence of services and space heating facilities, has created impossible conditions for the retention of the existing building.

The opportunity to avoid the required removal of the building would have been through remedial repairs and habitation many years ago. Logically, it follows that, in order to ensure public safety, the building must be removed. Avoidance of the loss of contributing buildings in the future, due to abandonment and neglect, will require ongoing and thorough monitoring by enforcement agencies and neighbourhood associations.

After removal, if no development is permitted to occur, a large gap in the street wall will be created and will have a negative overall impact on continuity of Wharncliffe Road North and would be counter to the goals of the Blackfriars-Petersville Heritage Conservation District. After removal, a "do nothing" approach is not a reasonable or feasible option for the owner, the neighbourhood, the district, or the City of London.

By closely following the design guidelines laid out in the Blackfriars-Petersville Heritage Conservation District Plan & Guidelines, the construction of a new residential building will be a favourable method to mitigate the loss of the building at 187 Wharncliffe Road North.

Commemoration of 187 Wharncliffe Road North interpretive and historical information media materials is an available option to mitigate the loss of the existing building. The building at 187 Wharncliffe Road North is representative of the overall character of the BPHCD however, no unique or rare historic associations have been identified specifically with the house that are not also associated with other existing buildings in the district.

## 8.0 IMPLEMENTATION AND MONITORING

Upon the approval of this Heritage Impact assessment by the Heritage Planner, the Local Architectural Advisory Committee (LACH), and the Council of the City of London, a heritage permit will be issued. Upon receiving a heritage permit for the proposed redevelopment, the required demolition permits will be obtained and removal of the existing building can commence.

Due to the building's advanced state of deterioration, there are no known materials of value to be salvaged. No monitoring of the demolition will be required for cultural heritage conservation purposes.

Upon the completion of construction drawings, the final construction documents and plans will be submitted for a building permit under the *Ontario Building Code*. General review by design professionals is not required under *Ontario Building Code* for small residential buildings. The building permit application plans may be reviewed by the heritage planner for comment and for compliance with the Blackfriars-Petersville Heritage Conservation District Plan & Guidelines and for consistency with the Heritage Impact Assessment. The site plan may be reviewed by the Urban Forester for comment regarding the retention of significant trees.

During construction, periodic inspections by the building inspector, through the City of London Building Department, is required by the *Ontario Building Code Act*. Other periodic inspections may be completed by the Heritage Planner during construction to monitor implementation of the mitigating measures and design features proposed in this report.

The new building will be subject to the full force of the *Ontario Heritage Act* as it applies to the Blackfriars-Petersville Heritage Conservation District under the designating By-law L.S.P.-3437-179. Contravention of the Ontario Heritage Act is a Provincial offence. Illegal demolition in contravention of the Ontario Heritage Act is subject to a fine of up to \$1,000,000. Under Section 69.5.1 of the Ontario Heritage Act, in addition to any other penalties, the City of London or the Ministry of Tourism, Culture and Sport may restore an illegally demolished protected heritage resource as nearly as possible to its previous condition and may recover the cost of the restoration from the property owner.

## 9.0 SUMMARY

Radoslava Knezic, the owner of the property at 187 Wharncliffe Road North, City of London, retained Thor Dingman (TD-BAS Inc) to prepare a Heritage Impact Assessment (HIA) for the subject property. The property is designated under Part V, Heritage Conservations Districts, of the *Ontario Heritage Act*. The property is listed on the City of London's Register of Cultural Heritage Resources under the designating by-law L.S.P.-3437-179, Blackfriars-Petersville Heritage Conservation District, designated on May 15, 2015.

The HIA has been requested by the City of London Heritage Planner in response to the owner's request to demolish the existing one and one-half storey converted dwelling. The existing building was built in approximately 1903. The architectural design is a vernacular variation of the Queen Anne Cottage. The house is representative of early 20<sup>th</sup> century settlement expansion in the area and is of the type of modest housing stock occupied by city residents that is characteristic of the District. The house at 187 Wharncliffe Road North has been identified in the Blackfriars/Petersville Heritage Conservation District Plan as a Contributing Property within the district.

The surrounding Heritage Conservation District contains a residential area consisting of approximately 580 properties within 19 city blocks. The predominate building type is a smaller dwelling, typically either a 1 storey cottage or a 1-1/2 storey gabled house typically found in the HCD. The dwellings are often set closely towards the narrow streets thereby creating a sense of enclosure that is characteristic of the district.

With the introduction the Kensington rail bridge and the London Street Railway along Wharncliffe Road North at the end of the 20<sup>th</sup> century, the street gained prominence. This coincides with burst in residential construction. Some larger homes were constructed along Wharncliffe during this period, often on corners lots (101 & 193 Wharncliffe Road North). Several of these examples are of larger, high-style architectural design.

Early in the history of the settlement the district has grown and evolved along the banks of the Thames River. The next major wave of settlement followed with improved access and public transportation infrastructure. Wharncliffe Road North is representative of early 20<sup>th</sup> century development.

The Blackfriars-Petersville Heritage Conservation Plan & Guidelines were adopted along with the designating by-law. The Plan and Guidelines provide policies, procedures and guidance for the management of heritage resources in the District. The Plan also provides for the management of change within the District including demolition and design standards for new infill buildings.

To fully understand the potential impacts of the proposed building removal and redevelopment of the property, the HIA examined in greater detail the heritage character and attributes of the area and the connections it has to the broader context within the Heritage Conservation District boundaries. This analysis includes historical research and site analysis of the surrounding property, the viewshed along Wharncliffe Road North, and of the immediate neighbourhood adjacent to the 187 Wharncliffe Road North.



The heritage attributes of the building at 187 Wharncliffe Road North were listed, assessed and summarized in tabular format according to Regulation 9/06 to determine if the building had design or physical value, historic and associative value, or contextual value. The assessment of the heritage attributes concluded that the 1903 Queen Anne Cottage at 187 Wharncliffe Road North has limited significance as a heritage resource as classified in Figure 3 of the Blackfriars-Petersville District Plan & Guidelines, 2014.

However, in view of the structural engineer's assessment of the house, it is the finding of the Property Condition Assessment that the retention, repair and restoration, adaptive use or relocation of the building is untenable due to the advance deterioration of the structure due to sub-standard foundations. Subsequent fire damage has only exacerbated deterioration. Therefore, it is the finding of this Heritage Impact Assessment that no heritage protections should prevent the removal of the existing structure at 187 Wharncliffe Road North and that a heritage permit should be issued for removal of the building as soon as possible.

Removal of a heritage resource and the construction of a new building may have potential negative impacts on the cultural heritage value of the HCD. To mitigate the negative impact of the proposed new building, recommendations for the design of new development was taken from the Blackfriars-Petersville HCD Plan & Guidelines and listed in tabular form in the HIA. Mitigating design measures were summarized and described and are incorporated into the proposed building design.

The proposed architectural designs have been attached to the HIA. The designs demonstrate the adoption of the recommended design guidelines provided in the Blackfriars-Petersville HCD Plan. In conclusion, the loss of the contributing heritage property at 187 Wharncliffe Road North results in a negative impact on the neighbourhood along Blackfriars Street and throughout its connection within the broader context of the HCD. Due to serious and irreversible structural deterioration, the heritage resource cannot be retained. Mitigation of this loss is achieved through the effective incorporation of the HCD design guideline recommendations in the design of the new house.

End of Report

**References**

1. "Blackfriars-Petersville Heritage Conservation District Plan & Guidelines", by Golder Associates, IBI Group, Tausky Heritage Consultants, City of London, May 12, 2014
2. "Blackfriars-Petersville Heritage Conservation District Plan & Guidelines", by Golder Associates, IBI Group, Tausky Heritage Consultants, City of London, January, 2014
3. "The London Plan", by the City of London, Minister Approved December 28, 2016.
4. "Standards and Guidelines for the Conservation of Historic Places in Canada", 2<sup>nd</sup> ed., Her Majesty the Queen in Right of Canada, 2010.
5. "Heritage Resources in the Land Use Planning Process - Info Sheet #5, Heritage Impact Assessments and Conservation Plans", Ontario Ministry of Culture, Queen's Printer for Ontario, 2006.
6. Ivey Family London Room Photograph Collection, London Public Library
7. Google Street View, <https://instantstreetview.com>
8. HistoricBridges.org, web content
9. Canada Census
10. Western Libraries, University of western Ontario
11. London Room Collection London Public Library
12. The D.B. Weldon Library Map Library, Western Libraries



## Curriculum Vitae

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### Thor Dingman - President

#### ▪ FIRM HISTORY

Thor Dingman established his firm in 2003 and has since been in continuous practice working on a range of architectural design projects including custom residential, office, commercial, industrial and heritage conservation.



#### ▪ PROFESSIONAL ASSOCIATIONS

##### **A. Sc. T., OACETT**

Ontario Association of Certified Engineering Technologists and Technicians

##### **Building Specialist, CAHP**

Canadian Association of Professional Heritage Consultants

##### **Conservation Consultant, ACO**

Preservation Works Program,  
Architectural Conservancy of Ontario

**LEED AP** Green Building Council of  
Canada accredited professional

#### ▪ PROFESSIONAL REGISTRATION

##### **OBC Firm BCIN #26998**

Building Code Identification Number

##### **OBC Designer BCIN #21537**

Small Buildings  
Large Buildings  
Building Services  
Building Structural  
Plumbing All Buildings

#### ▪ PROFESSIONAL INSURANCE

\$1,000,000 E&O Insurance,  
Encon, Certificate Number 199

#### ▪ GENERAL LIABILITY

\$2,000,000 Commercial General Liability  
per occurrence. \$3,000,000 General  
Aggregate.

#### ▪ EDUCATION

B. Arch. Sc. (design)  
Ryerson University, Toronto 1989

Heritage Planning Certificate  
University of Waterloo, Waterloo 2003

Historic Conservation Certificate  
University of Waterloo, Waterloo 2003

#### ▪ FORMER EMPLOYERS

1992-2003  
Senior Designer, Marklevitz Architect  
Stratford, Ontario

1989-1991  
Architectural Scientist  
Otto & Bryden Architects  
Ottawa, Ontario

#### ▪ EXPERIENCE

With 19 years professional design  
experience Thor Dingman has worked on a  
wide range of projects for a variety of  
clients;

Huron Perth Healthcare Alliance

Scotiabank

City of Stratford

Municipality of Huron East

Perth County Historical Foundation

Town of Saugeen Shores

W & H Smith Construction

Stratford Subaru

CBRE Property Management

Quadro Communications



# BLACKFRIARS-PETERSVILLE HERITAGE CONSERVATION DISTRICT PLAN

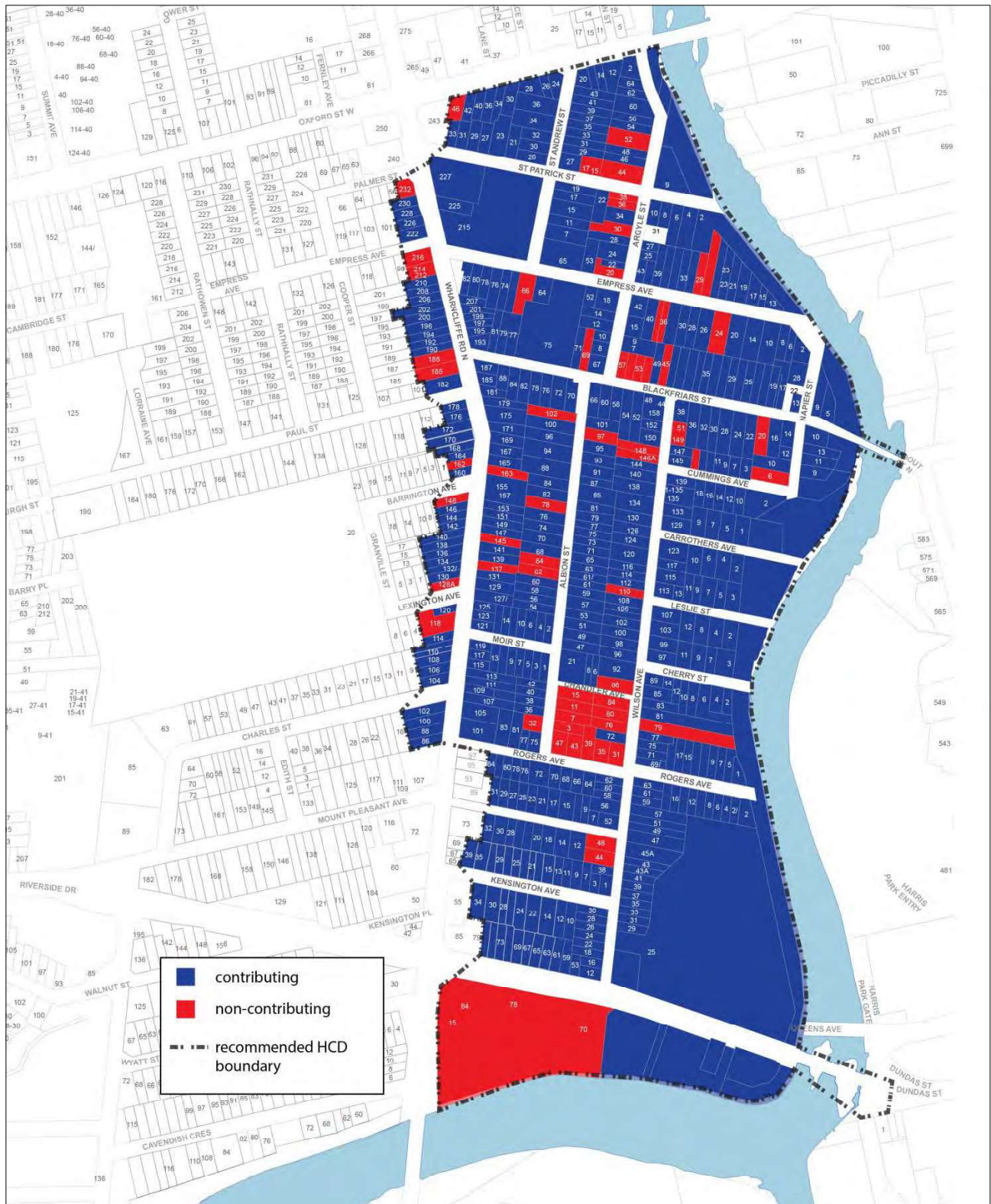


Figure 3: Contributing and non-contributing properties within the Blackfriars-Petersville Heritage Conservation District.

## Register of Cultural Heritage Resources

Row	Street Name	Address	Year Built	Architectural Style	Individual Designating By-law	Interior Attributes	Plaque	Heritage Conservation District	Designating By-Law	Rating	Property Name or Comment	Cultural Heritage Status	Alternate Addresses on the Property	Force and Effect Date
5532	Wharcliffe Road North	157 Wharcliffe Rd N						B/P	L.S.P.-3437-179	Con		Part V Designated	155 Wharcliffe Rd N 157 Wharcliffe Rd N	May 15, 2015
5533	Wharcliffe Road North	160 Wharcliffe Rd N	1907	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5534	Wharcliffe Road North	162 Wharcliffe Rd N	1900					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
5535	Wharcliffe Road North	163 Wharcliffe Rd N	1955					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
5536	Wharcliffe Road North	164 Wharcliffe Rd N	1910	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5537	Wharcliffe Road North	165 Wharcliffe Rd N	c1865	Vernacular				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5538	Wharcliffe Road North	167 Wharcliffe Rd N	1870	Vernacular				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5539	Wharcliffe Road North	168 Wharcliffe Rd N	1920					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5540	Wharcliffe Road North	169 Wharcliffe Rd N	1894					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5541	Wharcliffe Road North	170 Wharcliffe Rd N	1880					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5542	Wharcliffe Road North	171 Wharcliffe Rd N	1880					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5543	Wharcliffe Road North	172 Wharcliffe Rd N	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5544	Wharcliffe Road North	175 Wharcliffe Rd N	c1870	Vernacular				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5545	Wharcliffe Road North	176 Wharcliffe Rd N	1880					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5546	Wharcliffe Road North	178 Wharcliffe Rd N	1932					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5547	Wharcliffe Road North	179 Wharcliffe Rd N	1885					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5548	Wharcliffe Road North	181 Wharcliffe Rd N	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5549	Wharcliffe Road North	182 Wharcliffe Rd N						B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5550	Wharcliffe Road North	185 Wharcliffe Rd N	1900					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5551	Wharcliffe Road North	186 Wharcliffe Rd N	2015					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
5552	Wharcliffe Road North	187 Wharcliffe Rd N	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5553	Wharcliffe Road North	188 Wharcliffe Rd N	2013					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
5554	Wharcliffe Road North	190 Wharcliffe Rd N	1914					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5555	Wharcliffe Road North	192 Wharcliffe Rd N	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5556	Wharcliffe Road North	193 Wharcliffe Rd N	1911					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5557	Wharcliffe Road North	194 Wharcliffe Rd N	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5558	Wharcliffe Road North	195 Wharcliffe Rd N	1914					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5559	Wharcliffe Road North	196 Wharcliffe Rd N	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5560	Wharcliffe Road North	197 Wharcliffe Rd N	1918	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5561	Wharcliffe Road North	199 Wharcliffe Rd N	1925	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5562	Wharcliffe Road North	200 Wharcliffe Rd N	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5563	Wharcliffe Road North	201 Wharcliffe Rd N	1925	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5564	Wharcliffe Road North	202 Wharcliffe Rd N	1915					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5565	Wharcliffe Road North	206 Wharcliffe Rd N	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5566	Wharcliffe Road North	207 Wharcliffe Rd N	1928					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5567	Wharcliffe Road North	208 Wharcliffe Rd N	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5568	Wharcliffe Road North	210 Wharcliffe Rd N	1903					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5569	Wharcliffe Road North	212-214 Wharcliffe Rd N	2010					B/P	L.S.P.-3437-179	N/Con		Part V Designated	212 Wharcliffe Rd N 214 Wharcliffe Rd N	May 15, 2015
5570	Wharcliffe Road North	215 Wharcliffe Rd N	1922	Collegiate Gothic				B/P	L.S.P.-3437-179	Con	Jeanne Sauv� French Immersion Public School Empress Public School	Part V Designated		May 15, 2015
5571	Wharcliffe Road North	216 Wharcliffe Rd N		Four Square				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5572	Wharcliffe Road North	222 Wharcliffe Rd N	1913					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5573	Wharcliffe Road North	225 Wharcliffe Rd N	1893	Italianate				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5574	Wharcliffe Road North	226 Wharcliffe Rd N	1903	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5575	Wharcliffe Road North	227 Wharcliffe Rd N	1890	Gothic Revival				B/P	L.S.P.-3437-179	Con	St. George's Anglican Church	Part V Designated		May 15, 2015
5576	Wharcliffe Road North	228 Wharcliffe Rd N	1903	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5577	Wharcliffe Road North	230 Wharcliffe Rd N	1903	Dutch Colonial				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
5578	Wharcliffe Road North	232 Wharcliffe Rd N	c1930	Vernacular				B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
5579	Wharcliffe Road North	335 Wharcliffe Rd N	c1887	Queen Anne								Listed		March 26, 2007
5580	Wharcliffe Road North	343 Wharcliffe Rd N	c1900	Vernacular								Listed		March 26, 2007
5581	Wharcliffe Road North	371 Wharcliffe Rd N	1860									Listed		December 3, 2013



# Building Condition Assessment

187 Wharncliffe Road North  
London, Ontario



Prepared by:



180 Northfield Drive, Suite 4  
Waterloo, ON  
TW-0245-21

June 28, 2021

## 1. Introduction

Tacoma Engineers has been retained by Radoslava Knezic of London to carry out a structural condition assessment of a 2-storey building located at 187 Wharncliffe Road North in London, Ontario.

Tacoma Engineers was retained by Radoslava Knezic in May 2021. The undersigned attended the site on May 20<sup>th</sup>, 2021.

This report includes a summary of the following items for the building:

- major structural systems;
- existing structural conditions and areas of potential concern;
- conceptual repair options for any areas that may require remedial work

## 2. Background

Tacoma Engineers has been retained by the property owner. There are no sub-consultants retained by Tacoma Engineers. Thor Dingman of TD-BAS was also retained by the owner to provide measured drawings and other heritage planning and redevelopment activities regarding this property.

In executing due diligence, the owner has requested the Building Condition Assessment in alignment with the City of London's Blackfriars-Petersville Heritage Conservation District Guidelines. In keeping with the HCD guidelines, this assessment has been completed by a qualified heritage professional holding membership in the Canadian Association of Heritage Professionals (CAHP).

This report is based on a visual inspection only and does not include any destructive testing. The structure was in a poor state of condition at the time of this review, and the interior of the building could not be completely accessed. No further structural analysis or building code analysis has been carried out as part of this report unless specifically noted.

No previous work has been completed by Tacoma Engineers on this building for this or any other owner.

No sub-consultants have been retained to participate in this assessment.

## 3. Building History

The construction date of the subject property is unknown. Based on the history of area and construction observed, it is likely the building was constructed over several phases in the late 19<sup>th</sup> century. The building is constructed as a two-storey wood building, in the gothic revival / Ontario classic style. It measures approximately 1100 ft<sup>2</sup> in gross building area, as measured from plans created by Thor Dingman. The property is located within the Blackfriars-Petersville Heritage Conservation District and as such is regulated by Part V of the Ontario Heritage Act.

## 4. Scope and Methods

No documents were provided to the undersigned prior to the preparation of this report.

The assessment of the building is based on a visual assessment from grade. Access to the interior of the building was limited in some areas, mainly the attic, due to condition of the structure.

A site visit was carried out by Nick Lawler, P.Eng., on May 20<sup>th</sup>, 2021. A visual review of all accessible spaces was completed on this date, and photographs were taken.

## 5. Definitions

The following is a summary of definitions of terms used in this report describing the condition of the structure as well as recommended remedial actions. Detailed material condition definitions are included in Appendix A of this report.

- **Condition States<sup>1</sup>:**
  1. Excellent – Element(s) in “new” condition. No visible deterioration type defects present, and remedial action is not required.
  2. Good – Element(s) where the first signs of minor defects are visible. These types of defects would not normally trigger remedial action since the overall performance is not affected.
  3. Fair – Element(s) where medium defects are visible. These types of defects may trigger a “preventative maintenance” type of remedial action where it is economical to do so.
  4. Poor – Element(s) where severe or very severe defects are visible. These types of defects would normally trigger rehabilitation or replacement if the extent and location affect the overall performance of that element.
- **Immediate remedial action<sup>1</sup>:** these are items that present an immediate structural and/or safety hazards (falling objects, tripping hazards, full or partial collapse, etc.). The remedial recommendations will need to be implemented immediately and may include restricting access, temporary shoring/supports or removing the hazard.
- **Priority remedial action<sup>1</sup>:** these are items that do not present an immediate hazard but still require action in an expedited manner. The postponement of these items will likely result in the further degradation of the structural systems and finishes. This may include interim repairs, further investigations, etc. and are broken down into timelines as follows:
  1. **Short-term:** it is recommended that items listed as short-term remedial action are acted on within the next 6 months (**before the onset of the next winter season**).
  2. **Medium-term:** it is recommended that items listed as medium-term remedial action are acted on within the next 24 months.
  3. **Long-term:** it is recommended that items listed as long-term remedial action are acted on within the next 5-10 years. Many of these items include recommendations of further review/investigation.
- **Routine maintenance<sup>1</sup>:** these are items that can be performed as part of a regularly scheduled maintenance program.

In addition to the definitions listed above, it should be noted that the building in question is of interest from the perspective of heritage. The Standards and Guidelines for the Conservation of Historic Places in Canada provide direction when a structural system is identified as a character-defining element of an historic place. They also provide direction on maintaining, repairing, and replacing structural components or systems<sup>2</sup>. Refer to the General Guidelines for Preservation, Rehabilitation, and Restoration to further inform the development of more detailed remedial actions.

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<sup>1</sup> Adapted from “Structural Condition Assessment”, 2005, American Society of Civil Engineers/Structural Engineering Institute

<sup>2</sup> “Standards and Guidelines for the Conservation of Historic Places in Canada”, 2<sup>nd</sup> Edition, 2010, [www.historicplaces.ca](http://www.historicplaces.ca)

## 6. General Structural Conditions

The building is constructed as a two-storey wood-framed structure. Exterior walls are constructed with conventional wood framing, and the building is clad with vinyl siding. Wood tongue and groove horizontal wood siding could be observed beneath the vinyl siding. The foundations were found to be rubble stone masonry, of unknown depth. Evidence of underpinning and concrete bench footings was also noted in the basement.

### 6.1. Exterior Walls

#### Construction

The exterior walls are constructed with conventional wood framing. The building has been cladd with vinyl siding. Wood tongue and groove horizontal wood siding could be observed beneath the vinyl siding.

#### Conditions

The exterior walls were found to be in poor condition. Prolonged water ingress, mostly due to poorly maintained eaves, downspouts and roofing has allowed water to enter the interior of the building. This has caused damage to the interior plaster finishes. It is suspected that the wood stud construction is also damaged, however this could not be directly observed. No observed structural distress was observed, indicating that the structural framing of the walls, while undergoing distress is not yet a structural concern.

#### Feasibility of Repair

- At minimum, all existing interior finishes will need to be removed and replaced.
- Repairs to wood structural elements should be anticipated, although the extent and scope could not be determined without further investigation and selective demolition.



Photograph 1 - Interior finish damage

### 6.2. Roof Framing

#### Construction



Roof framing was found to be conventional rafters and collar-ties. The attic area appeared to be a part of the occupied space of the home, although most finishes had been removed at the time of the review. The roof was covered with conventional asphalt shingles.

#### Conditions

The roof framing was found to be in fair condition. The asphalt singles were found to be in poor condition.

#### Feasibility of Repair

- The roof framing may require some upgrades to address previous modifications to route mechanical elements. The shingles should be replaced.



**Photograph 2 - Roof Framing**

### **6.3. Interior Framing**

#### Construction

The interior framing consists of conventional wood framing, supported by load bearing wood walls.

#### Conditions

Some areas of the main floor framing have collapsed into the basement and is not considered safe to enter. These areas were found to be in poor condition.

The upper floor framing was found to be heavily damaged by exposure to the environment and was also in poor condition. Isolated areas of the framing could be accessed, due to poor conditions.

In the south portion of the building, the floor is significantly deflected toward the exterior. This appears to be from settlement of the foundation (see Section 6.4)

#### Feasibility of Repair

- Approximately 25% to 50% of the floor framing requires complete replacement, along with associated floor sheathing and finishes.





**Photograph 3 – Damaged Upper Floor Framing**

## **6.4. Foundations**

### Construction

The foundations consist of two separate constructed details. The north half of the foundation appears to be poured concrete / stone masonry, with a full depth basement. The south portion of the foundation appears to be wood piers, bearing directly on the soils. It appears that the full basement portion was likely added after the original time of construction, likely to facilitate mechanical services and storage.

### Conditions

The concrete portion of the foundation was found to be in fair condition, however the interior had been covered with spray foam insulation, so direct observation was limited. The wood portion of the foundation was found to be in poor condition. No substantial foundation could be observed, and wood condition was found to be poor with rot present.

### Feasibility of Repair

- The unexcavated portion of the foundations do not appear to have adequate protection from frost heave. Further, settlement had occurred, which has caused deflection of the interior framing and damage to interior finishes. To stabilize the foundations, a new permanent foundation is required in the unexcavated areas.

## 7. Feasibility of Repair

As noted above, almost all structural elements of the subject building are damaged in some manner and require repair. To facilitate this repair, all finishes and debris from the interior of the building would be required to be removed.

Given the foundation conditions on unexcavated / crawlspace area of the building, stabilization of the building foundations is required. This would require sub-excavation of the building perimeter and installation of a new permanent foundation system.

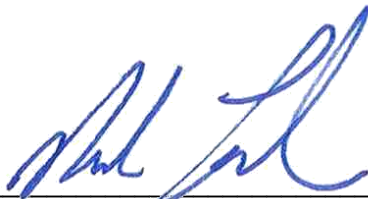
While a restoration of this property may be contemplated, from a logistics, feasibility and safety perspective, the building is not able to be repaired given its current state.

## 8. Cost Estimate

Tacoma Engineers are not cost consultants and can only offer insight into costs for these repairs based on our experience, as an order of magnitude estimate. Based on this experience, it is anticipated that repairs to the structural framing of the subject property would range between \$200,000 and \$250,000. This would include temporary shoring as required, and new structural framing to match the existing geometry.

This would not include new finishes, mechanical, electrical, windows, or other typical elements, which would be in addition to this cost. It is estimated that the cost to outfit the re-framed building would range between \$150,000 to \$250,000 depending on the level of finishes desired.

Per:

  
\_\_\_\_\_  
Nick Lawler, M.A.Sc, PE, P.Eng, CAHP  
*Structural Engineer, Senior Associate*  
**Tacoma Engineers Inc.**



## Appendix A: Material Condition Definitions

### Condition States<sup>1</sup>:

1. Excellent – Element(s) in “new” condition. No visible deterioration type defects present and remedial action is not required.
2. Good – Element(s) where the first signs of minor defects are visible. These types of defects would not normally trigger remedial action since the overall performance is not affected.
3. Fair – Element(s) where medium defects are visible. These types of defects may trigger a “preventative maintenance” type of remedial action where it is economical to do so.
4. Poor – Element(s) where severe or very severe defects are visible. These types of defects would normally trigger rehabilitation or replacement if the extent and location affect the overall performance of that element.

### Steel Corrosion<sup>1</sup>:

- SC1. Light – Loose rust formation and pitting in the paint surface. No noticeable section loss.
- SC2. Medium – Loose rust formation with scales or flakes forming. Up to 10% section loss.
- SC3. Severe – Stratified rust with pitting of metal surface. Between 10% and 20% section loss.
- SC4. Very Severe – Extensive rusting with local perforation or rusting through, in excess of 20% section loss.

### Timber Checks, Splits and Shakes<sup>1</sup>:

- TCh1. Light – Extend less than 5% into the member.
- TCh2. Medium – Extend between 5% and 10% into the member.
- TCh3. Severe – Extend between 10% and 20% into the member.
- TCh4. Very Severe – Extend more than 20% into the member.

### Timber Cracking, Splintering and Crushing<sup>1</sup>:

- TCr1. Light – Damage is superficial with less than 5% section loss.
- TCr2. Medium – Considerable damage with 5% to 10% Section loss.
- TCr3. Severe – Significant damage with 10% to 20% Section loss.
- TCr4. Very Severe – Extensive damage with section loss in excess of 20%.

### Timber Rot/Decay<sup>1</sup>:

- TR1. Light – Slight change in colour. The wood sounds solid and cannot be penetrated by a sharp object. Damage is superficial with less than 5% section loss.
- TR2. Medium – Surface is discoloured with black and brown streaks. The wood sounds solid and offers moderate resistance to penetration by sharp object. Considerable damage with 5% to 10% Section loss.
- TR3. Severe – Surface is fibrous, checked or crumbly and fungal fruiting bodies are growing on it. The wood sounds hollow when tapped and offers little resistance to penetration by sharp object. Significant damage with 10% to 20% Section loss.
- TR4. Very Severe – The surface can be crumbled and disintegrated with ease. Extensive damage with section loss in excess of 20%.

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<sup>1</sup> Adapted from “Ontario Structure Inspection Manual (OSIM), 2000 (Rev. 2008)” by the Ministry of Transportation Ontario (MTO)

### **Masonry Cracking<sup>1</sup>:**

- MC1. Hairline Cracks – Less than 0.1 mm wide.
- MC2. Narrow Cracks – Between 0.1 and 0.3 mm wide.
- MC3. Medium Cracks – Between 0.3 and 1.0 mm wide.
- MC4. Wide Cracks – Greater than 1.0 mm wide.

### **Masonry Splitting, Spalling and Disintegration<sup>1</sup>:**

- MS1. Light – Hairline cracking and minor loss of stone surface with loss of section up to 50 mm.
- MS2. Medium – Considerable damage with 5% to 10% Section loss.
- MS3. Severe – Significant damage with 10% to 20% Section loss.
- MS4. Very Severe – Extensive damage with section loss in excess of 20%.

### **Mortar Deterioration**

- MD1. Light – Mortar lost from the joints in a few places, to a depth of 10 mm.
- MD2. Medium - Mortar lost from the joints in a few places, to a depth of 20 mm
- MD3. Severe – Mortar lost from the joints over an extended area, to a depth between 20 and 50 mm.
- MD4. Very Severe – Extensive loss of mortar resulting in the loss of a few stones.

### **Concrete Scaling<sup>1</sup>:**

- CSc1. Light - Loss of surface mortar to a depth of up to 5 mm without exposure of coarse aggregate.
- CSc2. Medium - Loss of surface mortar to a depth of 6 to 10 mm with exposure of some coarse aggregates.
- CSc3. Severe - Loss of surface mortar to a depth of 11 mm to 20 mm with aggregate particles standing out from the concrete and a few completely lost.
- CSc4. Very severe - Loss of surface mortar and aggregate particles to a depth greater than 20 mm.

### **Concrete Spalling<sup>1</sup>:**

- CSp1. Light - Spalled area measuring less than 150 mm in any direction or less than 25 mm in depth.
- CSp2. Medium - Spalled area measuring between 150 mm to 300 mm in any direction or between 25 mm and 50 mm in depth.
- CSp3. Severe - Spalled area measuring between 300 mm to 600 mm in any direction or between 50 mm and 100 mm in depth.
- CSp4. Very Severe - Spalled area measuring more than 600 mm in any direction or greater than 100 mm in depth.

### **Concrete Delamination<sup>1</sup>:**

- CD1. Light - Delaminated area measuring less than 150 mm in any direction.
- CD2. Medium - Delaminated area measuring 150 mm to 300 mm in any direction.
- CD3. Severe - Delaminated area measuring 300 mm to 600 mm in any direction.
- CD4. Very Severe - Delaminated area measuring more than 600 mm in any direction.

### **Concrete Cracking<sup>1</sup>:**

- CC1. Hairline Cracks – Less than 0.1 mm wide.
- CC2. Narrow Cracks – Between 0.1 and 0.3 mm wide.
- CC3. Medium Cracks – Between 0.3 and 1.0 mm wide.
- CC4. Wide Cracks – Greater than 1.0 mm wide.

### **Corrosion of Reinforcement<sup>1</sup>:**

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<sup>1</sup> Adapted from “Ontario Structure Inspection Manual (OSIM), 2000 (Rev. 2008)” by the Ministry of Transportation Ontario (MTO)

- CR1. Light - Light rust stain on the concrete surface
- CR2. Medium - Exposed reinforcement with uniform light rust. Loss of reinforcing steel section less than 10%
- CR3. Severe - Exposed reinforcement with heavy rusting and localized pitting. Loss of reinforcing steel section between 10% and 20%
- CR4. Very severe - Exposed reinforcement with very heavy rusting and pitting. Loss of reinforcing steel section over 20%.

**Immediate remedial action<sup>1</sup>:** these are items that present an immediate structural and/or safety hazards (falling objects, tripping hazards, full or partial collapse, etc.). The remedial recommendations will need to be implemented immediately and may include restricting access, temporary shoring/supports or removing the hazard.

**Priority remedial action<sup>1</sup>:** these are items that do not present an immediate hazard but still require action in an expedited manner. The postponement of these items will likely result in the further degradation of the structural systems and finishes. This may include interim repairs, further investigations, etc. and are broken down into timelines as follows:

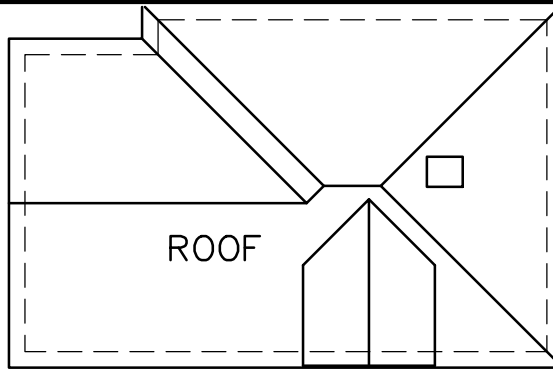
1. **Short-term:** it is recommended that items listed as short-term remedial action are acted on within the next 6 months (before the onset of the next winter season).
2. **Medium-term:** it is recommended that items listed as medium-term remedial action are acted on within the next 24 months.
3. **Long-term:** it is recommended that items listed as long-term remedial action are acted on within the next 5-10 years. Many of these items include recommendations of further review/investigation.

**Routine maintenance<sup>1</sup>:** these are items that can be performed as part of a regularly scheduled maintenance program.

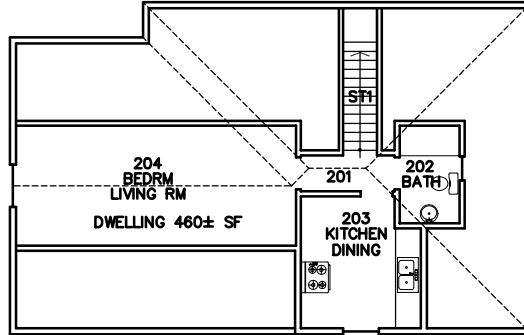
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<sup>1</sup> Adapted from “Structural Condition Assessment”, 2005, American Society of Civil Engineers/Structural Engineering Institute

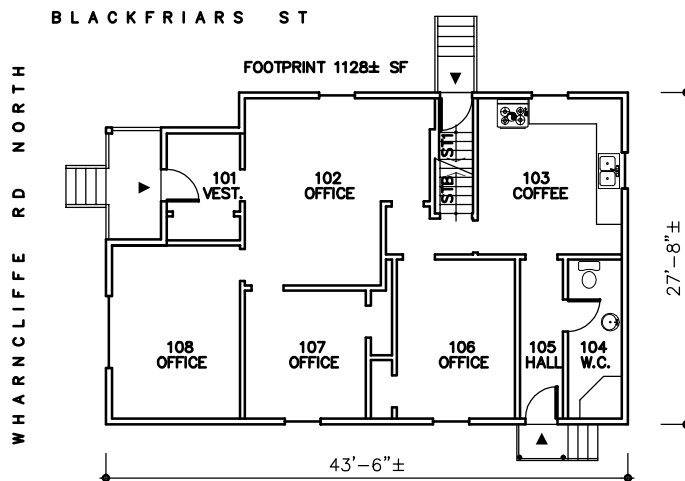




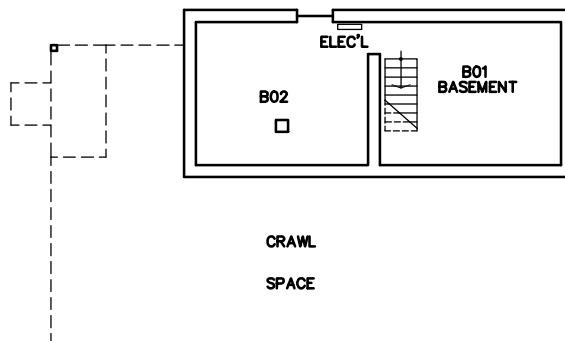
ROOF



SECOND FLOOR PLAN



FIRST FLOOR PLAN



BASEMENT PLAN



THOR DINGMAN  
B. ARCHITECTURE S.C.

FIRM B.C.I.N. 26998

PROJECT:  
187 WHARNCLIFFE RD N

DWG: APPENDIX C  
MEASURED PLANS

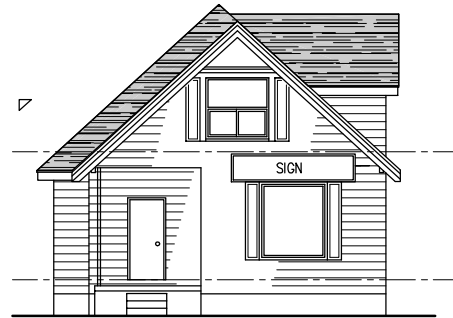
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DATE: MAY 2021  
FILE: XXXX

DWG No

**ASK-1**



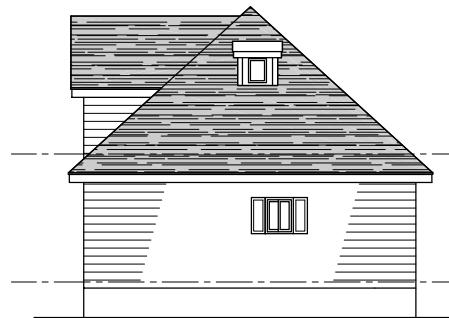
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



THOR DINGMAN  
B. ARCHITECTURE S.C.

FIRM B.C.I.N. 26998

PROJECT:  
187 WHARNCLIFFE RD N

DWG: APPENDIX C  
MEASURED ELEVATIONS

SCALE: 1/8"=1'-0"

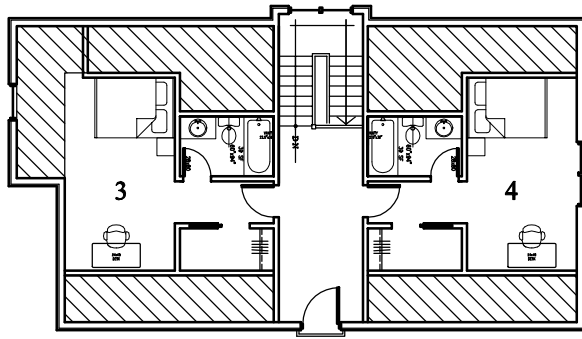
PROJ. No: 20-615

DATE: MAY 2021

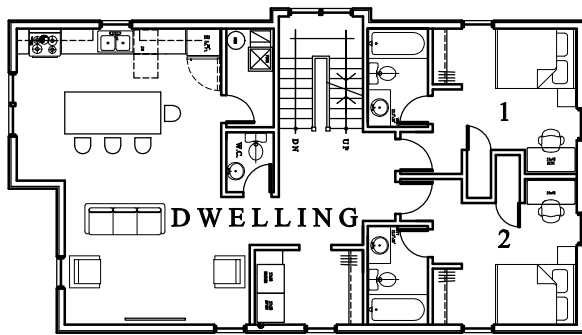
FILE: XXXX

DWG No

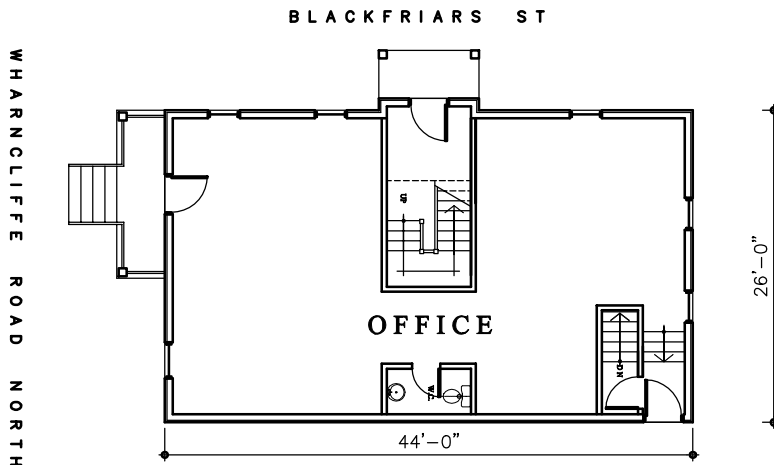
**ASK-2**



**ATTIC FLOOR**



**2nd FLOOR**



**1st FLOOR**



GROSS FLOOR AREA

1ST FLOOR	1152 SF	107.0m <sup>2</sup>
2ND FLOOR	1208 SF	112.2m <sup>2</sup>
ATTIC FLOOR	429 SF	39.9m <sup>2</sup>
	2789 SF	259.1m <sup>2</sup>



**THOR DINGMAN**  
B. ARCHITECTURE S.C.

FIRM B.C.I.N. 26998

PROJECT:  
**187 WHARNCLIFFE RD N**

DWG: **APPENDIX D**  
**PROPOSED PLANS**

SCALE: **1/16"=1'-0"**

PROJ. No: **20-615**

DATE: **MAY 2021**

FILE: **XXXX**

DWG No

**ASK-1**



**NORTH ELEVATION**  
(BLACKFRIARS)



**WEST ELEVATION**  
(WHARNCLIFFE)



**NORTH ELEVATION**



**WEST ELEVATION**



**THOR DINGMAN**  
B. ARCHITECTURE S.C.

FIRM B.C.I.N. 26998

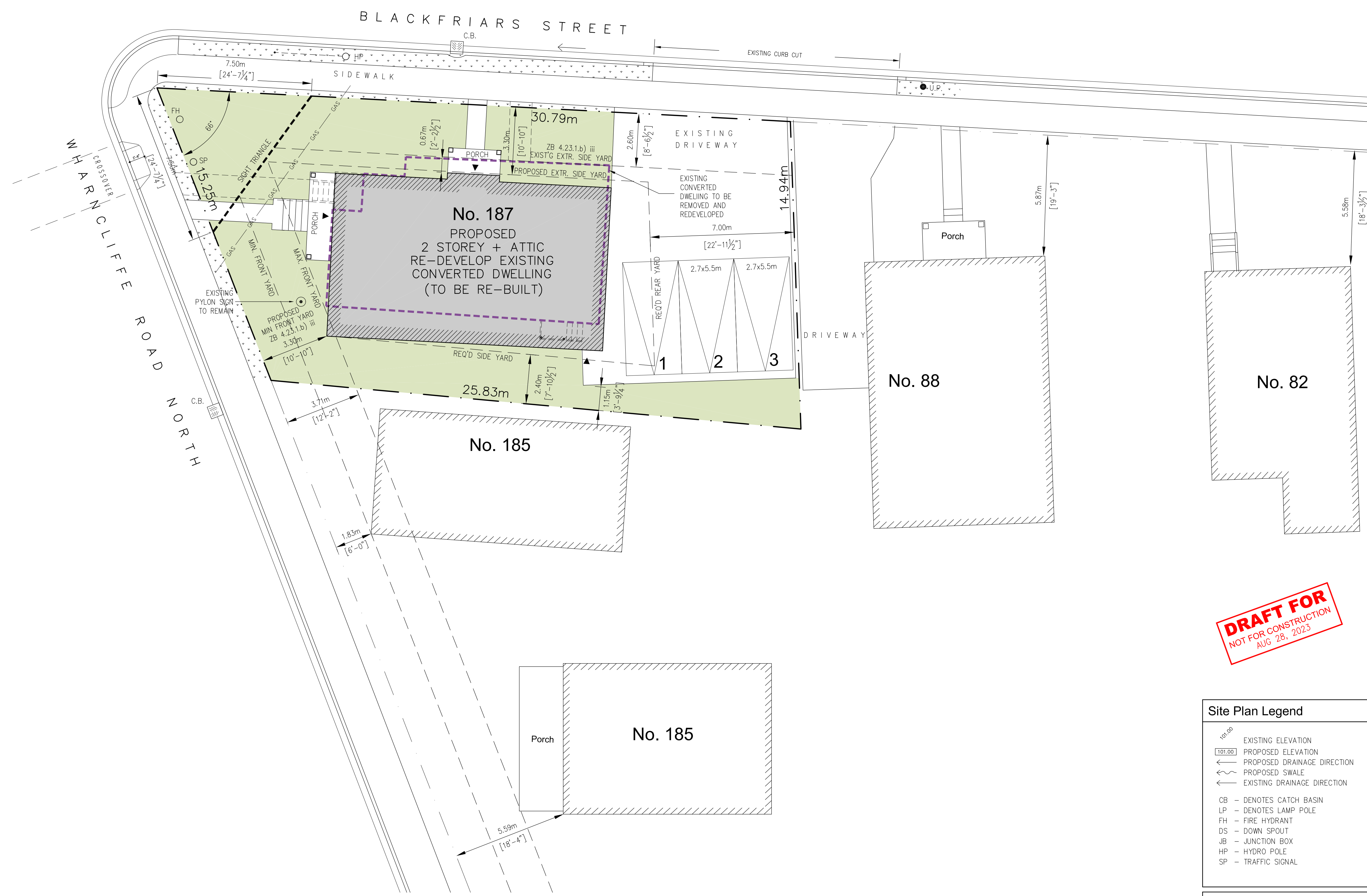
PROJECT:  
187 WHARNCLIFFE RD N

DWG: APPENDIX D  
PROPOSED ELEVATIONS

SCALE: 1/16"=1'-0"  
PROJ. No: 20-615  
DATE: MAY 2021  
FILE: XXXX

DWG No

**ASK-2**

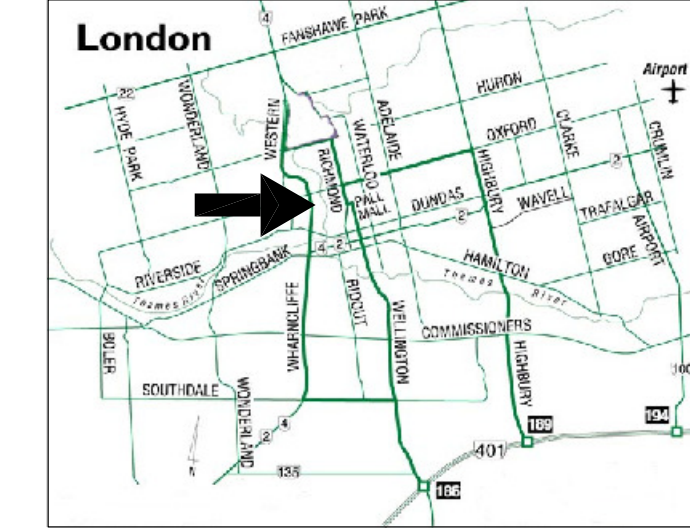


# SITE PLAN

SCALE 1:100



### Location Map



### UTRCA REGULATORY LIMIT

1. THE PROPERTY IS LOCATED WITHIN THE REGULATORY FLOOD HAZARD CONTROL LIMIT. A PERMIT IS REQUIRED FROM THE UPPER THAMES RIVER CONSERVATION AUTHORITY PRIOR TO CONSTRUCTION.
2. THE FIRST FLOOR ELEVATION OF THE PROPOSED BUILDING SHALL BE NO LOWER THAN THE FIRST FLOOR OF THE EXISTING ADJACENT HOUSE AND NO LOWER THAN THE TOPOGRAPHIC ELEVATION LIMIT SET BY THE UPPER THAMES CONSERVATION AUTHORITY.
3. NO OPENINGS IN THE FOUNDATION WALL ARE PERMITTED.

### Legal Description

PART OF  
**LOT 21**  
**REGISTERED PLAN No. III (W)**  
 IN THE  
**CITY OF LONDON**  
**COUNTY OF MIDDLESEX**

SURVEY PROVIDED BY THE OWNER.  
 SURVEY BY DONALD A. REDMOND OLS  
 DATED FEB 14, 1994

### Site Data

ZONING:	R2-2(19)
HERITAGE LISTING/DESIGNATION	PART V OHA
UTRCA REGULATORY FLOOD LIMIT	YES
PRIMARY TRANSIT AREA	YES
WHARNCLIFFE RD N	ARTERIAL
BLACKFRIARS ST	SECONDARY COLLECTOR
ZONING STATUS	EXISTING LEGAL NON-CONFORMING USE PROPOSED REDEVELOPMENT
EXISTING USE	CONVERTED DWELLING (1 OFFICE & 1 DWELLING)
PROPOSED USE	CONVERTED DWELLING (1 OFFICE & 1 DWELLING)
EXIST'G BLDG COVERAGE TO BE REMOVED	104.8m <sup>2</sup>

	BY-LAW TABLE 6.3 COL 'O'	PROPOSED	CONVERTED
USE			
LOT FRONTAGE	15.2m	15.2m	12.0m
PROPOSED BLDG COVERAGE	107.0m <sup>2</sup>	26%	45%
FRONT YARD MIN. (ARTERIAL)	3.3m*	3.3m*	8.0m*
EXTER. SIDE YARD MIN. (SEC. COL.)	3.3m*	3.3m*	6.0m*
REAR YARD MIN.	7.0m	7.0m	7.0m
INTR. SIDE YARD MIN (2-1/2 STR.)	2.4m	2.4m	2.4m
MIN. LANDSCAPE OPEN SPACE	42%	42%	20%
MAX HEIGHT		28.0%	10.5m
MAX PARKING COVERAGE		2	35%
MAX NO. OF UNITS PER LOT		2	2

\* REFER TO ZONING BY-LAW 4.23 FOR PRIMARY TRANSIT AREA SETBACK STANDARDS.

**DRAFT FOR NOT FOR CONSTRUCTION**  
 AUG 28, 2023

### Site Plan Legend

- 101.00 EXISTING ELEVATION
- 101.00 PROPOSED ELEVATION
- ← PROPOSED DRAINAGE DIRECTION
- ← EXISTING DRAINAGE DIRECTION
- CB - DENOTES CATCH BASIN
- LP - DENOTES LAMP POLE
- FH - FIRE HYDRANT
- DS - DOWN SPOUT
- JB - JUNCTION BOX
- HP - HYDRO POLE
- SP - TRAFFIC SIGNAL

### Drawing List

A1	SITE PLAN
----	-----------

SETBACKS - PRIMARY TRANSIT AREA  
 Z.B. 4.23

MAXIMUM FRONT & EXTR. SIDE YARD SETBACK	
FRONT YARD #185 WHARNCLIFFE	1.83m
FRONT YARD #181 WHARNCLIFFE	5.59m
WHARNCLIFFE MAX. FRONT YARD (AVE.)	3.71m*
FRONT YARD #88 BLACKFRIARS	5.87m
FRONT YARD #84 BLACKFRIARS	5.58m
BLACKFRIARS MAX. EXTR. SIDEYARD (AVE.)	5.72m*
MINIMUM FRONT & EXTR. SIDE YARD SETBACK	
FRONT YARD #185 WHARNCLIFFE	1.83m
FRONT YARD #181 WHARNCLIFFE	5.59m
MIN. FRONT YARD (SMALLEST)	1.83m*
FRONT YARD #88 BLACKFRIARS	5.87m
FRONT YARD #84 BLACKFRIARS	5.58m
BLACKFRIARS MAX. EXTR. (SMALLEST)	5.58m*
INTR. SIDE YARD MIN (2-1/2 STR.)	2.4m
MAX BLDG DEPTH % OF LOT	24.2%

PARKING SPACE	
CONVERTED DWELLING	1 SP 2.7x5.5m
OFFICE BUSINESS 1/40m <sup>2</sup>	1 SP

### GENERAL NOTES

1. THESE GENERAL NOTES REFER TO ALL ARCHITECTURAL DRAWINGS.
2. DO NOT SCALE DRAWINGS.
3. THE PRIME CONSTRUCTOR SHALL SITE CHECK ALL DIMENSIONS PRIOR TO CONSTRUCTION AND REPORT ALL DISCREPANCIES TO THE CONSULTANT.
4. THE PRIME CONSTRUCTOR SHALL CO-ORDINATE ARCHITECTURAL, MECHANICAL, ELECTRICAL WORK BEFORE CONSTRUCTION AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES.
5. THESE DRAWINGS ARE NOT INTENDED TO SHOW DETAILED MECHANICAL OR ELECTRICAL INFORMATION. ELECTRICAL AND MECHANICAL INFORMATION SHOWN IS INTENDED FOR GENERAL CONFIGURATION AND COORDINATION ONLY.
6. NOTIFY THE CONSULTANT OF ALL CONFLICTS AND DISCREPANCIES PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION.
7. NOTHING ON THESE DRAWINGS SHALL SUPERSEDE THE REQUIREMENT OF ANY GOVERNING CODES OR REGULATIONS INCLUDING THE ONTARIO BUILDING CODE 2012.
8. UNLESS THE CONSULTANT IS RETAINED TO REVIEW CONSTRUCTION, THE CONSULTANT IS NOT RESPONSIBLE FOR CERTIFYING THAT CONSTRUCTION IS IN GENERAL CONFORMANCE WITH THE CONSTRUCTION DOCUMENTS OR FOR REVIEWING PRE-ENGINEERED COMPONENTS OR SHOP DRAWINGS.

NO	ISSUE DESCRIPTION	DATE
4		
3		
2		
1		

ONTARIO BUILDING CODE  
 BCQ  
 THOR DINGMAN, BArch.Sc.  
 FIRM BCIN  
 26998  
 REGISTERED DESIGNER

THE REGISTERED DESIGNER HAS REVIEWED THIS DOCUMENT AND TAKES RESPONSIBILITY FOR THE CLASS OF DESIGN INDICATED BELOW AND AS LISTED UNDER O.B.C. 2.20

DESIGNER: THOR DINGMAN, BArch.Sc.  
 FIRM: BCIN  
 26998  
 CLASS: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_  
 DD / MM / YY

THESE DRAWINGS ARE NOT VALID FOR PERMIT UNLESS SIGNED IN ORIGINAL INK



**THOR DINGMAN**  
 B. ARCHITECTURE S.C. INC.  
 ONTARIO REGISTERED DESIGNER NO. 26998

70 ST. VINCENT ST. S. STRATFORD, ONT. N5A 2W6  
 TEL (519) 271-3174 FAX (519) 271-7970  
 thordingman@sympatico.ca

PROJECT  
**NEW REPLACEMENT BUILDING**

LOCATION  
**187 WHARNCLIFFE RD LONDON, ONTARIO**

FOR  
**RADA KNEZIC**

DRAWING  
**SITE PLAN**  
 scale 1:100

PROJECT No.  
 TD20-615  
 DATE  
 AUG 6, 2021

**ASK-3**



LONDON, ONTARIO

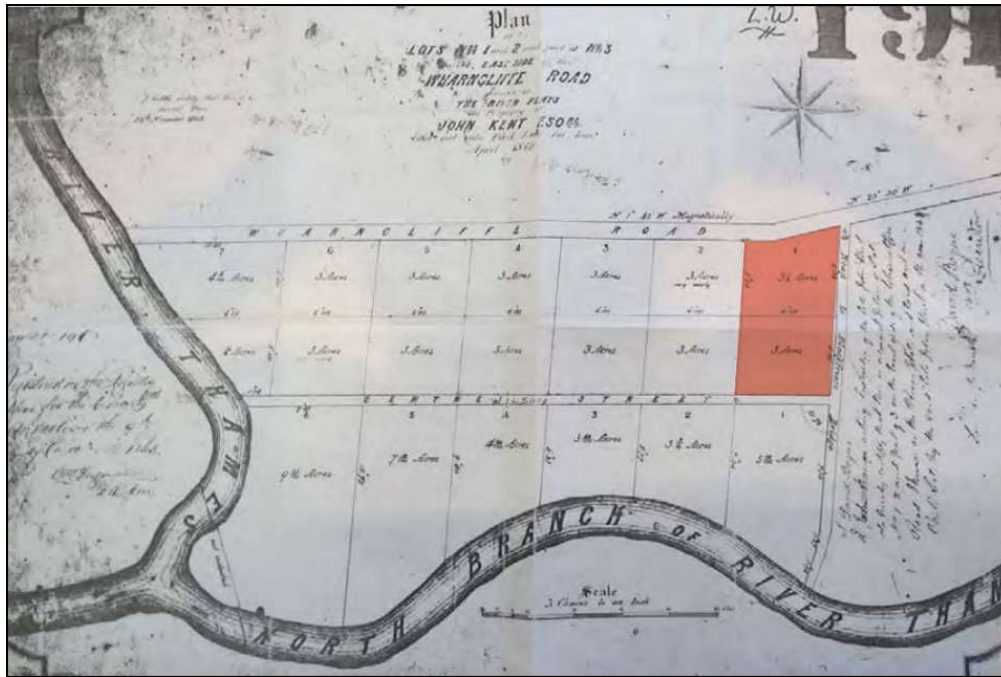
AUGUST, 2023

**APPENDIX F: Ownership & Occupants**

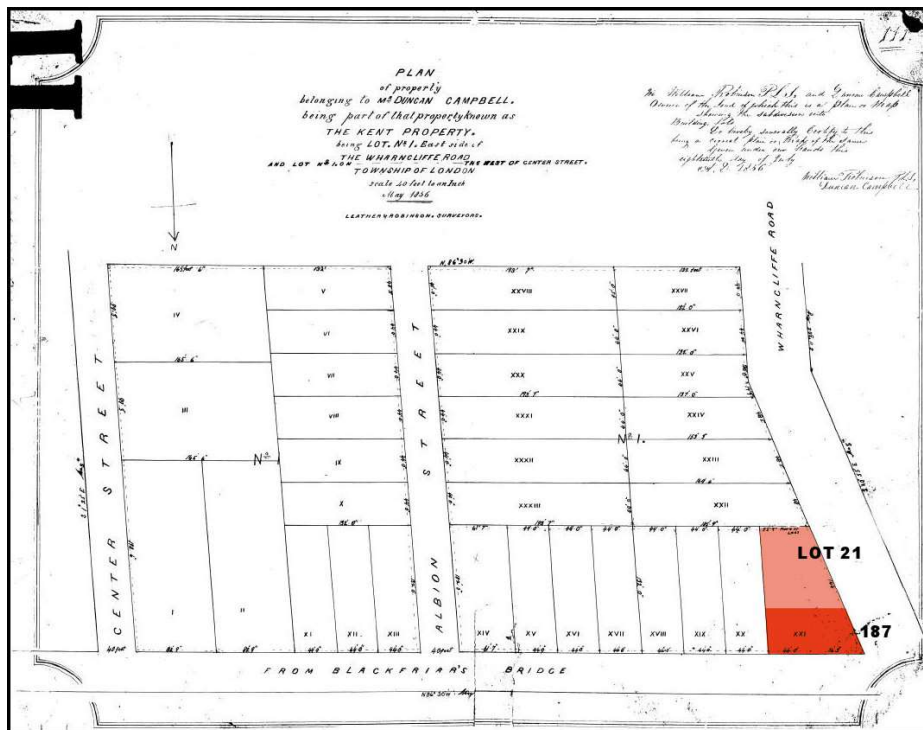
Ownership & Occupancy Part Lot 21, Plan 111(W)		
1831	Patent	Crown to John Kent
1853		Transfer from John Kent to Duncan Campbell
1856	Campbell Subdivision	Plan of subdivision by Duncan Campbell on one of the park lots formerly laid out by John Kent/
1862	Middlesex Land Registry Book 10 p 94	Duncan Campbell registers a mortgage on Lot 21 with Charles Hutchinson for \$400.00
1883		Major Flood of 1883, many building damaged
1889		<b>William Nicholls</b> obtains title to Part Lot 21
1896-7	Foster's London Directory	No occupants indicated. (Closest adjacent occupant at 179 Wharncliffe N. Boughner)
1900	Foster's London Directory	No occupants indicated. (Closest adjacent occupant at 179 D Edward)
1901	Foster's London Directory	No occupants indicated. (Closest adjacent occupant at 179 H Wood)
<b>1903</b>	Vernon's London Directory	No occupants indicated. <b>Year of construction current house of No. 187</b>
<b>1904</b>	Vernon's London Directory	Charles J. Nicholls, grocer, b1872, d1945 <b>This indicates the first year of occupancy of No. 187</b>
1908-9	Vernon's London Directory	C.J. Nicholls, occupant
1910	<b>Assessment Roll City of London</b>	<b>Wm. Nicholls, owner</b> (Wm. Nicholls also owner of 171, 175, 179, v.l.,185)
1915	Vernon's London Directory	A Goebel, occupant
1922	Vernon's London Directory	L.J. Bolton, occupant
1927	<b>Assessment Roll City of London</b>	<b>Wm. Nicholls, owner</b> (note Wm. Nicholls also owner of 171, 175, 179, 185)
1930	Vernon's London Directory	Mrs. M. March, occupant

**APPENDIX F: Ownership & Occupants**

Ownership & Occupancy Part Lot 21, Plan 111(W)		
1940	Vernon's London Directory	H.A. Howlett, occupant
1944	<b>Land Registry</b>	Grantor: Executors of William Nicholls (Nicholls & Skinner) Grantee: Archibald & Edna McLean
1950	Vernon's London Directory	Archie McLean, occupant R.D. McLean, occupant
1955	<b>Land Registry</b>	Grantor: <b>Archibald &amp; Edna McLean Estate</b> Grantee: <b>Margaret Anne Cundell (Lot 21 'B')</b>
1960	Vernon's London Directory	Cundell's Beauty Salon, occupant Mrs. M Cundell, occupant
1964	<b>Land Registry</b>	Grantor: Margaret Anne Cundell Grantee: Winifred H. Thomson
1967	<b>Land Registry</b>	Grantor: Winifred H. Thomson Grantee: Gary W Zimmerman (house lease to L Scholnik 1971)
1970	Vernon's London Directory	The Cottage, occupant W.P. Kaiser, occupant
1972	Land Registry	Grantee: Gary W Zimmerman Grantor: G&M Schiappapietra (c.o.b. "Gabriela&Pietro Coiffeurs")
1975	Vernon's London Directory	Gabriela & Pietro Coiffeurs, occupants
1978	<b>Land Registry</b>	Grantor: G&M Schiappapietra Grantee: Ronald A. Annis
1980	Vernon's London Directory	Annis & Associates Real Estates & Insurance, occupant Village Salon, occupant
1990	Vernon's London Directory	Uptowne Real Estate & Insurance Ltd., occupant
1996	Vernon's London Directory	Sue Barnes, MP London West Constituency, occupant R. Annis, occupant
2000	Vernon's London Directory	R. Annis, occupant Sanders Dog Specialties, occupant
2010	Vernon's London Directory	It's A Dog Thing, occupant C. Weitowich, occupant
2014	<b>Land Registry</b>	From: <b>Ronald Clare Annis</b> To: <b>Radoslava Knezic</b>



John Kent's Park Lots lay out in 1848. The highlighted area was developed later by Duncan Campbell.



The Duncan Campbell subdivision plan in 1856 created urban building lots from Wharnccliffe Road N. to Wilson Avenue (Center Street on the above map), and south of Blackfriars Street. Lot 21 was created at this time, later to be subdivided again for construction of 187 Wharnccliffe Rd North.

Plan 111. Part Lot 1					West Centre Street East Wharncliffe by Duncan Campbell			
NO. OF INSTRUMENT.	INSTRUMENT.	DATED.	REGISTERED	GRANTOR	GRANTEE	QUANTITY.	CONVEYANCE OF MORTGAGE.	REMARKS.
				Lot	13			
7017	Deed No 555	Dec 26, 1862	Dec 25, 1862	Duncan Campbell	Charles Willson			Continued. Folio 117. Survey tract to be hereinafter referred to as
				Transferred to Index 52 folio 28				Continued. Folio 77. Book A of London West.
				From Folio 63 Old Book 1 Survey London W.	14			
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
				2336				Bound to Folio 77. Book A of London West.
				Transferred to Index 52 folio 27	15			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27	16			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27	17			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27	18			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27	19			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27	20			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27	21			
				From Folio 63 Old Book 1 Survey London W.	Charles Hutchinson	4400	cont	Lot 14. 6. 33 by meter & bounds
7017	Mortgage	Oct 17, 1862	Oct 15, 1862	Duncan Campbell	Charles Hutchinson	4400	cont	Bound to Folio 77. Book A of London West.
				2336				
				Transferred to Index 52 folio 27				

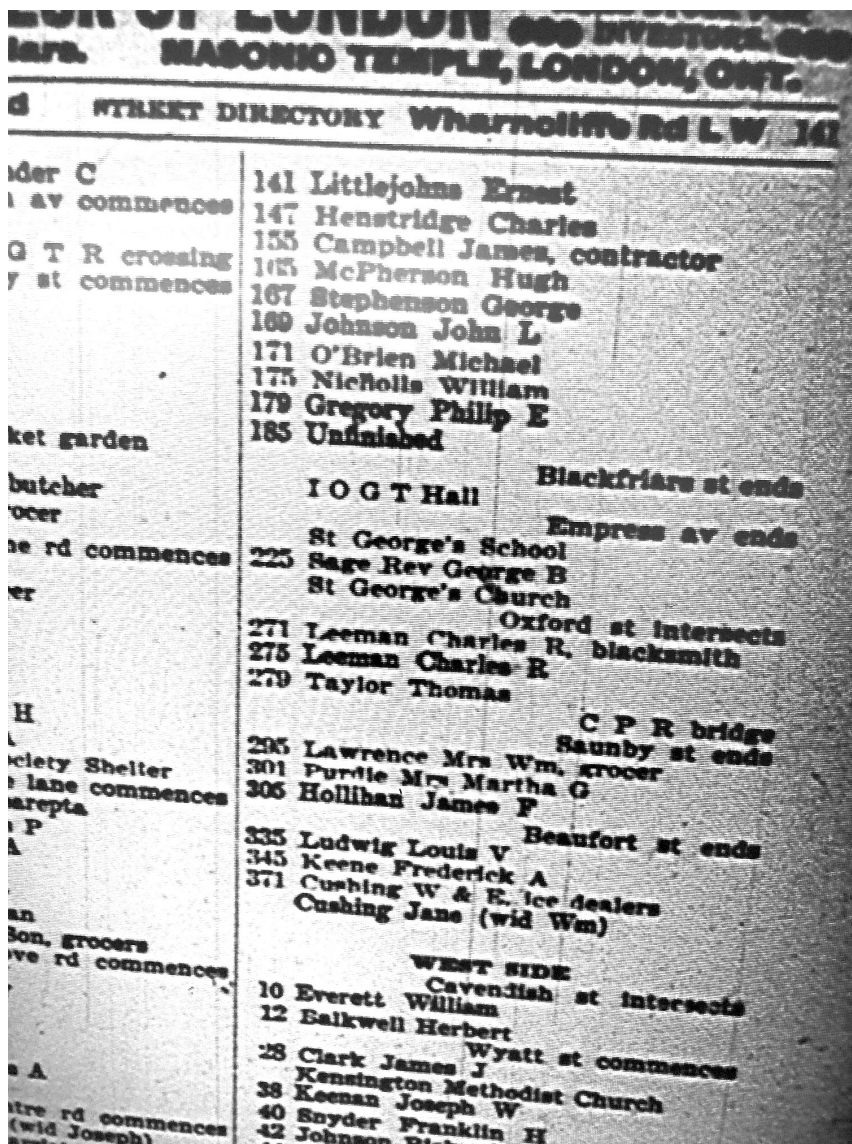
Duncan Campbell registers a mortgage on Lot 21 1862. Book 10, London West, Middlesex Land Registry Office.

80  
 Part III. Duncan Campbell Deeds.

NO. OF INSTRUMENT.	INSTRUMENT.	DATED.	REGISTERED.	GRANTOR.	GRANTEE.	QUANTITY.	CONSIDERATION OF MORTGAGE.	REMARKS.
582	Deed	28 <sup>th</sup> 1877	April 25	1877 James Campbell et al	John London Survey Book Page 119			
583	Mortgage	28 <sup>th</sup> 1877	April 26	1877 James Campbell et al	John London Survey Book Page 119			
584	Deed	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
1855	Deed	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
1869	Mortgage	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
1870	Mortgage	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
1871	Mortgage	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
1872	Mortgage	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
1873	Mortgage	28 <sup>th</sup> 1877	April 29	1877 James Campbell et al	John London Survey Book Page 119			
7448	Mortgage	1 <sup>st</sup> May 1891	May	1901 Rachael Nicholls et al	John London Survey Book Page 119			
18	Deed	July 27	1874 July 31	1874 Duncan Campbell et al	John London Survey Book C page 120			
20	Mortgage	July 27	1874 July 14	1874 William Nicholls et al	John London Survey Book C page 120			
61	"	July 13	1875 July 13	1875 William Nicholls et al	John London Survey Book C page 120			
183	"	July 17	1876 July 17	1876 William Nicholls et al	John London Survey Book C page 120			
184	Deed of 61	July 17	1876 July 21	1876 William Nicholls et al	John London Survey Book C page 120			
185	Deed of 30	July 17	1876 July 21	1876 William Nicholls et al	John London Survey Book C page 120			
220	Mortgage	July 12	1876 Dec. 15	1876 William Nicholls et al	John London Survey Book C page 120			
301	Mortgage	July 15	1877 July 22	1877 William Nicholls et al	John London Survey Book C page 120			
380	Mortgage	Feb 14	1880 Feb 15	1880 Wm Nicholls et al	John London Survey Book C page 120			
867	Mortgage	Apr 30	1881 April 30	1881 Wm Nicholls et al	John London Survey Book C page 120			
1116	Mortgage	Apr 3	1882 Apr 13	1882 Wm Nicholls et al	John London Survey Book C page 120			
Currend to title 357 this 18 <sup>th</sup> 1891								
13	Deed	July 27	1874 July 31	1874 Duncan Campbell et al	John London Survey Book C page 120			
20	Mortgage	July 27	1874 July 14	1874 William Nicholls et al	John London Survey Book C page 120			
61	"	July 13	1875 July 13	1875 William Nicholls et al	John London Survey Book C page 120			
183	"	July 17	1876 July 17	1876 William Nicholls et al	John London Survey Book C page 120			
184	Deed of 61	July 17	1876 July 21	1876 William Nicholls et al	John London Survey Book C page 120			
185	Deed of 30	July 17	1876 July 21	1876 William Nicholls et al	John London Survey Book C page 120			
220	Mortgage	July 12	1876 Dec. 15	1876 William Nicholls et al	John London Survey Book C page 120			
301	Mortgage	July 15	1877 July 22	1877 William Nicholls et al	John London Survey Book C page 120			
380	Mortgage	Feb 14	1880 Feb 15	1880 Wm Nicholls et al	John London Survey Book C page 120			
867	Mortgage	Apr 30	1881 April 30	1881 Wm Nicholls et al	John London Survey Book C page 120			
1116	Mortgage	Apr 3	1882 Apr 13	1882 Wm Nicholls et al	John London Survey Book C page 120			
1864	Deed of 209	July 1	1877 Oct. 11	1877 Ontario S & S Socy	John London Survey Book C page 120			
Currend to title 357 this 18 <sup>th</sup> 1891								

Duncan Campbell transfers title of Part of Lot 21 to William Nicholls in 1889.





Vernon’s City of London Directory has no entry for 187 Wharncliffe Rd North. The directory indicated the neighbouring building at 185 Wharncliffe Rd North was “unfinished”. This suggests a period of development on the block of five adjacent lots owned by William Nicholls fronting on the east side of Wharncliffe Rd North.

**INSURE IN THE Monarch Fire Ins. Co.**  
 Phone 1611 Head Office: LONDON, ONT.

124 West VERNON'S DIRECTORY Wharncliffe

101 J Richardson 103 Mrs K Steinhoff +Maryboro Pl ends 109 O M Pirie 111 F McKenzie 117 J O Rooke Miss E E Frank, "Mount Frank" D H Porter W A Hayward Peter Snyder <hr/> WEST av, north side, from Ridout s to Wortley rd. 5 s river 40 G H Campbell <hr/> WEST av, south side R J Hennessey <hr/> WESTMORELAND av, east side, from Edinburgh to Oxford, L W Fred Stone <hr/> WESTON st, north side, east from Wellington rd, 4 s Clarke's Bridge 1 T Knowles, sr C A Boyce Wm Durham J McCormick T Knowles, jr Knowles & Co, litho Chas Ayers Wm Bestard New house Henry Morris <hr/> WESTON st, south side New houses (2) M Steels, contr	WHARNCLIFFE st north, east side, from the river, 2 w Kensington Bridge +Cavendish st crosses 13 Robt E Jury 15 Chas Reidy 17 Frank Pickell 17½ C A Wentzel 19 Alfred Clark +Dundas st and Kensington st end 71 J F Chapman 73 F A Jones +Alexander st ends St Paul's Presby Ch Mrs M Hamilton +Rodgers av begins 101 Jas Rodgers 105 Wm F Bell 107 Albert M Trick 109 Jno W Pierce W T Hamilton 117 Jno Moir 127 M McKay 129 Mrs A Adams 137 Michael O'Brien 141 E Littlejohn 147 Mrs L Henstridge 155 Jas Campbell 165 Hugh McPherson 167 Geo Stephenson 169 Jno L Johnson 171 Jas J Bryant 175 Wm Nicholls 179 Wm Legg 185 Chas Foster 187 C J Nicholls +Blackfriars st ends Mrs Ada Corbin +Empress av ends St George's school 225 Rev G B Sage St George's Church 243 Jas Dean 245 Harry Brazier +Oxford st crosses	271 Wm H Way, blksinth 275 Henry Pigot 279 Mrs E Taylor C P R bridge +Saunby st ends 295 Mrs W Lawrence, gro 301 Mrs M G Purdy 305 Jas Hollihan 321 C E Hawthorne 323 P E Feekings +Beaufort st ends 325 L V Ludwig 345 Wm J O'Brien 371 W & E Cushing, ice <hr/> WHARNCLIFFE st north, west side + Cavendish st crosses 10 F A P Patrick 12 Wm Newton +Wyatt st begins 28 J J Clark Kensington Meth Church 38 Wm Lewis 40 Thos G Hicks 42 R Johnson 44 J S Stanton +Walnut st begins 52 Jno D Kempster 58 Mrs A Boug, gro 62 Vacant 62½ Wm Everett 64 Chas Kennedy 66 Jno Orr 66½ Mrs M Misner 68 S Y Johnston +Mt Pleasant av begins 78 H Wasnidge, confr Jas Wilkin 102 Jos Haldane +Charles st begins 106 Wm Tite
---	---	---

**THE IDEAL CONCRETE MACHINERY CO. Ltd**  
 CONCRETE MIXERS. 211 King St. Phone 1256.

According to Vernon's 1904 Directory, Charles J. Nicholls was the first occupant in the house. Charles James Nicholls operated a grocery store business know as the New York store at 125 Dundas Street. Charles Nicholls' father, William Nicholls, a Post Office clerk, owned the property for many years and maintained it as a rental after Charles relocated. The property remained in the Nicholls' family for over 60 years.

End of Appendix F

**APPENDIX G: Construction Cost Escalation**

The Building Condition Report by Tacoma Engineers (Appendix B) was complete in June 2021 and includes a cost estimate of between \$350,000 to \$500,000 for the cost of repairs to the existing building at 187 Wharncliffe Road North. A substantial escalation in construction costs have occurred in the past 2 years.

To reference accepted escalation in construction costs in the intervening time since the engineer’s report was completed, the public web page published by Hanscomb Quantity Surveyors has been used to calculate approximate cost to the current date. The Hanscomb Escalation Calculator adjusts the cost to between \$541,000 to \$773,000.

**Hanscomb**  
QUANTITY SURVEYORS

### ESCALATION CALCULATOR

Non-Residential Residential

City\* Toronto Original Cost \$500,000

Escalate from: Q1 2021 To: Q2 2023 54.7%

Index 128.4 195.6

Escalated Cost: **\$773,338.61**

Using non-residential and residential construction indices from Statistics Canada is a great starting point in assessing the impacts of time on construction costs, but it is only one piece of the puzzle.

To truly assess the impact of time on a project, you must also consider changes in code, standards, best practices and market over time in a given location. Hanscomb's team of professionals can help.

From: Ronald Annis

Sent: Wednesday, October 25, 2023 10:49 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Demolition of 187 Wharncliffe Rd North - waiting for consent

Unfortunately I will be in Florida at the time of the hearing. If you could pass along my opinion that the owner of 187 Wharncliffe Rd North has made no effort to make the necessary repairs or in anyway maintained the property and is intentionally letting the property deteriorate to support his request for demolition I would appreciate you advising of my objection to the owners application . Thank you.

Ron Annis

## 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:** Zelinka Priamo Ltd. c/o Laura Jamieson  
607 Queens Avenue  
File Number: Z-9650, Ward 13  
**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 1934643 Ontario Inc. c/o Zelinka Priamo Ltd. relating to the property located at 607 Queens Avenue:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 28, 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 Residential R3 /Office Conversion (R3-1/OC5) Zone **TO** a Residential R3 /Office Conversion Special Provision (R3-1/OC7(\_)) 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 (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.
- ii) The recommended amendment conforms to *The London Plan*, including but not limited to the Key Directions, City Design and Building policies, and the Urban Corridor Place Type policies; and;
- iii) The recommended amendment would permit a new land use that is considered appropriate within the surrounding context and will facilitate the adaptive reuse of the existing converted dwelling.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R3 /Office Conversion (R3-1/OC5) Zone, to a Residential R3 /Office Conversion Special Provision (R3-1/OC7(\_)) Zone. . The applicant requested the following special provisions: Restaurant including eat-in and take-out services; a west interior side yard setback of 0.0m, whereas 1.8m is required; an east exterior side yard setback of 2.0m, whereas 6.0m is required; landscaped open space of 14%, whereas 30% is required; a parking area coverage of 51%, whereas 25% maximum is permitted; and to recognize parking in the front yard.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to rezone the subject site to a Residential R3 /Office Conversion Special Provision (R3-1/OC7(\_)) Zone to expand the range of permitted uses on the subject lands through an additional special provision to include restaurant uses with eat-in and take-out services. No exterior alterations are proposed as part of this rezoning application.



## Rationale of Recommended Action

1. The recommended amendment is consistent with the *PPS 2020*;
2. The recommended amendment conforms to *The London Plan*, including, but not limited to the Urban Corridors Place Type; and
3. The recommended amendment would permit a new use that is appropriate within the surrounding context.

Staff are recommending approval of the Zoning By-law amendment, with special provisions to permit the adaptive reuse of a converted dwelling for a restaurant with eat-in and take-out services on the ground level, and residential use on the upper floors.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- a. **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- b. **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- c. **Economic Growth, Culture, and Prosperity** by Increasing economic activity in the core and the greater community.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None.

#### 1.2 Planning History

There have been no previous planning applications on the subject site.

#### 1.3 Property Description and Location

The subject site is located on the south-west corner of the Queens Avenue and Adelaide Street North intersection, within the Central London Planning District. The site has an area of 0.04 hectares with a frontage of 12.5 metres along Queens Avenue. The subject site also has access from Adelaide Street North that leads to a rear-yard parking area. Currently the site contains a 3-storey converted dwelling, used as offices for a property management business (Trademark Property Management Ltd.), with shared parking in the front yard for customer use and parking in the rear for staff. The subject lands are listed as a Heritage Property in the City of London Register of Cultural Heritage Resources.

The surrounding area consists of London Cares Homeless Response Services to the north, across the street on Queens Avenue; mixed commercial/office uses and The Banting House National Historic Site to the east; and single detached dwellings to the west and south. The surrounding buildings are mainly in the form of two to three-storey dwellings, containing multiple uses within the existing buildings. London Police Headquarters are also near the site located to the south, along with other mixed commercial uses at the Dundas Street and Adelaide Street North intersection. Queens Avenue is a two-lane road that serves one-way vehicular traffic with an estimated daily traffic count of 8,000 vehicles per day. Adelaide Street is a four-lane road with an estimated daily traffic count of 25,250 vehicles per day. Queens Avenue also has an existing bike lane, and public sidewalks are provided on both sides of Queens Avenue and Adelaide Street North.

#### Site Statistics:

- Current Land Use: Office Conversion
- Frontage: 12.7 metres (41.6 feet)

- Depth: 30.4 metres (99.7 feet)
- Area: 0.03 hectares (0.09 acres)
- Shape: Regular (Rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

**Surrounding Land Uses:**

- North: Social Services/Office Uses
- East: Mixed Commercial/Office Uses
- South: Single-detached dwellings
- West: Single-detached dwellings

**Existing Planning Information:**

- Existing The London Plan Place Type: Urban Corridor
- Existing Special Policies: N/A
- Existing Zoning: Residential R3 (R3-1)/Office Conversion OC5

Additional site information and context is provided in Appendix “B/C”.

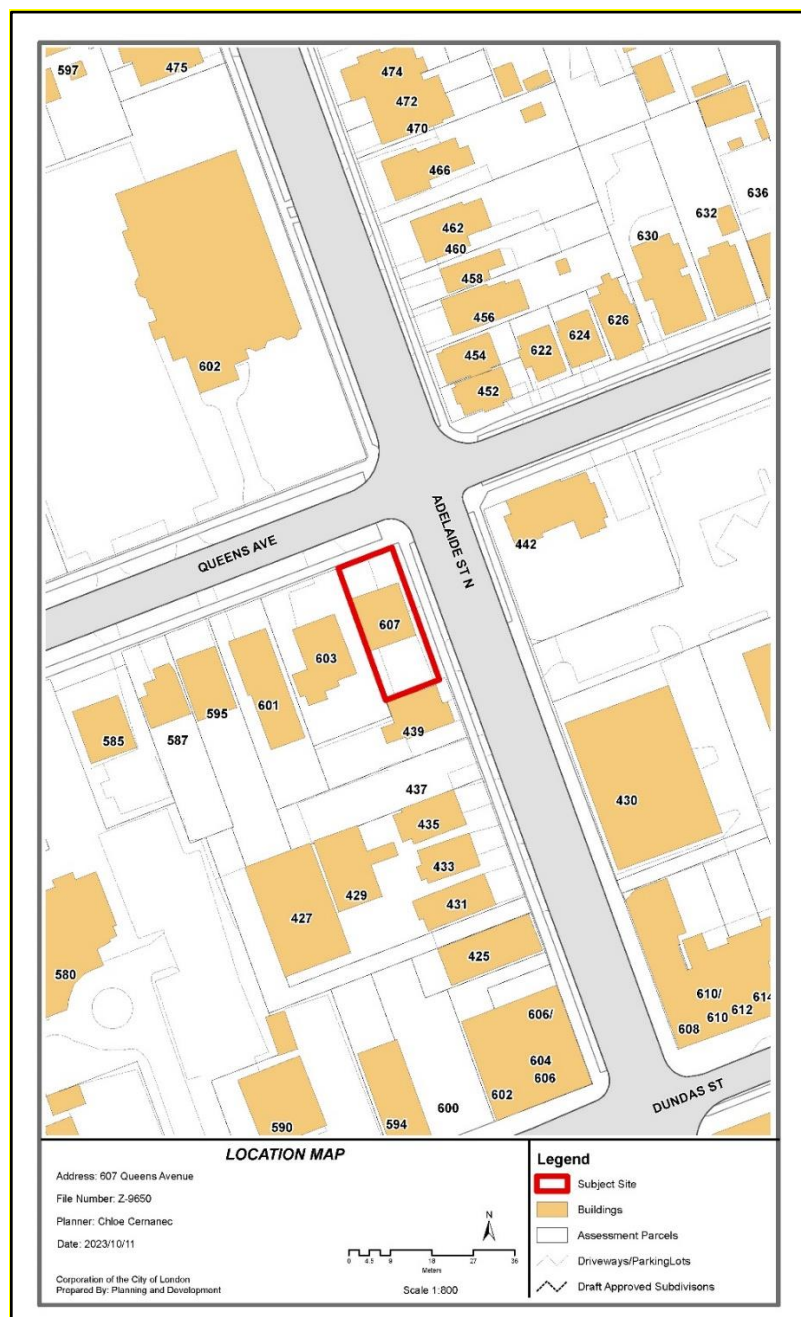


Figure 1- Aerial Photo of 607 Queens Avenue and surrounding lands





Figure 2 - Streetview of 607 Queens Avenue from Adelaide Street (view looking west)



Figure 3 - Streetview of 607 Queens Avenue from Queens Avenue (view looking south)

**2.0 Discussion and Considerations**

**2.1 Proposal**

The applicant is proposing to re-use the existing converted dwelling to develop a restaurant use on the ground level with eat-in and take-out services, and a residential unit on the upper floors. The proposed use would consist of internal changes to the site, with no changes to the exterior of the existing building. The site will utilize the existing parking arrangement to accommodate commercial vehicles for the restaurant in the front yard, and residential and additional commercial vehicles in the rear yard.

Additional information on the development proposal is provided in Appendix B

The proposed development includes the following features:

- Land use: Converted Office
- Form: Existing single-detached dwelling
- Height: 3 storeys (10.5m)
- Residential units: 1
- Density: 1 unit per lot
- Gross floor area: N/A
- Building coverage: 30%
- Parking spaces: 8 surface parking spaces
- Bicycle parking spaces: short-term bicycle parking rack
- Landscape open space: 14%
- Functional amenity space: N/A

Additional information on the development proposal is provided in Appendix “B/C”.



Figure 3 - Conceptual Site Plan (Received August 2023)

## 2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R3 /Office Conversion (R3-1/OC5) Zone, to a Residential R3 /Office Conversion Special Provision (R3-1/OC7(\_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant, which is also being recommended by staff.

Regulation (OC7)	Required	Proposed
Additional Permitted Use		Restaurant; eat-in & take-out services
Minimum Interior Yard Depth (metres)	1.8 metres	0.0 metres
Minimum Exterior Yard Depth (metres)	6.0 metres	2.0 metres
Minimum Landscaped Open Space (%)	30%	14%
Maximum Parking Area Coverage (%)	25%	51%
Front Yard Parking		2 spaces



## 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; however, no major issues were identified by staff.

Detailed internal and agency comments are included in Appendix “C” of this report.

## 2.4 Public Engagement

On September 14, 2023, Notice of Application was sent to 73 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 14, 2023. Notice of Public Meeting was also published in the Public Notices and Bidding Opportunities section of *The Londoner* on October 26, 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* includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (The London Plan, 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 Impact/Considerations

### 3.1 Financial Impact

There are no direct municipal financial expenditures with this application.



## 4.0 Key Issues and Considerations

### 4.1 Land Use

The proposed use is consistent with the policies of the PPS that promote healthy, liveable and safe communities (PPS 1.1.1) and encourage economic development (PPS 1.3.1).

The proposed use is contemplated in the Urban Corridor Place Type in The London Plan (The London Plan, 837). As per The London Plan policy, a range of residential and service uses may be permitted, where mixed-use buildings are encouraged (The London Plan, 837\_1 & 2) to foster vibrant and diverse opportunities for people to live and work close to high-order transit to give them attractive mobility choices (The London Plan, 829). The proposed use also aligns with the goals of the Primary Transit Area (“PTA”) by intensifying the site with residential uses and maintaining a strong community connection within the urban neighbourhood (The London Plan, 90).

### 4.2 Intensity

The proposed intensity is consistent with the policies of the PPS that encourage an efficient use of land (PPS 1.1.3.2) and facilitate intensification and redevelopment (PPS 1.1.3.4).

The existing 3-storey single-detached dwelling and associated surface parking are within the intensity contemplated in The London Plan (The London Plan, 839), and the proposed use is not anticipated to have any negative impacts on the surrounding neighbourhood (The London Plan, 840\_1).

### 4.3 Form

Given no new development, no exterior changes, and no changes to the site layout are proposed as part of this zoning application, staff are satisfied that the subject site continues to be an appropriate shape and size to accommodate the proposed new use (The London Plan, 840\_4).

### 4.4 Zoning

The applicant has requested to rezone the subject site to a Residential R3/Office Conversion Special Provision (R3-1/OC7(\_)) Zone to expand the range of permitted uses on the subject lands to include a restaurant use with eat-in and take-out services. The following summarizes the special provisions that have been proposed by the applicant and recommended by staff.

#### ***A minimum interior yard setback of 0.0 metres.***

The requested reduction is to recognize the existing interior yard setback from the west lot line on site. The intent of the interior side yard setback regulation is to locate dwellings at an appropriate distance from one another to ensure there are no adverse impacts on adjacent properties. In this case, there remains sufficient space for appropriate parking and buffering from adjacent properties. Staff are satisfied that potential impacts resulting from the requested reduced interior side yard setback on adjacent and nearby properties have been managed.

#### ***A minimum exterior yard depth of 2.1 metres.***

The requested reduction is to recognize the existing exterior yard depth from the east lot line on the site. The purpose of exterior side yard setback regulations is to provide opportunities for screening, landscaping, and buffering from streets. It should be noted that the reduced 2.1m setback only applies to a small portion of the building at the back, whereas the northern portion of the building is setback 2.4m. The reduced exterior side yard setback is not anticipated to negatively impact site functions and will recognize the existing development setback which provides a typical front yard interface with the public realm along this section of Adelaide Street.

***A minimum landscaped open space of 14 percent.***

The requested reduction is to recognize the existing landscaped open space percentage on the subject site. The purpose of the minimum landscaped open space regulation is to ensure balanced site functions relative to other site functions like built area and parking area. It also is to encourage the efficient use of land by maintaining, and where possible enhancing, the amount of permeable area on a site. The requested reduction of landscaped open space works in tandem with the below special provision for the increased parking area coverage. The reduction in landscaped open space allows the site to function for the wider range of uses permitted within the existing Office Conversion zone and Urban Corridor Place Type

***A maximum parking area coverage of 51 percent.***

The requested reduction is to recognize the existing parking area coverage on the subject site. The parking area accommodates a total of 8 parking spaces, with 2 spaces in the front yard proposed to be used for commercial purposes, and 6 spaces in the rear yard proposed to be used for both residential and commercial purposes. Staff is satisfied that the parking area coverage will continue to sufficiently accommodate the needs of the site and will not negatively impact site functions.

***Front Yard Parking.***

The requested special provision is to recognize the existing front yard parking spaces. The intent of regulating parking locations is to encourage pedestrian-oriented streets and streetscapes through consistent designs that support and appeal to pedestrians. The regulation also helps to protect the existing character and aesthetic of residential neighbourhoods from the known visual impacts of parking on the streetscape. As the two front yard parking spaces are existing on the site and are consistent with the surrounding neighbourhood character, staff is satisfied that the front yard parking area will continue to accommodate desired on-site functions and will not negatively impact the streetscape.

Staff are of the opinion that the above-mentioned special provisions that have been proposed by the applicant comply with *The London Plan* and is consistent with the *Planning Act* and the *PPS*.

**4.5 Heritage**

The subject property at 607 Queens Avenue is listed on the Register of Cultural Heritage Resources. The adjacent properties are also included heritage listed and designated properties, including 439 Adelaide Street North (listed on the Register), 442 Adelaide Street North (Banting House, Part IV designated), and 602 Queens Avenue (included within the East Woodfield Heritage Conservation District). Per Policy 565 of The London Plan, a heritage impact assessment is required for new development 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 on the cultural heritage resource and its heritage attributes. The current proposal is based on an additional use with no changes proposed to the form of the existing dwelling, and therefore, no further heritage studies are required.

**Conclusion**

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the property from a Residential R3 /Office Conversion (R3-1/OC5) Zone, to a Residential R3 /Office Conversion Special Provision (R3-1/OC7(\_)) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions.

The recommended action is consistent with the *Provincial Policy Statement, 2020 (PPS)* and conforms to *The London Plan*.

**Prepared by:** Chloe Cernanec  
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:  
Britt O'Hagan, Manager, Current Development  
Michael Pease, Manager, Site Plan  
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 607 Queens Avenue.

WHEREAS 1934643 Ontario Inc. c/o Zelinka Priamo Ltd. has applied to rezone an area of land located at 607 Queens Avenue, 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 607 Queens Avenue, as shown on the attached map comprising part of Key Map No. A107, from a Residential R3/Office Conversion (R3-1/OC5) Zone to a Residential R3/Office Conversion Special Provision (R3-1/OC7(\_)) Zone.
2. Section Number 17.3 of the Office Conversion OC7 Zone is amended by adding the following Special Provisions:

OC7(\_)                      607 Queens Avenue

a. Additional Permitted Uses

- i. Restaurant; eat-in & take-out services

b. Regulations

- |      |  |                          |
|------|--|--------------------------|
| i.   | West Interior Side Yard Setback<br>(Minimum) | 0.0 metres<br>(0.0 feet) |
| ii.  | East Exterior Side Yard Setback<br>(Minimum) | 2.0 metres<br>(6.5 feet) |
| iii. | Landscaped Open Space<br>(Minimum)           | 14%                      |
| iv.  | Parking Area Coverage<br>(Maximum)           | 51%                      |
| v.   | Front Yard Parking                           | 2 spaces                 |

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

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

PASSED in Open Council on November 28, 2023.

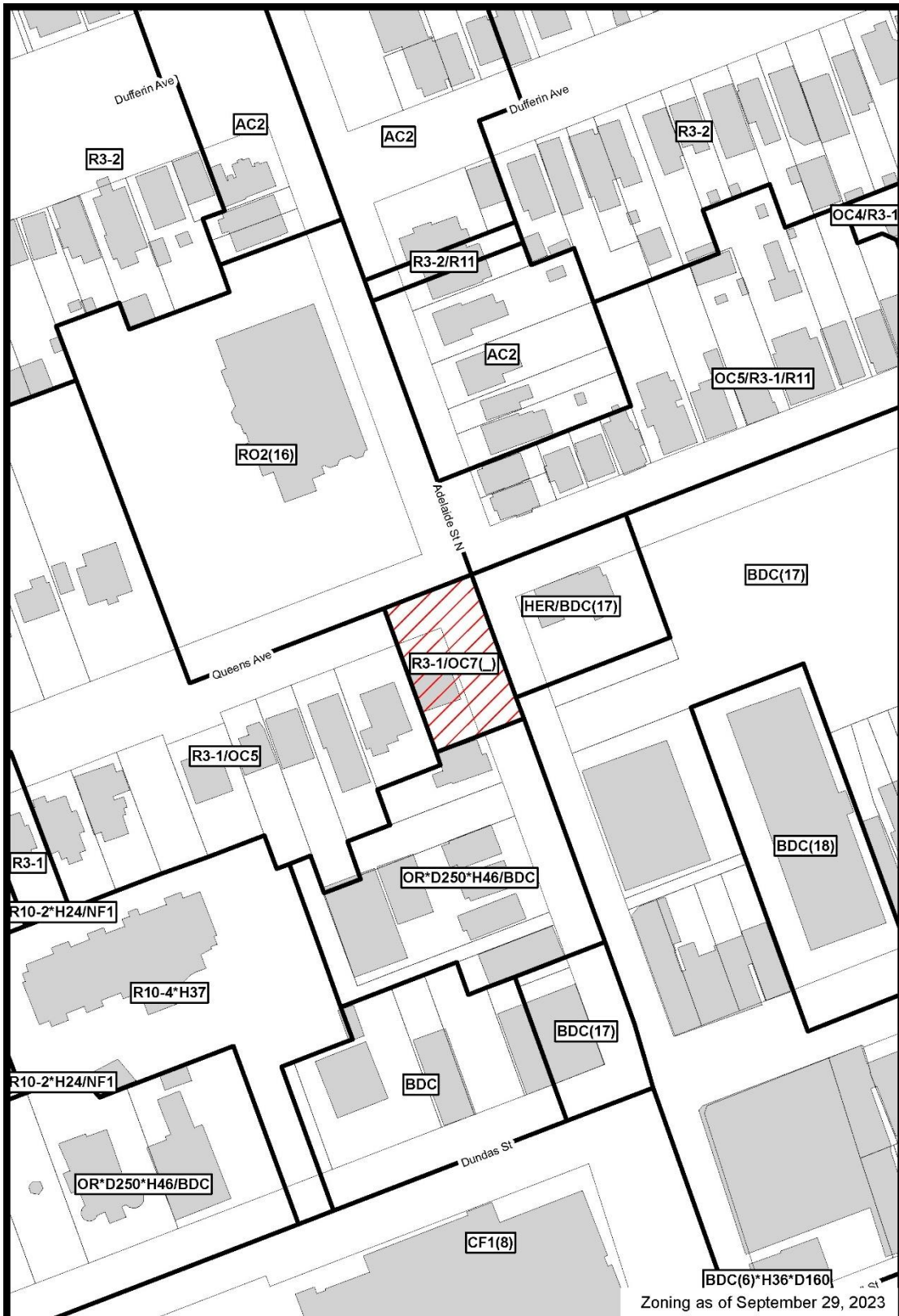
Josh Morgan  
Mayor

Michael Schulthess  
City Clerk




First Reading – November 28, 2023  
Second Reading – November 28, 2023  
Third Reading – November 28, 2023



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



Zoning as of September 29, 2023

<p>File Number: Z-9650                  Planner: CC                  Date Prepared: 2023/10/11                  Technician: RC                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
--	--

Geodatabase

## Appendix B - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Converted Office Use
Frontage	12.5 metres (41.0 feet)
Depth	30.5 metres (100.0 feet)
Area	0.04 hectares (0.09 acres)
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

#### Surrounding Land Uses

North	Offices/Homeless Response Services
East	Offices/the Banting House National Historic Site of Canada
South	Residential
West	Residential

#### Proximity to Nearest Amenities

Major Intersection	Adelaide Street North and Dundas Street, 130m
Dedicated cycling infrastructure	Queens Avenue – bike lane, 0m
London Transit stop	Adelaide Street North, 23m
Public open space	Lorne Avenue Park, 635m
Commercial area/use	Old East Village, 100m
Food store	Bana Food Mart, 130m
Community/recreation amenity	WEAN Community Centre, 253m

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Urban Corridors, fronting a Civic Boulevard
Current Special Policies	Primary Transit Area
Current Zoning	Residential R3 (R3-1)/Office Conversion OC5

#### Requested Designation and Zone

Requested Place Type	Urban Corridors, fronting a Civic Boulevard
Requested Special Policies	N/A
Requested Zoning	Residential R3 (R3-1)/Office Conversion Special Provision (OC7(_)) Zone

#### Requested Special Provisions

Regulation (OC7)	Required	Proposed
Added Use		Restaurant, eat-in & take-out services
Interior Side Yard Setback (west)	1.8 metres	0.0 metres
Exterior Side Yard Setback (east)	6.0 metres	2.0 metres
Landscaped Open Space	30%	14%
Parking Area Coverage	25%	51%
Front Yard Parking		2 spaces

## C. Development Proposal Summary

### Development Overview

The application is proposing to adaptively re-use the existing converted dwelling to develop a restaurant use with eat-in and take-out services on the ground floor, and residential use on the upper floors. Vehicular access to the subject lands is provided via two existing driveways: one access shared with the adjacent property from Queens Avenue, and one from Adelaide Street North. The front yard parking will be used for commercial purposes, while the rear yard parking will accommodate both residential and commercial vehicles.

### Proposal Statistics

Land use	Commercial/Residential
Form	Existing Single-detached Dwelling
Height	3 storeys (10.5 metres)
Residential units	1
Density	1 unit per lot
Gross floor area	N/A
Building coverage	30%
Landscape open space	14%
Functional amenity space	N/A
New use being added to the local community	Yes

### Mobility

Parking spaces	8 surface parking spaces
Vehicle parking ratio	4 spaces per unit
New electric vehicles charging stations	0
Secured bike parking spaces	Short-term bicycle parking rack
Secured bike parking ratio	NA
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	0
Tree plantings	0
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	NA
Existing structures repurposed or reused	Yes
Green building features	No

## **Appendix C – Internal and Agency Comments**

### **Water Engineering – Received September 7, 2023**

- The Owner's Engineer shall confirm that the site's current water service is adequately sized to handle the additional demands of the proposed restaurant and residential units.
- If the current water service is inadequately sized, or composed of lead, it shall be decommissioned to City Standards (cut and capped at the main) and a new water service shall be installed, at the Owner's expense, which conforms to City Standards.

### **UTRCA – Received September 14, 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 September 15, 2023**

- No comments.

### **Urban Design – Received September 25, 2023**

- Provided the new use is limited to the existing building and no changes are being made to the exterior, Urban Design has no comments.

### **London Hydro – Received September 26, 2023**

- 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.

### **Site Plan – Received October 3, 2023**

- No comments.

### **Heritage – Received October 4, 2023**

- Cultural Heritage Context
  - The subject property at 607 Queens Avenue is listed on the Register of Cultural Heritage Resources. The adjacent properties also included heritage listed and designated properties including: 439 Adelaide Street North (listed on the Register), 442 Adelaide Street North (Banting House, Part IV designated), and 602 Queens Avenue (included within the East Woodfield Heritage Conservation District).
- Related Policy
  - Per Policy 565 of The London Plan, a heritage impact assessment is required for new development 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.
- Major Concerns
  - None
  - The current proposal is based on a change in use with no changes proposed to the form of the existing dwelling. If the proposed use does not result in any physical changes to the form of the existing dwelling, no further heritage studies are required.

### **Engineering – Received October 4, 2023**

- Engineering has no concerns and/or comments related to the zoning application at 607 Queens Ave.

### **Ecology – Received October 5, 2023**

- 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

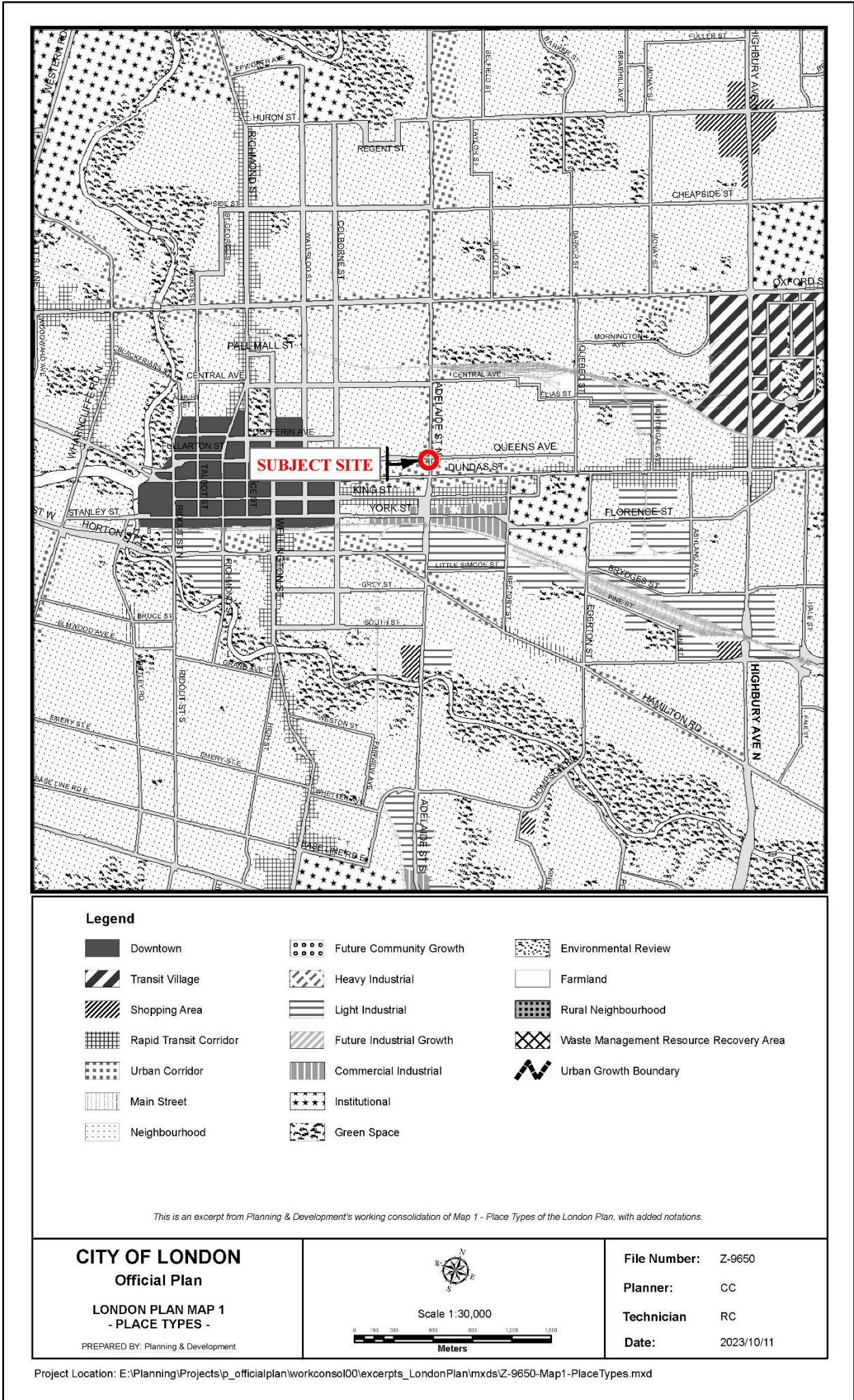


## **Appendix D – Public Engagement**

No public comments were received for this application.

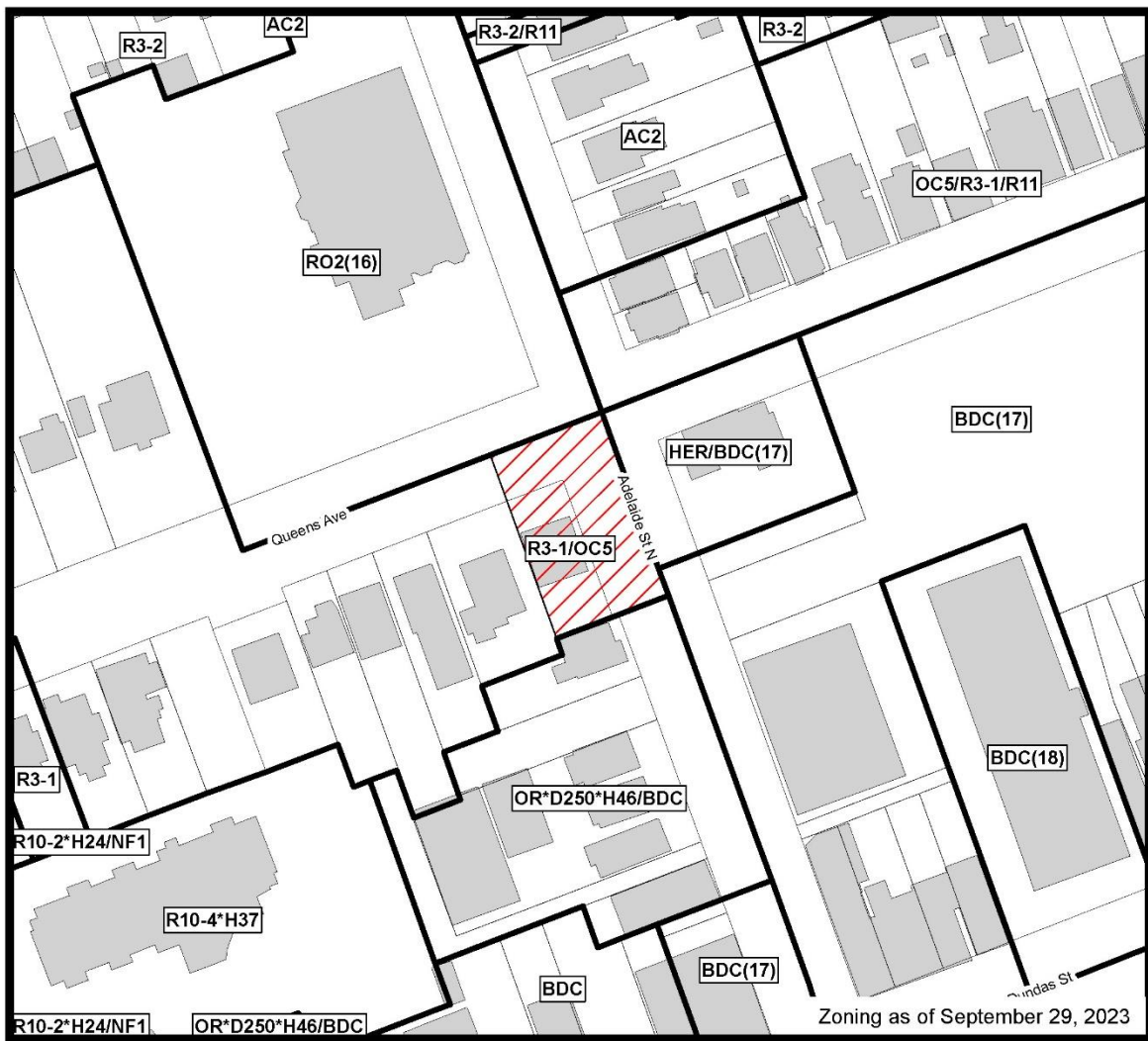
# Appendix E – Relevant Background

## The London Plan – Map 1 – Place Types





# 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"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

## 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-9650

CC

MAP PREPARED:

2023/10/11

RC

1:1,250

0 5 10 20 30 40

Meters

## 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:** Lux Homes Design & Build (c/o SBM Ltd.)  
1990 Commissioners Road East & 2767 Doyle Drive  
File Number: Z-9656, Ward 12  
**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Lux Homes Design & Build (c/o SBM Ltd.) relating to the property located at 1990 Commissioners Road East & 2767 Doyle Drive:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 28, 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 Special Provision (UR4(5)/UR4(7)) Zone, **TO** a Residential R5 Special Provision (R5-7(\_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
  - i) Shift Blocks 1 and 2 to the west and Block 3 to the east to centralize the buildings on the site;
  - ii) Fencing and/or landscaping be provided along the perimeter of the site to ensure adequate buffering is maintained between the subject lands and adjacent residential properties;
  - iii) Additional tree plantings will be required to compensate for loss of trees;
  - iv) Review short-term bicycle parking spaces allocated to the site;

**IT BEING NOTED**, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the *PPS 2020*;
- ii) The recommended amendment conforms to *The London Plan*, including, but not limited to the Neighbourhoods Place Type and Key Directions; and
- iii) The recommended amendment facilitates the development of an underutilized site within the Built Area Boundary with an appropriate form of infill development that provides choice and diversity in housing options.

## 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 Special Provision (UR4(5)/UR4(7)) Zone to a Residential R5 Special Provision (R5-7(\_)) Zone.

### Purpose and the Effect of Recommended Action

The recommended action will permit the development of 3 stacked townhouse buildings, with a total of 72 units at 66 units per hectare.

Staff are recommending approval with special provisions that will facilitate a maximum height of 15 metres, whereas 12 metres is the minimum required, a maximum density of 66 units per hectare, whereas 60 units per hectare is required and for the purposes of

Zoning, Commissioners Road East is to be considered the front lot line.

## 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

None.

#### 1.2 Planning History

B.042/22 & A.018/22 – Consent and subsequent minor variance application seeking to retain the existing home and develop the severed parcel. The application was refused at the Committee of Adjustment to ensure a Zoning By-law amendment was undertaken allowing for the comprehensive review of the subject lands.

#### 1.3 Property Description and Location

1990 Commissioners Road East is located along Commissioners Road East, with frontage on both Commissioners Road East and Doyle Drive, in the Jackson Planning District. The subject lands are irregular in shape with a frontage of 18.0 metres (59.1 feet) along Doyle Drive and 143.46 metres (471.13 feet) along Commissioners Road East, an area of 1.14 hectares (2.82 acres), and are currently developed with an existing single detached dwelling and accessory structures on the west side of the property. The existing topography slopes from west to east, with a significant grade change to the east of the property. The subject lands are also located in the Built area boundary, with predominantly single-detached dwellings in the area.

#### Site Statistics:

- Current Land Use: Single-detached dwelling, accessory structures
- Frontage: 18.0 metres (Doyle Drive) 143.46 metres (Commissioners Road East)
- Depth: metres (feet)
- Area: 1.14 hectares (2.82 acres)
- Shape: irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

#### Surrounding Land Uses:

- North: Single-detached Dwellings
- East: Single-Detached Dwellings
- South: Agricultural uses
- West: Single-detached Dwellings

#### Existing Planning Information:

- Existing The London Plan Place Type: Neighbourhoods Place Type
- Existing Special Policies: N/A
- Existing Zoning: Special Provision Urban Reserve (UR4(5)/UR4(7))

Additional site information and context is provided in Appendix "B".



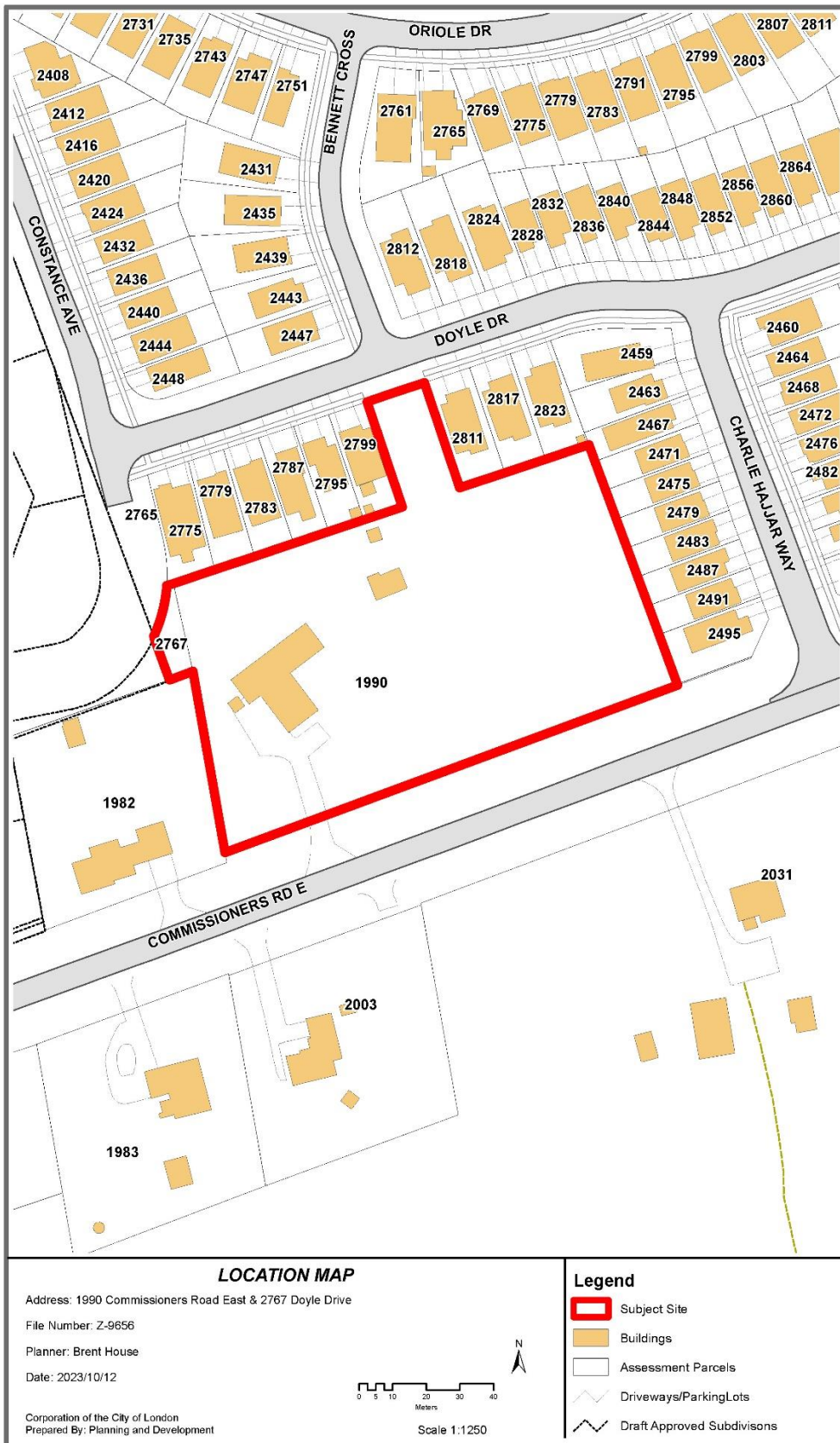


Figure 1- Aerial Photo of Address and surrounding lands



Figure 2 - Streetview of 1990 Commissioners Road East (view looking south)

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The applicant has proposed to redevelop the subject site with medium density residential uses in the form of three stacked townhouse buildings, each containing 24 residential dwelling units. A total of 72 two-bedroom units would be constructed on the 1.14 ha site with an overall unit density of 63 units per hectare (UPH). The three buildings would be oriented along the west, south and east property boundaries, with front doors on both sides of each building. An extensive pedestrian walkway network would connect all dwelling units to the vehicle and bicycle parking areas, outdoor communal amenity area, and garbage collection areas that are all centrally located within the development.

The existing driveway access from Commissioners Road East would be removed and a new vehicle entrance from Doyle Drive would be created. The proposed development will provide for on-site parking, targeting the anticipated market rate of approximately 1.5 spaces for each unit. Landscaping will enhance the development and pedestrian walkways, while creating screening from the abutting streets and adjacent residential uses.

The proposed development includes the following features:

- Land use: Medium Density Residential
- Form: 3 stacked townhouse buildings
- Height: 3.5 storeys (15 metres)
- Residential units: 72
- Density: 66 Units Per Hectare
- Gross floor area: 2,278.5m<sup>2</sup>
- Building coverage: 20%
- Parking spaces: 106 surface parking spaces
- Bicycle parking spaces: 33 outside bicycle parking spaces
- Landscape open space: 51.1%
- Functional amenity space: 511.4m<sup>2</sup>

Additional information on the development proposal is provided in Appendix “B”.



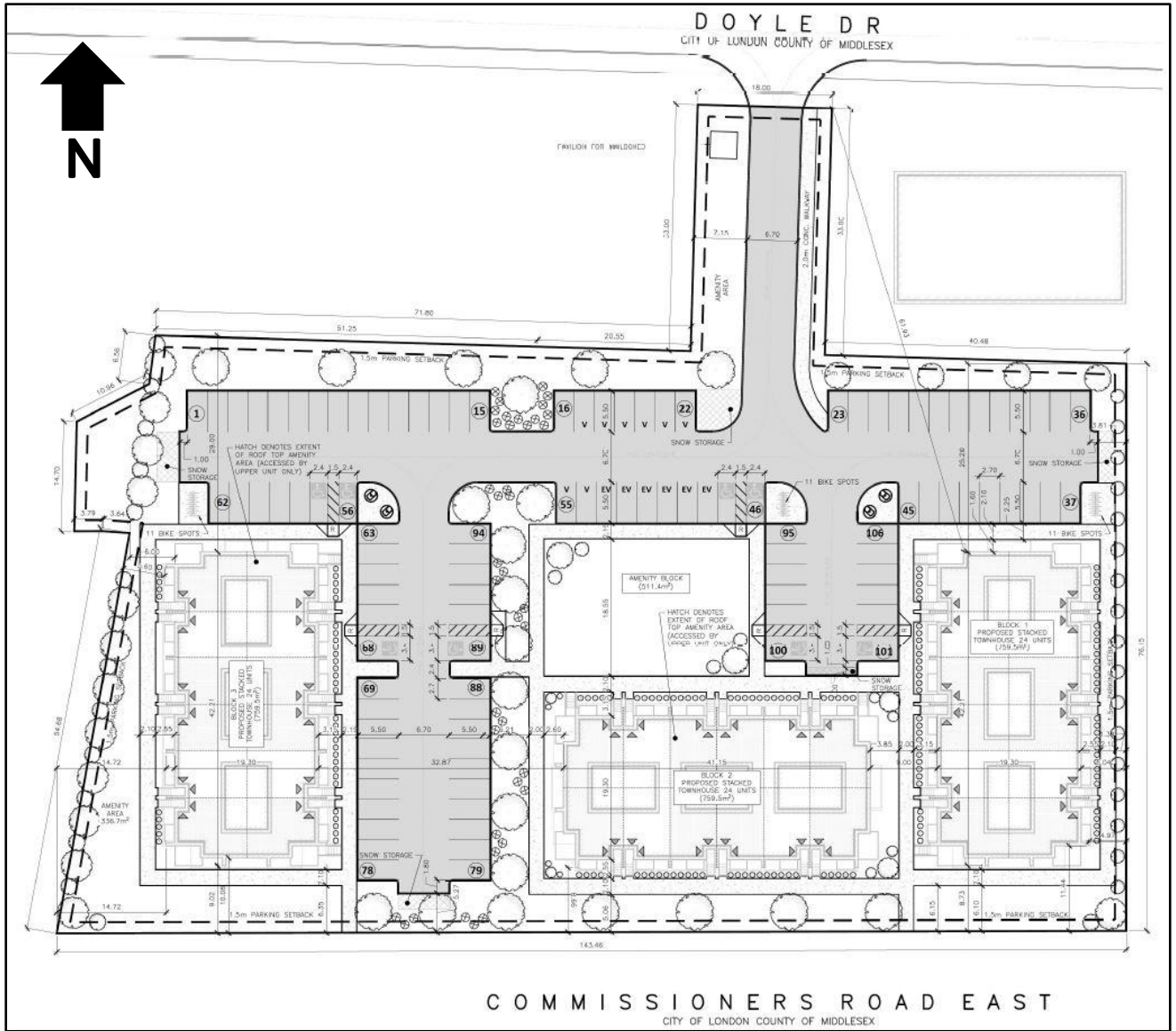


Figure 3 - Conceptual Site Plan (received September 11, 2023)



Figure 4 – Renderings of proposed stacked townhouses (Received September 11, 2023)

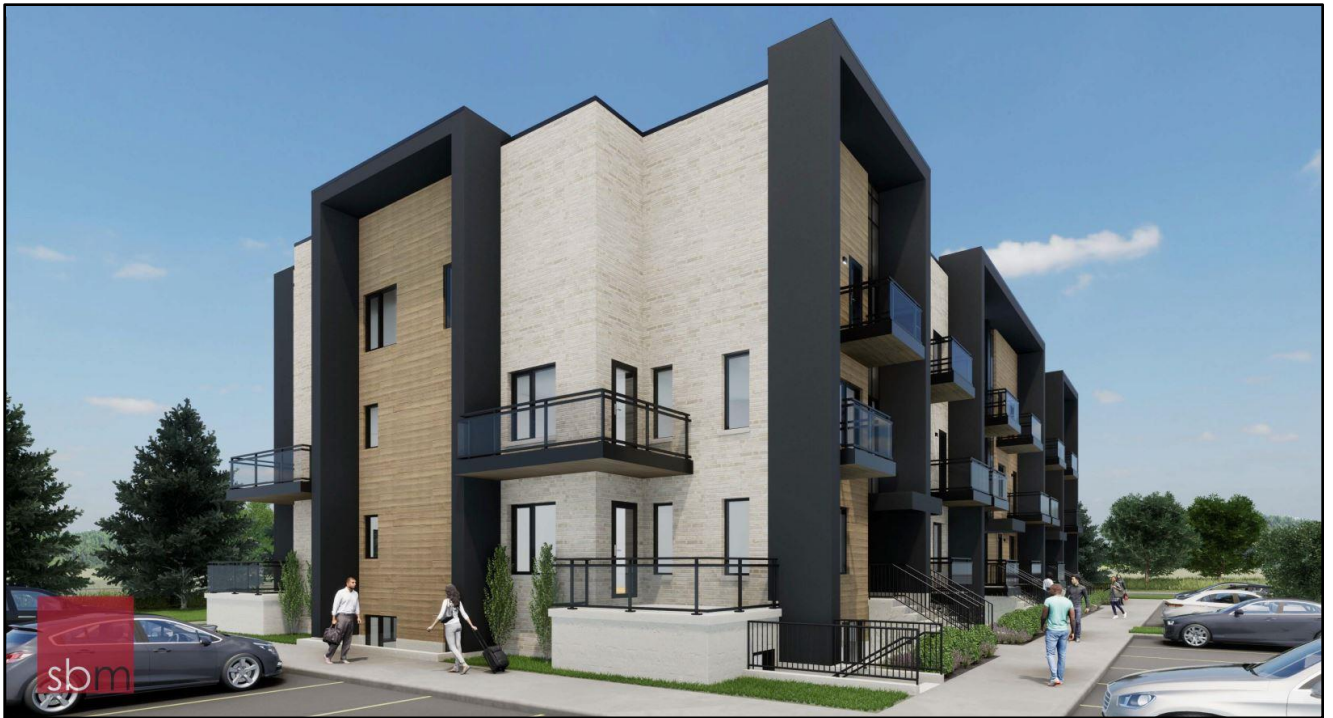


Figure 5 – Renderings of proposed stacked townhouses (Received September 11, 2023)

Additional plans and drawings of the development proposal are provided in Appendix “D”.

## 2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve Special Provision (UR4(5)/UR4(7)) Zone to a Residential R5 Special Provision (R5-7(\_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff. Key issues with the east interior side yard setback are explained under 2.3, below.

Regulation (Zone)	Required	Proposed	Staff Recommended
East Interior Side Yard Setback (minimum)	6.0 metres	4.9 metres	6.0 metres
West Interior Side Yard Setback (minimum)	6.0 metres	5.6 metres	5.6 metres
Height (Maximum)	12 metres	15 metres	15 metres
Density (maximum)	60 units per hectare	66 units per hectare	66 units per hectare
Lot Frontage	Oriented to Dyer Drive	Oriented to Commissioners Road East	Oriented to Commissioners Road East
Architectural Encroachment (Structural or non-structural) (Maximum)	0.5 metres	1.0 metres	1.0 metres

## 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:

- Interior Side Yard Setbacks insufficient for privacy concerns to the east
- Interior Side Yard Setbacks insufficient for grade change and space for services to the west

Detailed internal and agency comments are included in Appendix “D” of this report.

## **2.4 Public Engagement**

On September 18, 2023, Notice of Application was sent to 99 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 20, 2023. A “Planning Application” sign was also placed on the site.

There were zero 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.

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.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1 Land Use**

The proposed residential uses are supported by the policies of the Provincial Policy Statement, 2020 (PPS) that speak to creating healthy, livable and safe communities



(1.1.1). The uses are also contemplated in the Neighbourhoods Place Type where a property is along a Civic Boulevard in The London Plan (Table 10). The proposed stacked townhouse 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 promote housing for all Londoners and to attract a diverse population to the city (TLP 57\_11).

## **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), 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 a maximum height of 4 storeys where a property has frontage on a Civic Boulevard (Table 11). As the applicant has provided heights of 3.5 storeys, the proposed development is in keeping with The London Plan policies.

The proposed residential intensity will facilitate an appropriate scale of development that is compatible with the existing neighbourhood character, directing height and intensity toward the higher order street (TLP\_13). The stacked townhouses are accommodated on a parcel that is of sufficient size to support their use and can provide sufficient setbacks to buffer the neighbouring single-detached dwellings from the higher-order development. The redevelopment of the parcel will facilitate the efficient use of land and existing municipal services, as servicing is available for the proposed uses identified (TLP 953\_2 and 3).

Special provisions to permit a maximum height of 15 metres (3.5 storeys) and a maximum density of 66 Units Per Hectare 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 through a strong internal sidewalk network out to Doyle Drive, a mix of housing types within the neighbourhood in order 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 stacked townhouses proposed are to be situated internal to the site, with buildings being located along the west property line and east property line, and a third building located centrally facing Commissioners Road East. It should be noted while development that is perpendicular to the street is generally not preferred, staff acknowledge that the site is constrained with a large slope on the property sloping from west to east, and a slope down from Commissioners Road East into the site that prevents the buildings being directly oriented east/west and front facing to the Commissioners Road East frontage.

Staff are supportive of the proposed special provisions for height, density and the lot frontage being considered Commissioners Road East opposed to the entrance at Doyle Drive. The increase of height to permit 15 metres, whereas 12 metres is required is in keeping with The London Plan height policies for the Place Type, as the building will remain under the maximum storey count of 4-storeys outlined in Table 10. Increasing the density from 60 UPH to 66 UPH is a relatively minor increase to the current allocated density, and the proposed site layout has identified that the property can accommodate the additional intensity appropriately. Engineering Staff have confirmed that there are municipal services available to accommodate the proposed density.

Identifying Commissioners Road East as the lot frontage for the subject lands is appropriate, as Policy 920\_4 states "Where development is being considered at the

intersection of two streets of different classifications the higher-order street onto which the property has frontage, will be used to establish the permitted uses and intensity of development on Tables 10 to 12.” As Commissioners Road East is the higher-order street and the proposed development is situated with the built edge along the Commissioners Road East frontage, staff are satisfied that utilizing the street frontage as the legal frontage is appropriate.

#### 4.4 Encroachment

Section 4.27 of the Zoning By-law outlines yard encroachments permitted within residential zones and all zones that abut residential zones (Zoning By-law, Section 4.27). The intent of encroachment regulations is to ensure that there are no structural encroachments which would impact adjacent properties. In this case, the increased encroachment for a non-structural feature is for the purpose of providing a decorative wall around each unit within the stacked townhouse development. The London Plan provides design objectives that emphasize a desirable built form to create a sense of place and character consistent with the Place Type (Policy 197\_). The proposed decorative wall will contribute to the built form and will maintain a sufficient interior side yard setback (6 metres) to the main building. The decorative wall helps to ensure sufficient buffering is provided between the units within the proposed stacked townhouse development and to the abutting properties. In addition, the increased maximum interior side yard encroachment requested allows the applicant to incorporate an element of architectural interest to the existing building, whereas the standard maximum projection in the by-law would not provide for enough projection to clearly illustrate the decorative wall.



Figure 6 - Decorative wall architecture feature (outlined in red)

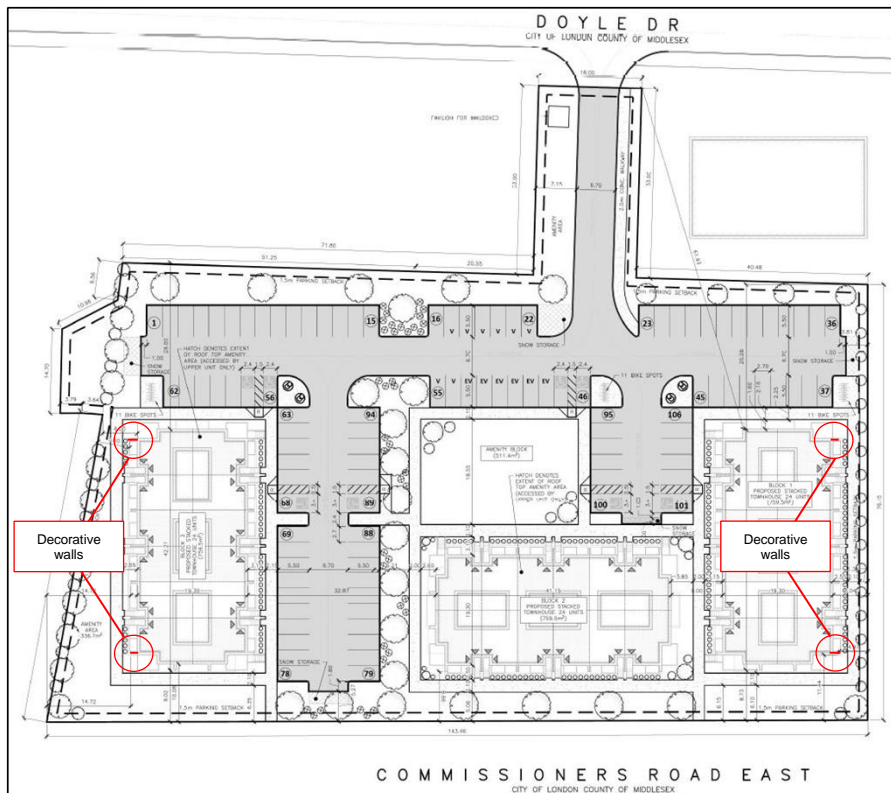


Figure 7 - Site Plan outlining location of decorative walls.

## Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Special Provision Urban Reserve (UR4(5)) Zone to a Special Provision Residential R5 (R5-7(\_)) 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 the development of three stacked townhouse buildings with 72 units, at a density of 66 UPH.

**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

Copy:  
Britt O'Hagan, Manager, Current Development  
Michael Pease, Manager, Site Plan  
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 1990 Commissioners Road East & 2767 Doyle Drive

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 1990 Commissioners Road East & 2767 Doyle Drive, as shown on the attached map comprising part of Key Map No. A114, **FROM** a Urban Reserve Special Provision (UR4(5)/UR4(7)) Zone **TO** a Residential R5 Special Provision (R5-7(\_)) Zone.
2. Section Number 9.4 of the R5 Zone is amended by adding the following Special Provisions:

Residential R5-7(\_) 1990 Commissioners Road East & 2767 Doyle Drive

a. Regulations

- |  |            |
|--|------------|
| i) Height (Maximum)  | 15 metres  |
| ii) Density (Maximum)  | 66 UPH     |
| iii) Architectural Encroachment<br>(Structural or non-structural)<br>(maximum)               | 1.0 metres |
| iv) For the purpose of Zoning, the front lot line is deemed to be<br>Commissioners Road East |            |

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 28, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

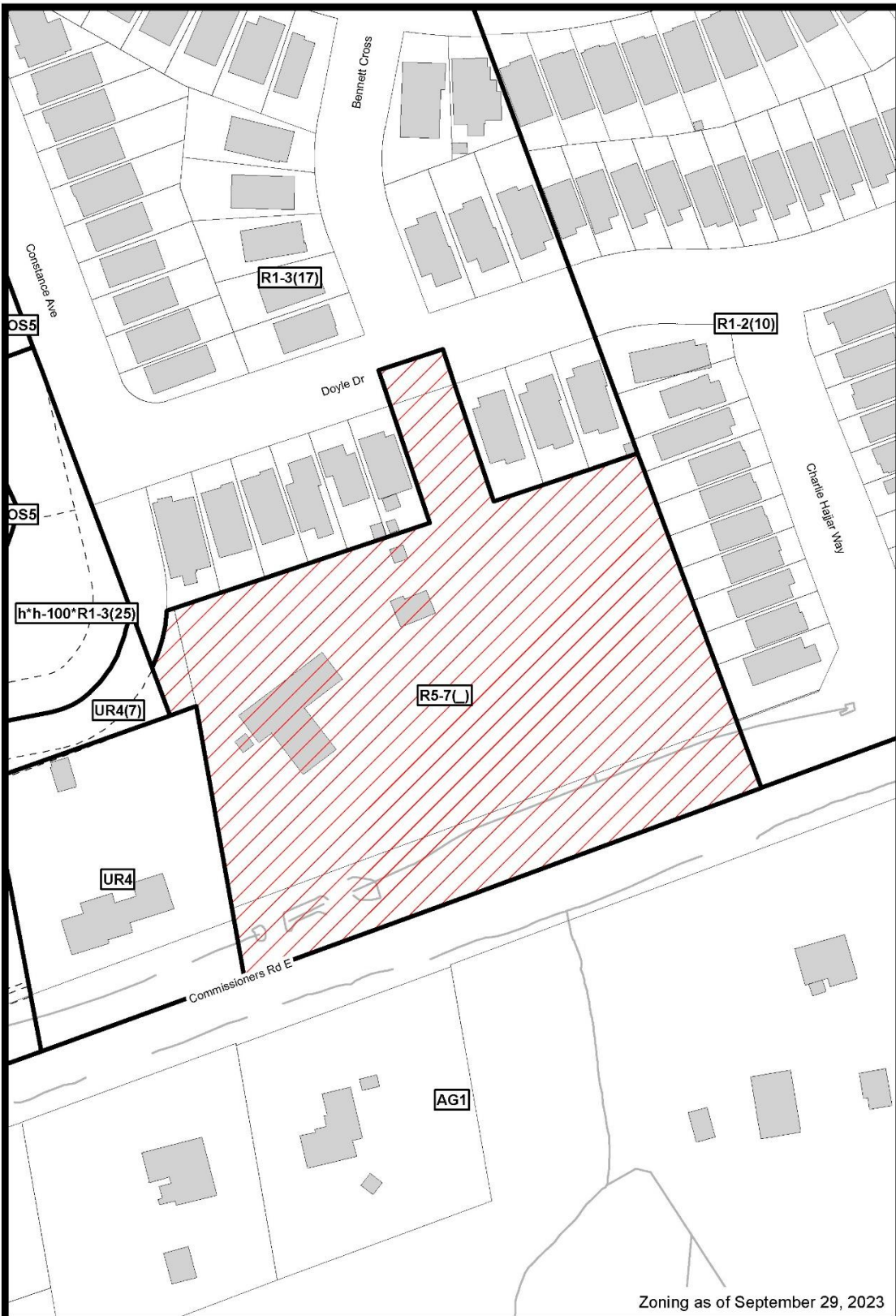
Josh Morgan  
Mayor

Michael Schulthess  
City Clerk


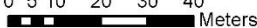

First Reading – November 28, 2023  
Second Reading – November 28, 2023  
Third Reading – November 28, 2023



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



Zoning as of September 29, 2023

<p>File Number: Z-9656                  Planner: BH                  Date Prepared: 2023/10/12                  Technician: RC                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 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	Single detached dwelling and associated accessory uses
Frontage	143.6 metres (471.13 feet) Commissioners Road East 18.0 metres (59.1 feet) Doyle Drive
Area	1.14 hectares (2.82 acres)
Shape	irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Single-detached dwellings
East	Single-detached dwellings
South	Rural Residential dwellings and farmland
West	Single-detached dwellings

#### Proximity to Nearest Amenities

Major Intersection	Commissioners Road East & Hamilton Road, 442 metres
Dedicated cycling infrastructure	Commissioners Road East, 2,762.2 metres
London Transit stop	Hamilton Road at Oriole SB - #2955, 283 metres
Public open space	Sheffield Park, ~200 metres
Commercial area/use	Glen Carin Woods, 3,788 metres
Food store	Food Basics, 3,788 metres
Community/recreation amenity	Glen Carin Arena, 5,100 metres

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods Place Type fronting a Civic Boulevard and Neighbourhood Street
Current Special Policies	N/A
Current Zoning	Urban Reserve (UR4(5)/UR4(7))

#### Requested Designation and Zone

Requested Place Type	Neighbourhoods Place Type fronting a Civic Boulevard and Neighbourhood Street
Requested Special Policies	N/A
Requested Zoning	Special Provision Residential R5-7( )

#### Requested Special Provisions

Regulation (R5-7)	Required	Proposed
Height (maximum)	12 metres	15 metres
Density (maximum)	60 UPH	66 UPH
Lot Frontage	Oriented to Doyle Dr	Oriented to Commissioners Road East
Encroachment (Structural & Non-Structural)	1.5 metres	1.0 metres

## C. Development Proposal Summary

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve Special Provision (UR4(5)/UR4(7)) Zone to a Residential R5 Special Provision (R5-7(\_)) Zone.

### Development Overview

The applicant has proposed to redevelop the Subject Site with medium density residential uses in the form of three stacked townhouse buildings, each containing 24 residential dwelling units. A total of 72 two-bedroom units would be constructed on the 1.14 ha site with an overall unit density of 63 units per hectare (UPH).

### Proposal Statistics

Land use	Residential
Form	3 stacked townhouse buildings
Height	3.5 storeys (15 metres)
Residential units	72
Density	66 UPH
Gross floor area	2,278.52
Building coverage	20%
Landscape open space	51.1%
Functional amenity space	511.42
New use being added to the local community	Yes

### Mobility

Parking spaces	106 surface parking spaces
Vehicle parking ratio	1.5 spaces per unit
New electric vehicles charging stations	6 spaces
Secured bike parking spaces	77
Secured bike parking ratio	1.06 spaces per unit
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	22
Tree plantings	50
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



Zoning as of September 29, 2023



**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:

Z-9656

BH

MAP PREPARED:

2023/10/12

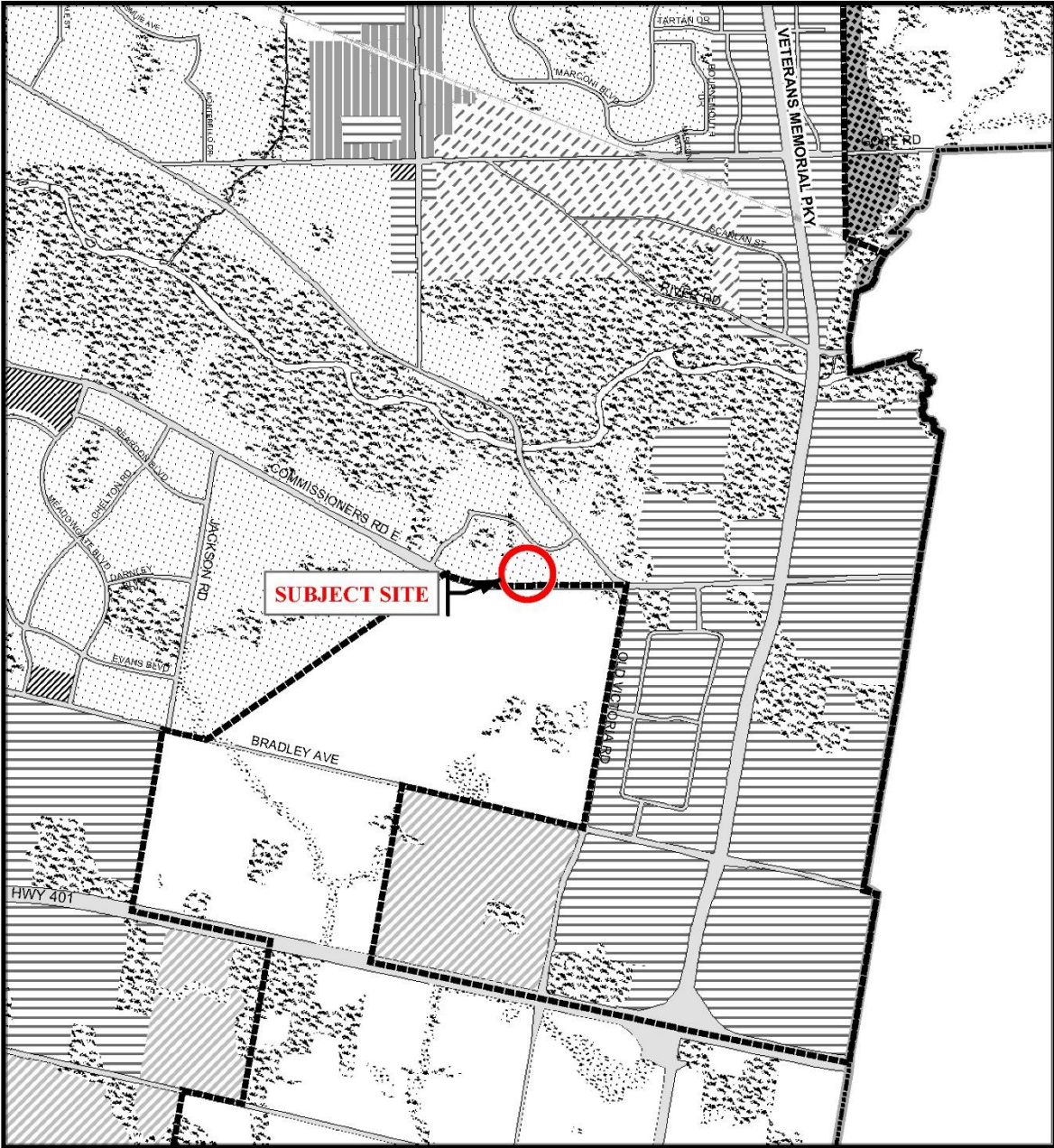
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0 5 10 20 30 40

Meters





**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><b>CITY OF LONDON</b>  <b>Official Plan</b>  <b>LONDON PLAN MAP 1</b>  <b>- PLACE TYPES -</b>          PREPARED BY: Planning &amp; Development</p>	<p>Scale 1:30,000          0 150 300 600 900 1200 1500          Meters</p>	<p><b>File Number:</b> Z-9656  <b>Planner:</b> BH  <b>Technician:</b> RC  <b>Date:</b> 2023/10/12</p>
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Project Location: E:\Planning\Projects\p\_officialplan\workconsolid\00\excerpts\_LondonPlan\mxds\Z-9656-Map1-PlaceTypes.mxd



## Appendix D – Internal and Agency Comments

### *Engineering*

Engineering has no requirements for a complete re zoning application. The grade differential on the west portion of the site will need to be addressed at site plan.

#### **Comments to be addressed at Site Plan:**

##### **COMPLETE SUBMISSION REQUIREMENTS:**

- Site servicing and grading drawings including TMP and ESC measures;
- Servicing Report including SWM, sanitary, water servicing strategies;

##### **SITE PLAN ENGINEERING COMMENTS:**

- A Servicing and Lot Grading Plan will be required for the subject property. The site servicing and grading plans are to show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, watermains, utilities, easements etc. Should a private drain connection(s), or other works be installed on a City street to service this site. Details of these works including restoration of the City street are to be shown on the site servicing plan or a separate drawing to City standards.
- The Owner is required to obtain all necessary and relevant permits and approvals such as MECP Approvals, Permits for Approved Works (PAWS), UTRCA Section 28 etc.
- A security estimate will be required for all internal and external works.
- Consideration of the topographic nature of the site. Retaining walls may be required to address the 10.0m grade difference from west to east. Ensure walls are located fully on the subject site and existing drainage from 1982 Commissioners is maintained and accommodated within the SWM design.
- For back to back townhomes, private servicing (water, san) is required along the frontage of the units, with each unit being provided with individual service connections. Ensure there is enough setback from property line to accommodate the private servicing and future excavations all within the subject site and not impacting adjacent properties.

##### **SEWER ENGINEERING COMMENTS:**

- The municipal sanitary sewer available to service the subject site is a 200 mm diameter sanitary sewer on Doyle Drive.
- City as-constructed drawing T13502-15 shows information related to the municipal sanitary sewer and private drain connection. The applicant is responsible to field verify this information.
- City as-constructed drawings T13502-04 and T13502-07 indicate the allocated land use and population intended for the subject lands and the applicant is to adhere to these guidelines.

##### **WATER ENGINEERING COMMENTS:**

- Water is available to service the subject site via the municipal 200 mm PVC watermain on Doyle Drive.
- A Water report is required to be submitted which includes water demand, water turnover and fire flows.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.

##### **STORMWATER ENGINEERING COMMENTS:**

- As per City as-constructed drawings T13502-02 and T13502-03, the site (at C=0.65) is tributary to the existing 450 mm storm sewer lead to the onsite CBMH.
- As per the Accepted Old Victoria East Subdivision - South Parcel Subdivision, the existing stub is for the entire lands. Therefore, the expectation is that the proposed site would accommodate the minor and major storm system for the future lands to the west (currently single family).
- All storm servicing (major/minor) are to be directed internally and towards the private road.

- Roof runoff should be direct to the controlled areas within the site, and not included as uncontrolled flow.
- The (current/proposed) land use of a (medium/high density residential, commercial, institutional, light industrial, industrial, etc...) will trigger(s) 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 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 70% TSS removal to the satisfaction of the City Engineer. Applicable options are outlined in the Stormwater Design Specifications & Requirements Manual which include, but are not limited to the use of oil/grit separators or any LID filtration/infiltration devices.
- 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.

General comments for sites within South Thames Subwatershed:

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

TRANSPORTATION ENGINEERING COMMENTS:

- A TMP is required for any work in the City ROW, including any servicing, restoration, proposed construction, etc. To be reviewed as part of a PAW submission;
- Provide Engineering Plans showing existing infrastructure, include utility poles/boxes, fire hydrants, light standards, etc.;
- Ensure proposed accesses meets minimum clearance requirement of 1.5m from any infrastructure and 2.0m from communication boxes;
- As per City's Access Management Guideline (AMG), provide minimum 6.7m wide access with 6.0m curb radii;
- Access should be aligned with Bennett Cross, street across the road;
- Ensure City sidewalk, curb and gutters are continuous and level across access driveways and constructed as per City standards;
- Given the size of development, it is recommended provide loading bay for the movers and that can also be utilized for deliveries.

***Heritage***

Please be advised that heritage planning staff recognize the conclusion of the report that state: "No archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended."

An Ontario Ministry of Citizenship and Multiculturalism (MCM) archaeological assessment acceptance letter has also been received, dated June 8, 2023 (MCM Project Information Form Number P1289-0373-2022, MCM File Number 0018276). Archaeological conditions can be considered satisfied for this application.

### ***Landscaped Architecture***

The Development and Planning Landscape Architect does not support the reduced east and west side yard setback. Sufficient volume of soil must be provided to support tree growth, as required in Site Plan Control Bylaw and to meet canopy goals of the London Plan and the Urban Forest Strategy. London Plan Key Direction #4, is for London to become one of Canada's greenest Cities.

The side yards must accommodate fencing, retaining walls, drainage features [above and below ground] and tree planting. Reduced setbacks will cause conflicts. Tree planting is essential to provide privacy to residential properties to the east.

### ***Parks Planning***

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

1. Major Issues
  - None.
2. Matters for OPA/ZBA
  - None.
3. 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.

### ***Site Plan***

1. Major Issues
  - None.
2. Matters for OPA/ZBA
  - Should Commissioners Road East be requested to be the front lot line for zoning purposes, a special provision is required. Should the lot frontage remain Dyer Drive, a special provision is required to permit a reduced lot frontage. A copy of the draft Zoning Referral Form provided to the applicant is attached.
  - It is noted that the EV parking stalls do not count towards the overall required parking for the site but are noted and appreciated by Site Plan staff.
  - Ensure all sidewalks abutting parking stalls are a minimum of 2.1 metres and the drive-aisle width is maintained at 6.7 metres
  - The applicant is encouraged to shift Block 2 to the west to centralize the building in the site. This will assist in achieving the minimum required landscape buffer of 1.5 metres along the east and west property boundaries (as per the Site Plan Control By-law) and to provide parking within the interior of the site that is screened from Commissioners Road East.
3. Matters for Site Plan
  - All matters identified in the Record of Site Plan Consultation still apply and are to be addressed through the Site Plan Approval process.

### ***Urban Design***

Matters for ZBA:

- 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 generally supportive of the proposed development, and recommend the following be addressed:
  - Ensure the proposed side yards are adequately sized so they do not negatively impact the adjacent low density residential development and are sufficient enough to allow for landscaping and buffering [TLP 253];

**Matters for Site Plan:**

- Confirm the locations and details of any retaining walls, especially along the Commissioners Road E frontage. If retaining walls along this frontage cannot be avoided due to site grading, ensure they are as low as possible and incorporate terracing and/or landscaping.
- Include enhanced elevations for the units flanking Commissioners Road E by including the same amount of architectural detail on flanking side as is found on the front (size and number of windows, materials, articulation, etc.) to avoid blank walls along the street [TLP 291];
- Include enhanced landscaping to screen the surface parking area from Commissioners Road E [TLP 278];
- Ensure the proposed pedestrian network is interconnected and connects between all buildings and the public sidewalks on Doyle Drive and Commissioners Road E [TLP 255];
- Provide a full-set of dimensioned elevations for all sides of the proposed buildings. Further comments may follow upon receipt of the elevations.

**UTRCA**

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

## **Appendix E – Public Engagement**

No Public Comments received during the commenting period process.



## 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:** Highland Communities Ltd.  
978 Gainsborough Road  
File Number: OZ-9247, Ward 7

**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Highland Communities Ltd. relating to the property located at 978 Gainsborough Road:

- (a) the request to amend the Official Plan, The London Plan, for the City of London by **AMENDING** a site-specific policy for the Neighbourhoods Place Type to allow a maximum density of 370 units per hectare and a maximum height of 17-storeys, **BE REFUSED**;
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands **FROM** a Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7(17).H50) **TO** a Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7( ).H60) Zone to permit the development of two, 17 storey residential apartment buildings interconnected by a 6-storey podium with a total of 481 residential units, **BE REFUSED**;

**IT BEING NOTED** that the above noted requested amendments are being recommended for refusal for the following reasons:

- i) The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations and encourages sustainable and transit-oriented communities.
- ii) The proposed development does not conform to the Official Plan, The London Plan, for the City of London including, but not limited to, the Key Directions, City Design policies, Intensity and Form policies of the Neighbourhoods Place Type, and Our Tools policies.
- iii) These lands were recently subject of a site-specific appeal to The London Plan where the Ontario Land Tribunal determined, in May 2022, to allow a site-specific policy to permit 17-storeys and a density of 150 units per hectare to acknowledge the existing 2013-approved zoning on the site, where the High Density Residential overlay would only permit up to 12 storeys in height.
- iv) The proposed increase to 370 units per hectare would further deviate from the planned function of the Neighbourhoods Place Type without planning or policy justification and does not meet the evaluation conditions of Specific Area Policies in The London Plan, including not being sufficiently unique to not establish an argument of precedent for similar exceptions for high-density, high-rise buildings outside of the Built Area Boundary.
- v) The existing site-specific policy and in-force zoning on the property already allow for a significant amount of development to occur on the site, including a residential tower in addition to other mid-rise and low-rise forms.
- vi) The property does not currently have public street frontage or a long-term access or servicing solution and associated easements in place.
- vii) The subject site with the proposed intensity and form, given its location outside the Primary Transit Area and Built Area Boundary, is not appropriate and is not good planning.

## Executive Summary

### Summary of Request

The applicant has requested to amend a site-specific policy within the Neighbourhoods Place Type to allow a maximum density of 370 units per hectare, where 150 units per hectare is permitted through a recent decision of the Ontario Land Tribunal, and to maintain the maximum height of 17-storeys.

The applicant has also requested to rezone the subject site **FROM** Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7(17).H50) **TO** a Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7( ).H60 Zone to permit the development of two, 17 storey residential apartment buildings interconnected by a 6-storey podium with a total of 481 residential units.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the request to amend Specific Policy Area 1077C\_4. of The London Plan and rezone the subject lands to a Residential R9 Special Provision (R9-7(\_)) Zone to facilitate the development of two, 17 storey residential apartment buildings at a density of 370 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

Hyde Park Community Plan, December 15, 1999

Z-7399 – Planning Committee Report, December 10, 2007, and January 14, 2008

Z-8178 – Planning Committee Report, August 20, 2013, and November 26, 2013

#### 1.2 Planning History

December 2013, Council approved a Zoning By-law amendment to permit two 15-storey apartment buildings at a maximum height of 50 metres and density of 150 units per hectare. Special provisions were also approved to allow for the reduction of the easterly side yard to 12 metres and a maximum projection into the required yard for apartment balconies to a maximum of 3 metres. Three holding provisions were also included to ensure that access and sanitary servicing concerns are addressed prior to the development of the site and that public site plan be required. This Zoning By-law amendment was approved under the framework of the 1989 Official Plan, prior to The London Plan being adopted by Council in 2016.

Through the development of The London Plan, the property was designated Neighbourhoods. The London Plan also identified the site on Map 2 – High Density Residential Overlay, which acknowledges properties that were previously zoned for high density, but no longer conform to the framework of The London Plan. London Plan policy 958 states that up to 12 stories in height and 150 units per hectare may be permitted for properties in the High-Density Residential Overlay outside of the Primary

Transit Area.

December 2021, a report was tabled for Planning Committee to refuse a Zoning By-law amendment to permit two, **20-storey**, apartment buildings interconnected by a 4-storey podium, with a total of 373 residential units, 477 parking spaces, and a density of **287 units per hectare**. The applicant requested a deferral of the application to revise the application to address staff's and public concerns.

As part of The London Plan appeals and settlements in May 2022, Site Specific Policies in the High Density Residential Overlay were added for many properties, including the subject site, to specifically protect for the height and density currently permitted through zoning where it is no longer consistent with The London Plan, including the High Density Residential Overlay policies. The argument was accepted that the current 50 metre zoned height could accommodate 17 storeys. The site-specific policy for the subject property is:

*1077C\_4. For the lands located at 978 Gainsborough Road, a maximum density of **150 units per hectare** and a maximum height of **17 storeys** will be permitted.*

The current revised application was submitted in May 2023, requesting an Official Plan and Zoning Bylaw amendment to permit **two 17-storey** apartment buildings, 60 metres tall, interconnected by a 6-storey podium, with a total of 476 residential units and a density of **370 units per hectare**.

### 1.3 Property Description and Location

The subject lands are located south-east of Hyde Park Road and Gainsborough Road within the Hyde Park Hamlet area. Currently, the site is undeveloped and is surrounded by a 14-storey apartment building to the south, undeveloped lands and residential use to the east, commercial use to the north, and a single detached dwelling and commercial use to the west. The site does not have street frontage and access is proposed through a future private laneway.



Figure 1: Subject site and surrounding context





Figure 2: Apartment building and townhomes to the south



Figure 3: Office to the north

As mentioned previously, to the west is a single detached dwelling located at 1006 Gainsborough Road. This property is listed on the Register, however, has not been evaluated using Ontario Heritage Act Regulation 9/06.



Figure 4: Listed Property at 1006 Gainsborough Road

**Site Statistics:**

- Current Land Use – undeveloped
- Frontage (on future private laneway) – 131.5m



- Depth – 87.3m
- Area – 1.3 ha
- Shape – rectangular
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No

### Surrounding Land Uses:

- North – commercial use
- East – undeveloped property and residential use
- South – apartment building and townhomes
- West – singled detached dwelling and commercial use

### Existing Planning Information:

- Existing London Plan Place Type: Neighbourhoods Place Type, no street frontage
- Existing Special Policies: High Density Residential Overlay, Hyde Park Community Plan
- Existing Zoning: Holding Residential R9 Special Provision (h-5\*h-11\*h-17\*R9-7(17)\*H50)

Additional site information and context is provided in Appendix A.

## 2.0 Discussion and Considerations

### 2.1 Initial Proposal

The initial proposal submitted in July 2020 consisted of two, 20 storey residential apartment buildings interconnected by a 4-storey podium with a total of 400 residential units.

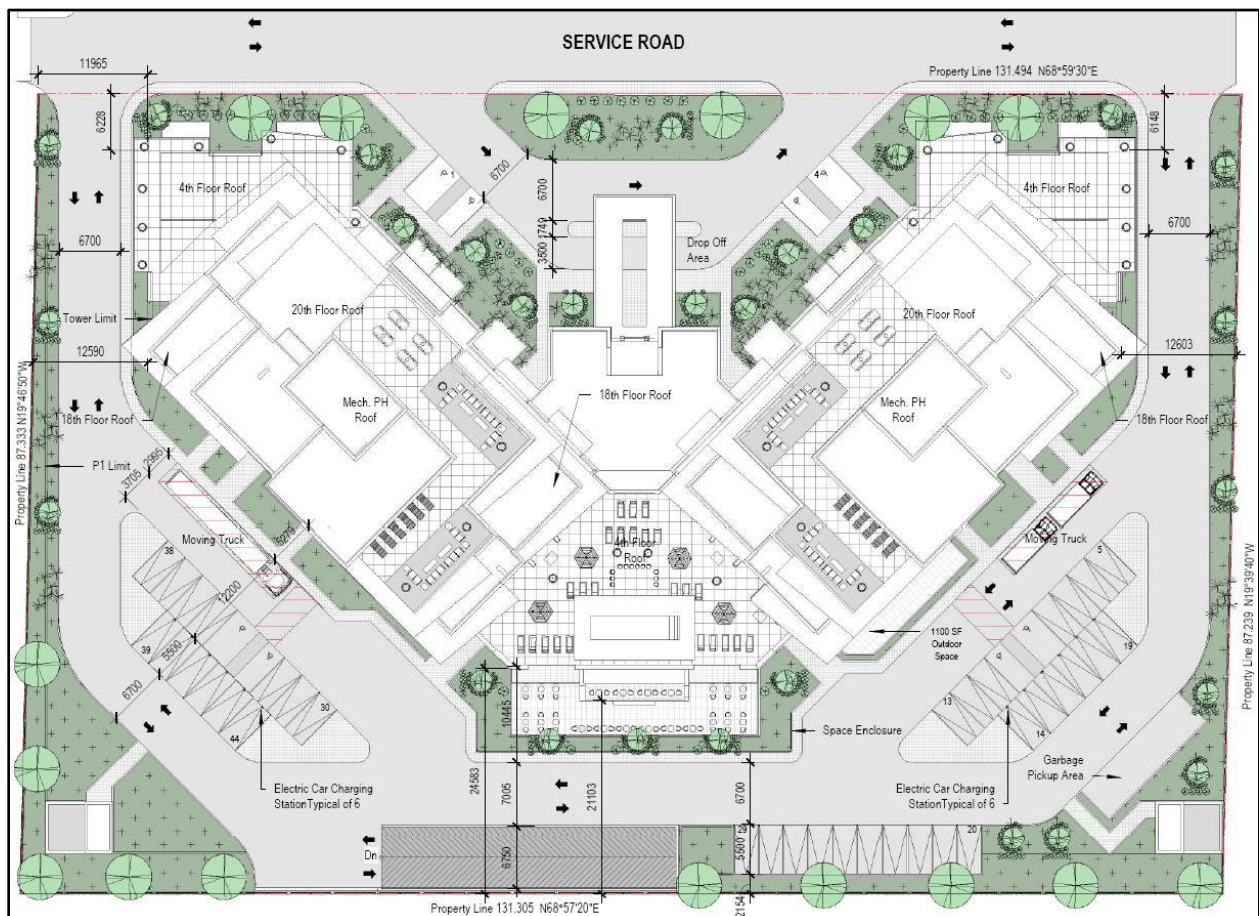


Figure 5: Initial Site Plan (July 2020)





Figure 6: Initial Design (20-storeys with a density of 308 uph) – Front Rendering

This application was revised and consisted of two, 20-storey residential apartment buildings interconnected by a 4-storey podium with a total of 373 residential units and a density of 287 units per hectare.

Vehicular access was proposed to be provided from a single, full-turn driveway through the adjacent property at 982 Gainsborough Road, in the interim. The long-term access was proposed to be from a private rear laneway system located to the north of the proposed development that will ultimately connect with the north leg of Sophia Crescent, extend westerly, and continue south along the rear of properties fronting on Hyde Park Road. A 12m public access easement will be established over the laneway, which is anticipated to extend through the subject lands.

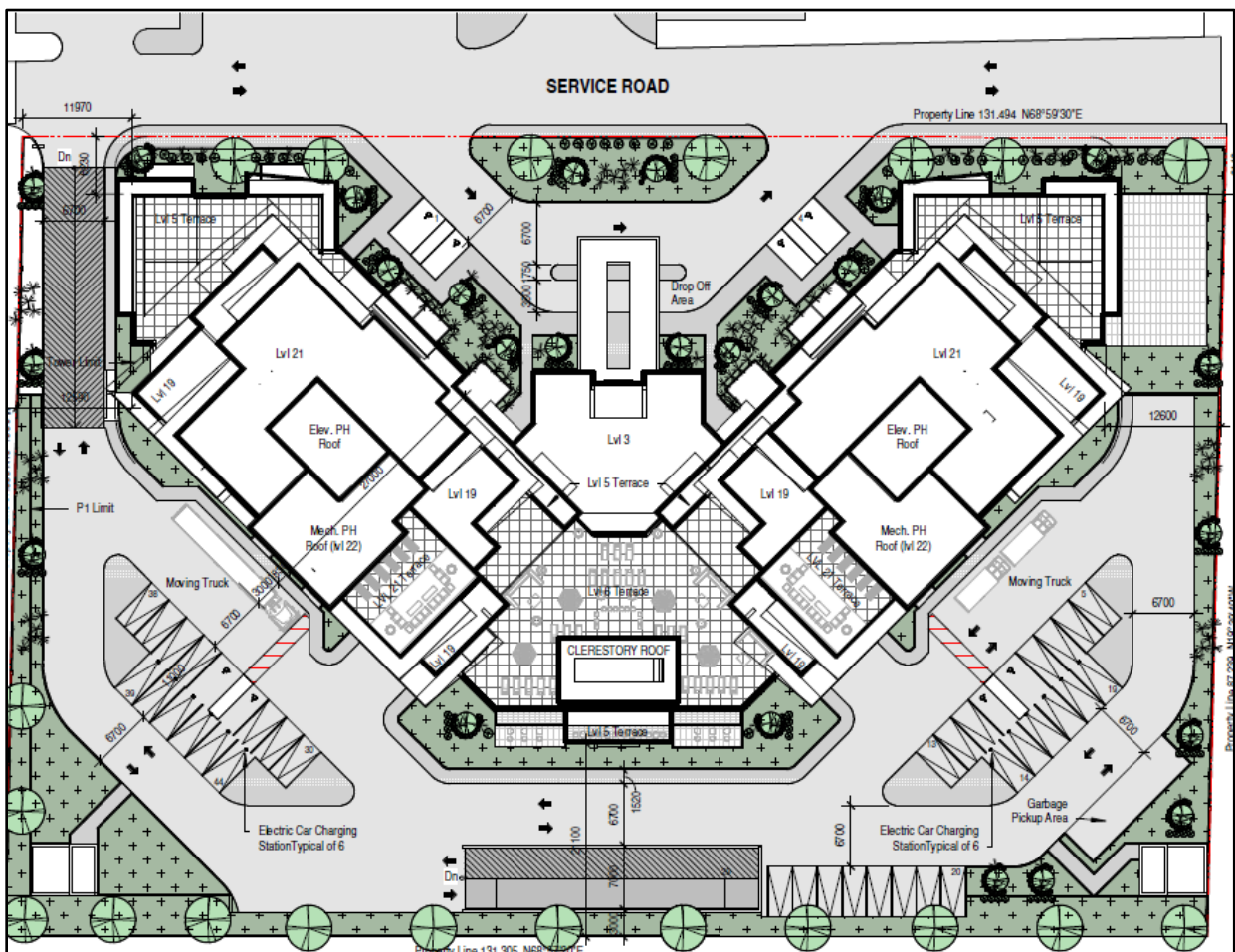


Figure 7: Revised Site Plan





Figure 8: Revised Proposal (20 storeys with a density of 287 uph) – Front Rendering

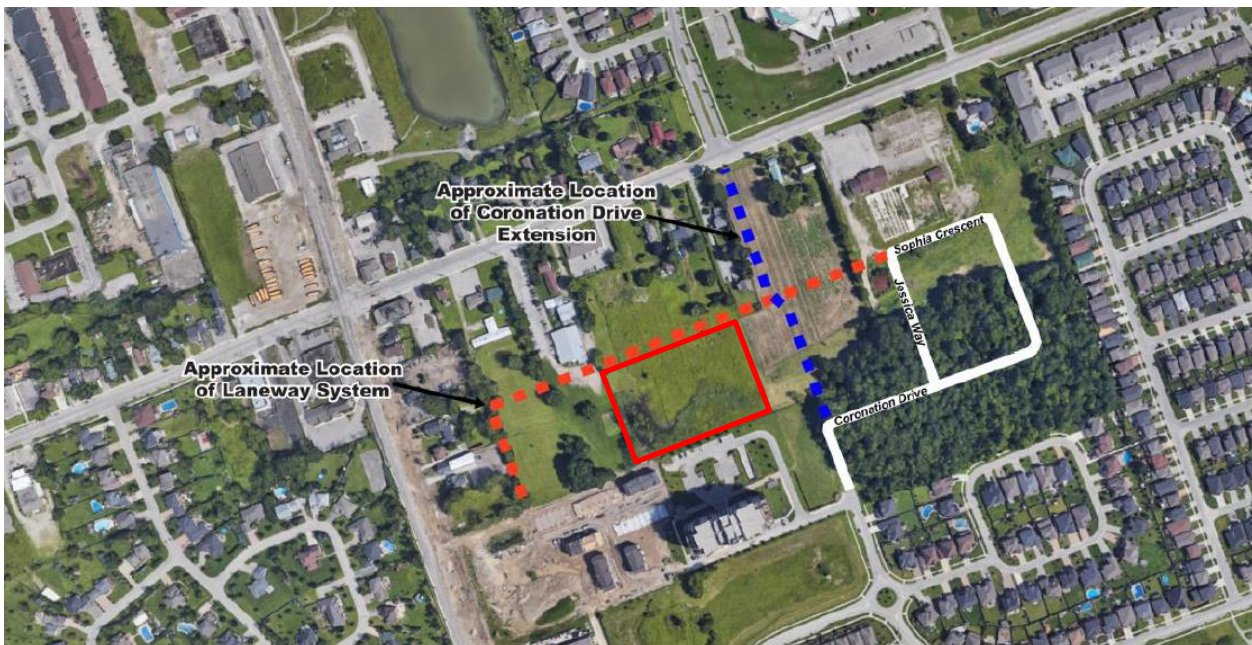


Figure 9: Planned rear lane and Coronation Drive connection

Through the review of the application, staff raised several concerns with respect to the proposed intensity and form of the site. In addition, the number of special provisions required to facilitate the proposed development were concerning, as these can often be indicative of overdevelopment.

## 2.2 Current Proposal

The current proposal (third submission) consists of two, 17-storey residential apartment buildings interconnected by a 6-storey podium with a total of 481 residential units and a density of 370 units per hectare.

Vehicular access will continue to be provided via Gainsborough Road through 982 Gainsborough Road (via easement), until such time that a future private laneway along the north property line will provide public access to the surrounding area. Two, two-way driveways along the east and west side of the subject lands are provided. Parking is provided via two levels of underground parking and within five levels of the 6-storey podium.

A total of 506 parking spaces are provided, which consists of 494 standard parking spaces and 12 barrier-free parking spaces. A total of 356 parking spaces are located in two levels of underground parking. The remaining 150 parking spaces are located within the first five levels of the podium. A total of 503 bicycling parking spaces are provided within both the underground parking garage and the podium, and external to the



building.

The proposed development includes the following features:

- Land use: Residential
- Form: Apartment buildings
- Height: 17 storeys
- Residential units: 481
- Density: 370 units / hectare
- Building coverage: 38%
- Parking spaces: 506
- Bicycle parking spaces: 474 internal, 56 external
- Landscape open space: 30.7%

Additional information on the development proposal is provided in Appendix A.

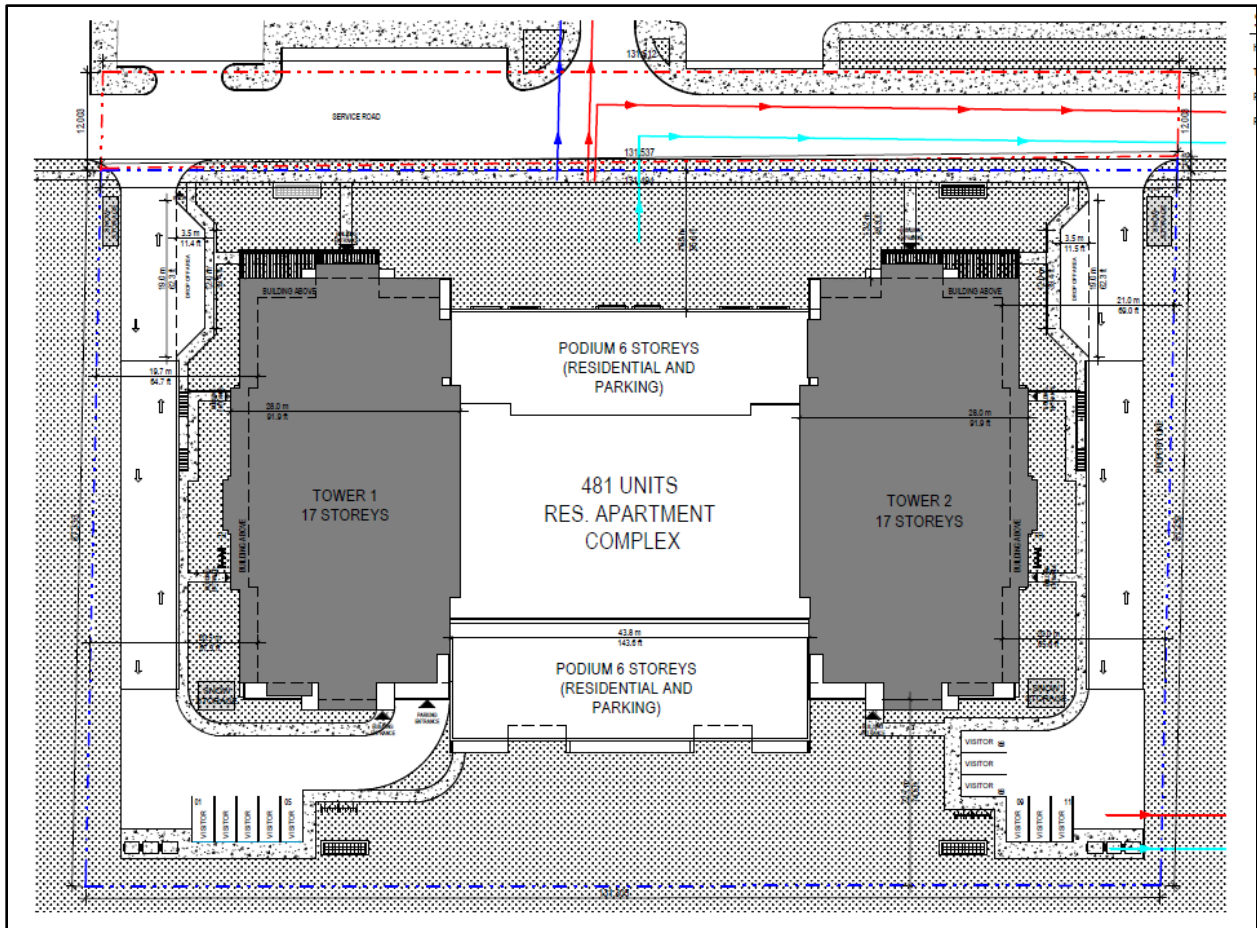


Figure 10: Current Site Plan



Figure 11: Current Proposal – Front / North Rendering

## 2.3 Summary of Proposal Changes

Date	Height	Units	Density	Parking
2013 (ZBA Approved)	15 storeys (50m)	195	150	-
January 2020 (ZBA)	20 storeys	400	308	477
October 2021 (ZBA Revised, Referred Back)	20 storeys	373	287	477
May 2022 (OLT Decision)	17 storeys	195	150	-
May 2023 (OZ Revised)	17 storeys (60m)	476	370	506

## 2.2 Requested Amendment(s)

The initial proposal submitted in July 2020 consisted of two, 20 storey residential apartment buildings interconnected by a 4-storey podium with a total of 400 residential units. Subsequently, this was revised to request two, 20-storey, apartment buildings interconnected by a 4-storey podium, with a total of 373 residential units at a density of 287 units per hectare, and 477 parking spaces. Through both concepts there was also a request to add a Bonus Zone for the increased density.

In May 2023, the applicant revised the requested amendment. The revised application requested to amend an existing site-specific policy, which was approved by OLT decision in May 2022, to allow a maximum density of 370 units per hectare, where 150 units per hectare is permitted, and maintain the existing maximum height of 17-storeys on the subject lands.

The applicant further requested to rezone the subject site from Holding Residential R9 Special Provision (h-5.h-11.h-17.R9-7(17).H50) to a Holding Residential R9 Special Provision (h-5.h-11.h-17.R9-7( ).H60 Zone to permit the development of two, 17 storey residential apartment buildings interconnected by a 6-storey podium with a total of 481 residential units. Special Provisions include: a minimum westerly interior side yard setback of 18.0m whereas 21.2m is required; a minimum rear yard setback of 17.5m whereas 21.2m is required; a maximum building height of 60.0m whereas 50.0m is permitted; a maximum lot coverage of 38% whereas 34% is permitted; and, a maximum density of 370 UPH whereas 150 UPH is permitted.

## 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:

- Access
- Private road
- Servicing
- Site functionality and design
- Intensity
- Parking

Detailed internal and agency comments are included in Appendix B of this report.

## 2.4 Public Engagement

Public notice was provided as part of the initial application on January 22, 2020, a revised notice of application for the second submission was provided on October 8, 2021.

There were 50 written comments received during the current proposal circulation. A summary of comments and concerns include the following:

- Shadow and wind effects
- Light

- Noise
- Increased traffic and pedestrian safety
- Height and density
- Too big for site and numerous changes required
- Access
- Buffering
- Sufficiency of Servicing Infrastructure
- Obstruction of view
- Type of tenancy
- Loss of property value
- Quality of life
- Does not meet the policies of the 'Neighbourhoods Place Type'

Further to the revised application sent out May 2023, there have been an additional 8 written comments received which oppose the development and include similar concerns as listed above.

Detailed public comments are included in Appendix C of this report.

## **2.5 Policy Context**

### ***The Planning Act and the Provincial Policy Statement, 2020***

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

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). 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 PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

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

The subject site has already been identified through The London Plan Special Area Policy and existing zoning as an appropriate site for development up to 150 uph, as was confirmed by the Ontario Land Tribunal decision in May 2022. It is located in an area serviced by existing transit. As such, staff agree the site would be suitable for residential development; however, staff are also of the opinion that residential intensification in this location must be of an appropriate scale and density to meet the Province’s goals for a range and mix of housing options, efficient use of land, and transit-supportive development. Further, policy 1.7e) encourages a sense of place by promoting a well-



designed built form. While redevelopment and intensification of the subject lands would contribute to achieving a more compact form of growth, it is important that intensification is done in manner which is appropriate and is sensitive to the context of existing neighbourhoods. The application, as proposed, is not consistent with the PPS.

### ***The London Plan***

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

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

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward;
- Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4, 5).

The London Plan provides direction to make wise planning decisions by:

- Ensuring that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement.
- Thinking “big picture” and long-term when making planning decisions – consider the implications of a short-term and/ or site-specific planning decision within the context of this broader view.
- Avoiding current and future land use conflicts – mitigate conflicts where they cannot be avoided.
- Ensuring new development is a good fit within the context of an existing neighbourhood.
- Ensuring health and safety is achieved in all planning processes. (Key Direction #8, Directions 1, 3, 8, 9, and 10).

### **Intensification Target**

The London Plan includes an Intensification Target that 45% of all new residential development will occur within the Built Area Boundary, which is defined generally as the line circumscribing all lands that were substantively built out as of 2016. The Built Area Boundary was approved in the October 2020 Ontario Land Tribunal (formerly LPAT) decision for The London Plan.

The subject site is outside of the Built Area Boundary and would therefore not be considered intensification for the purposes of achieving the 45% intensification target.

The London Plan also includes a Primary Transit Area (PTA), which is identified as the focus of residential intensification and transit investment within London (TLP 90). The PTA is also planned to have a heightened level of pedestrian and cycling infrastructure to service and support active mobility and strong connections. Directing infill and intensification to the PTA is a major part of The London Plan’s strategy to manage growth in the city as a whole and to achieve the 45% intensification target.

The subject site is outside of the Primary Transit Area and therefore is not planned to have a heightened level of active transportation and transit amenities to support significant population growth in a way that reduces automobile reliance (TLP 91).

## **High Density Residential Overlay (From the 1989 Official Plan)**

The London Plan recognizes High Density Residential areas that were designated in the previous Official Plan. Map 2 identifies these lands as High Density Residential Overlay (from 1989 Official Plan) and permits high-rise buildings, in addition to the policies of the underlying Urban Place Types identified in Map 1 (955).

Outside the Primary Transit Area residential development may be permitted up to 12 storeys in height and at a density of up to 150 units per hectare on lands within the High Density Residential Overlay (from 1989 Official Plan) (958\_2).

The London Plan directs those large areas within the High-Density Residential Overlay (from 1989 Official Plan) capable of accommodating multiple buildings, should include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings (958\_3).

Where Specific Policies are established for lands within the High Density Residential Overlay (from 1989 Official Plan), and there is a conflict between those policies and the parent High Density Residential Overlay (from 1989 Official Plan) policies, the Specific Policies shall prevail (958\_5).

## **Neighbourhoods Place Type and Site Specific Policy**

The subject site is in the Neighbourhoods Place Type of The London Plan and does not have frontage on any street but is planned in the long-term to be accessed from Coronation Drive via a private laneway. Coronation Drive is a future Neighbourhood Connector. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, would permit up to 3 storeys in this location.

However, the site is subject to a site-specific policy within the High Density Residential Overlay that permits a maximum density of 150 UPH and a maximum height of 17-storeys on the subject lands (TLP 1077C\_4). This site-specific policy was approved by the Ontario Land Tribunal in May 2022, as part of The London Plan appeals. Within this height and density the applicant could develop up to 195 new residential units.

## ***Hyde Park Community Plan/Urban Design***

The Hyde Park Community Plan was adopted by Municipal Council on April 17, 2000. The plan is based on a vision of creating a healthy, functional and pleasing community environment where a mixed-use environment will be created. The Hyde Park Community Plan focuses on the streetscape, integration of natural heritage features, a range of housing forms and lot sizes, well connected and linked open space and the creation of a mixed use "main street" environment in the Hyde Park hamlet.

Section 4.0 of the Hyde Park Community Plan outlines the building design guidelines for the high-density residential development area. The section states that the Hyde Park Community should have a high quality of both urban and architectural design providing a mix of housing forms. The guidelines do not advocate a particular architectural design but provide for a variety of architectural expressions with attention focused to building elements and the streetscape.

The Hyde Park Community Plan encourages higher densities around the proposed Business District to encourage higher densities within walking distance of the hamlet commercial area.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1 Land Use**

As noted above, this site is within the Neighbourhoods Place Type, with ultimate

frontage to Coronation Drive (a Neighbourhood Connector) via a private shared laneway. A range of residential building types are permitted in Neighbourhoods, with up to triplexes permitted on Neighbourhood Connectors. However, this property is subject to a site-specific policy which allows up to 17 storeys in height, which can facilitate apartment buildings.

Staff have no concern with the proposal for residential apartment buildings on the site. However, the proposed development represents a level of intensity that is inconsistent with the established land use pattern and surrounding area. Discussion about the intensity of development is provided below.

The City Structure Plan establishes a framework for where these types of high-rise apartment buildings are to be located, including the Primary Transit Area. Intensification will be directed to appropriate place types and locations within the Primary Transit Area and will be developed to be sensitive to, and a good fit within, existing neighbourhoods. (90\_\*).

The site is not located within the Primary Transit Area identified for increased intensification and the proposed intensification of the residential use is not consistent. As noted, the apartment building 'use' is considered an appropriate land use in the 'Neighbourhood' Place Type for the subject site; it is the scale and intensity of the apartment building use that is not supported.

The in force specific area policy and zoning on the site already support apartment building(s) up to 17 storeys.

## **4.2 Intensity**

The City of London has identified appropriate locations and promoted opportunities for intensification and redevelopment through Official Plan policies that establish a hierarchy within the Urban Growth Boundary. Furthermore, Council specifically identified areas where higher intensity will be directed which includes a system of nodes and corridors within the Primary Transit Area in The London Plan.

Within the City Structure Plan of The London Plan, the framework for growth and change over the planning horizon establishes a clear and strategic hierarchy for development intensity inside the Urban Growth Boundary. In reference to the identified areas above, it places a high level of importance on growing "inward and upward" (Policy 79\_), while directing the "most intensive forms of development to the Downtown, Transit Villages and at station locations along the Rapid Transit Corridors (Policy 86\_\*) along with the objective that 75% of intensification will occur within the PTA."

The subject site is located within the Urban Growth Boundary but outside of the Built Area Boundary (BAB) and the Primary Transit Area (PTA). The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (83\_, 937\_, 939\_2 and 5, and 953\_1).

The Neighbourhoods Place Type does not contemplate this level of intensification on a Neighbourhood Connector street. The intensity of the site was approved through a Zoning Bylaw amendment decision in 2013 to increase height and density to 15 storeys (50m) and 150uph, under the 1989 Official Plan planning framework.

In 2016, The London Plan added this property to High Density Residential (HDR) overlay on Map 2, to acknowledge the existing high-density zoning and allow for up to 12 storeys in height, despite the underlying Neighbourhoods Place Type. The HDR Overlay policies remained under appeal for multiple site-specific properties. Through the appeal settlement hearings, the applicant requested that the existing 1989 Official Plan policies and in force zoning regulations on the site be recognized through a site-specific policy in the Neighbourhoods Place Type. The Ontario Land Tribunal provided a decision in May 2022 that recognized the existing zoning on the site and permitted up to 17 storeys and 150 units per hectare in a site-specific policy. It was determined that 17 storeys was possible under the existing 50m height regulations. The applicant did not request the OLT to consider heights or densities beyond 150 units per hectare, despite

the zoning amendment application for 287 units per hectare being active at the time.

Staff do not have concerns with the proposed 17-storeys; however, do have concerns with the intensity of the proposed development and its overall appropriateness for the site. The original application (2020) at 20-storeys proposed 373 units was referred back to staff at the applicant's request so they could address staff and public concerns about scale and intensity, the revised application is now seeking a further increase to a total of 481 units which is 108 units more than the original proposal, or 286 units more than is permitted in the current zoning and OLT approved specific area policy. This increase in intensity results in additional impacts which will continued to be discussed throughout the report.

As noted above, the subject lands do not have legal frontage on a higher order street where greater levels of intensity should be located. The site is a land locked parcel, rather than at an intersection, and is therefore not at a strategic location for additional density. The location also makes it is more difficult to mitigate the impacts of the proposed intensity. Appropriate long-term access arrangements, safe pedestrian circulation, and adequate programmable amenity space have not been provided to accommodate the significant increase in population and vehicle and pedestrian volumes.

Policy 1730 and 1731 of Our Tools in the London Plan provides conditions for approving new or amended specific area policies.

The proposal does not meet all other policies of the plan (1730\_1), in particular the City Structure Plan and Growth Framework that direct significant development to urban areas planned for high levels of intensification, and the High Density Residential overlay policies which direct a diversity of housing forms on large HDR Overlay sites.

- The proposal does have an adverse impact on the integrity of the Neighbourhoods Place Type (1730\_2) as it establishes a precedent for high-rise built forms within the interior of neighbourhoods, and outside of the built area boundary.
- The proposal to exceed the existing specific area policy density is not sufficiently unique and distinctive (1730\_3) to not establish the argument for significantly higher intensities outside of the Built Area Boundary in the surrounding area and across the city. The existing specific area policy to recognize the in-force zoning on the property, did meet this distinctiveness test.
- The proposal can be reasonably altered (1730\_4) to incorporate a mix of building types at the densities contemplated in the specific area policy which would better transition to nearby low-rise areas in the Neighbourhoods Place Type.
- Staff are of the opinion that the proposal is not in the public interest or representing good planning (1730\_5) as development has not been coordinated in an orderly way to ensure appropriate servicing and access; public concerns regarding adjacent impacts have not been reasonably addressed; and the appropriate amenities and services to support a walkable, transit-oriented community are not established.

Approval of the revised specific policy area would establish an argument of precedent (1731) for the creation of similar high-rise, high-density specific area policies within Neighbourhoods Place Type outside of strategic areas designated for intensification, and specifically in suburban locations outside of the Primary Transit Area and Built Area Boundary that are largely automobile-dependent.

Based on the policies mentioned above and the criteria for evaluating Planning and Development Applications, the site is not appropriate for this level of intensification. The request for the additional density does not conform to the City Structure Plan and represents an inappropriate level of intensification within the Neighbourhoods Place Type. The intensity is not in keeping with the key directions of The London Plan that

relate to the strategic location of more intensive forms of development.

### 4.3 Form

The London Plan encourages compact forms of development as a means of planning and managing for growth (7\_, 66\_) and encourages growing “inward and upward” to achieve compact forms of development (59\_2, 79\_). The London Plan also 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\_).



Figure 12 – Rendering of Proposed Building





Figure 13 – Rendering of Proposed Building



Figure 14 – Rendering of Rooftop Amenity Area

Staff are of the opinion that the following form and design concerns raised by City staff, the Urban Design Peer Review Panel and the public have not been adequately addressed.

- The proposed high-rise residential development lacks context and integration with the surrounding neighbourhood, as it is located farther away from the Gainsborough Road and Hyde Park Road intersection fronting onto an internal service lane. Therefore, the density envisaged along a corridor would not be appropriate in this context with the proposed building set back behind commercial development that fronts Gainsborough Road. Vehicle and pedestrian connectivity, navigability and amenity on the site have not been fully considered to create a safe environment that is pedestrian and transit friendly and street-oriented. The current layout is designed primarily around vehicular movements rather than a healthy and walkable residential living environment.
- The scale of the development at ground level as a six storey podium mass with main entrances and drop-off zones facing the interior side yards, and one large centralize vehicle entrance on the 'front' of the building does not create a pedestrian-friendly, street-oriented development or scale.
- Driveways, ingress/egress points (i.e. number of curb cuts from the service lane) should be reduced and consolidated to improve the pedestrian realm around the

building and provide space for outdoor amenity areas and landscaping.

- The only existing pedestrian connection from a public street to the site is a walkway through the parking lot of the commercial development to the north. The UDPRP identified that there may be challenges navigating to the development for deliveries and drop-offs given the only access currently proposed is through an easement on another site to the north and the property does not have its own street presence or frontage.
- Tower design should be slender and reduce overall impacts on the surrounding area. The floor plates of the towers are more than 1:1.5 length to width ratio creating wide towers with greater shadow and privacy impacts and lessening sky views and sunlight penetration.
- Large areas within the High Density Residential Overlay (from 1989 Official Plan), capable of accommodating multiple buildings, should include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings (958\_3). The proposal is for one large monolithic building with two 17-storey towers and does not provide a variety of built forms that help to fit into the surrounding context, frame the public realm and create transition from high-rise forms to lower rise townhouse and single detached forms.

While the proposed built form offers some positive features, such as a podium design and tower separation, there are substantial revisions required to date that need to be addressed. The ultimate orientation of and access to the building is required to inform the site layout and functionality.

Furthermore, the site-specific zoning regulations requested indicate that the site is unable to accommodate the proposed intensity. The relief requested from the regulations cumulatively represent an over intensification of the site and a development form that should be located elsewhere.

Staff are of the opinion that a mix of buildings on the site, such as one high-rise along with mid-rise and low-rise forms, would be more appropriate and could be accommodated under the existing specific area policy and zoning which permits 17-storeys and 150 units per hectare (195 units).

#### **4.4 Sanitary Servicing**

Through the rezoning application in 2013, a holding provision for servicing was placed on the subject lands as at that time. The subject lands have consistently been identified as being tributary to a future municipal sanitary sewer, being the future extension of a 250 mm diameter sanitary sewer and future extension of Coronation Drive to the east of this site that would be extended north.

For this application, the applicant submitted a Servicing Feasibility Study for the proposed development. Environment and Infrastructure Services has reviewed the report and expressed concern that the applicant still has not demonstrated connections through easements on adjacent lands or through routes that could connect to the existing services at Coronation Drive. Sewer Engineering Department has advised that this development is premature based on the above and is not supported.

The sanitary servicing strategy for the area is under review by staff and requires the collaboration and coordination of several different property owners. This particular development requires an easement through a neighbouring private property for sanitary servicing to the site. No agreement has been secured at the time of writing this report and, therefore staff are of the opinion that this proposal is premature.

Additionally, the sanitary servicing of the adjacent properties at 1018 and 1006 Gainsborough Road will require easements over the subject property to accommodate the long-term servicing strategy for those properties.

Should Council resolve to approve this application, staff recommends holding provisions to address the servicing concerns on the site, such as the following:

h-( ) Purpose: To ensure that municipal servicing and easements are provided for 1018 and 1006 Gainsborough Road, this holding provision shall not be removed until a consent application has been approved to the satisfaction of the Approval Authority prior to site plan approval.

h-( ) Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

#### **4.5 Long-term Vehicular Access**

The applicant is proposing a singular interim access to the property through an easement over the property to the north which currently includes a medical building. The proposal includes parking for 506 vehicles that would be required to enter and exit through the existing drive aisle between the commercial building’s main entrance and their parking lot. There is no secondary access to the site. While Transportation staff have not raised concerns with the existing access on Gainsborough Rd, staff are concerned for the increase in pedestrian-vehicle conflicts given the number of vehicles planned for the site and the diverse needs and abilities of clientele of a medical building.

The applicant is proposing the long-term access to the site from future Coronation Drive via the planned private rear laneway to the north of the subject site. Staff have identified concerns with the long-term viability of constructing the private laneway due to grading issues (existing retaining walls) and the coordination and cooperation of several individual property owners along both Gainsborough Road and Hyde Park Road. Without access to Coronation Drive via the private laneway, long-term access to the site will be required to go through an adjacent private property and require an easement agreement. No agreement has been secured at the time of writing this report and, therefore staff are of the opinion that this proposal is premature.

Should Council resolve to approve this application, staff recommends a holding provision to address the access concerns on the site, such as the following:

h-( ) Purpose: To ensure a suitable access to a local road can be obtained by the owner as the site is landlocked and currently does not have any access to local roads, this holding provision shall not be deleted until access has been obtained, all to the satisfaction of the City.

#### **4.4 Issue and Consideration #6: Zoning**

The applicant has recommended several special provisions to the Residential R9 zone which include the following:

- a minimum westerly interior side yard setback of 18.0m whereas 21.2m is required;
- a minimum rear yard setback of 17.5m whereas 21.2m is required;
- a maximum building height of 60.0m whereas 50.0m is permitted;
- a maximum lot coverage of 38% whereas 34% is permitted;
- a maximum density of 287 UPH whereas 150 UPH is permitted.

Additionally, staff have identified the need for a special provision to allow for 0m of lot frontage, given that the property is not located on a public street and requires servicing and access through a neighbouring private property, that would need to be facilitated through a private easement agreement.

Regardless of the policy context, the combination of an increased height, density, coverage, and reduced side and rear yard setbacks and zero frontage is indicative of an over intensification of the property and is not an appropriate level or form of development.

The existing zoning on the site allows for 17 storeys and 150 units per hectare. The site is 1.3 hectares in size which is large enough to accommodate a variety of development forms while still achieving the required zoning provisions.

## **Conclusion**

The proposed application is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, and does not conform to The London Plan, including, but not limited to, the Key Directions, City Design policies, Intensity and Form policies of the Neighbourhoods Place Type, and the Our Tools evaluation criteria for Specific Area Policies. The requested Official Plan Amendment, Zoning By-law Amendment, and proposed development represent an over-intensification of site with little effort made to mitigate impacts of the proposed increased intensity. As such, it is recommended the requested amendment be refused.

**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 - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Vacant
Frontage	131.5m
Area	1.3 ha
Shape	Regular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Commercial
East	undeveloped
South	Apartment building and townhouse
West	Single detached and commercial

#### Proximity to Nearest Amenities

Major Intersection	Gainsborough Road and Hyde Park Road, 225m
Dedicated cycling infrastructure	Gainsborough Road, 130m
London Transit stop	Gainsborough Road 130m
Public open space	Van Horik Woods. 50m
Commercial area/use	Cherryhill Mall, 500 m
Food store	Ungers 100 m
Community/recreation amenity	Hyde Park Village Green

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods Place Type
Current Special Policies	Hyde Park Community Plan
Current Zoning	Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7(17).H50

#### Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	Permit two, 17-storey apartment buildings with a density of 370 uph
Requested Zoning	R9-7( ).H60

#### Requested Special Provisions

Regulation (R8-4( ))	Required	Proposed
Minimum interior sideyard setback	21.2m	18m
Minimum rear yard setback	21.2m	17m
Maximum height	50.0m	60.0m
Maximum lot coverage	34%	38%

### C. Development Proposal Summary

#### Development Overview

The subject lands are proposed to be developed for two, 17-storey, residential apartment buildings with a 6-storey podium containing a combined total of 48
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residential units, with a density of 150 units376er hectare. 481 parking spaces are proposed within the podium. Common outdoor amenity areas are provided around the perimeter of the building and podium, and podium rooftop.

### Proposal Statistics

Land use	Residential
Form	Apartment buildings
Height	17 storeys (60 metres)
Residential units	481
Density	376 units per hectare
Building coverage	38%
Landscape open space	30.7%
New use being added to the local community	No

### Mobility

Parking spaces	481
Vehicle parking ratio	1.26 spaces per unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	525
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 B – Internal and Agency Comments

### First Submission Comments

London Hydro

No objections

Parks Planning and Design

- 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.



# MEMO

**To:** Alanna Riley, Senior Planner

**From:** Laura E. Dent, Heritage Planner

**Date:** November 18, 2021

**Re:** **Archaeological Assessment Requirements  
Heritage Comments**

**978 Gainsborough Road (Z-9247)**

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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-9247):

- Lincoln Environmental Consulting Corp. *Stage 1-2 Archaeological Assessment of 978 Gainsborough Road* [...] Middlesex County, Ontario (PIF P344-0409-2020), May 2020.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such **no further archaeological assessment of the property is recommended.**" (p 2)

An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has not been received, indicating that this file may not have been identified for review by the Ministry.

Archaeological conditions can be considered satisfied for this application.

Sincerely,

**Laura E. Dent, M.Arch, PhD, MCIP, RPP**

Heritage Planner

Community Planning, Urban Design and Heritage  
Planning & Development



# MEMO

**To:** Alanna Riley, Senior Planner  
**From:** Laura E. Dent, Heritage Planner  
**Date:** November 18, 2021  
**Re:** **Heritage Impact Assessment Requirements  
– Heritage Comments  
978 Gainsborough Road (Z-9247)**

This memo is to confirm that I have reviewed the following and find the report sufficient to fulfill the heritage impact assessment requirements for (Z-9247):

- Zelinka Priamo Ltd. (June 4, 2020). *Heritage Impact Assessment, 978 Gainsborough Road.*

978 Gainsborough Road (subject property) is adjacent to 1006 Gainsborough Road, a LISTED property on the City's *Register of Cultural Heritage Resources*.<sup>1</sup> A development consisting of two, 20-storey residential towers is being proposed on the subject property, and per *The London Plan* (policy 565\_), potential impacts to adjacent properties LISTED on the *Register* must be evaluated to demonstrate that heritage attributes are conserved.

Specific supportable conclusions of the heritage impact assessment (HIA) are as follows:

- *If the adjacent property were to be designated, the proposed development would not have a negative impact on any potential heritage attributes.*
- *The location of the proposed development avoids overshadowing of the potential heritage property and there will be minimal impacts from its shadows.*
- *Site specific details, like fencing and on-site landscaping may be used to further screen the development, where appropriate. (p9)*

Based on the review of the HIA, heritage staff is satisfied that there will be no adverse impacts to the heritage resource located at 1006 Gainsborough Road as a result of the proposed development at 978 Gainsborough Road. The heritage resource is being retained and it is relatively remote to the proposed construction activity on the subject property. No mitigation measures have been recommended. The HIA can be accepted to meet complete application requirements for heritage (Z-9247).

Sincerely,

Laura E. Dent, M.Arch, PhD, MCIP, RPP

Heritage Planner  
Community Planning, Urban Design and Heritage  
Planning & Development

## Urban Design Peer Review Panel Memo

The submission was lacking in contextual analysis to address how the development properly addresses the unique site condition, fits in with the neighbouring residential and commercial properties, sets a positive precedent for developing the service lane, and improves the pedestrian connections to the broader Hyde Park Commercial Area. The panel noted that the proposed development exhibits design attributes more characteristic of a large-scale commercial development (i.e. big-box), focused on ease of maneuvering for cars and services vehicles rather than a residential living environment for people. In this regard, the Panel noted that the design approach demonstrates a disregard for creating a habitable at-grade living experience. The Panel questions the allocation of any additional built height towards the current scheme. From a City Design perspective, the London Plan directs taller buildings towards locations in the city where they will more effectively contribute to the type of urban places being sought. Should additional density be required/desired on this site, it could be explored in a comprehensive redesign with a greater focus on the grade-level pedestrian environment and exceptional Urban Design. The Panel questioned the density being requested as the two towers lack proper tower separation (25m typical) and generally feel overbuilt for the site. The Panel questioned the V-shape and whether alternative designs were explored to better suit the site. The Panel expressed concern with the number of curb cuts along the service lane, 4 in total, none of which align with the commercial development to the north. This creates a convoluted vehicular circulation network and a vehicular dominant frontage. The Panel noted that the podium does not provide enough presence for the base of the building and requires further development to differentiate itself from the towers and establish a strong connection to the street.

## Urban Design: September 21, 2021

- The application as proposed( 20 storey high-rise residential development) does not meet urban design policies (both 1989 Official Plan and The London Plan) as the policy framework would encourage high-rise buildings closer to the street(along corridors) and with adequate setbacks or separation between the buildings.
  - The maximum height contemplated for Neighbourhoods Place Type with Type 2 bonusing is 6 storey.
  - Current Zoning permissions allows a maximum height of 50 m.
- Consistent with the previous staff and panel comments, there are concerns with the overall height, density and siting of the building being inconsistent with city design policies and urban design directions of both 1989 Official Plan and The London Plan.
  - The proposed high-rise residential development lacks context as it is located farther away from the Gainsborough Road and fronting the internal service lane. Therefore the heights and density envisaged along the corridor would not be appropriate in this context.
  - Envisage a pedestrian and transit friendly built form by providing an internal street network that allows for street oriented, walkable and pedestrian scale development. The current layout is designed primarily around vehicular movements rather than a healthy and walkable residential living environment.
    - Provide for a safe, convenient and direct pedestrian connections between the building entrances, amenity areas, parking stalls and leading to City Sidewalk along Gainsborough Road.
  - Explore opportunities to consolidate drive ways, ingress/egress points(i.e. reduce the number of curb cuts from the service lane) to improve the pedestrian realm around the building and provide space for outdoor amenity areas and landscaping.
  - Provide adequate separation distances between the proposed towers (a minimum of 25m) in order to reduce the overall impact of the building mass, improve sunlight penetration and increase access to sky views.
    - Increase the separation distances above 5<sup>th</sup> floor at the South East corner of 'East Building' and the South West Corner of 'West Building'. Alternatively explore alternate shapes or arrange the tower building(s) along North-South axis with adequate separation distances in order to minimize shadow and privacy impacts.
  - Enhance the podium design to have more presence on the ground to distinguish the podium and tower portion as well as to establish strong connection(s) to the street frontage along service lane and ultimately to the Gainsborough Road.

## Development Services Engineering

### **Transportation**

- Ensure service road is designed to the same specifications as the road behind the TSC, curb type, road width, etc.
- Show how accesses alignment with property to North
- Comments regarding accesses will be provided through the Site Plan process
- No dedication for this rear property

### **Water**

Water requires that a holding provision be added on the new zoning until such time as it can be demonstrated that water servicing which meets the City of London Standards and Requirements can be met.

If the development proceeds without phasing under single ownership, then the requirement for looping must be met. Alternatively, if there is to be any phasing or any consideration for multiple ownership (i.e., each tower and or parking were to form



separate condos) then it is required that a municipal water service connection be made to a municipal water main for each building/separately owned entity.

This may be by extending separate water services for each building/separately owned entity to a municipal watermain on Gainsborough Road, or, by extending a municipal watermain in its ultimate alignment on Coronation Drive (Including property) and gaining access to connect to it.

It should be noted that the water servicing identified in the Preliminary Feasibility Study by Eng Plus does not meet City of London Requirements for water servicing.

It is requested that further information be provided wrt:

- The prospective future ownership is identified (1 owner, condos, multiple condos, etc...)
- A water servicing plan/report be provided detailing the servicing arrangement to and within the property which includes and demonstrates, but is not limited to:
  1. the need for looping/multiple connections to the municipal main (400+ units)
  2. the need for separate water services for separately owned buildings/separately owned entities
  3. the details of land/easement acquisitions to accommodate this servicing to this site or buildings from this site from the municipal water mains
  4. it is a requirement to demonstrate that adequate municipal water servicing to meet both domestic and fire flow requirements is available and to provide modelling detailing both domestic and fire flows

#### **Wastewater**

- As part of a future site plan application, the preliminary servicing report prepared by Stantec, dated November 4th, 2014, will need to be updated to reflect the current conditions of the development and drainage area.

#### **Stormwater**

- The subject lands are located in the Central Thames Subwatershed. The applicant shall be required to apply the proper SWM practices to ensure that the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The design and construction of SWM servicing works for the subject land shall be in accordance with:
  - The SWM criteria and targets for the Central Thames Subwatershed,
  - Any as-constructed information and any accepted report or development agreement for the area.
  - The City Design Requirements for on-site SWM controls which may include but not be limited to quantity/quality and erosion controls, and
  - The City's Waste Discharge and Drainage By-Laws; the Ministry of the Environment Planning & Design Manual; as well as all applicable Acts, Policies, Guidelines, Standards and Requirements of all approval agencies.
- The design of the SWM servicing work shall include but not be limited to such aspects as requirements for Oil/Grit separators for the proposed parking area, on-site SWM controls design, possible implementation of SWM Best Management Practices (e.g., Low impact Development "LID" features), grading and drainage design (minor, and major flows), storm drainage conveyance from external areas (including any associated easements), hydrological conditions, etc.
- The applicant and his consultant shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.
- Additional SWM related comments may be required and provided upon future review of this site.

## Third Submission Comments

### 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.

### Landscaped Architect – Received May 24, 2023

#### Ecology

#### Official Plan and Zoning amendments to allow two, 17-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.

### London Hydro – Received May 25, 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 June 7, 2023

- The site abutting this property to the east (the lands between this property and the future Coronation Drive extension) is contemplated to develop with lower intensity forms such as townhouses. Integrate a reduction in overall building height (for the east tower) and/or an appropriately-sized building setback/step-back from the east property line to ensure the future development on this site is not overshadowed by the proposed building [TLP 298].
- Staff recommend the applicant revisit the proposed massing of the north façade to establish a more human-scale and pedestrian-oriented design along the proposed 'service road':
  - Provide a minimum 5.0m step-back above the 3<sup>rd</sup> or 4<sup>th</sup> storey (as opposed to the 6<sup>th</sup> storey) on the north façade to create a more comfortable environment for pedestrians along this corridor. The step-back should extend along the entirety of the north-facing façade. [TLP 292].
  - Include a highly visible and distinguishable principal building entrance for pedestrians on the north elevation. This entrance should be designed with architectural features such as transparent glazing, weather protection (such as canopies), signage and other architectural features that distinguish it as the principal building entrance. The proposed north elevation includes a highly articulated entrance to the parking garage with minimized pedestrian entrances which promotes a car-oriented design and diminishes the pedestrian-scale design of the building [TLP 291].

- **Matters for Site Plan:**
  - Provide a safe and convenient pedestrian walkway from the public sidewalk on Gainsborough Road and the public sidewalk on the future Coronation Drive extension to the principal building entrance(s) [TLP 268].
  - Consider locating the entrance(s) to the underground parking on the east and/or west elevations of the building as opposed to the north elevation to allow space for a central pedestrian access closer to the public street, to allow for more active uses on the front of the building, and to not have the parking garage entrance be the view terminus for the main access into site [TLP 291].
  - Consider providing individual unit entrances for the ground floor units along the 'service road' and include individual walkway access from each unit to the sidewalk along this street [TLP 286, 291].
  - Consider designing the proposed 'service road' to include pedestrian amenities such as landscaping, street furniture, human-scale lighting and sidewalks on both sides of the street [TLP 255].
  - Rooftop mechanical penthouses and equipment should be screened from view and/or incorporated into the overall building design [TLP 296].
  - Provide easily accessible temporary bicycle parking facilities on-site [TLP 280].
  - Confirm the location(s) of garbage pick-up and/or loading areas and ensure they are screened from view from public streets and/or pedestrian connections [TLP 266].
  - Provide a fully dimensioned site plan and elevations for all sides of the proposed building. Further urban design comments may follow upon receipt of the drawings.

## **Engineering – Received October 20, 2023**

### *General Servicing:*

- The site currently does not have access to municipal storm, sanitary and water services. A General h, h-17, and h-149 holding provisions are recommended to ensure adequate servicing for this site can be demonstrated.
- A consent application will be required to ensure that municipal servicing and easements are provided for 1018 and 1006 Gainsborough Rd. A new holding provision is recommended to ensure that this is completed prior to site plan approval.

### *Transportation:*

- The site is landlocked and currently does not have any access to local roads. A new holding provision is recommended that ensures a suitable access to local road can be obtained by the owner, all to the satisfaction of the City.

## **Site Plan – Received October 20, 2023**

- Site Plan Consultation will be required prior to the submission of a Site Plan application.
- Garbage and recycling are to be stored internal to the building and a pick up point identified on the site plan where bins will be brought out on collection day. This pickup point shall be located and designed to prevent collection vehicles from reversing onto the public street.
- An on-site fire route is required and can be no longer than 90m without a turnaround.
- 429 long-term bicycle parking spaces are required internal to the building, and 48 short-term bicycle parking spaces are required on site.
- The main building entrance shall be oriented to the north.
- Paratransit laybys shall be 3.5mx12m and must be within 15m of a main building entrance. It is noted that the ground floor plan doesn't have side building entrances where the laybys are shown.

Note to planner:

- The applicant calculated the interior side and rear yard setbacks incorrectly – 24m is required for a 58.8m tall building. Provided the by-law specifies yard setbacks in the special provisions without differentiating between tower and podium it should capture them. However, there isn't a front lot line here, so they need a special provision for a north interior side yard setback of 20m. Also recognizing the 0m frontage would clean things up.

## Appendix C – Public Engagement

### Community Engagement

#### Notice of Application:

**Public liaison:** On July 30, 2020, 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 July 30, 2020. A “Planning Application” sign was also posted on the site.

**Public Responses:** Replies were received from 11 households and a petition was submitted.

**Nature of Liaison:** The purpose and effect of this Zoning change is to permit the development of two, 20 storey residential apartment buildings interconnected by a 4-storey podium with a total of 400 residential units. Possible change to Zoning By-law Z.-1 **FROM** Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7(17).H50) **TO** Holding Residential R9 Special Provision Bonus (h-5.h-11.h-17. R9-7( ).H68\*B-( ) Zone; — to permit apartment buildings with special provisions for a minimum front yard setback of 6.2 metres, a minimum west interior side yard setback of 12.0m, a minimum rear side yard setback of 21.1m, a maximum lot coverage of 31.7%, a minimum landscaped open space of 28.3%, and a maximum building height of 67.4m. There is also a request to add a Bonus Zone to permit a maximum density of 308 units per hectare. The City also may consider adding special provisions and/or holding provisions in the zoning to implement the urban design requirements and considerations of the Hyde Park Community Plan.

#### Revised Notice of Application:

**Public liaison:** On May 5, 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, May 5, 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, 17-storey apartment buildings with 476 residential units and density of 373 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7(17).H50) **TO** a Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7( ).H60 Zone to permit the development of two, 17 storey residential apartment buildings interconnected by a 6-storey podium with a total of 481 residential Special Provisions include: a minimum westerly interior side yard setback of 18.0hm whereas 21.2m is required; a minimum rear yard setback of 17.5m whereas 21.2m is required; a maximum building height of 60.0m whereas 50.0m is permitted; a maximum lot coverage of 38% whereas 34% is permitted; and, a maximum density of 287 UPH whereas 150 UPH is permitted.

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

- Shadow and wind effects
- Light
- Noise
- Increased traffic and pedestrian safety
- Height and density
- Too big for site and numerous changes required
- Access
- Buffering
- Sufficiency of Servicing Infrastructure
- Obstruction of view
- Type of tenancy



- Loss of property value
- Quality of life
- Does not meet the policies of the 'Neighbourhoods Place Type'

## **Responses to Public Liaison Letter and Publication in "The Londoner"**

Good morning Ms. Riley and Mr. Morgan,

I am writing to ask you to decline the planning application for the twin 20 storey towers that are being considered for 978 Gainsborough Road. This massive building is completely unsuitable for the neighbourhood, a view supported by the city since the zoning bylaws prohibit such a behemoth. The proposed building is too tall, and the footprint is too large. In addition, the developer is asking for the maximum unit density to be more than doubled what is allowed. I find this to be completely inappropriate.

I own property in the building south of 978 Gainsborough and I moved to this neighbourhood with the expectation that London's planning policies would hold up against the pressures from developers. I refer to the planning policy which applies to this area-the subject lands are in the "Neighbourhoods" Place Type in the London Plan, permitting a range of housing including single detached, townhouses and low-rise apartments. Londoners must have confidence in the planning process so that when they purchase a home, they know the long-term vision for the neighbourhood.

I want to add that I take exception to one of the developer's comments in their proposal. They say that they "expect" to be given variances since, as they claim, a developer from a nearby property was given them. Where does this end? Will the next developer "expect" to be given all of the amendments that the 978 developers are provided plus anything else that they want? It has to stop. This is not the way that the planning process is meant to work, and it has the potential to destroy our neighbourhood.

I hope that the planners take a good look at the developer's plan for an access road that seems to cross over at least 7 properties. It astounds me that this is even being considered. This is a small piece of property, and, in my view, it is more suited for a residential cluster comprised of single detached or the popular townhouse style that has successfully been incorporated in many areas in this neighbourhood, including immediately to the south-west of 978 Gainsborough.

Finally, I want to comment on the traffic congestion that these towers, and other high-rise buildings, will create. Hyde Park Road is a busy north/south thoroughfare and at times, before Covid-19, it was getting to be almost as congested as Wonderland Road. A building of 308 units/hectare will just add to the problem.

I strongly recommend that you reject the proposal submitted by Highland Communities Ltd. and uphold the zoning bylaws originally created for this area.

Respectfully,

Steve Leckie

Good morning, Alanna

I am reaching out regarding the above proposal.

I am an owner of one of the town homes behind this parcel of land and want to express my concern that 2 buildings of this magnitude should even be in the "ballpark" as being considered for this area.

This land, when I purchased my home, I believe was low to medium density housing, which of course is totally understandable and acceptable when taking into account the size of the land and the surrounding properties,

The potential for 2 buildings 20 storeys high would have a major detrimental impact on the quality of life of the residents, privacy concerns, lack of natural light, noise levels, additional traffic volume, also this area is very "swampy" and waterlogged in wet weather, not my field of expertise, but where will all this excess water go?

1040 Coronation Drive is already becoming lost in amongst high rise buildings, either already built, approved but not yet built and currently under construction.

This is not downtown London; we are a small enclave in a suburb and buildings of this immense mass housing type do not belong or fit with this neighbourhood.

Also, the sign to announce this proposal is in a field on a no through road and cannot be seen by anyone to alert them to this, I myself only caught a glimpse of it whilst out on a walk and could not get close to even read the full details, without having to go onto private property and sinking into a muddy field, not sure why this is considered acceptable to inform the community?

Please re-consider this highly inappropriate proposal, it is just not right to place it here and diminish the feel and look of this neighbourhood to a concrete jungle.

I have cc'd Josh Morgan, so he is aware of the concern felt by his ward.

Thank you for your time.  
Ann & Mark Dines

Josh/Alanna:

We are writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

We strongly object to this project.

We became owners at \_\_\_\_\_ in March, 2017 and our quality of life, and that of residents in our building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized .

We relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were unaware that a developer could so easily convince City Council to override or change zoning (as has recently occurred on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood.

The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being "in the 'Neighbourhoods' Place Type in the London Plan, permitting a range of housing including single detached, townhouses and low-rise apartments". Homeowners in the area purchased their homes expecting that any new housing within their community would conform to the existing policies then in place. The policies of the Official Plan (London's long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – more than double the current permitted density. This proposed density simply does not conform with London's Official Plan – a plan upon which purchasers of homes ought to be able to rely. The applicant is also requesting special zoning provisions "to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage", thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every way is out of step with the "Neighbourhoods' place type" in the Council-approved London Plan and the surrounding neighbourhood as it currently exists - it is far too large a project not only for the lot, but for the neighbourhood in general. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

Increasing traffic congestion and road safety concerns in the Hyde Park/Fanshawe area are something Council is very well aware. This proposed project 978 Gainsborough Road, located

so close to the intersection of Hyde Park Road, will undoubtedly result in problems similar to those experienced at Aldersbrook Gate, as vehicles attempt to exit and enter 978 Gainsborough Road near an already congested intersection. Queues will block driveway entrances to already-existing businesses on Gainsborough Road, and angle collisions are likely as vehicles attempt to make left turns into or out of 978 Gainsborough Road.

It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy. The London Plan currently permits “a range of housing including single detached, townhouses and low-rise apartments” – this is a Council-approved plan. In no way does Highland Communities Ltd.’s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – once that is gone, it cannot be recovered.

We ask Council to deny this zoning by-law amendment

Sent from my iPad  
Alison/Ivan St. John

Hello Josh and Alanna

I am writing in response to the Notice of Planning Application by Highland Communities Ltd. I received in the mail, regarding the proposed two 20 storey apartment buildings at 978 Gainsborough Rd

This is my **formal objection** to this project, I am an owner at \_\_\_\_\_, the proposition of this huge project being constructed within steps of our building is disturbing to say the least.

When I purchased and moved into the Hyde Park area it was like living on the outskirts of London with the benefit of city living but much quieter and very enjoyable. The recent neighbourhood construction has been welcomed, but also un-welcomed due to the consistent construction noise, dirt, mud and dust, that the city doesn't seem to keep very well maintained in regard to the roads being washed and swept.

The proposed huge apartment complex is completely outside of what I ever expected to see within Hyde Park, it will not suit any of the related existing buildings or projects under way in the area. It is oversized and unsightly for Hyde Park. Why is land size not considered in construction such as above, the land listed for the development is so small and having two huge apartments in that space would be overwhelming and unsightly. What happened to considering London the Forest City? Why eliminate green space with high rises and concrete?

Hyde Park should not be the epicentre of such a project and the city planning and zoning committees should **seriously re-consider** this project. Please consider **not** permitting this project in our area. It is not welcomed or appreciated.

Sincerely,

Lina Narusevicius

Dear Josh & Alanna:

I am writing to also express my great concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project.

The project in every way is out of step with the “Neighbourhoods’ place type” in the Council-approved London Plan and the surrounding neighbourhood as it currently exists - it is far too large a project not only for the lot, but for the neighbourhood in general. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy. The London Plan currently permits “a range of housing including single detached, townhouses and low-rise apartments” – this is a Council-approved plan. In no way does Highland Communities Ltd.’s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – once that is gone, it cannot be recovered.

I ask Council to deny this zoning by-law amendment.

Thank you,

Ryan Marcy

Hello Josh and Alanna,

We are in agreement with the concerns expressed by Mary Dowds in her email regarding the massive building project being proposed for 978 Gainsborough Road.

Mary has done the research and has expressed very clearly and concisely the concerns of many of the residence at 1030 Coronation Drive.

We wish to add our concerns to those expressed in her email and expect that London Council will see the major difficulties added to the current traffic problems as well as

the total appropriateness of the size of this proposed project in this neighbourhood.

Thank you for your work on our behalf.

Best Regards,

Jay Campbell

Nancy Claus

Josh and Alanna

I am writing in response to the Notice of Planning Application by Highland Communities Ltd. in regard to the proposed 2 x 20 storey apartment buildings at 978 Gainsborough Road.

I would like to formally file my objection to this project. As an owner at \_\_\_\_\_, the prospect of this mega-project being constructed within steps of our building is disturbing.

When we purchased and moved my father into this area of the city only a few short years ago, the Hyde Park area possessed a quiet and comfortable atmosphere that he and my (since deceased) mother very much enjoyed. With the exception of another nearby apartment building, the neighbourhood developments have been tasteful and in keeping with the dynamic of the neighbourhood. Even the nearby apartment building is at the very least in keeping with the dimensions of the few other projects in the area.

But this proposed megalith of an apartment complex is completely outside anything we could have anticipated. I do not understand what the purpose of city planning, and zoning is when counsel will override zoning codes so readily. How are property purchasers to plan and understand the neighbourhoods into which they are moving when one cannot rely upon the zoning that is in place?

But this inconsistency aside, these 20 storey buildings cannot be permitted to move ahead. It is completely outsized for the community. The traffic congestion is already difficult for the current residents and as most people in the Hyde Park area rely upon car ownership, this huge project will only add to problems. The zoning application calls for these massive buildings to be placed on a postage stamp space which will further reduce green space and any open feel that remains in the area. We do not want our community to become a metropolis of high rises and concrete.

I ask you to please consider not permitting this project in our area. It is simply not appropriate.

Thank you

John Hauffe

Alanna Riley & Josh Morgan:

Regarding to zoning by-law amendment at the above address I can only agree with a lengthy email already sent to you by John Hauffe. This is not just a complaint by someone with nothing better to do but a real concern about the overall impact this development will have in our area. I have no sympathy for the developers. If they want to build this project then pony up and purchase enough land in the right area to support its size! While the City is attracted to the revenue that would come with this project, they have a duty to the area residents to ensure development does not diminish our lifestyle and incumbent infrastructure.

Yours truly; Richard McDuffe

Alanna:

I am writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.



I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project. When my husband and I purchased our home, we took into account the zoning of adjacent properties. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were unaware that a developer could so easily convince City Council to override or change zoning (as has happened recently on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood.

The area around 978 Gainsborough Road is a quiet residential neighbourhood composed mainly of two-storey single-family homes and townhouses. The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being “***in the ‘Neighbourhoods’ Place Type in the London Plan, permitting a range of housing including single detached, townhouses and low-rise apartments***”. Homeowners in the area purchased their homes expecting that any new housing within their community would remain of this type. Additionally, the policies of the Official Plan (London’s long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – ***more than double the current permitted density***. This proposed density simply does not conform with London’s Official Plan – a plan upon which purchasers of homes ought to be able to rely in choosing where to buy. The applicant is also requesting special zoning provisions “to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage”, thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every way is out of step with the “Neighbourhoods’ place type” in the **Council-approved** London Plan and the surrounding neighbourhood as it currently exists - **it is far too large a project not only for the lot, but for the neighbourhood in general**. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

Increasing traffic congestion and road safety concerns in the Hyde Park/Fanshawe area are something Council is very well aware of. Within the past year, a long-overdue traffic light was installed at the corner of South Carriage Way and Hyde Park Road, a mere block from the proposed high-density development at 978 Gainsborough Road. Just this past week, an advanced left-turn signal was installed on Hyde Park at the intersection of Gainsborough Road (a few hundred metres from the entrance to this proposed development), necessitated by the rapidly increasing volume of traffic travelling along Hyde Park Road. For several years now, residents at Aldersbrook Gate (within a mile of this proposed development) have expressed concerns about traffic volume and road safety on their street; a meeting with the Ward Councillor and a traffic assessment took place. Amongst the concerns expressed by residents were: “Angle (T-bone) collisions resulting from vehicles turning on and off of Aldersbrook Gate from Fanshawe Park Road” and “traffic queues on Aldersbrook Gate approaching Fanshawe Park Road result in driveways being blocked”. In response to the concerns, the Transportation staff responded, “by investigating conditions at the site and implementing appropriate mitigation measures”. This proposed project 978 Gainsborough Road, located so close to the intersection of Hyde Park Road, will undoubtedly result in problems similar to those experienced at Aldersbrook Gate, as vehicles attempt to exit and enter 978 Gainsborough Road near an already congested intersection. Queues will block driveway entrances to already-existing businesses on Gainsborough Road, and angle collisions are likely as vehicles attempt to make left turns into or out of 978 Gainsborough Road.

It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the

quality of life they currently enjoy. The London Plan currently permits **“a range of housing including single detached, townhouses and low-rise apartments” – this is a Council-approved plan.** In no way does Highland Communities Ltd.’s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – **once that is gone, it cannot be recovered.**

I ask Council to deny this zoning by-law amendment.

Thank you,  
Mary Dowds

Hello Alanna and Josh:

I am writing to express my objection to the File Z-9247 Zoning By-law Amendment requested by Highland Communities Ltd for property situated at 978 Gainsborough Rd.

I live at \_\_\_\_\_. When I purchased my condo almost 8 years ago, I knew the neighbouring fields I appreciated would eventually be developed. In early 2013 when the initial application for twin 15 story towers for a total of 176 condo units on that property was submitted it was disappointing. It was not the single dwelling or townhouse type residential buildings I was led to expect to be in keeping for the area.

The latest request to accommodate twin 20 story towers for a total of 400 apartments units on that small piece of property far exceeds a 195-unit density that would be acceptable for 1.3 hectare lot based on the Official Plan guidelines for 150 units for hectare. It is not just a small 5 to 10% increase, it is an astonishing 105% increase in units.

They then in turn want to reduce the surrounding yard depths. Considering the increased density (if approved or compromise reached) the yard depths should not be decreased. If anything, one would think the yard depths should be increased if any units over the Official Plan of 150 per hectare is approved.

I believe other homeowners at \_\_\_\_\_ have already expressed their concern regarding the impact the increased density would have on the traffic volume along Gainsborough leading to an already congested corner at Hyde Park. There are already development plans announced for 1018 Gainsborough and the corner of Hyde Park/Gainsborough that will increase traffic volume along Gainsborough without approving density at 978 Gainsborough that far exceeds the City’s own Official plan.

I would like to again say that I would like the Amendments outlined in File Z-9247 to be denied.

Thank you,

Connie Sanders

To whom it may concern,

I am emailing you today as the Director of Thompson Medical Centre (TMC+) on 990 Gainsborough Road. We have been informed of a proposal to construct a 400-unit residential

building on (978 Gainsborough Rd.). With the current plan, access to this building would be exclusively through our site, causing a large concern for our business operations.

At TMC+, we manage approximately 35-40 physicians who bring in a vast number of patients daily. Therefore, the noise created during construction would be harmful to patients' safety as we conduct medical procedures that require a nearly silent environment.

Our parking lot is regularly at capacity. Thus, patients in need of urgent care would have limited access to our premises due to the busy traffic generated by residents, all of which can only enter and exit through our Gainsborough Road driveway.

With the building having 400-units, we estimate approximately 1,000 extra vehicles using our narrow driveway regularly (400 units x 2 vehicles each + 200 visitors). This heavy traffic would lower our ratings as it would create a hassle for patients, employees, and physicians, harming TMC+'s operation.

Additionally, we are concerned that the parking overflow of the residential building would occupy our parking lot, which would result in turning our patients down and preventing physicians from providing service to their patients.

Our main goal at TMC+ is to serve the community of London and provide health care for those in need. We strongly believe the proposed development behind our center will prevent us from achieving that goal.

Hence, on behalf of our physicians, medical tenants including a blood laboratory and pharmacy, and our 50,000+ patients, we request a halt to this proposed development.

We hope that this request will be accommodated, however, in the case that this request is denied, we will retain specialized legal counsel.

*Sincerely,*

*Chantelle Wragg*

I am writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project. When my husband and I purchased our home, we took into account the zoning of adjacent properties. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were unaware that a developer could so easily convince City Council to override or change zoning (as has happened recently on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood.

The area around 978 Gainsborough Road is a quiet residential neighbourhood composed mainly of two-storey single-family homes and townhouses. The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being "in the 'Neighbourhoods' Place Type in the London

Plan, permitting a range of housing including single detached, townhouses and low-rise apartments". Homeowners in the area purchased their homes expecting that any new housing within their community would remain of this type. Additionally, the policies of the Official Plan (London's long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – more than double the current permitted density. This proposed density simply does not conform with London's Official Plan – a plan upon which purchasers of homes ought to be able to rely in choosing where to buy. The applicant is also requesting special zoning provisions "to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage", thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every way is out of step with the "Neighbourhoods' place type" in the Council-approved London Plan and the surrounding neighbourhood as it currently exists - it is far too large a project not only for the lot, but for the neighbourhood in general. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

Increasing traffic congestion and road safety concerns in the Hyde Park/Fanshawe area are something Council is very well aware of. Within the past year, a long-overdue traffic light was installed at the corner of South Carriage Way and Hyde Park Road, a mere block from the proposed high-density development at 978 Gainsborough Road. Just this past week, an advanced left-turn signal was installed on Hyde Park at the intersection of Gainsborough Road (a few hundred metres from the entrance to this proposed development), necessitated by the rapidly increasing volume of traffic travelling along Hyde Park Road. For several years now, residents at Aldersbrook Gate (within a mile of this proposed development) have expressed concerns about traffic volume and road safety on their street; a meeting with the Ward Councillor and a traffic assessment took place. Amongst the concerns expressed by residents were: "Angle (T-bone) collisions resulting from vehicles turning on and off of Aldersbrook Gate from Fanshawe Park Road" and "traffic queues on Aldersbrook Gate approaching Fanshawe Park Road result in driveways being blocked". In response to the concerns, the Transportation staff responded, "by investigating conditions at the site and implementing appropriate mitigation measures". This proposed project 978 Gainsborough Road, located so close to the intersection of Hyde Park Road, will undoubtedly result in problems similar to those experienced at Aldersbrook Gate, as vehicles attempt to exit and enter 978 Gainsborough Road near an already congested intersection. Queues will block driveway entrances to already-existing businesses on Gainsborough Road, and angle collisions are likely as vehicles attempt to make left turns into or out of 978 Gainsborough Road.

It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy. The London Plan currently permits "a range of housing including single detached, townhouses and low-rise apartments" – this is a Council-approved plan. In no way does Highland Communities Ltd.'s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – once that is gone, it cannot be recovered.

I ask Council to deny this zoning by-law amendment.

Thank you,

Anita Sorensen

Josh/Alanna:

I am writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project. When my husband and I purchased our home, we took into account the zoning of adjacent properties. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were unaware that a developer could so easily convince City Council to override or change zoning (as has happened recently on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood.

The area around 978 Gainsborough Road is a quiet residential neighbourhood composed mainly of two-storey single-family homes and townhouses. The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being "in the 'Neighbourhoods' Place Type in the London Plan,

permitting a range of housing including single detached, townhouses and low-rise apartments". Homeowners in the area purchased their homes expecting that any new housing within their community would remain of this type. Additionally, the policies of the Official Plan (London's long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – more than double the current permitted density. This proposed density simply does not conform with London's Official Plan – a plan upon which purchasers of homes ought to be able to rely in choosing where to buy. The applicant is also requesting special zoning provisions "to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage", thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every way is out of step with the "Neighbourhoods' place type" in the Council-approved London Plan and the surrounding neighbourhood as it currently exists - it is far too large a project not only for the lot, but for the neighbourhood in general. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

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It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy. The London Plan currently permits "a range of housing including single detached, townhouses and low-rise apartments" – this is a Council-approved plan. In no way does Highland Communities Ltd.'s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – once that is gone, it cannot be recovered.

On a personal note, living on the ground floor facing north, my view of the sky will be completely cut off by this mega complex.

I ask Council to deny this zoning by-law amendment.



Thank you,

Maureen and Gary Norwood

Good morning, Alanna

We have received the notice of planning application for 978 Gainsborough Road here in London.

There are obviously many concerns with a proposal this size going into a smaller neighbourhood, mainly the increase amount of traffic this will bring in.

It feels as though the developer is trying to fit this massive project into a small area and has no concern for the residents they are impacting.

We built here three years ago and were told that behind us was zoned for a single family home dwelling or the potential of more condos. Which was understandable considering the space. There was never talk of 2 20-story high rise 400-unit buildings, which is unfortunate as a lot of residents are extremely let down and disappointed in the city's decision to even accept this type of proposal.

I know this note may not go very far, and who knows I may be the only person who took the time to speak up, but I feel compelled to say something on such a disruption.

I hope the city reconsiders this application, or at best takes a drive out to the proposed site to see the number of trees, farm land, and green space that will be gone should this high rise complex go up.

Thank you

Rachel Rabi

We are writing this in response to the above-mentioned company in regards to the proposed two 20 storey apartment buildings at 978 Gainsborough Road.

We are formally filing our objections to this project.

We are both extremely disturbed by the proposals of this mega project at our doorstep at \_\_\_\_\_.

We moved to London— "Hyde Park Village " from the country 7 years ago. It was the most appealing area in the city to us with a family community atmosphere.

A few other apartment buildings that are being constructed in the neighbourhood are acceptable for progress BUT High-Rise Apartments of this magnitude would forever change "Hyde Park" and this lovely neighbourhood completely.

These two 20 storey buildings should not be allowed to be built here in Hyde Park. Not only because of adding to our already heavy traffic congestion but these massive buildings do nothing to enhance this area of our beautiful Forest City and our family oriented community.

Please Do Not Permit these buildings to be constructed here in Hyde Park Village!!

Thank you for listening and respecting our community.

Sincerely

Bob & Marion Brady

Josh/Alana: I am writing this email about my concerns for building such a high-density apartment building at 978 Gainsborough Rd. I strongly disagree with this project of 2 - 20 story building begin built just outside of my building at \_\_\_\_\_. When I moved here to this area, I did not expect worries about a building of such a enormous height within this community. The problems with traffic and road safety are my main concern. Other issues are over zoning in a small area and taking away more green space. I ask Council to deny this zoning by law amendment. Thank you, Janina Cowan, owner at \_\_\_\_\_.

Dear Josh & Alanna:

We are writing to express our concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

**We strongly object to this project!**

We are owners at \_\_\_\_\_ and our quality of life, and that of all residents in our building and the surrounding neighbourhood would be very negatively impacted by this proposed over-sized project. When we purchased our home in 2019, we took into account the zoning of adjacent properties at that time. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view looking north, and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were **totally unaware** that a developer could so easily convince City Council to override or change zoning (as has happened recently on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood. We feel totally blindsided by this proposal. Our investment into our lovely condo will be drastically affected negatively, with no thoughts or regards to us, the current residents living in this beautiful neighbourhood, let alone the congestion of traffic in this area at Hyde Park & Gainsborough.

Green space in our city is disappearing at record levels, and I am surprised a city the size of London would allow this to happen. Our city is known for its green areas and to our knowledge, is still known as the Forest City. Our voices need to be heard to save this beautiful green area deemed for destruction and the erection of two 20 story buildings. This very small green space at 978 Gainsborough was home for many species of ducks, geese, birds and wildlife of all kinds. It was pleasant to sit on our balcony and watch or listen to their busy lives in this green space. Now, as it appears, we will get to look at the monstrosity of two oversized 20 story buildings encroaching every inch of green space, we had. Our scenic view will be gone as we look at cars, trucks etc. coming and going in place of nature at it's best.

Has there been any thought given to the safety of the children who live in this neighbourhood? Adding the number of vehicles to this residential area by erecting two 20 story buildings, will put the safety of our children playing in this neighbourhood at high risk. Having a school within the boundaries of this proposed development, has certainly attracted more families with children to this community. We are extremely concerned for their safety with the increased number of vehicles coming and going throughout this neighbourhood should this development proposed go forward.

The area around 978 Gainsborough Road is a quiet residential neighbourhood composed mainly of two-storey single-family homes and townhouses. The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being "in the 'Neighbourhoods' Place Type in the London Plan, permitting a range of housing including single detached, townhouses and low-rise apartments". Homeowners in the area purchased their homes expecting that any new housing within their community would remain of this type. Additionally, the policies of the Official Plan (London's long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – more than double the current permitted density. This proposed density simply does not conform with London's Official Plan – a plan upon which purchasers of homes ought to be able to rely in choosing where to buy. The applicant is also requesting special zoning provisions "to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage", thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every way is out of step with the "Neighbourhoods' place type" in the Council-approved London Plan and the surrounding neighbourhood as it currently exists - it is far too large a project not only for the lot, but for the neighbourhood in general. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

Increasing traffic congestion and road safety concerns in the Hyde Park/Fanshawe area are something Council is very well aware of. Within the past year, a long-overdue traffic light was installed at the corner of South Carriage Way and Hyde Park Road, a mere block from the proposed high-density development at 978 Gainsborough Road. Just this past week, an advanced left-turn signal was installed on Hyde Park at the intersection of Gainsborough Road (a few hundred metres from the entrance to this proposed development), necessitated by the rapidly increasing volume of traffic travelling along Hyde Park Road. For several years now, residents at Aldersbrook Gate (within a mile of this proposed development) have expressed concerns about traffic volume and road safety on their street; a meeting with the Ward Councillor and a traffic assessment took place. Amongst the concerns expressed by residents were: “Angle (T-bone) collisions resulting from vehicles turning on and off of Aldersbrook Gate from Fanshawe Park Road” and “traffic queues on Aldersbrook Gate approaching Fanshawe Park Road result in driveways being blocked”. In response to the concerns, the Transportation staff responded, “by investigating conditions at the site and implementing appropriate mitigation measures”. This proposed project 978 Gainsborough Road, located so close to the intersection of Hyde Park Road, will undoubtedly result in problems similar to those experienced at Aldersbrook Gate, as vehicles attempt to exit and enter 978 Gainsborough Road near an already congested intersection. Queues will block driveway entrances to already-existing businesses on Gainsborough Road, and angle collisions are likely as vehicles attempt to make left turns into or out of 978 Gainsborough Road.

**It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy.** The London Plan currently permits “a range of housing including single detached, townhouses and low-rise apartments” – this is a Council-approved plan. In no way does Highland Communities Ltd.’s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – once that is gone, it cannot be recovered.

We ask Council adamantly, to deny this zoning by-law amendment on behalf of all residents who live in this neighbourhood by listening to all residents who do have a voice and an investment in this community. Let this green space live on and the wildlife it houses.

Thanking you in advance for your consideration and attention to the important matter at hand.

Gillian & Keith Brant

Josh/Alanna:

I am writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project.

When we purchased our home at Northcliff, in the fall of 2011, we chose this location, in part, because of its tranquility. In the past 7 years, of those nine years, there has been nothing but new construction around us in every direction. The Johnson 3 story homes to the west, a medical centre to the north, a housing project to the east and now a new 6 story apartment building has begun. To the south of us, there has been a massive housing development (which is continuing) and a new elementary school, as well as a 12-storey apartment building from Drewlo. There remains a junkyard of sorts on this property to the south as Drewlo is planning another high rise next to its first phase. Drewlo should be ashamed of the unsightly construction site, leaving all this rusted equipment and debris and the city does nothing about this?

This constant construction, the to and fro of large machinery and trucks with equipment at every turn, is very demoralizing, depressing and nerve-racking since it is hard to retrieve the peace, quiet and safety we once enjoyed. One cannot relax on their balcony from the sounds and sights of constant construction. If this new mega project goes ahead, I believe nerves will be frayed even further and we will be living in a concrete jungle. Had I been looking to live in that environment I would have bought a condo in downtown London.

In this time of Covid, isolation and uncertainty, for the city to approve such a proposal, would most likely add another dimension of stress and worry to the psyche of your Hyde Park residents. This decision could be seen as very irresponsible, as it would surely add a burden to the mental health of all residents.

I implore Council to deny this zoning by-law amendment. Thank you.

Carole Gregoire  
Northcliff Resident

Good Morning, Josh

Good morning, Alana

I hope this email finds you both in good health and spirits.

I am writing to express my concern and strong opposition to the proposed zoning change Application by Highland Communities Ltd. in regard to the construction of two 20-story towers at 978 Gainsborough Road.

I strongly oppose this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project. When my wife and I purchased our home, we took into account the zoning of adjacent properties. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were aware of a plan to build 2 -15 story condominium apartments on the empty lot at 978 Gainsborough Road. We were not happy about this project but accepted it because it was within the limits set by the City of London zoning density limits. This proposed monstrosity not only exceeds the building setback requirements in place on all three sides, but it also more than doubles the allowed density of 150 units per hectore. Since we purchased our home in 2015, we have had a major apartment building completed on the south side of our property, with a twin to this building already started. Construction has started on an apartment building immediately to our east. Another 15-story building is planned for the property just to the north of 1040 Coronation and a huge complex is planned for the corner of Gainsborough and Hyde Park. I understand the need for development in a city, but taking all these projects into consideration, there is sufficient intensification happening in this small neighbourhood without allowing this mega project to proceed on such a small footprint. We moved to the Forest City from Hamilton when we retired. We enjoy all the green spaces and trails London is so proud of. If I had wanted to live in a concrete jungle, I would have moved to Toronto. There needs to be balance in any city development plan, and we are reaching a tipping point with the projects already planned for this neighbourhood. If this project gets approved, any hope of regaining this balance is lost.

I strongly request Council deny this zoning by-law amendment.

Thank you, and have a great day,

Roland & Cheryl Katzer

I am writing to voice my concern and opposition to the proposed development and changes to the zoning by-law.

This proposed development seems very out of step with the approved London Plan. It seems out of step on what experts recommend. London Official plan was established to protect the citizen from this type of project. How could council allow special zoning by laws that reduce yard depths, reduce landscaped areas and increase heights of buildings and more than double the density of population in this residential neighbourhood? The property is much too small for the size of the proposed buildings. Our



infrastructure can not handle this increase, people did not buy in this neighbourhood to live in this proposed environment. Property values will fall in the surrounding area and quality of life will suffer. Much of the areas wet land area has been filled and built on which has caused significant ground water issues. This patch of land gets much of the runoff from surrounding properties and where will that water go?

I urge council to protect the current people who live in the area and not allow this type of mammoth project ruin this area.

Sincerely

Douglas Kennedy

I am writing to express my concern and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road. As a resident of \_\_\_\_\_ I strongly object to this project. I feel my quality of life as well as all residents in my building and the surrounding neighbourhood would be very negatively impacted by this project. I ask Council to deny this zoning by-law amendment.

Thank you,  
Lois Hyde

Josh/Alanna:

I am writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed over-sized project. When my husband and I purchased our home, we took into account the zoning of adjacent properties. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were unaware that a developer could so easily convince City Council to override or change zoning (as has happened recently on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood.

The area around 978 Gainsborough Road is a quiet residential neighbourhood composed mainly of two-storey single-family homes and townhouses. The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being "in the 'Neighbourhoods' Place Type in the London Plan, permitting a range of housing including single detached, townhouses and low-rise apartments". Homeowners in the area purchased their homes expecting that any new housing within their community would remain of this type. Additionally, the policies of the Official Plan (London's long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – more than double the current permitted density. This proposed density simply does not conform with London's Official Plan – a plan upon which purchasers of homes ought to be able to rely in choosing where to buy. The applicant is also requesting special zoning provisions "to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage", thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every

way is out of step with the “Neighbourhoods’ place type” in the Council-approved London Plan and the surrounding neighbourhood as it currently exists - it is far too large a project not only for the lot, but for the neighbourhood in general. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

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It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy. The London Plan currently permits “a range of housing including single detached, townhouses and low-rise apartments” – this is a Council-approved plan. In no way does Highland Communities Ltd.’s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – once that is gone, it cannot be recovered.

I ask Council to deny this zoning by-law amendment.

Thank you

Parvin Basharat

I am contacting you to voice my formal opinion regarding the zoning amendment put forth by Highland Communities Ltd for 978 Gainsborough Road. This amendment requests rezoning for two 20-storey residential apartment buildings comprising of 400 residential units.

I was unhappy to find out there was going to be one 12 storey residential building to start with as I am a resident of \_\_\_\_\_ with a unit facing north which will be looking directly into the windows of this new building.

I am a senior and I purchased my unit because of the quiet setting, the view and elder population in my building, this monstrosity of a building will change all that for me in what was to be my final home in this lifetime.

Most people in my building rely on their cars to get around and the traffic congestion a 400-unit complex would cause is beyond thinking about as well. Traffic here is a problem as it is now.

Thank you for understanding that living in a concrete jungle was not my intention when I purchased my home here.

Norma Trevelyan

Hello,

I received a notice of a zoning by-law amendment for the above-named property. I am deeply concerned with this proposed development as it appears to request a large number of amendments, all of which negatively impact the surroundings with no positive trade offs. The buildings will be in direct view of our current residence and the amendments all directly impact our building negatively. I wish council will consider existing residents and voters when reviewing this amendment request. Historically amendment protests have been brushed off with one-sentence responses which cannot keep happening! I am all for the area to be developed but following the existing by-law and zoning requirements!

This latest proposed development is seeking to amend the permitted use for all the following areas:

- Increased building height
- reduced yard depth
- reduced landscaping
- increased lot coverage
- increased density
- reduced setbacks

All these amendments will negatively impact the area with no offer of benefit. Where's the trade offs here for accepting these amendments beside developer profits? And why should they be permitted to reduce landscaping, increase height, density, and reduce setbacks? I am deeply concerned with this proposed development.

Again, I am for development in the area however please ensure they follow the by-laws which have been established for a reason. An amendment is meant to address site specific constraints, not to allow developers to skip by-laws. Meet the setbacks from our property and provide the landscaping required. Also adhere to the maximum building heights! The open space and landscaping are of paramount importance to keep with the City's goals of becoming an environmentally friendly City, reducing parking spots and storm water run-off. This amendment request does the opposite. There is no benefit to the City or the residence for accepting these amendments.

I'm strongly opposed to these by-law amendments but do welcome the land being developed in accordance with the existing by-laws.

Mo

I own a condo at \_\_\_\_\_. A 2 - 20 storey apartment building at 978 Gainsborough Rd. Will kill the beauty of the area.  
20 STOREY IS STUPID. AND LOWER OUR PROPERTY VALUE

Josh:

I am writing to express my concerns and opposition to the Notice of Planning Application by Highland Communities Ltd. in regard to the construction of two 20-storey towers at 978 Gainsborough Road.

I strongly object to this project.

I am an owner at \_\_\_\_\_ and my quality of life, and that of residents in my building and the surrounding neighbourhood, would be very negatively impacted by this proposed oversized project. When my husband and I purchased our home, we took into account the zoning of adjacent properties. In making our decision, we relied on the zoning that was in place, along with the Council-approved London Plan, and were confident that our view and quality of life would not be severely impacted by future development on adjacent lands. At that time, we were unaware that a developer could so easily convince City Council to override or change zoning (as has happened recently on a property slightly to the west of 978 Gainsborough Road) to accommodate their ambitious projects which are so unfitting for this residential neighbourhood.

The area around 978 Gainsborough Road is a quiet residential neighbourhood composed mainly of two-storey single-family homes and townhouses. The subject lands at 978 Gainsborough Road are aptly described in the Application Details on page 2 of the Notice of Planning Application as being ***“in the ‘Neighbourhoods’ Place Type in the London Plan, permitting a range of housing including single detached, townhouses and low-rise apartments”***. Homeowners in the area purchased their homes expecting that any new housing within their community would remain of this type. Additionally, the policies of the Official Plan (London’s long-range planning document) allow for density of up to 150 units per hectare; Highland Communities Ltd. is requesting permission for a maximum density of 308 units per hectare – ***more than double the current permitted density***. This proposed density simply does not conform with London’s Official Plan – a plan upon which purchasers of homes ought to be able to rely in choosing where to buy. The applicant is also requesting special zoning provisions “to reduce yard depths, reduce landscaped open space, increase height and increase lot coverage”, thereby eating up existing green space by pushing the development unreasonably close to the margins of the lot, and building two new towers reaching far beyond the height of any existing structure in the area. The project in every way is out of step with the “Neighbourhoods’ place type” in the **Council-approved** London Plan and the surrounding neighbourhood as it currently exists - **it is far too large a project not only for the lot, but for the neighbourhood in general**. Increased traffic in this already-congested area near Gainsborough Rd. and Hyde Park Rd. is an inevitability if Council approves this zoning by-law amendment; a negative impact on the daily lives of current residents, as well as business activity near the intersection, is a certainty.

Increasing traffic congestion and road safety concerns in the Hyde Park/Fanshawe area are something Council is very well aware of. Within the past year, a long-overdue traffic light was installed at the corner of South Carriage Way and Hyde Park Road, a mere block from the proposed high-density development at 978 Gainsborough Road. Just this past week, an advanced left-turn signal was installed on Hyde Park at the intersection of Gainsborough Road (a few hundred metres from the entrance to this proposed development), necessitated by the rapidly increasing volume of traffic travelling along Hyde Park Road. For several years now, residents at Aldersbrook Gate (within a mile of this proposed development) have expressed concerns about traffic volume and road safety on their street; a meeting with the Ward Councillor and a traffic assessment took place. Amongst the concerns expressed by residents were: “Angle (T-bone) collisions resulting from vehicles turning on and off of Aldersbrook Gate from Fanshawe Park Road” and “traffic queues on Aldersbrook Gate approaching Fanshawe Park Road result in driveways being blocked”. In response to the concerns, the Transportation staff responded, “by investigating conditions at the site and implementing appropriate mitigation measures”. This proposed project 978 Gainsborough Road, located so close to the intersection of Hyde Park Road, will undoubtedly result in problems similar to those experienced at Aldersbrook Gate, as vehicles attempt to exit and enter 978 Gainsborough Road near an already congested intersection. Queues will block driveway entrances to already

existing businesses on Gainsborough Road, and angle collisions are likely as vehicles attempt to make left turns into or out of 978 Gainsborough Road.

It is time Council heeds the concerns of residents in the Hyde Park/Fanshawe area and respects their desire for zoning to remain intact in their neighbourhood, preserving the quality of life they currently enjoy. The London Plan currently permits **“a range of housing including single detached, townhouses and low-rise apartments” – this is a Council-approved plan.** In no way does Highland Communities Ltd.’s proposed development of two 20-storey towers at 978 Gainsborough Road fit within that Plan. The design and scale of the proposed development are entirely inappropriate for this location. The added traffic congestion that this over-sized, excessively dense residential development will bring to an area already experiencing traffic safety problems (of which Council is well aware) is entirely unacceptable. The requested reduction in yard depths and reduced landscaped open space, along with a significant increase in height and lot coverage, will have a tragic impact on the green, open feel of this residential area – **once that is gone, it cannot be recovered.**

I ask Council to deny this zoning by-law amendment.

Thank you,  
Mary Dowds

Good morning, Josh,

Regarding the above proposed action.  
Margaret and I are totally against this project in a mainly residential area.

This is a project that would fit with the London downtown area.

You can see even now if you need to fiddle with by-laws to "make it fit, or force it to fit", this should be an indication that it doesn't belong.

Please address this to city Hall that this project is out of place in Hyde Park. The "shoe" doesn't fit.

Thanks, Margaret and Henry Kling



  
**MENEAR WORRAD**  
& ASSOCIATES

August 19, 2020

*Sent Via Email – [ariley@london.ca](mailto:ariley@london.ca)*

The City of London  
Development Services  
300 Dufferin Ave., 6<sup>th</sup> Floor  
London, Ontario  
N6A 4L9

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T (519) 672-7370

F (519) 663-1165

Real Estate/Corporate

F (519) 439-6535

Attention: Alanna Riley

Dear Ms. Riley:

**RE: 978 Gainsborough Rd., London  
Your File No Z-9247**

Michael A. Menear

Brian K. Worrad

Daniel J. McNamara

Karen E. MacDonald

Michael H. Murray

Mary F. Portis  
RETIRED

William R. Poole Q.C.  
COUNSEL TO THE FIRM  
(1990-2010)

Please be advise that I am legal counsel for MIT-Medical Investment Team Inc., the owner of the of the property municipally known as 990 Gainsborough Rd., London. My client was provided with a copy of the Notice of Planning Application document sent out to the public by you on July 30, 2020.

The proposed rezoning causes a number of concerns for our client. Firstly, the proposed zoning increases the number of units on the subject property by approximately 224 units. The Applicant's were provided a Right of Way and servicing corridor across our client's land which was sized for the development as contemplated at the time the same was registered. The additional units applied for will cause servicing concerns not properly addressed by the infrastructure currently in place. The additional units will also cause a substantial increase in traffic which would traverse our client's lands as the most direct route to Gainsborough Road. Furthermore, the substantial increase in units will cause other related traffic concerns associated with parking. Our client's commercial development must have available parking as it provides medical and health care services from 30-40 health care practitioners and available parking is a necessity. The foreseeable management of the increased parking demands caused by the Application is a great concern not only for our client but for the viability of the health care practitioners who occupy the property.

In addition to the foregoing, the contemplated development currently has no construction access other than across our client's property. Neither the internal roadway nor the existing land use can in any way accommodate such a development occurring.

- 2 -

In consideration of the foregoing, and in consideration of other concerns not detailed herein, the City should not move forward with the proposed Application. Should it choose to do so, our client intends to retain litigation counsel in order to adequately represent its interests at all levels considering the proposed Application.

Yours very truly,

  
**MENEAR WORRAD**  
& ASSOCIATES



Brian K. Worrad  
BKW:cb

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Alana Riley ([ariley@london.ca](mailto:ariley@london.ca))

Josh Morgan ([jmorgan@london.ca](mailto:jmorgan@london.ca))

Re: Notice of Planning Applicant: Highland Communities Ltd., File Z:9247

We are writing to express our strong opposition to the above application and the proposed zoning by-law amendment.

When we were looking to relocate to London almost five years ago, we enquired about the zoning of adjacent properties and that factored into our decision to purchase our current home. We felt that our view and our desire for a quiet neighbourhood in retirement would not be severely impacted by any future development on adjacent properties.

In our opinion, the size and the density of the proposed development is entirely inappropriate for this very small location and, if it were to proceed, would have a tragic impact on traffic flow and the green, open feel of this area.

We respectfully ask that council deny this zoning by-law amendment.

Thank you,

Donald O. Astles  
Patricia D. Astles

Hello Councillor Morgan and Alanna,

John Petersen called from \_\_\_\_\_, right beside the proposed site for Z-9247 and he would like to be put on the record as saying that he is not happy with this application. He has lived there for a long time, and although large buildings are inevitable and they have a 14-storey building behind them, he feels that 20 storeys are too high and that the building as it looks in the plans will be nearly on top of them. He feels that the proximity of the towers will negatively affect his enjoyment as well as the value of his property.

John would like to be notified of when there will be a public meeting on this application, please.

19 August 2020

Alanna Riley  
Development Services  
City of London  
300 Dufferin Avenue  
6<sup>th</sup> Floor  
London, ON N6A 4L9  
[ariley@london.ca](mailto:ariley@london.ca)

Dear Alanna Riley,

**Re: File: Z-9247**  
**Zoning By-law Amendment – 978 Gainsborough Road, London**

---

I am writing to you to express concerns regarding the proposed zoning by-law amendment at 978 Gainsborough Road.

The design of the development at 978 Gainsborough Road is concerning for the following reasons:

- The design of the building does not fit the Urban Design Guidelines for Hyde Park or existing surrounding context. The guidelines suggest that buildings should be oriented to the street in order to define the public space of the street and achieve a more urban development character. Setting the residential tower far back from the street prevents visibility from Gainsborough Road and sparks security concerns. The proposed future "service road" will not be a prominent passageway to provide active surveillance on the proposed building. The position of the building at the rear of the site favours vehicular over pedestrian type lifestyles. The prominent angle of the tower above the podium and rear podium does not address its surrounding properties and instead juxtaposes its context. This proposed development evokes the "tower in a park" strategy which has been proven to fail in promoting healthy and sustainable living and creating a succinct relationship with the surrounding community and context. The angle of the tower allows the residents of the proposed development to directly face the surrounding residential properties, impeding on residents' privacy and comfort. The imposing 20 stories introduces greater density than buildings currently on Gainsborough Road.
- The shadow study shows the office building north of the proposed development with little direct sunlight for most of the day, especially when that office building is intended to be occupied. The study also fails to capture the impact of the cast shadow close to sunrise and sunset when the shadow will have the greatest impact. Many surrounding municipalities take these factors into consideration when performing a sun study. It is our experience that the actual shadow of the building at 1030 Coronation Drive casts much further than what is depicted and would cause us to question the legitimacy of the shadow from the proposed 978 Gainsborough development.

/...2

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- The desire to decrease the amount of landscaped open space is concerning due to the current flooding that occurs in transition seasons. The rear of the 978 Gainsborough property is a seasonal home to many migratory birds. We have already noticed the impacts of development in the area through the loss of habitat for many animals.

The density of the development at 978 Gainsborough Road is concerning for the following reasons:

- It is understood that a range of housing typologies, densities, and owned vs. rented apartments are required to meet the needs of all persons and families, however we believe the continued densification of the Hyde Park neighbourhood does not suit the existing context and Design Guidelines. The current site proposes an increased density of 320 units per hectare which is more than double the density of any comparable site in the area.
- Currently there is a new apartment building at the corner of South Carriage and Hyde Park (Drewlo), and another building identical to this one to be built next to it. The first building has not yet reached full capacity and has been available for lease since last fall. A six-storey apartment building is currently under construction at 1020 Coronation Drive and another high-rise apartment building is to be built on the property at 1018 - 1028 Gainsborough Road beside Ungers Market. It appears the precedent for high density rental development in this area is not being supported by actual occupancy in these new developments.
- The Hyde Park neighbourhood at Gainsborough and Coronation Drive is currently developing with two distinct housing typologies: low-density single-family homes and townhouses vs. high density condo and apartment buildings. In order to tie these two opposing typologies together, we advocate for mid-rise and mid-density intensification to create a built landscape which supports the diverse and varied community of Hyde Park. This is evident in the decision to build three story townhouses at 1040 Coronation Drive. By continuing to surround the 1040 Coronation Drive development with high-rise buildings, it takes away from a varied built landscape and imposes large buildings onto the townhome community.

Attached is a list of signatures of residents from Northcliffe Towns at 1040 Coronation Road, London. Thank you for taking our concerns into consideration when reviewing the proposed amendments to the zoning at 978 Gainsborough Road, London.

Sincerely,

Residents of Northcliffe Towns  
1040 Coronation Road, London, ON

Cc: Josh Morgan, Ward Councillor  
[jmorgan@london.ca](mailto:jmorgan@london.ca)

## Comments on Revised Notice

I received a notice for a zoning amendment, file OZ-9247. I would like to vote NO to this application, please and thank you.

Dan Bee

Dear Corrine & Alanna,

I'm writing to you with regards to the yet again, proposed amendment to the zoning for 978 Gainsborough road.

This application was previously rejected for the few reasons outlined below as indicated by your current and former colleagues in 2021.

*The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Holding Residential R9 Special Provision (h-5.h-11.h-17. R9-7(17).H50) Zone, TO a Holding Residential R9 Special Provision Bonus (h-5.h-11.h-17. R9-7( ).H70\*B-( )) Zone, BE REFUSED for the following reasons:*

*1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations.*

2. *The proposed development does not conform to the in-force policies of The London Plan, including but not limited to:*

- i. the Key Directions relating to the strategic location of more intensive forms of development, high-intensity development to strategic locations- along rapid transit corridors and within the Primary Transit Area and new development that is a good fit within an existing neighbourhood.*
- ii. the City Structure Plan policies of The London Plan that create a hierarchy of residential intensity with the most intensive forms of development directed to the Downtown, Transit Villages and at station locations along the Rapid Transit Corridors.*

My wife, Lisa Clark and I, owners and occupants of \_\_\_\_\_ oppose and reject this proposal.

It is inconsistent with any existing structures, approved and standing. This proposal will further encase \_\_\_\_\_ in ultra tall structures, nearly all around us.

There are no comparable height towers in the area nor is this area a part of the rapid transit plan.

We, as with many other neighbours, do not see this a fit for the area and agree with Council's previous decision to reject the development.

We encourage you to reject this decision again.

Please consider who has to live amongst these gigantic towers and don't let these developers negatively impact our wellbeing for their profit.

Thank you,

Matthew Bird & Lisa Clark

Hello,  
I hope all is well.

I am just inquiring about the proposed plan of subdivision and zoning amendment for both 954 & 978 Gainsborough Road.

As much as new housing is trying to be tabled and developed, the environmental impact needs to be assessed as well. I believe there is a percentage of greenspace that needs to be maintained and this has not been outlined in the proposals of either document.

Also, you have probably already heard from others that the sightline that was an initial proposition of the neighborhood will be severely impacted due to the new infrastructure being tabled.

What is the impact of the nearby ponds and wildlife?

Was the farmhouse that was torn down not a historical structure? Why was the dismantling of a historical structure allowed to take place?

When we bought my home in 2017, we were enamoured by the view of the field, pumpkins (when in season) and the farmhouse that resided directly behind us. We were expecting at the time and wanted our child and now children to grow up with this same perspective. The destruction and lack of communication in the process that has followed has really dampened my opinion of the city as a whole. London is supposed to be the "Forest City." We have not just become another engulfment of the metropolis that is Toronto.

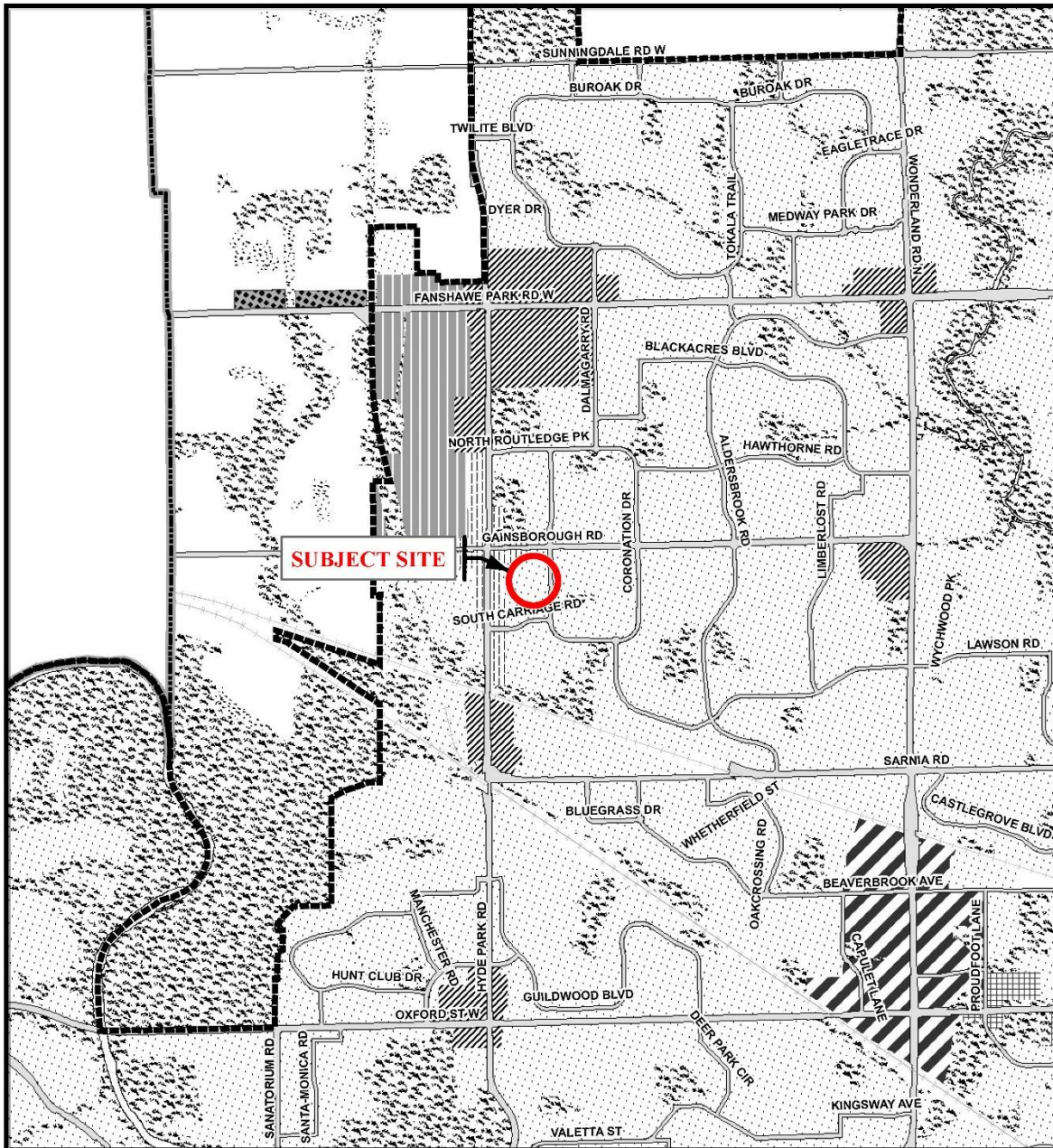
As outlined by the questions above, I and my family are not in favor of the proposed plans for 954 and 978 Gainsborough Road.

Sincerely, Sangev



# Appendix D – 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 the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

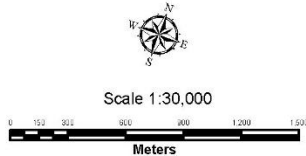
*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9247

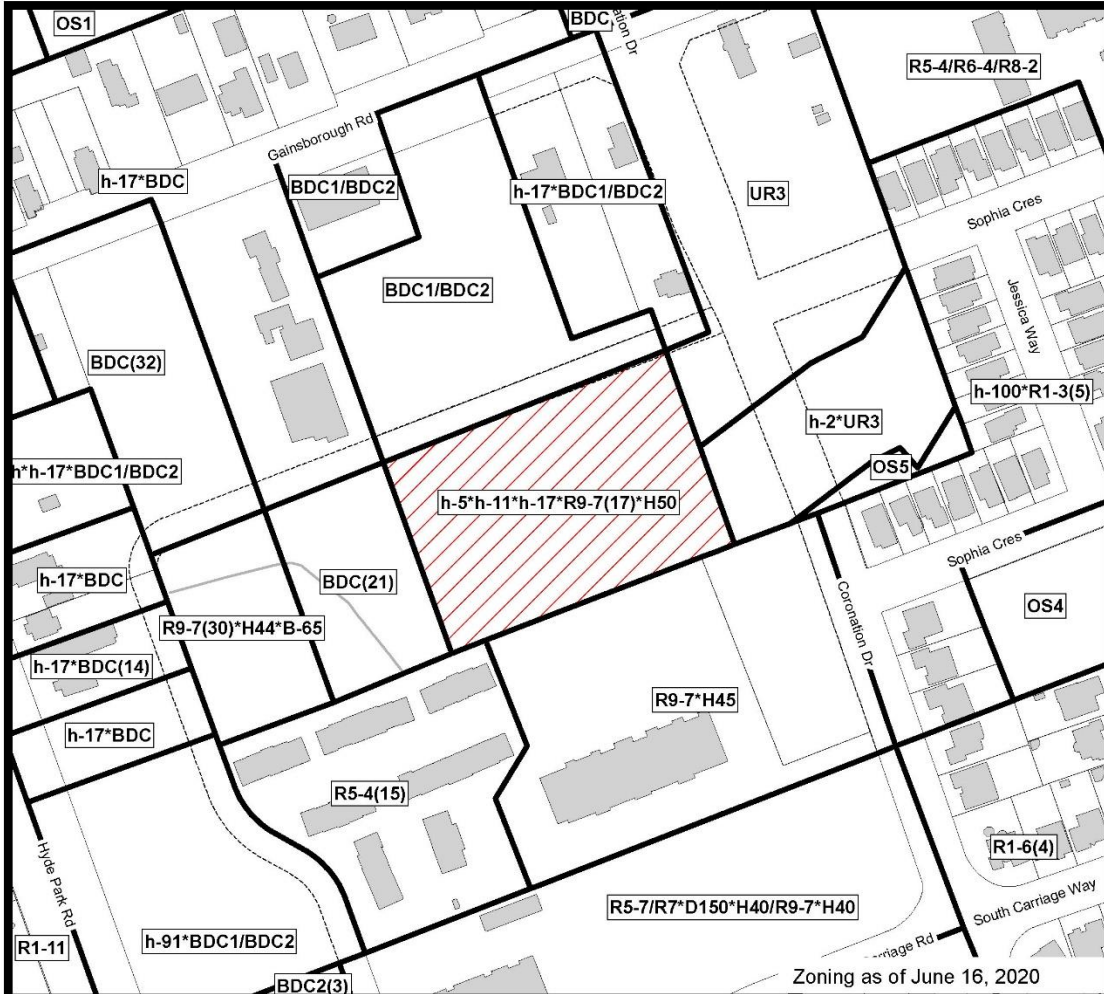
Planner: AR

Technician: RC

Date: July 27, 2020

Project Location: E:\Planning\Projects\p\_officialplan\workconsolid\excerpts\_LondonPlan\mxds\Z-9247-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**

- |  |   |
|--|---|
| <p>R1 - SINGLE DETACHED DWELLINGS<br/>                 R2 - SINGLE AND TWO UNIT DWELLINGS<br/>                 R3 - SINGLE TO FOUR UNIT DWELLINGS<br/>                 R4 - STREET TOWNHOUSE<br/>                 R5 - CLUSTER TOWNHOUSE<br/>                 R6 - CLUSTER HOUSING ALL FORMS<br/>                 R7 - SENIOR'S HOUSING<br/>                 R8 - MEDIUM DENSITY/LOW RISE APTS.<br/>                 R9 - MEDIUM TO HIGH DENSITY APTS.<br/>                 R10 - HIGH DENSITY APARTMENTS<br/>                 R11 - LODGING HOUSE</p>                         | <p>RF - REGIONAL FACILITY<br/>                 CF - COMMUNITY FACILITY<br/>                 NF - NEIGHBOURHOOD FACILITY<br/>                 HER - HERITAGE<br/>                 DC - DAY CARE</p>  |
| <p>DA - DOWNTOWN AREA<br/>                 RSA - REGIONAL SHOPPING AREA<br/>                 CSA - COMMUNITY SHOPPING AREA<br/>                 NSA - NEIGHBOURHOOD SHOPPING AREA<br/>                 BDC - BUSINESS DISTRICT COMMERCIAL<br/>                 AC - ARTERIAL COMMERCIAL<br/>                 HS - HIGHWAY SERVICE COMMERCIAL<br/>                 RSC - RESTRICTED SERVICE COMMERCIAL<br/>                 CC - CONVENIENCE COMMERCIAL<br/>                 SS - AUTOMOBILE SERVICE STATION<br/>                 ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</p> | <p>OS - OPEN SPACE<br/>                 CR - COMMERCIAL RECREATION<br/>                 ER - ENVIRONMENTAL REVIEW</p>   |
| <p>OR - OFFICE/RESIDENTIAL<br/>                 OC - OFFICE CONVERSION<br/>                 RO - RESTRICTED OFFICE<br/>                 OF - OFFICE</p>  | <p>OB - OFFICE BUSINESS PARK<br/>                 LI - LIGHT INDUSTRIAL<br/>                 GI - GENERAL INDUSTRIAL<br/>                 HI - HEAVY INDUSTRIAL<br/>                 EX - RESOURCE EXTRACTIVE<br/>                 UR - URBAN RESERVE</p> |
|  | <p>AG - AGRICULTURAL<br/>                 AGC - AGRICULTURAL COMMERCIAL<br/>                 RRC - RURAL SETTLEMENT COMMERCIAL<br/>                 TGS - TEMPORARY GARDEN SUITE<br/>                 RT - RAIL TRANSPORTATION</p>                        |
|  | <p>"h" - HOLDING SYMBOL<br/>                 "D" - DENSITY SYMBOL<br/>                 "H" - HEIGHT SYMBOL<br/>                 "B" - BONUS SYMBOL<br/>                 "T" - TEMPORARY USE SYMBOL</p>  |

**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-9247 AR

MAP PREPARED:

2020/07/27 RC

1:2,500

0 12.525 50 75 100 Meters





November 9, 2023

**Attn: Planning and Environment Committee** (by email)

**Re: 978 Gainsborough Road – Highland Communities Ltd.  
Proposed Official Plan and Zoning By-law Amendments  
File Number: OZ-9247, Ward 7**

BlueStone Properties Inc. (BPI) is the owner of property at 1018-1024 Gainsborough Road, and we provide this letter in response to the applications made by Highland Communities Ltd. for Official Plan and Zoning By-law Amendment approval on their lands at 978 Gainsborough Road. The applications will be heard by the Planning and Environment Committee on Monday November 13, 2023.

BPI's primary issues with the current proposal are:

- 1) site access (lane easement location)
- 2) sanitary servicing easement location
- 3) neighbourhood sanitary capacity and outlet locations

The current proposal impacts existing businesses on Gainsborough Road as well as vacant development lands east and west of the 978 Gainsborough Road site. The issues identified to date should be reviewed at a neighbourhood or wider scale context than the current proposal can provide.

BPI has reached out to our neighbourhood developer stakeholders and the City's Subdivision and Development team to share the results of our engineering review. Currently a combined access/sewer easement along the southerly property line of 978 Gainsborough and vacant adjacent lands appears to be the most efficient and cost-effective engineering solution. BPI is committed to solidifying a practical solution and we have secured agreement in principle to continue our discussions with all parties.

BPI generally supports development at 978 Gainsborough Road subject to site plan modifications that will address our primary issues noted above.

Should PEC consider approval of the current OPA/ZBA proposed by Highland Communities, BPI requests that all holding provisions identified in the staff report be included in a proposed by-law subject to City Council approval. Thank you for your consideration.

Regards,

**BlueStone Properties Inc.**

Mardi Turgeon, CPT  
Development Manager

A handwritten signature in blue ink, appearing to be "M. Turgeon", is written over the typed name and title.

cc. Harry Froussios, Zelinka Priamo Ltd.  
Mohamad Al Ashkar, Highland Communities Ltd.

## 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:** 200 Albert London Incorporated  
200 Albert Street  
File Number: Z-9561, Ward 13

**Date:** November 13, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 200 Albert London Incorporated relating to the property located at 200 Albert Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 28, 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 Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone **TO** a Residential R10 Special Provision (R10-3( )\*H56) Zone;
- (a) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
  - i) provide a minimum transparent glazing on the lobby/vestibule of 50% abutting Albert Street;
  - ii) consider changes to the building design above the 7<sup>th</sup> storey to reduce the building width (north-south);
  - iii) provide a taller ground floor height to benefit the site from a streetscape activation perspective;
  - iv) incorporate alternative landscaping design to ensure adequate tree and vegetative plantings above the parking garage;
  - v) consider revisions to the layby to ensure safe and efficient vehicle movements;
  - vi) seek opportunities to provide additional step backs along all lot lines above the 3rd and 6th floor.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject site to permit the construction of a 16 storey, 325-unit residential apartment building with 121 parking spaces (all underground) with a maximum density of 732 units per hectare. The requested Residential R10 Special Provision (R10-3( )\*H56) Zone would permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, continuum-of-care facilities.

The requested zoning special provisions would permit a front yard setback of 3.0 metres, whereas 10.0 metres is required, a minimum east and west interior side yard setback of 3.0 metres, whereas 17.4 metres is required, a minimum rear yard setback of 8.0 metres, whereas 17.4 metres is required, a maximum density of 926 units per hectare, whereas 250 units per hectare are permitted, and a maximum height of 16 storeys or 56 metres.

## Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a 16 storey, 325-unit residential apartment building with 121 parking spaces (all underground) with a maximum density of 926 units per hectare.

The applicant requested zoning special provisions would permit:

- a front yard setback of 3.0 metres whereas 10.0 metres is required;
- an east and west interior side yard setback of 3.0 metres whereas 17.4 metres is required;
- a rear yard setback of 8.0 metres whereas 17.4 metres is required;
- a building height of 16 storeys/56 metres whereas 24 metres maximum is required; and
- a density of 926 units per hectare whereas a maximum of 250 units per hectare is required.

Staff are also recommending the following special provisions as part of the application:

- a 2.0 metre step back along the front lot line above the 3<sup>rd</sup> and 6<sup>th</sup> floor;
- a maximum tower floor plate of 1000 square metres; and
- a main building entrance oriented to Albert Street.

## Rationale of Recommended Action

1. The recommended amendments are consistent with the *PPS 2020*;
2. The recommended amendment to Zoning By-law Z.-1 conforms to the in-force policies of *The London Plan*, including, but not limited to the Rapid Transit Corridor Place Type, City Building and Design, Our Tools, and all other applicable policies in *The London Plan*; and
3. The recommended amendment facilitates the development of a site within the Primary Transit Area and Built-Area Boundary with an appropriate form of infill development.

## 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 supporting faster/ streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.
- **Economic Growth, Culture, and Prosperity** by increasing residential occupancy and livability in the Core Area.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

OZ-6541 – report to Planning Committee on November 29, 2004

Z-8336 – report to Planning and Environment Committee on June 17, 2014

TZ-8802– report to Planning and Environment Committee on October 17, 2017

#### 1.2 Planning History

In November 2004, an application (OZ-6451) was approved by Planning Committee and Municipal Council which introduced the Temporary Zone to permit a commercial parking lot on the subject property for a temporary period of three years.



In June 2014, an application (Z-8336) was approved by Planning and Environment Committee and Municipal Council that resulted in the continued use of surface commercial parking lots for up to three years on the subject lands. The amendment had the effect of allowing for the continuation of a surface commercial parking lot previously permitted by temporary zoning on the subject lands.

Another Temporary Zone (TZ-8802) application was approved by Planning Committee and Municipal Council in October 2017 to extend the existing Temporary Use (T-70) Zone to allow for the continuation of the existing commercial surface parking lots on the subject lands for a period not to exceed three (3) years.

### **1.3 Property Description and Location**

The subject site is located on the north side of Albert Street, near the intersection of Richmond Street and Albert Street, within Central London. The subject lands have an estimated frontage of 45.4 metres along Albert Street and an approximate area of 3,509 square metres (0.35 hectares).

The subject lands are currently used as a surface parking lot and do not contain any buildings or structures. Parking meters are located throughout the site. The subject property contains two accesses from Albert Street and can also be accessed from the adjacent parking lot to the rear (via Central Avenue).

The subject site is surrounded by low-rise commercial, and a commercial parking lot located to the north and south; ground floor commercial uses with residential units above along Richmond Street to the east; and a multi unit office building to the west. The subject site is also in close proximity to Victoria Park, and the Downtown. A shared laneway is located to the east adjacent to the subject site and runs along the rear of the properties along Richmond Street, and a second laneway is located to the north of the subject lands, accessible by the properties along Central Avenue and the commercial parking lot.

#### **Site Statistics:**

- Current Land Use: Vacant (commercial parking lot)
- Frontage: 45.4 metres (148.9 ft)
- Depth: 73 metres (239.5 ft)
- Area: 0.35 hectares (3,500 m<sup>2</sup> or 0.86 acres)
- Shape: regular (rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

#### **Surrounding Land Uses:**

- North: commercial parking lot, two-storey commercial
- East: commercial uses
- South: commercial parking lot, one-storey commercial
- West: two-storey office

#### **Existing Planning Information:**

- Existing London Plan Place Type: Rapid Transit Corridor on a Neighbourhood Street - Richmond Row Specific-Segment
- Existing Special Policies: Primary Transit Area, Map 2 - High Density Residential Overlay (from 1989 Official Plan); Map 7 – Specific Policy Areas (Rapid Transit Corridor Richmond Row Specific-Segment); Map 7 – Specific Policy Areas (Near Campus Neighbourhood); Map 7 – Specific Policy Areas (Talbot Mixed-Use Area); Map 10 – Protected Major Transit Station Area (Downtown)
- Existing Zoning: Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone

Additional site information and context is provided in Appendix “C”.



Figure 1- Aerial Photo of 200 Albert Street and surrounding lands



Figure 2 - Streetview of 200 Albert Street (view looking north/west)

## 2.0 Discussion and Considerations

### 2.1 Original Development Proposal

In November 2022, the applicant submitted a zoning by-law amendment application to permit a 12-storey residential apartment building containing 257 dwelling units. The proposed development will consist of 219 one-bedroom units, 31 two-bedroom units, and 7 three-bedroom units. Based on the proposed step backs and plans prepared for the application, the building consists of a 9-storey tower above a 3-storey podium.

The proposed development includes the following features:

- Form: residential apartment building
- Height: 12 storeys (44 m)
- Residential units: 257
- Density: 732 units / hectare
- Building coverage: 41 %
- Parking spaces: 146 spaces – 11 at-grade, 135 underground.
- Bicycle parking spaces: 257
- Landscape open space: 33%

Additional information on the development proposal is provided in Appendix “C”.



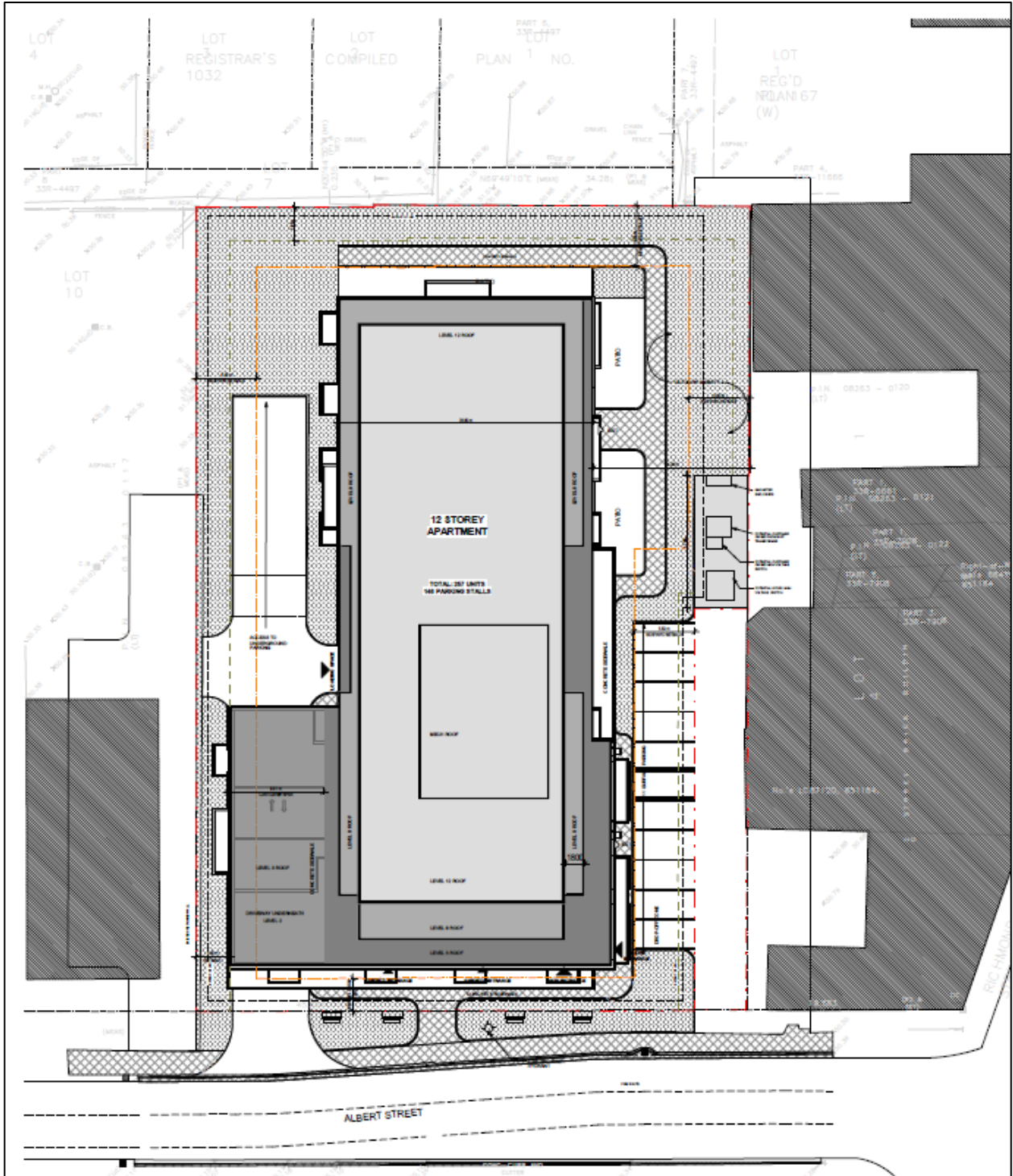


Figure 3 - Concept Site Plan (November 2022)



*Figure 4 - Rendering of building looking northeast from Albert Street*



*Figure 5 - Rendering of building looking northwest from Richmond Street*



*Figure 6 - Rendering of building looking southeast from Central Avenue*



## 2.2 Revised Development Proposal (August 2023)

In August 2023, the applicant submitted a revised concept plan and zoning by-law amendment to permit a 16-storey residential apartment building containing 325 dwelling units. The proposed development will now consist of 23 studio units, 247 one-bedroom, 52 two-bedroom, and 3 three-bedroom dwelling units. Based on the revised elevations, the proposed development features a 3-storey podium with step backs at Levels 4 and 6 for the tower.

The proposed development includes the following features:

- Land use: residential
- Form: apartment building
- Height: 16 storeys (56 m)
- Residential units: 325
- Density: 926 units / hectare
- Building coverage: 40 %
- Parking spaces: 121 underground
- Bicycle parking spaces: 330 long term/ 33 short term
- Landscape open space: 33 %
- Functional amenity space: unknown

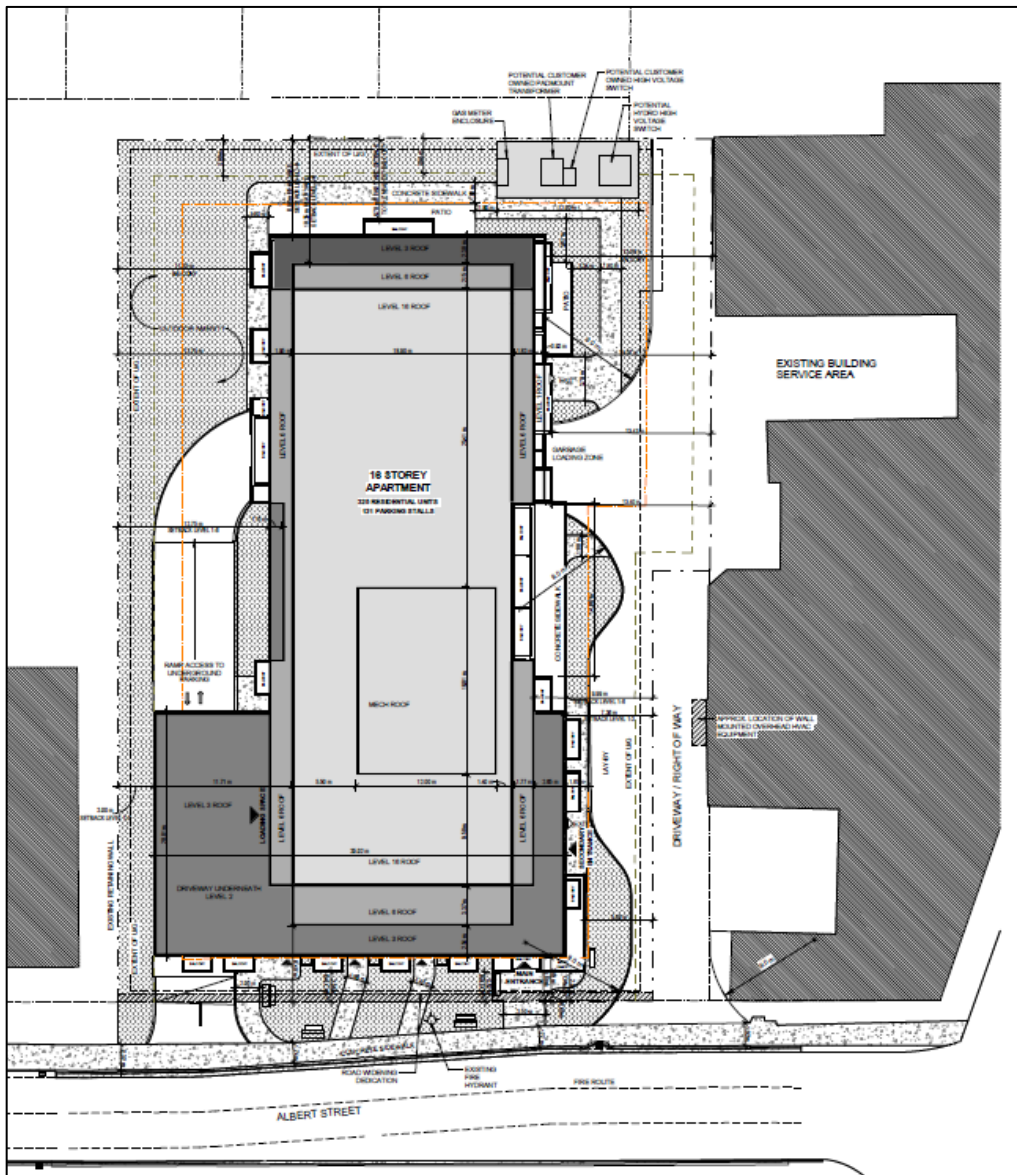


Figure 7 - Revised site concept showing a 16-storey development (August 2023)





Figure 8 - Rendering of the proposed development from Albert Street

Additional plans and drawings of the development proposal are provided in Appendix “C”.

### 2.3 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone to a Residential R10 Special Provision (R10-3(\_)\*H56) Zone. The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (Zone)	Required	Proposed
Front Yard Setback	10.0 m	3.0 m
East and West Interior Side Yard Setback	17.4 m	3.0 m
Rear Yard Setback	17.4 m	8.0 m
Density	250 units per hectare	926 units per hectare
Height	24 m	56 m

## 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:

- Intensity/height
- Special provisions
- Trees
- Design

Detailed internal and agency comments are included in Appendix “D” of this report.

## 2.5 Public Engagement

On December 14, 2022, Notice of Application was sent to 191 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday December 15, 2022. A “Planning Application” sign was also placed on the site.

The public was provided with opportunities to provide comments and input on the application. There were 12 public responses from 6 individuals received during the community consultation period.

Concerns expressed by the public relate to:

- Diversity of units/student housing
- Height
- Setbacks
- Design
- Trees
- Consistency of neighbourhood character
- Traffic

On September 13, 2023, a Revised Notice of Application was sent to 192 property owners 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 revised sticker was placed on the existing “Planning Application” sign on the site.

There were 5 public responses from 6 individuals received during the community consultation period.

Concerns expressed by the public relate to:

- Transportation
- Construction issues
- CPTED issues
- Servicing
- Diversity of units
- Height and density
- Proposed zone
- Shadowing
- Setbacks
- Design
- Trees
- Lack of affordable housing

Detailed public comments are included in Appendix “E” of this report.

## 2.6 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 with respect to the 16-storey residential apartment building.

## 3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures with this application.

## 4.0 Key Issues and Considerations

### 4.1 Land Use

The Rapid Transit Corridor contemplates a range of residential, retail, service, office, cultural, recreational, and institutional uses (837.1). Mixed-use buildings are encouraged, as well as the provision of active (commercial, retail and service) uses on the ground floor (837. 2.). Large floor plate, single use non-residential buildings will be discouraged in Corridors (837\_3.). The full range of uses described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types (837\_5.). Within the Main Street Segment, the permitted use policies of the Rapid Transit Corridor Place Type will apply (846\_).

The proposed apartment building is in keeping with the range of permitted in The London Plan. The apartment building will have convenient access to nearby goods and services in a walkable environment, and convenient access to higher order transit along Richmond Street. Although mixed-use buildings are encouraged, they are not required by the policies of The London Plan.

The London Plan supports the provision of a variety of residential types with varying size, tenure, and affordability so that a broad range of housing requirements are satisfied

(830.11). As such, staff are agreeable that the proposed uses are in conformity with the policies of The London Plan.

## **4.2 Intensity**

The London Plan places an emphasis on growing ‘inward and upward’ to achieve a compact form of development. There is a greater focus on encouraging and supporting growth within the existing built-up areas of the city. The London Plan provides direction to sustain, enhance and revitalize our downtown, main streets, and urban neighbourhoods to build a mixed-use, compact City (59\_3).

The Rapid Transit Corridor policies encourage intensification along these corridors, while managing and mitigating impacts on adjacent, lower-intensity residential areas (832\_). Buildings will be a minimum of 2 storeys, a standard maximum of 12 storeys, and an upper maximum of 16 storeys where a property is located on a Rapid Transit Corridor within 100 metres of rapid transit stations or properties at the intersection of a Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare (Table 9). Policy 840\_1. directs that development within corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. The subject site is adjacent to the Richmond Row commercial corridor, which ranges from 2-3 storeys with commercial at grade and residential above, a two-storey commercial use, a 2-storey duplex, a parking lot to the north, and a 2.5-3 storey office building to the west. A single storey commercial plaza is located to the south. One 2-storey single detached dwelling exists further west along Albert Street. The subject lands are substantially larger than other lots within this area and provide for a coordinated access point to the site, and coordinated parking, therefore land assembly is not necessary, as the lot is of a sufficient size to accommodate the level of intensity proposed (840\_3.). The Zoning By-law regulations for this site will ensure that the intensity of development is appropriate (840\_8.).

### *Rapid Transit - Downtown Protected Major Transit Station*

The Planning Act defines Protected Major Transit Station Areas (PMTSA) as areas “surrounding and including an existing or planned higher order transit station or stops” (S.16(15)). The Planning Act was amended in 2017 (Bill 139) to allow municipalities to delineate PMTSA’s in their Official Plans.

The London Plan Policies 860A\_ to 860F\_ outline locations and criteria for the Rapid Transit Corridor Protected Major Transit Stations. All PMTSAs are shown on Map 10 of The London Plan (860A\_). Each Rapid Transit PMTSA will be planned to achieve a minimum number of 120 residents and jobs combined per hectare (860B\_). Within the Rapid Transit PMTSA, the minimum building height is 2 storeys, or eight metres and the maximum building height is 12 storeys, or 16 storeys for areas within 100 metres of a rapid transit station (860C\_), with a minimum density of 45 units per hectare for residential uses (860D\_). Development will conform with all other policies of The London Plan (860F\_).

The subject site is located within 100 metres of a rapid transit station, at the intersection of Central Avenue and Richmond Street (Map 10)

Staff agree the site is in an appropriate location for appropriate development, given its location adjacent to existing services, transit, and the downtown. The impacts on adjacent lower-rise buildings can be mitigated by building placement, setback and step backs, and appropriate landscaping and fencing.

## **4.3 Form & Zoning Provisions**

The Form policies of the Rapid Transit Corridor Place Type establish a number of directions for planning and development applications. These policies direct buildings to be sited close to the street to create a pedestrian-oriented street wall while providing appropriate setbacks from properties adjacent to the rear lot line, break up and articulate the mass of large buildings fronting the street to support a pleasant and interesting pedestrian environment, and encourage windows, entrances and other features that add interest and animation to

the street (841\_2 and 841\_3). Surface parking areas should be located in the rear and interior side yards; underground parking and structured parking integrated within the building design is encouraged (841\_12). In general, buildings are to be designed to mitigate the impact of new development on adjacent neighbourhood areas (841\_13).

In addition to the Form policies of the Rapid Transit Corridor 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\_).

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

### *Base*

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

The base of the building has been designed with many positive features, which were commended by Urban Design staff. These include: an active built form along the Albert Street edge, and the creation of a distinct base with an animated multi-storey podium. An elevation depicting the base of the building is contained in Section 2.1.

### *Middle and Top*

The middle should be visually cohesive with, but distinct from, the base and top (289\_2). The middle of the building is the portion of the building above the podium-base and consists of the residential tower. The top should provide a finishing treatment, such as roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design (289\_3.).

Staff have identified the following design refinements for the building:

- Special provisions to implement certain design features are recommended including:
  - Minimum step back above the podium;
  - Minimum ground floor height of 4.5m;
  - Minimum percentage of transparent glazing on the podium;
  - Minimum percentage of transparent glazing on the tower;
  - Maximum floorplate size of 1000m<sup>2</sup> and a length to width ratio of 1:1.5 above the seventh storey;
  - Minimum underground parking setback;
- Include zoning provisions for step backs to mitigate negative impacts on the existing and planned neighbourhood and to provide a human-scale environment along the proposed development's active edges (TLP\_253).
- Include provisions for a minimum ground floor height of 4.5m and a minimum percentage of transparent glazing to facilitate an active ground floor along Albert Street (TLP, 291).
- To mitigate shadow impact on the neighbouring properties, include a zoning provision for a maximum floorplate size of 1000m<sup>2</sup> and a length to width ratio of 1:1.5 above the seventh storey (TLP, 289).
- Include zoning provisions to implement a minimum transparent glazing on the tower and podium.



- Include zoning provisions to include minimum underground parking setback.

The proposed development is oriented towards Albert Street to allow for the building to be positioned adjacent to the street, as per City Design policies (259\_). The main building entrance will be accessed from Albert Street, and provisions will be added to the zoning by-law to ensure this occurs. In order to site the building with minimal setbacks from public streets and public spaces to create an inviting, active, and comfortable pedestrian environment (259\_), and to ensure the base of the building will establish a human scale façade with active frontages (259\_1), a minimum 2 metre step back above the 3rd storey is required to establish a human scale façade. Additional step backs are also recommended and incorporated into the proposed special provisions, with a minimum 2 metre step back above the 6<sup>th</sup> storey. In terms of height transitions, a 16-storey building will be the tallest building in the immediate area, however adequate separation is being provided to ensure the impact of the higher height is minimized. The massing of the building will be further reduced by limiting the tower floor plate (293\_) to 1000m<sup>2</sup>.

Specific City Design policies indicate that principal building entrances and transparent windows should be located to face the public right-of-way, to reinforce the public realm, establish an active frontage and provide convenient pedestrian access (291\_). Staff are recommending a minimum transparent glazing on the lobby/vestibule for the ground floor of at least 50% abutting Albert Street be addressed through the site plan process. Policies require residential buildings to include outdoor amenity spaces (295\_) and support reduced parking rates in place types and parts of the city that have high accessibility to transit (271\_). An amenity area has been incorporated in the proposed site plan, to be located to the rear of the building. Underground parking is provided, and surface parking has been removed to support the City's objectives and provide less parking along a transit corridor.

Some items, such as glazing, reduction in building width, providing a taller ground floor, and incorporating alternative landscaping design have been included as direction to the site plan approval authority, rather than including provisions within the zoning by-law to allow for some flexibility at the site plan stage.

Overall, the proposed form and design meets the intent of The London Plan.

### *Zoning By-Law*

The 'R10' Zone is intended to permit and regulate medium to high-density development in various forms of apartment buildings. The 'R10-3' Zone permits apartment buildings and special population's accommodations, in the form of lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities. The subject lands currently permit 250 units per hectare, based on the previous R10 Zone on the site. The proposed maximum density of 926 uph will allow for the implementation of the 16-storey apartment building and will align with the rapid Transit Place Type policies near transit stations.

Staff are also recommending the following special provisions as part of the application:

- a maximum tower floor plate of 1000 square metres; and
- a main building entrance oriented to Albert Street.

**Front yard setback and 3<sup>rd</sup> and 6<sup>th</sup> floor step back** – The Applicant submitted a request to reduce the front yard setback to 3.0 metres, from the required 10.0 metres as per the Zoning By-law. Staff are recommending this change to bring the proposed built form closer to the street. Step backs of approximately 2.0 metres are currently shown on the proposed concept plan and included in the by-law to create a better pedestrian environment along Albert Street, and to increase building setbacks from adjacent properties.

**Side yard setbacks** – The Applicant has also requested an east and west interior side yard setback of 3.0 metres whereas 17.4 metres is required. Properties to the east of the proposed building will also include a 3.0 metre easement/right of way. Coupled with the 3<sup>rd</sup> and 6<sup>th</sup> storey step backs of 2.0 metres, this should provide sufficient setback to ensure the rear of the buildings along Richmond are not "crowded" by the new built form. The west interior side yard is only for a small portion of the building, as shown on the concept plan,

and the main building will be setback approximately 11 metres from the property line. Staff have no concerns with the reduced side yard setbacks, as the proposed side yards and building placement will ensure appropriate spacing between buildings allowing for light, and sufficient amenity area within the side yards.

**Rear yard setback** – The revised concept plan shows an 8.0 metre setback from the rear yard property line to the proposed building. Based on the proposed built form and step backs identified on the site plan staff are generally supportive of the proposed setback. To ensure appropriate separation between all properties is achieved, direction to the site plan approval authority is being provided to explore further ways to reduce the overall width of the development and explore opportunities for additional step backs above the 3<sup>rd</sup> and 6<sup>th</sup> floor.

**Maximum tower floor plate** – the policies of The London Plan seek to reduce tower floor plates to a reasonable size to ensure less shadowing and impact. The proposed concept plan currently shows a tower floor plate of 963 square meters, so staff are recommending adding the maximum floor plate size of 1000 square metres to limit large, bulky top portion to the building.

**Entrance orientation** – Staff are also recommending an additional special provision to ensure the main entrance of the building is oriented to Albert Street, as per the policies of The London Plan.

Overall, the proposed Zoning By-law amendment maintains the general intent and purpose of the City of London Zoning By-law Z.-1.

The full set of comments have been included in Appendix B and C.

#### **4.5 Near-Campus Neighbourhood**

The Near-Campus Neighbourhoods are located within proximity to Western University and Fanshawe College and are identified as extremely valuable city neighbourhoods that will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all (962\_, 963\_ and 964\_). The identified property is identified as being in proximity to Western University. The policies are meant to augment the applicable place type policies and the Our Tools policies within The London Plan (962\_).

A number of planning goals have been established to serve as an additional evaluative framework for all planning applications, including:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;
- Identifying strategic locations where residential intensification is appropriate within Near-Campus Neighbourhoods and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;
- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas and recognizing areas that have already absorbed significant amounts of intensification;
- Encourage appropriate forms of intensification that support the vision for Near-Campus Neighbourhoods and encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior of neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties;

- Encourage affordable housing opportunities; and,
- Ensure intensification is located and designed to respect the residential amenity of nearby properties.

In Near-Campus Neighbourhoods, most intensification will be directed to place types that are intended to allow for mid-rise and high-rise residential development. These include Rapid Transit Corridors (967\_).

The subject site is located within the Rapid Transit Corridor which anticipates higher intensity uses near planned and existing transit, with existing and future connections to the various campuses. The proposed development will provide intensification on an underutilized site (parking lot) and will not detract from the existing housing stock in the area. The proposed development encourages an appropriate form of intensification in a high-rise form, adjacent to a significant transit corridor and away from the interior of the neighbourhood. The proposed zoning will ensure that the development will be appropriately accommodated on the site, and within the surrounding context. The development provided a built form that is considered compatible and respectful to adjacent properties and amenity areas. The design of the site will enhance the streetscape and contribute to the overall character of the neighbourhood and respond to the adjacent heritage properties. The proposed mix of small sized bachelor, 1- and 2-bedroom units will provide more affordable housing units in this area directly adjacent to the downtown.

Overall, the proposed development is in keeping with the policies of the Near-Campus Neighbourhood.

Policy 969\_ of The London Plan further discourage forms of intensification within Near-Campus Neighbourhoods that:

- Are inconsistent with uses and intensity shown in Tables 10 to 12 of The London Plan;
- Are within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity;
- Require multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
- Are located on inadequately sized lots that do not reasonably accommodate the use, intensity, or form of the proposed use;
- Contain built forms that are not consistent in scale and character with the neighbourhood;
- Continue an ad-hoc and incremental trend towards residential intensification within a given street, block, or neighbourhood.

Urban design qualities are to be incorporated into the design to ensure intensification projects contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties. Zoning is to be utilized to ensure residential intensification occurs in a manner which is appropriate in form, size, scale, mass, density, and intensity.

Staff is agreeable that redevelopment of the subject lands into a high-rise form of development aligns with the intent of the Near-Campus Neighbourhoods policies. The subject lands are located adjacent to a higher order street in a strategic location where residential intensification would be appropriate. High-rise forms of redevelopment are preferred in Near-Campus Neighbourhoods and are directed to significant transportation nodes and corridors, away from the interior of neighbourhoods.

#### **4.6 Talbot Mixed-Use Area Special Policy**

A special policy for the Talbot Mixed-Use Area recognizes that there will be proposals for the conversion of existing dwellings to commercial and office use, and redevelopment of lands for multi-family residential uses; however, the scale and form of any redevelopment or change in land use shall not adversely impact the amenities and character of the surrounding area (1025\_). Additional criteria for evaluation specific to the lands within the High Density Residential (HDR) Overlay (from the 1989 Official Plan) permits high and medium density residential forms of development that involve substantial land assembly

and provide a high standard of site and building design with emphasis on landscaped open space and underground or appropriately screened parking areas (1026\_ and 1027\_).

The proposed development provides a high-density residential form of intensification on lands that although not considered part of a land assembly are of a significant size and will provide a higher standard of building and site design that will contribute to the overall character of the neighbourhood. Through direction to the Site Plan Approval authority staff will continue to work with the applicant to ensure robust landscaping and amenity area is provided on site and that the underground parking is appropriately sited.

Policy \*1028\_ is specific to the Kent, Albert, and Talbot Streets within the HDR Residential Overlay, which in addition to high density residential uses, permits mixed-use developments, commercial and office uses, either through the conversion of existing buildings, or the redevelopment of low-rise buildings on small parcels of land. This portion of the policy; however, is currently under appeal at the OLT. Since no mixed use is proposed as part of this application, this does not apply.

#### **4.7 High Density Residential Overlay (from 1989 Official Plan)**

As discussed in section 4.6, the subject lands are within the High Density Residential (HDR) Overlay (from 1989 Official Plan). High-rise apartment buildings play a significant role in supporting the fundamental goal of linking our land use plans to our mobility plans. This type of development generates significant densities which can create a high demand for transit services. Directing these uses to the Downtown, Transit Village, and Rapid Transit Corridor Place Types is a key strategy to create the context for a viable and cost-efficient transit system (954\_). While recognizing this strategy moving forward, The London Plan also recognizes High Density Residential areas that were designated in the previous Official Plan. Map 2 identifies these lands as High-Density Residential Overlay (from 1989 Official Plan). Map 2 is an overlay that permits high-rise buildings, in addition to the policies of the underlying place type (955\_). Notwithstanding the height and intensity policies of the underlying place type, within the Primary Transit Area, residential development may be permitted up to 14 storeys in height (958\_1.). Zoning may not allow for the full range of height and density identified in these policies (958\_5.).

In this instance, the Rapid Transit Corridor Place Type permits greater heights than those within the High-Density Residential overlay. As such, the development proposal was reviewed based on the relevant policies of the Rapid Transit Corridor Place Type.

#### **4.7 Neighbourhood & Agency Concerns**

Public comments received on the proposed application expressed concerns relating to the following:

- Transportation
- Construction issues
- CPTED issues
- Servicing
- Diversity of units
- Height and density
- Proposed zone
- Shadowing
- Setbacks
- Design
- Trees
- Lack of affordable housing

Discussions on height, density, setbacks, proposed zone, and design can be found within the previous sections of the report (Section 4.1-4.4, Use, Intensity, Form and Design).

#### ***Transportation***

Concerns were raised about the amount of traffic that would be generated by this development. Residents in the area are concerned about negative impacts on the neighbourhood in terms of increased traffic and safety. As part of the complete application, a Traffic Impact Assessment (TIA) was required by Transportation. No recommendations were made as a result of the TIA and the study indicated there would be no significant traffic related impacts to the area.

Residents were also concerned about the reduction in parking, and possible overflow parking on local streets as a result. Although parking is provided at 0.4 spaces per unit, the policies of The London Plan permit this type of reduction within the Rapid Transit Place Type, to account for the higher use and proximity to transit for residents. In consideration of the proposed parking and the available public transit, the proposed residential parking spaces should adequately accommodate the proposed residential units.

### ***Construction Issues***

While this area has recently seen development projects, the subject site is one of the last remaining areas with the potential for additional development/infill. This project could also provide the area with upgraded water connections depending on the outcome of the water capacity analysis.

### ***CPTED (Crime Prevention through Environmental Design)***

Comments arose from the public with respect to creating a building layout with blind corners or areas where crime can occur.

The London Plan policy 228\_ states that neighbourhood streets and all infrastructure will be planned and designed to enhance safety by implementing the principles of Crime Prevention Through Environmental Design, encouraging greater levels of passive surveillance, and providing sidewalks of sufficient width to support planned levels of activity. Items have been included in the concept plan, including first floor patios and direct entrances to the street, and large windows and balconies, which will encourage passive surveillance. Areas at the back of the property, such as the amenity area, are private property and potential CPTED issues will be addressed by building management/security.

### ***Servicing***

All services are proposed for this site, and no issues with capacity have been identified. Development will require full services, and issues such as stormwater runoff, must be controlled through the site plan on site.

### ***Diversity of units***

With respect to diversity of units, there is no mechanism to ensure that larger units with 2 or more bedrooms are provided. The development proposes 23 studio units, 247 one-bedroom, 52 two-bedroom, and 3 three-bedroom dwelling units. Planning can not control who will reside in the units. Several comments were made with respect to who will be living in the proposed development, and questions on whether or not this will be student housing. It's important to note that planning considerations cannot be made based on residential tenure and tenancy. Type of tenancy and tenure (owner vs. rental) are not planning considerations when analyzing planning applications.

### ***Shadowing***

A shadow study was submitted as part of the submitted application. The design of the building allows the shadows to move relatively quickly, traversing across existing development within approximately 1-3 hours. An excerpt from the shadow study indicates that the most significant shadow impact on adjacent developments to the west occur in December at 9am. Otherwise shadow impacts will predominately affect the existing site.

### ***Trees***

Members of the public expressed concerns about the lack of trees being incorporated on the site. The extent of the underground parking structure reduces the volume of soil to the property lines, which in turn will affect the City's tree canopy goals through the Urban Forestry Strategy, as a lack of soil volume does not allow for robust tree plantings. Staff will not require additional setbacks in this urban area, and instead will work with the applicant to ensure a robust landscaping plan and tree plantings, to the greatest extent possible.



### ***Lack of Affordable Housing***

The City cannot dictate whether units can be “affordable” or offered at below market rates. The recent Planning Act changes limits the ability for the City to negotiate and secure below market rates through new development (Bonusing Provisions, formerly Section 37 of the Planning Act). There are opportunities that Applicants can explore to incorporate affordable housing units as part of their development. The City has a Municipal Housing Development division in Planning and Economic Development Service Area where Applicants can obtain funding for affordable housing units, and, alternatively, Homelessness Prevention and Housing Department administers various programs including rent subsidies and rebates, as well as Community Housing.

### **4.8 Heritage**

A number of properties in proximity to the site are listed under the Municipal Heritage Register, including 179-181 Albert Street, 186 Albert Street, 202 Albert Street, 185 Central Avenue, 191 Central Avenue, 565-569 Richmond Street, 571-575 Richmond Street, 579 Richmond Street, 581-583 Richmond Street, and 595 Richmond Street. A Cultural Heritage Impact Assessment (CHIA) was prepared by PHC Inc. as part of a complete application package to review the relevant historical documents, evaluate potential cultural heritage value or interest (CHVI), identify cultural heritage resources, and assess potential impacts, and recommend mitigation options. It was determined that there will be negligible impacts to the heritage of adjacent structures and no impact to heritage resources adjacent to 200 Albert Street. Staff have agreed with these findings and recommends no further mitigation be incorporated into the site.

## **Conclusion**

The proposed development and recommended amendments are consistent with the Provincial Policy Statement, 2020 and conform to The London Plan policies including but not limited to Key Directions, the City Structure Plan, growth frameworks, City Design policies, and the Rapid Transit Corridor Place Type. The recommended amendment will facilitate an infill and intensification development with an appropriate intensity and built form for the site and surrounding area.

**Prepared by:** Nancy Pasato, MCIP, RPP  
Manager, Planning Policy (Research)

**Submitted 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:** Michael Pease, Manager, Site Plans  
Brent Lambert, Manager, Development Engineering  
Britt O'Hagan, Manager, Current 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 200 Albert Street.

WHEREAS 200 Albert London Incorporated has applied to rezone an area of land located at 200 Albert Street, 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 200 Albert Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone to a Residential R10 Special Provision (R10-3(\_)\*H56) Zone.
- 2) Section Number 14.4 of the Residential R10-3 Zone is amended by adding the following Special Provision:

) R10-3(\_) 200 Albert Street

a) Regulations

- |   |   |
|---|---|
| (i) Front Yard Setback<br>(Minimum)   | 3.0 metres<br>(9.8 feet)                      |
| (ii) Building Step Back from<br>the front lot line Above the 3 <sup>rd</sup> Storey<br>(Minimum)  | 2.0 metres<br>(6.6 feet)                      |
| (iii) Building Step Back from<br>the front lot line Above the 6 <sup>th</sup> Storey<br>(Minimum) | 2.0 metres<br>(6.6 feet)                      |
| (iv) East and West Interior Side Yard<br>Setback (Minimum)  | 3.0 metres<br>(9.8 feet)                      |
| (v) Rear Yard Setback<br>(Minimum)  | 8.0 metres<br>(26.2 feet)                     |
| (vi) Ground Floor Height<br>(Minimum)   | 4.5 metres<br>(14.8 feet)                     |
| (vii) Tower Floorplate<br>Gross Floor Area<br>above the 6 <sup>th</sup> floor<br>(Maximum)        | 1,000 square metres<br>(10,763.9 square feet) |
| (ix) Density<br>(Maximum)   | 926 units per hectare                         |
| (x) Height<br>(Maximum)   | 56 metres (or 16 Storeys)                     |

(viii) The main building entrance shall be oriented to Albert Street.

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

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

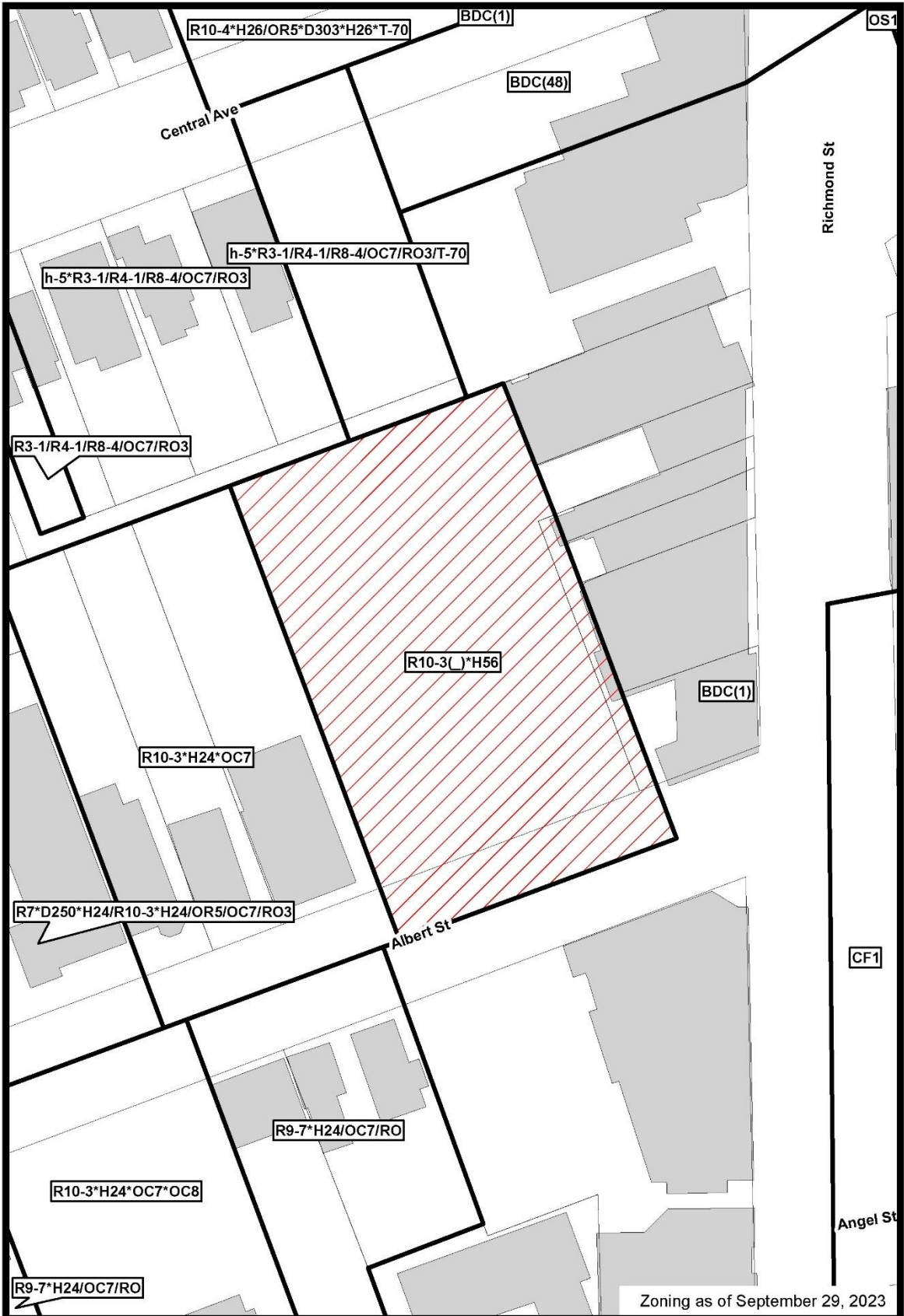
PASSED in Open Council on November 28, 2023

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – November 28, 2023  
Second Reading – November 28, 2023  
Third Reading – November 28, 2023

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



File Number: Z-9561

Planner: NP

Date Prepared: 2023/10/12

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



## Appendix B - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Parking lot
Frontage	45.4 metres (148.9 feet)
Depth	73 metres (239.5 feet)
Area	0.35 hectares (0.86 acres)
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

#### Surrounding Land Uses

North	commercial parking lot, two-storey commercial
East	commercial uses
South	commercial parking lot, one-storey commercial
West	two-storey office

#### Proximity to Nearest Amenities

Major Intersection	Albert and Richmond (40 m)
Dedicated cycling infrastructure	Existing along Richmond
London Transit stop	Albert and Richmond
Public open space	Victoria Park (150 m)
Commercial area/use	Richmond Row (40 m)
Food store	Oxford Street Valu-Mart (1.5 km)
Community/recreation amenity	Canada Life Recreation Grounds (1.3 km)

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Rapid Transit Corridor
Current Special Policies	Near Campus Neighbourhood, HDR Overlay, Talbot Mixed-Use Area, PMTSA
Current Zoning	Residential R10/Office Conversion/Temporary (R10-3*H24/OC7/T-70) Zone

#### Requested Designation and Zone

Requested Place Type	n/a
Requested Special Policies	n/a
Requested Zoning	Residential R10 Special Provision (R10-3(_)*H56) Zone

#### Requested Special Provisions

Regulation (Zone)	Required	Proposed
Front Yard Setback	10.0 m	3.0 m
East and West Interior Side Yard Setback	17.4 m	3.0 m
Rear Yard Setback	17.4 m	8.0 m
Density	250 units per hectare	926 units per hectare
Height	24 m	56 m



## C. Development Proposal Summary

### Development Overview

The purpose and effect of the recommended action is to permit the development of a 16 storey, 325-unit residential apartment building with 121 parking spaces (all underground) with a maximum density of 926 units per hectare.

### Proposal Statistics

Land use	Residential
Form	Apartment Building
Height	16 storeys
Residential units	325
Density	926 uph
Gross floor area	18048 sq. m
Building coverage	40%
Landscape open space	33%
Functional amenity space	353 sq. m
New use being added to the local community	Yes

### 1.1 Mobility

Parking spaces	121 (underground)
Vehicle parking ratio	0.4 / unit
New electric vehicles charging stations	TBD
Secured bike parking spaces	330
Secured bike parking ratio	1.01 / unit
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	N/A

### 1.2 Environmental Impact

Tree removals	N/A
Tree plantings	40
Tree Protection Area	N/A
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 / To be Determined

## Appendix C – Additional Plans and Drawings



Figure 9 - Rendering of building from Albert Street level



Figure 10 - Rendering of building from Albert Street looking northwest



Figure 11 - Rendering of rear of building looking southeast

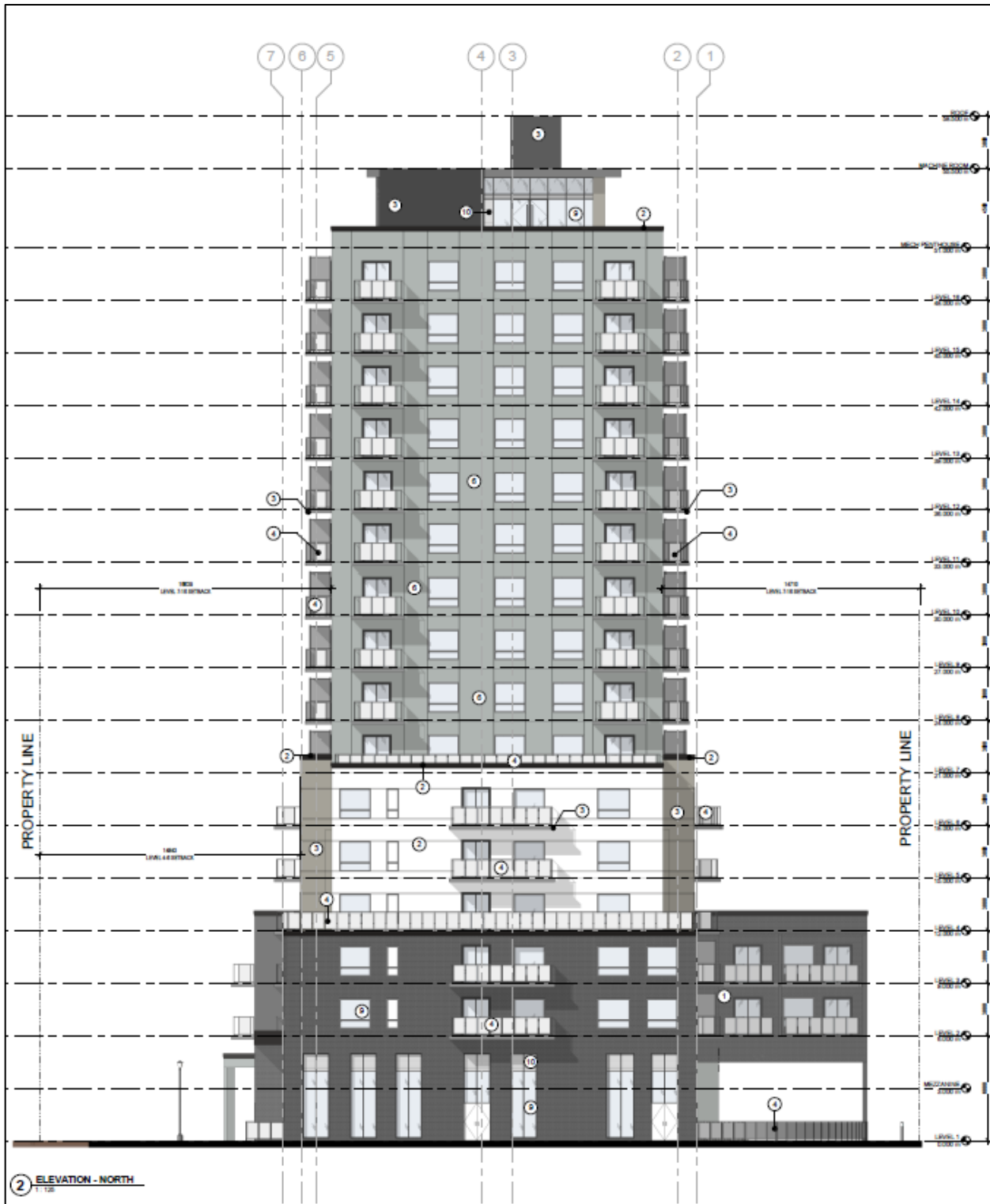


Figure 12 - North elevation (rear)



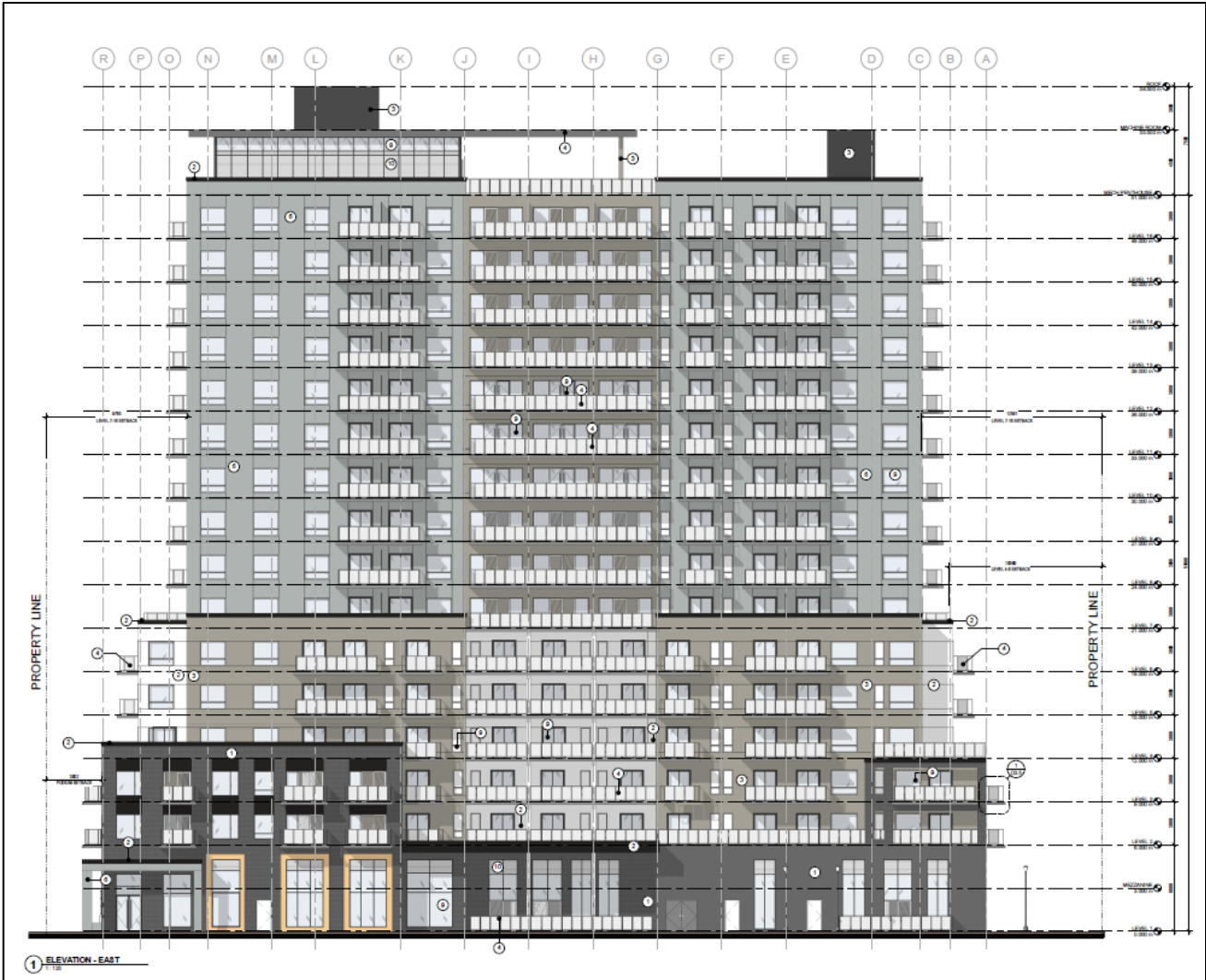


Figure 13 - East elevation

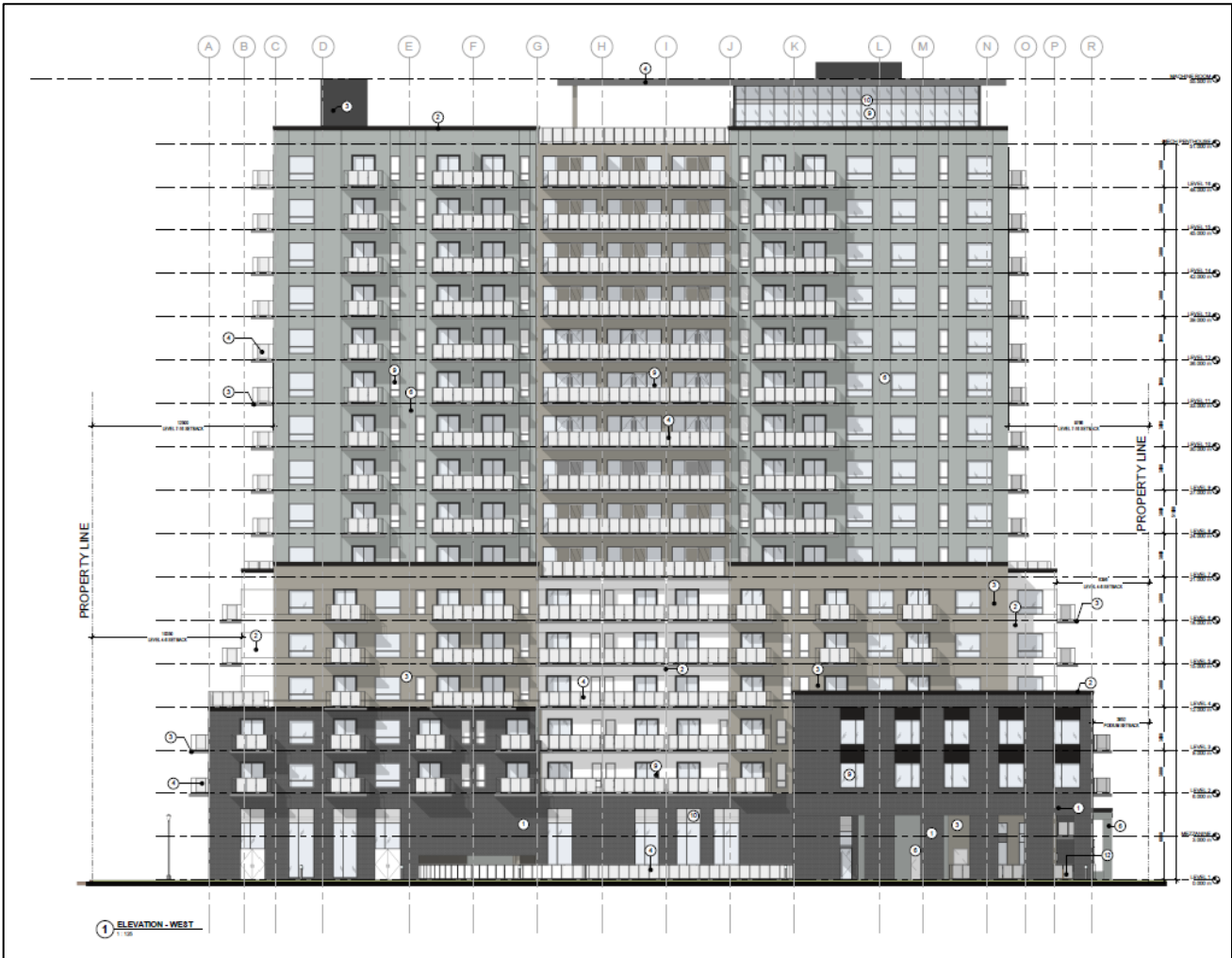


Figure 14 - West elevation

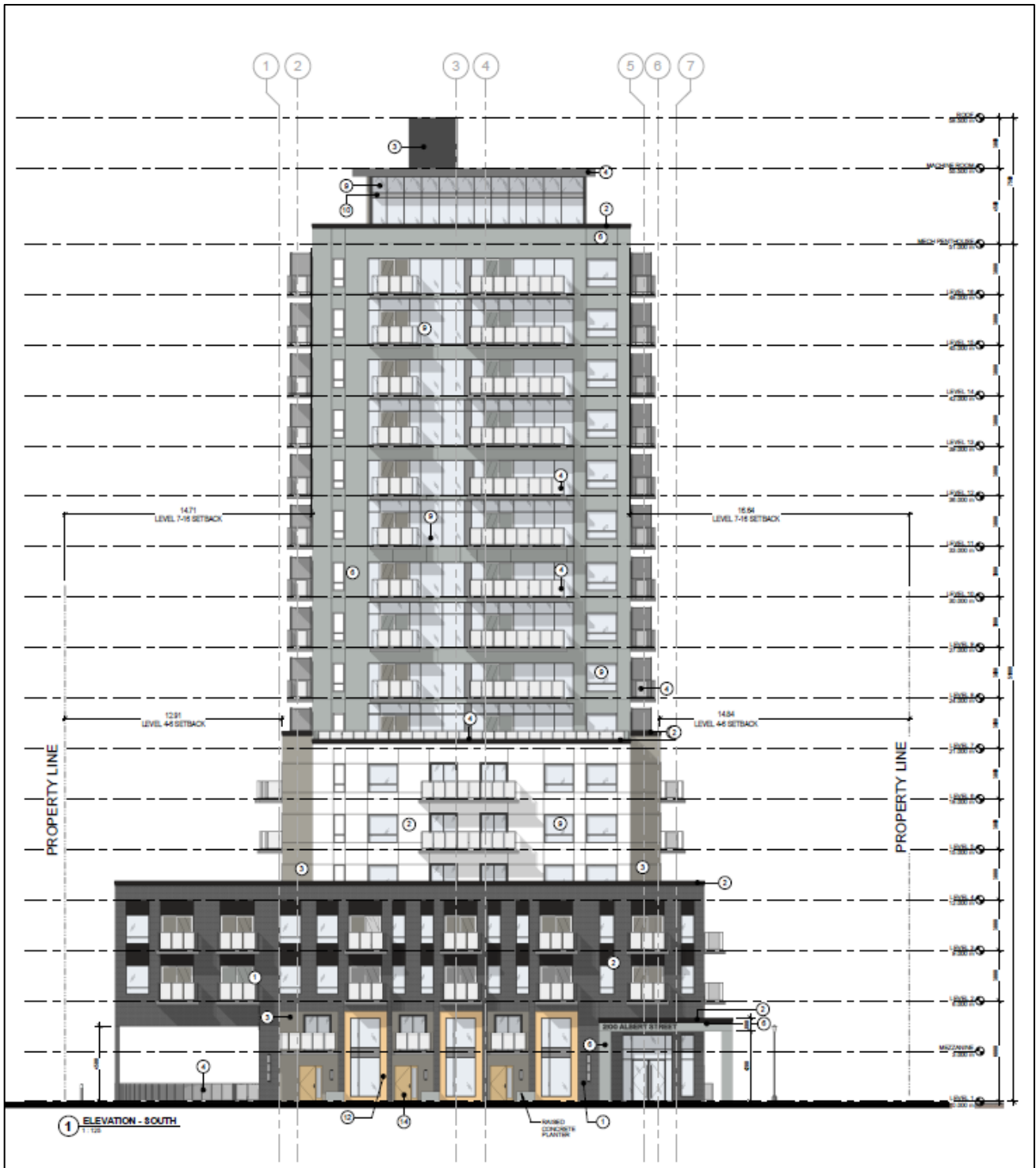


Figure 15 - South elevation (front)



## Appendix D – Internal and Agency Comments

### Agency/Departmental Comments- Original Circulation

#### Site Plan – January 10, 2023

- For the special provisions, the proposed reductions to the front yard and west interior side yard are to the balconies not the building (not sure if this was the intent). For the by-law I think we'd be looking for the west interior side yard setback of 1.5m to the balcony and a front yard setback of 1.8m to the balcony and establishing the setback to the main building (we can chat further about this to determine the best route for the site).
- The comments provided at the time of Site Plan Consultation have not been addressed. The applicant is to provide a response to the Site Design Comments from the Record of Site Plan Consultation to note which items have been addressed and how they have been addressed. This will assist in staff's review.
- There are concerns with the proposed loading space. Larger moving vehicles have the potential to block off access to the underground parking garage.
- Need a lay-by for the para-transit vehicles (as per the Site Plan Control By-law 6.8.1).

#### UTRCA – January 10, 2023

- 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 for this application. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned.

#### Urban Design – January 10, 2023

- The applicant is commended for providing underground parking facilities. The underground parking feature should be retained as the site layout, ramp design, and built form evolves.

The proposed built form for the ZBA related to 200 Albert Street must be revised to receive support from Urban Design. The following Urban Design comments must be addressed:

- Submit a complete "Urban Design Peer Review Panel Comments – Applicant Response". Updated plans and elevations that reflect, respond, and addressed the UDPRP comments for 200 Albert Street must be included with the UDPRP response form.
- Ensure that there is an adequate separation distance, setbacks and buffers between the proposed development and adjacent land uses. Increase the rear-yard setback to between 10m-12.5m, instead of the proposed 5.5m (as indicated in the site plan). Refer to the London Plan, Policies 253 & 298.
- Primary residential unit windows and patios are located along the side-yard. Increase the 3m west side yard separation distance to 5.5m between the abutting property and podium extension. Refer to the London Plan, Policy 252.
- High-rise buildings should be designed as slender towers to reduce shadow impact, minimize the obstruction of sky views, and minimize any impacts on neighbouring properties and public spaces. As a high-rise development, reduce the impacts of the large floor plate and setbacks. Ensure that the proposed built form has a maximum floor plate size of 1000 square meters. Refer to the London Plan, Policy 292.
- The podium should relate to the rooflines of adjacent properties and be broken up to accentuate different building components and architectural features.
- Incorporate vertical sections similar to the 5th-8th floor elevations into the 9th-12th floor elevations.
- Utilize the parapet to vary the 12th floor roofline, similar to the 9th floor parapet condition.

- Provide direct pedestrian connections to the public rights-of-ways and the proposed outdoor and indoor amenity spaces at the front and rear of the subject site. Clarify pedestrian, cyclist, and vehicular circulation throughout the subject site. Refer to the London Plan, Policy 255.

The following Urban Design comment should also be addressed:

- Consider alternative colour scheme that match the character of the neighbouring heritage context. Refer to the London Plan, Policy 302.
- No privacy fencing should be used between the proposed built form and the pedestrian connection at the rear of the subject site. Consider using landscaping and low-rise and/or decorative fencing to differentiate the public-private threshold between the pedestrian connection and the patios. This will help maintain views and sightlines for safety and passive surveillance.
- Differentiate the Albert Street Residential Lobby entrance from the Amenity Room entrances by providing greater articulation and signage.
- As indicated by the UDPRP, consider moving the Lobby entrance adjacent to the porte-cochere and loading functions.
- To reduce the heat island effect on the subject site due to the increase in impermeable surfaces, provide enhance landscaping along the drop-off zone. Refer to the London Plan, Policy 282 & 283.
- Clarify if the drop-off zone will be used by abutting properties that will have limited rear yard access to their property.
- Explore opportunities to incorporate additional greenspace and low-impact development features on site.
- Consider internalizing the underground parking ramp to provide additional space for enhanced landscaping at grade.
- Ensure that the development is “future ready”. Refer to the London Plan, Policy 729.
- Consider including charging station for e-bikes and electric vehicles within the proposed parking facilities.
- Consider making the roof strong enough to hold solar panels and/or green roof infrastructure.

### **Ecology – January 11, 2023**

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 – January 16, 2023**

The City of London’s Environmental and Engineering Services Department offers the following comments with respect to the aforementioned pre-application:

~~Items to be addressed as a part of a complete re-zoning application:~~

- ~~• A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City’s TIA guidelines.~~

The following items are to be considered during a future site plan application stage:

Wastewater:

- Currently used as a parking lot the applicant is seeking OPA/ZBA to permit a 12-storey apartment containing 277 units (subject land is 0.35Ha which equates to 791u/ha)
- The municipal sewer available is a 250mm diameter sanitary sewer on Albert St.
- Based on as built record drawing, Drawing # 17,536 circa 2004, this exceeds the allocated of 83people/ha. Revision to the area plan and design sheet may be required.

Water:

- Water is available to the subject site via the municipal 200mm DI watermain on Albert Street.

Stormwater:

Specific comment for this site

- Municipal storm outlet available for the subject land is a storm sewer on Albert Street fronting the site as identified in the Drainage area Plan (29488) and design sheet at a  $C=0.80$ . Changes in the "C" value required to accommodate any proposed redevelopment will trigger the need for hydraulic calculations (storm sewer capacity analysis) to demonstrate the capacity of the existing storm sewer system is not exceeded and that On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, alternative infiltration devices, etc.
- The City cannot confirm a storm PDC exists to service the property. Therefore, As per the Drainage By-law, the consultant would be required to provide adequate storm PDC as per City standards to service the site.
- The proposed land use of high density residential will trigger(s) 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.
- As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
  - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
  - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
  - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
  - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
  - shall comply with riparian right (common) law.
- The consultant shall submit the servicing report and drawings to provide calculations, recommendations, and details to address these requirements.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, it's infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- 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>.
- 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.

- The Owner shall ensure that increased and accelerated Stormwater runoff from this site shall not cause damage to downstream lands, properties, or structures beyond the limits of this site.
- All applicants and their consultants shall ensure compliance with the City of London, Design Specifications and Requirements Manual, Ministry of the Environment, Conservation & Parks (MECP) Guidelines and Recommendation, and the SWM criteria, as well as, targets for the Central Thames Subwatershed.
- Additional SWM related comments will be provided upon future review of this site.

#### General comments for sites within Central Thames Subwatershed

- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
- 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. It shall include water balance.
- 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:

- Presently the width from centerline of Albert Street at this location is 10.058m as shown on 33R-17398. Therefore an additional widening of 0.692m is required to attain 10.75m from centerline.
- Detailed comments regarding access design and location will be made through the site plan process. An internal lay by is required, however the applicant is encouraged to do some type of curve extension in lieu of the lay by.

#### **Additional Engineering – January 16, 2023**

Thank you for the follow up. The TIA is accepted. Please note that detailed comments regarding access design and location will be made through the site plan process.

As for the noise study, the report assumes the proper MECP modeling parameters and provides acceptable noise warning clauses.

## **Agency/Departmental Comments- Revised Submission**

### **Urban Design – October 6, 2023**

The proposed high-rise development is located within the Rapid Transit Corridor Place Type and abuts Albert Street, a neighbourhood road. Table 8 of The London Plan (TLP) permits an upper maximum height of 16 storeys since it is within 100m of the *Downtown Protected Major Transit Station Area*. However, Urban Design recommends that adequate transition measures be integrated into the proposed development to mitigate shadow impacts on adjacent land uses (TLP, 840).

#### **Matters for Zoning**

- The applicant is commended for providing underground parking facilities. Retain this design feature through the development process.
- **The following Special Provisions are recommended** to be applied to the zoning:
  - Minimum step back above the podium;
  - Minimum ground floor height of 4.5m;
  - Minimum percentage of transparent glazing on the podium;
  - Minimum percentage of transparent glazing on the tower;
  - Maximum floorplate size of 1000m<sup>2</sup> and a length to width ratio of 1:1.5 above the seventh storey;
  - Minimum underground parking setback;
- Include zoning provisions for step backs to mitigate negative impacts on the existing and planned neighbourhood and to provide a human-scale environment along the proposed development's active edges (TLP\_253).
- Include provisions for a minimum ground floor height of 4.5m and a minimum percentage of transparent glazing to facilitate an active ground floor along Albert Street (TLP, 291).
- To mitigate shadow impact on the neighbouring properties, include a zoning provision for a maximum floorplate size of 1000m<sup>2</sup> and a length to width ratio of 1:1.5 above the seventh storey (TLP, 289).

#### **Matters for Site Plan**

- Provide a full set of dimensioned elevations and floorplans of the proposed development. Further Urban Design comments may follow upon receipt.
- Provide a hardscape and softscape treatment plan along Albert Street that integrates landscaping features and street furniture (TLP, 841).
- Consider moving the lobby entrance adjacent to the covered driveway and loading functions.
- Provide a direct pedestrian walkway through the subject site to the proposed amenity area (TLP, 255).
- Clarify the location of the outdoor amenity space. Consider including benches, picnic tables, pergolas, or other programming in the amenity space (TLP, 295).
- Explore opportunities to incorporate additional greenspace and low-impact development features on site.
  - Consider internalizing the underground parking ramp to provide additional space for enhanced all-season landscaping along the side yard (TLP, 275).
- Ensure that the development is "future ready" (TLP, 729).
  - Consider including charging station for e-bikes and electric vehicles within the proposed parking facilities.
  - Consider making the roof strong enough to hold solar panels and/or green roof infrastructure.

### **London Hydro – September 14, 2023**

- 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.

### **Parks Planning – September 14, 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-9 and will be finalized at the time of site plan approval.

#### **Landscape Architecture – October 4, 2023**

- No change to comments from January 2023
- The extent of the underground parking structure reduces the volume of soil to the property lines. The City requires tree planting along property lines to meet its canopy goals and to help obtain many of its goals.
- The parking structure is close to the property line. There is not adequate setback for soil volumes required for Site Plan required tree planting. There isn't going to be adequate room and growing conditions between high rises, Site Plan shouldn't require perimeter planting in these contexts.

#### **Site Plan – October 5, 2023**

- **Major Issues**
  - None. Site Plan staff commend the applicant for providing an at grade, outdoor common amenity space.
- **Matters for OPA/ZBA**
  - The applicant is to verify the proposed lot coverage as the underlying R10-3 Zone permits a maximum lot coverage of 40% to ensure all special provisions are captured.
  - For the proposed height, the applicant is to verify if the height includes the rooftop amenity space.
  - To ensure the building provides for step backs, it is recommended to include special provisions between the floors (as noted on the submitted concept drawing).
  - The concept plan shows the balcony projections along Albert Street taken to the existing property boundary. Revise accordingly to be taken to the property boundary, post road widening dedication, to ensure the balconies comply or to ensure a special provision is included.
- **Matters for Site Plan**
  - To utilize the driveway/right-of-way on the east side of the property (abutting the proposed lay-by), the applicant is to provide proof of ownership or easement to utilize this right-of-way.
  - Visitor parking is required for the proposed development at a rate of 1 space for every 10 units in accordance with the Site Plan Control By-law. Visitor parking can be included in the overall total provided parking.

#### **UTRCA – September 18, 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 to the application, and we have no Section 28 approval

requirements.

### **Engineering – September 29, 2023**

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned pre-application:

The following items are to be considered during a future site plan application stage:

#### **Wastewater:**

- The proposed revised ZBA is for a 16-storey apartment containing 325 units, previously proposed as a 12-storey building with 257 units. SED noted the previously proposed density was 791uph and exceeded the allocated amount of 83ppl/ha and revisions to the area plan and design sheet may be required.
- The revised proposal is suggesting 930uph or approximately 520people on 0.35ha allocated and equivalent of 30people. The applicant's engineer will be required to submit a sanitary brief with the maximum population and peak flow for the site. There appears to be surplus available capacity in the downstream system for the intensification, but the area plan and design sheet will require revisions to reflect the increase in population.

#### **Water:**

- Water is available to the subject site via the municipal 200mm DI watermain on Albert Street.

#### **Stormwater:**

##### **Specific comment for this site**

- The municipal storm outlet available for the subject land is a storm sewer on Albert Street fronting the site as identified in the Drainage area Plan (29488) and design sheet at a  $C=0.80$ . Changes in the "C" value required to accommodate any proposed redevelopment will trigger the need for hydraulic calculations (storm sewer capacity analysis) to demonstrate the capacity of the existing storm sewer system is not exceeded and that On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, alternative infiltration devices, etc.
- The City cannot confirm a storm PDC exists to service the property. Therefore, As per the Drainage By-law, the consultant would be required to provide adequate storm PDC as per City standards to service the site.
- The proposed land use of high density residential will trigger(s) 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.
- As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
  - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
  - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
  - the design must account the site's unique discharge conditions (velocities and fluvial geomorphological requirements);
  - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
  - shall comply with riparian right (common) law.
- The consultant shall submit the servicing report and drawings to provide calculations, recommendations, and details to address these requirements.

- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- **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>.**
- 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.
- The Owner shall ensure that increased and accelerated Stormwater runoff from this site shall not cause damage to downstream lands, properties, or structures beyond the limits of this site.
- All applicants and their consultants shall ensure compliance with the City of London, Design Specifications and Requirements Manual, Ministry of the Environment, Conservation & Parks (MECP) Guidelines and Recommendation, and the SWM criteria, as well as, targets for the Central Thames Subwatershed.
- Additional SWM related comments will be provided upon future review of this site.

#### **General comments for sites within Central Thames Subwatershed**

- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
- 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. It shall include water balance.
- 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:

- Presently the width from centerline of Albert Street at this location is 10.058m as shown on 33R-17398. Therefore an additional widening of 0.692m is required to attain 10.75m from centerline.
- Detailed comments regarding access design and location will be made through the site plan process. An internal lay by is required, however the applicant is encouraged to do some type of curve extension in lieu of the lay by.

## Appendix E – Public Engagement

### Original Notice of Application:

On December 14, 2022, Notice of Application was sent to prescribed agencies and City departments.

**Public liaison:** On December 14, 2022, Notice of Application was sent to 191 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday December 15, 2022. A “Planning Application” sign was also posted on the site.

Replies were received from 6 households.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a 12-storey residential apartment building with 257 residential units and 146 parking spaces. Possible change to Zoning By-law Z.-1 FROM a Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone to a Residential R10 Special Provision (R10-3(\_)) Zone to permit apartment buildings with a maximum height of 44 metres/12 storeys, whereas the current maximum height is 24 metres/8 storeys. Requested special provisions include: a front yard depth of 3.0 metres whereas 6.0 metres is required; a rear yard setback of 8.0 metres whereas 18.0 metres is required; an east interior side yard setback of 7.0 metres whereas 18.0 metres is required; a west interior side yard setback of 2.9 metres whereas 18.0 metres is required; a lot coverage of 41% whereas 40% maximum is required; a building height of 12 storeys/44 metres whereas 8 storeys/24 metres maximum is required; a density of 732 units per hectare whereas a maximum of 250 units per hectare is required. The City may also consider the use of holding provisions related to urban design and servicing, and additional special provisions related to setbacks, coverage, height, and parking.

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

#### **Concern for:**

- Diversity of units/student housing
- Height
- Setbacks
- Design
- Trees
- Consistency of neighbourhood character
- Traffic

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

Telephone	Written
Anna Maria Valastro	North Talbot Residents Association
	Anna Maria Valastro
	Sheila Regier
	Tyrrel de Langley
	Carol Hunter
	Heather and Tom Chapman Charlene Jones



## **Public Comments**

### **1. North Talbot Residents Association**

Dear Neighbour,

A new building is being proposed on the parking lot at 200 Albert St. behind Richmond Row. This building is being proposed AFTER the removal of bonus zones by the Doug Ford govt. This means that the size and density of buildings are no longer limited by bonus zones.

The building being proposed at 200 Albert is triple the allowable density;

- Double the allowable height;
- Is being marketed only to students - which potentially could be illegal because it shuts out anyone that is not a student;
- Offends the Human Rights Code because housing determines who can live where, and this housing development intentionally excludes families and anyone that is not a student;
- North Talbot is over presented with temporary student housing;
- Is family hostile and child hostile because the majority of units offered are 1 bedroom units;
- There is zero green space and therefore does not comply with the city's Urban Forestry Strategy, and;
- It offends the Climate Action Emergency Plan because despite being on a transit route has 146 parking spaces.

Shutting out housing for families and children is discriminatory. Housing for children is simply not in the offering in the centre of the city and therefore housing projects are deliberating eliminating families from large areas of the city. The city refuses to consider the Human Rights Code is evaluating new building projects because they state they need to be blind to who can live where, but that answer is not acceptable because different people 'groups' need different housing and children need certain amenities and space to thrive.

It is time that we advocate for housing for children. They are simply not considered and invisible to the world of planning. And it is time that we change that.

Please take a look and send your comments to the planner - npasato@london.ca please see attached.

And please copy all Council, hmcalister@london.ca; slewis@london.ca; pcuddy@london.ca; sstevenson@london.ca; jpribil@london.ca; strosow@london.ca; corahman@london.ca; slehman@london.ca; ahopkins@london.ca; pvanmeerbergen@london.ca; sfranke@london.ca; epeloza@london.ca; dferreira@london.ca; shillier@london.ca; [mayor@london.ca](mailto:mayor@london.ca)

### **2. Annamaria Valastro (phone)**

Questions on height and density; student housing is illegal; want family friendly housing; surrounded by student housing; need diversity in housing; does not meet tree canopy urban forestry

### **3. Annamaria Valastro (email)**

I searched legal cases in support of my complaint against the City of London for failing to uphold the Human Rights Code in housing policy. Fodor v North Bay (City), 2018 ONSC 3722 at para 26.

I also searched legal cases where students sharing houses could be considered a protected code such as 'family'.

The Human Rights Tribunal to date has ruled that students, in general, are not a protected code and there is varied opinions as to whether groups of students sharing a house and bills are a protected code as a 'family'. As this building is primarily one bedrooms, the 'family' argument does not apply. Therefore housing specifically for students could be

potentially illegal.

Exclusive housing must be supportive housing such as group homes and care homes. The dominate policy for 200 Albert St is the Near Campus Neighbourhood Strategy. It overrides all other applicable policies. Near Campus Neighbourhood Strategy is not mentioned in this planning proposal albeit I scanned many of the reports to date. My complaint to the Human Rights Tribunal is based on the fact the city fails to uphold the Near Campus Neighbourhood housing policy which aims to diversity housing stock and avoid over intensification. It is also based on age discrimination and the right to the peaceful enjoyment of one's property including feeling safe. The city turns a blind eye to age discriminatory housing practices - a protected code under the Human Rights Code.

Children need housing that meet their needs but more importantly, Mothers need housing that allows them to safely care for their children. They need immediate green amenity space because MOTHERS cannot always pack up their children to travel to a green space. They need private green space immediately where they live so they can watch over their children and the community can watch over their children. This cannot happen in public parks and Mothers do not have the energy or time to travel to a public park to provide enough frequent outdoor space for their children. Going to public spaces is an 'outing' and Victoria Park is not well suited for children in the summer months when they are not in school. The majority of the park is scheduled for events that last 4 to 5 days. Some events are child friendly but many are not. Victoria is not open for leisurely activity on weekends in the summer when many mothers can schedule an 'outing'.

It is no longer acceptable to turn a blind eye to people that need housing and/or ignore the physical attributes or lay out of housing and not acknowledge who can live there and who cannot. Housing needs to be diverse so that students, low income, elderly and families can live in the same building. You refer to people as 'clients' that says a lot. People needing housing are not 'clients', and housing can longer be viewed simply as a business. This building is triple the permissible density. That tells everyone including yourself that the units are too small for families and intentionally designed for short term housing. This neighbourhood doesn't need more of same.

I suggest that housing and the Human Rights Code should all be reviewed at the same time. My letter to the Human Rights Tribunal is below. The Tribunal has accepted my complaint and it is moving through the system at a glacier pace.

HRTO FILE: 2021-47395-I

My complaint is based on 1) age discrimination in housing and is being brought forward in the public interest, and 2) my right to the peaceful enjoyment of my property which is influenced by my age. Both are directly linked to the failure of implementing a Policy that is designed to address both issues.

#### Rationale for the Complaint

In 2010, the Ontario Human Rights Commission commented on the City of Oshawa's Student Housing Strategy. In those comments the OHRC endorsed a City of Oshawa plan to build exclusive student housing on vacant land within walking distance of Durham College and the University of Ontario Institute of Technology. The City of Oshawa was keen to promote both colleges and attract students. It also believed that purpose-built student housing would alleviate pressure from nearby residential communities.

The OHRC also suggested that students, as a group, could be considered a protected code based on age, family and marital status. This position has not yet been adopted by the Human Rights Tribunal. Nonetheless, this suggestion along with an OHRC endorsement of purpose-built student housing appears to have emboldened investment property owners and developers to convert and build housing marketed exclusively to students. The end result is that large areas of neighbourhoods near campus have converted to student housing and landlords deny housing to anyone that does not meet the 'age' requirements as defined by the Ontario Human Rights Commission.

Fodor v North Bay (City), 2018 ONSC 3722 at para 26.

The City of London has a policy in place – the Near Campus Neighbourhood Policy – that protects these neighbourhoods from exclusionary housing and unintentional people zoning yet the policy is not implemented. The failure of ignoring the policy has resulted in people being denied housing based on their age i.e. not meeting the ‘age’ requirements of students as defined by the Ontario Human Rights Commission.

For the people that live in the neighbourhood but are not students and do not meet the age requirements as defined above, the failure of implementation exposures people, such as myself, to harassment and the inability to enjoy our property free of harassment.

When Bill 190, Property Rights and Responsibilities Act, 2009 became law, the Human Rights Code was updated to reflect the ‘right to peaceful enjoyment of one’s property’.

This policy is designed to balance diversity of residents in near campus neighbourhoods through zoning policy. By encouraging balance in housing needs (i.e. temporary verses permanent) the idea is that it intercepts, prevents or reduces an escalation of problems associated with age related lifestyles. Its aim is to dilute the concentration of student housing because tolerance it related to frequency of occurrences.

The lack of implementation has resulted in housing exploitation where housing is now exclusionary (people zoning by design) and discriminatory based on age. And for people like me, it denies my right to peaceful enjoyment of my property under the law and the Code.

Bill 190 is not limited to just multi-family residential and the peaceful enjoyment of property is not defined in the Bill. Instead, it will be defined by the complainant.

While this issue may not be as straight forward as a person being told they cannot rent an apartment because they are too old – even though that has happened, but difficult to have someone come forward with a complaint – there is ample evidence where housing is advertised exclusively for students. I am not a student and I am not looking to rent. I am a landlord and I rent units. But I am not an absentee landlord. I live here too and I have right to enjoy my property free of harassment.

It is important to understand that as one ages, they become increasing sensitive to noise and more vulnerable to confrontation, harassment and stress. As a young person, I may have had the ability to weather the disruptions better but as an older person I no longer can. I have no control over the aging process but the Near Campus Neighbourhood Policy is designed to mitigate lifestyle clashes between younger individuals ( students) and older adults. If implemented, there would be a balance and tolerance would increase and confrontations reduced.

Unless you have lived it, you may not understand but the clashes are age driven more often than not.

Maybe there are two complaints here: 1) from a public interest perspective based on housing age discrimination and 2) one based on “peaceful enjoyment of one’s property” based on aging.

But both approaches are based on ‘age’ and the implementation of Near Campus Neighbourhood Policy.

#### **4. Annamaria Valastro (email)**

A similar student-only building was proposed for the Ann St and St. George Block (two blocks down the street). That is currently under Appeal. The planner for that file Sonia Wise 'refused' that building for various reasons including incompatibility with the abutting area. This proposal to the east is commercial and not well suited for residential without buffering. The area west, south and north is residential.

Each planner follows their own code of ethics and that's why there are 'swings' of opinions where similar buildings are refused here and approved there despite there being policy in

place for guidance. Again, please do not refer to people as 'clients' and if your only concern is to fulfil a business model for the developer then you are working on their behalf rather than ensuring housing is accessible and appropriate for people.

That's it. For Now

### 5. Annamaria Valastro (email)

#### Urban Forestry Strategy

The City of London is struggling to meet its obligation under the Urban Forest Strategy and Climate Action Plan because of competing policies specific to intensification and planning designs especially for mixed use buildings. Intensification is removing private land for tree planting through reduced setbacks and open space requirements and the City Forestry Staff has concluded that there is no more public land for tree planting. These spaces have been exhausted and competing policies prevent or reduce private land to meet its tree canopy goals. Therefore, it becomes increasingly important to review all applicable policy in new development plans to ensure one policy is not cancelling out another.

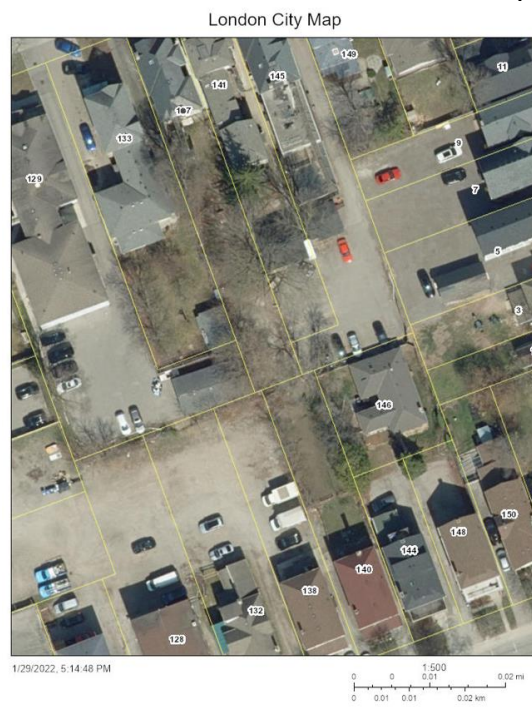
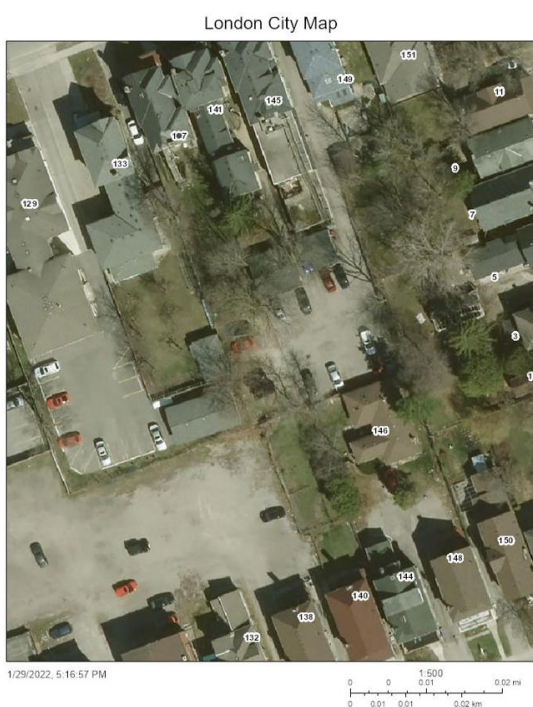
If a building is primarily a residential building, then it should be designed to benefit its residents.

#### 9th Meeting of the Trees and Forests Advisory Committee

November 24, 2021, 12:15 PM

1. On-going Loss of Street Tree Planting Spaces The city is running out of vacant sites for trees on existing streets. Street trees are very important as they define community character. In addition to all their environmental benefits, street trees provide shade to pedestrians and can extend the lifespan of the asphalt roads. The city has planted most of the planting spaces identified through a recently completed tree inventory. In the process of creating annual planting plans, the city notifies residents via letter of the upcoming tree planting. Residents have the option to “opt out” and reject a street tree outside their home, even if one was there before. Over the past few years, this trend is increasing to as much as a 20% of the total tree planting numbers annually and has a cumulative impact. Private Land Approximately, 90% of tree planting opportunities are located on private lands. Encouraging tree planting on private land has the greatest impact to affect tree canopy cover goals.

The failure of not enforcing the Near Campus Neighbourhood Strategy has resulted in a dramatic loss in tree canopy in our neighbourhood. Please see attached maps.



### 6. Annamaria Valastro (email)

Thank You.

The underlying issue is that this building is too dense and as their Noise Report suggests,

the building needs more buffering to protect its residents from excess noise which only measured traffic and not foot traffic noise especially late at night. It suggests a closed window environment at all times which seems extreme for its residents.

Also, I wasn't challenging your qualifications. I was just trying to understand whether this planning application will be reviewed by its healthy residential attributes or primarily as an economic driver to support the commercial area of Richmond Row. My experience is that these applications are rarely judged as to whether they are good for the people that will be living there.

#### **7. Sheila Regier**

We core dwellers are in high rise over load and fatigue. Maybe another neighborhood could take one. Perhaps in old north? Maybe around Wellington N and Huron, etc.

#### **8. Tyrrel de Langley**

As a local resident to the proposed development, in general, I support the build. More people downtown = more vibrant downtown which is absolutely essential to revitalizing our core. However, I would suggest consideration of # floors. Maybe 12 is what is required to be financially viable but 8-10 better suites to area aesthetically. For me however, this is not an absolute showstopper.

The proposed setbacks seem extreme, especially for the front and back yards. I'm however not so concerned about side setbacks as they tend to be wasted space and congregating areas.

A focus on year-round demographically diverse housing is critical and may partially mitigate any potential traffic issues associated with added residents if a sizeable portion are seniors (don't or prefer not to drive) or people who work downtown.

#### **9. Carol Hunter**

Can you clarify, or find out, if the parking planned for this highrise will be for residents only or will it be able to the public also (i.e. customers coming downtown to shop on Richmond Row).

#### **10. Heather and Tom Chapman**

Thank you for the opportunity to express our concerns and comments. You have our permission to share this email.

As long time homeowners and residents of Albert St. London, we have the concerns listed below. If this build is going to be a lift to the community then each of these concerns must be properly addressed and planned for.

- 1) Traffic Management. More homes and parking spaces will increase the numbers of vehicles at the immediate intersections of Albert/Talbot Streets, Albert/Richmond Streets. As a local traffic street, it can already become congested being only 2 blocks long, and in a part of the city already impeded by train tracks and terrain bottlenecks. We also have many permanent pedestrian residents that are impaired by mobility, vision, hearing and cognitive issues already trying to deal with speeders and delivery trucks. We are concerned not only about the safety of our pedestrians but about air quality and health issues caused by idling vehicles. Pre-requisite: Farhi Holdings and the City of London must have a solid plan to show to residents how the negative effects of increased parking spaces and the vehicles, located at and using this build, will be mitigated.
- 2) Diversity. We want assurances that the units will be built to a market of demographically diverse tenants. Specifically important to the lift of the neighbourhood is to have year-round permanency of residents and it is agreed that it is appropriate to have a sizeable proportion of units built for seniors (some who don't or prefer not to drive). More diversity of residents = more diversity of businesses that successfully compliment one another rather than compete and fail. Most importantly we do not want the builder applicant to just say these units are going to be available to a significantly higher proportion of seniors, and small families and then rent



exclusively to post-secondary students for the short term. There can be no bade and switch to get the build approved. Having more year round tenants from a more stable long term demographic is the only way that we can lift this part of the city back to where it was.

- 3) The set backs requested are too small. The proposed reductions constitute a loss of between 10 and 17.5 meters, EACH! That is the equivalent of going from having an environmentally healthy set back from sidewalk and road to just a few yards. The space surrounding the build needs to be re-examined for how this building's footprint is going to impact the surrounding neighbourhood and landscape. The building's residents should have an exclusive outdoor space that is nicely landscaped, useful and restorative to them.
- 4) The height should be kept to 8 stories to blend in with the surrounding buildings and neighbourhood feel of structures. Most being older, nicely appointed, well kept buildings. Some being residences and others repurposed by businesses and services that also have apartments in them. This fits with the modern approach to building up and having mixed streetscapes.

### **11. Charlene Jones**

Good evening Nancy Pasato, My name is Charlene Jones, I own a property and business that this development Z-9561 xxxxxxxxxx. A friend recently brought this development on Albert to my attention, of course I would want to know and have concerns, as this will back right onto my property where I run a spa business. I'm wondering why I wasn't given notice of this proposal. I have received several notices about other developments in the area, why not this one? I have a lot of concerns about this, as well as the need to protect the right-of-way that runs at the back edge of my lot line towards the east. I would like inquire how I can protect this legal right-of-way so I can have it reopened? When is the public meeting for this development?

Thank you!

### **Revised Notice of Application:**

**Public liaison:** On September 13, 2023, a Revised Notice of Application was sent to 192 property owners 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 revised sticker was placed on the existing "Planning Application" sign on the site.

Replies were received from 5 households.

**Nature of Liaison:** The purpose and effect of this revised zoning change is to permit a 16-storey residential apartment building with 325 residential units and 121 parking spaces (REVISED). Possible change to Zoning By-law Z.-1 FROM a Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone to a Residential R10 Special Provision (R10-3(\_)) Zone to permit apartment buildings with a maximum height of 56 metres/16 storeys (REVISED), whereas the current maximum height is 24 metres/8 storeys. Requested special provisions include: a minimum front yard setback of 3.0 metres, whereas 10.0 metres is required (REVISED); a minimum east and west interior side yard setback of 3.0 metres, whereas 17.4 metres is required (REVISED); a minimum rear yard setback of 8.0 metres, whereas 17.4 metres is required (REVISED); a maximum density of 926 units per hectare, whereas 250 units per hectare are permitted (REVISED). The City may also consider the use of holding provisions related to urban design and servicing, and additional special provisions related to setbacks, coverage, height, and parking.

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

#### **Concern for:**

- Transportation
- Construction issues
- CPTED issues
- Servicing
- Diversity of units

- Height and density
- Proposed zone
- Shadowing
- Setbacks
- Design
- Trees
- Lack of affordable housing

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

Telephone	Written
Charlene Jones	Anna Maria Valastro Robert Patrick
	Heather and Tom Chapman
	Patricia Cullimore

**Robert Patrick**

Hello.

I did not agree with the original proposal for an 8 storey apartment building at 200 Albert St. This proposal to double the height and the capacity of the proposed building is insanity.

What in the heck is wrong with the planning and traffic department? How could you even entertain this proposal? Have you ever been in downtown in London? Have any of the people on the planning committee actually driven or walked down Albert Street or Central Ave.? Have you ever attempted to turn from Albert St onto northbound Richmond at rush hour in the morning or the evening? Have you ever tried to find a parking spot for less than the cost of \$5.00 / 15 mins? What do you think will be the effect of adding the extra traffic to Albert, Central and Richmond and Talbot. There are traffic jams now!!!!

Imagine what the extra traffic will be like when you double the original proposal which was unacceptable. What provision is there for the parking? Albert Street has 12 -15 parking spots on the north side. This reduces the street width to where two cars have difficulty passing each other as it is. Where do you plan to provide parking for visitors to this new building? What about the parking for the businesses that already exist. What about when the various festivals and events in the park draw in the crowds.

If you think the BRT will alleviate the parking situation or reduce the traffic in downtown please think again! At the new rate of \$3.00 per passenger per ride a family of 4 will need to spend \$24 to go to and return from downtown. That is assuming they can find a bus in their neighborhood at a convenient time. And if they want to come home the busses are infrequent and stop at midnight! People won't use the LTC as it currently exists! You should paint the LTC busses School Bus yellow. They sure are of no use to workers or regular nonstudent travel around the city.

The new reality is people have their meals and purchases delivered. Where do the delivery drivers stop to deliver meals and goods. On Albert St? on Central? Winks and the other restaurants already have pickup zones on Albert that obstruct traffic. Do you double down on that? How about trades people? What do they do with their vehicles when they are on the job? Or about the restaurant food and beer delivery trucks? How about the Garbage removal?

What is the plan for dealing with the drug addicts and criminals that already infest the area and will love to have this influx of extra victims. New doorways and an alley to the east side

of the building will provide even more out of sight unpatrolled places for these people to defecate and urinate in and to consume and sell their drugs and threaten residents.

How many years will Albert and Central be closed so the current residents can't access their homes while this monstrosity is constructed. When are you planning to construct the sewer and water and hydro and telecommunication infrastructure to accommodate this increased burden? It's already at capacity for what we have. Perhaps digging up and shutting down Richmond street for a few years? What will be the cost to taxpayers?

Where are these new non driving residents supposed to buy food since the only grocery store nearby is 10 blocks away blocks at Oxford St or downtown at the market?

When you answer these questions to the satisfaction of the people who this will affect you might get some support. Until that is done this proposal should be rejected.

I do not reject any development as long as it is planned correctly with the goal of preventing unintended consequences. This proposal does not fulfill that requisite and must be rejected.

### **Annamaria Valastro**

Hello Ms Pasato,

This application does not offer a variety of housing options. It is specifically designed as transitional housing because the units are small and there is no outdoor private or semi-private green amenity space. The premise is that individuals would choose this housing type until they are ready to move onto detached housing, which is seen as permanent housing. That eliminates housing choices for hundreds of people including children that wish to live in this part of the city. It does not consider highrise living as 'homes'.

**You may be aware, that the City of Toronto, as of this week, is expected to approved new zoning for 'avenues'. They are adding new zoning that will permit semi-detached and low highrise housing. To date, the highest density was delegated to transit corridors - often 'avenues'. It has resulted in a wall of high density buildings that have narrowed housing options to only those types that are small - to accommodate the highest densities - and BTW, the most profitable for developers.**

**The new zoning will offer a greater variety of housing option to reflect housing needs for a variety of residents including children.**

**This Farhi building is already old. Progressive cities that are far ahead of London in experimenting with sustainability have come and gone with these old ideas. London does not need to go through the same process. Instead it should leap frog forward.**

These sorts of developments, in my opinion, are rude, because they shut people out. It is the responsibility of the planning department to ensure new development is not prejudicial to the people of this city.

Housing is, and always has been, a commodity, hence why in the past affordable housing has always been built by governments and/or non-profits. Therefore, the balance is held by planners and decision makers. This current Council has members that are strikingly uneducated - by choice. They fail to continually educate themselves on the social and environmental impacts of housing. Their lack of understanding has created an untenable housing crisis because they cannot foresee the impacts of what is being built.

**To be fair, this is true for many jurisdictions. The difference is, that London doesn't seem to learn from other cities that have gone before them. That's your job - I hope.**

Also, this building is unhealthy for residents. It needs to be buffered from street noise. Its own consultants have pointed this out suggesting that buffering can be in the form of trees and/or interior climate control i.e. no or limited open windows. This is not benign.

**Our neighbourhood is losing tree canopy and it is impacting our air quality, increases heat in the hot summer days, there is no wind breaks from increasing storms or wind tunnels. If this building is asking to be taller, then the city needs to insist on maintaining it open landscape for buffering and air quality. Trees create oxygen and areas of the city that lack trees also lack oxygen. One just needs to walk through neighbourhoods with a good tree canopy to notice the difference in air quality. People that live in the old sections of the city deserve good air quality. It is hard to justify otherwise.**

I encourage you to speak with Toronto planners to discuss the change in zoning for avenues and the rationale behind the change. And, I am asking that you counter balance Councillors that have a proven record for being 'old' and 'insensitive' in their thinking about housing and especially housing for families.

**Heather and Tom Chapman**

Good morning Nancy,

I am emailing my comments regarding the Zoning Bylaw Amendment for File Z-9561 for 200 Albert St., London. As a permanent long time resident and home owner on Albert St., I am opposed to the granting of this applicant's requested Zoning Amendment for these reasons:

1) This application document does not specify by the London Municipal Zoning Code Chart what the determined Zone will be. Special Provisions/changes to setbacks is not enough. This gives the applicant a fill in the blank option later on. Other than just "R10-3" what is the intent and purpose of the blank space between the brackets? This should be transparent. The proposed Zoning Code should be clearly determined, now, so the existing residential public can foresee the full potential outcome of this proposal.

2) Under the Official Plan, this area is zoned for a maximum height of 24 Meters or 8 storeys. The ask for Height amendment in the December 14, 2022 Planning Application for Zoning By- Law Amendment went from 8 storeys to 12 storeys. Now, in this latest Planning Application for Zoning By-Law Amendment, the applicant is requesting 16 storeys which is double what is in the Official Plan. The density per hectare calculated by the applicant is way out of proportion with the number of Apartment Units added whether it is 12 or 16 storeys. I can find no zoning document on any City of London, Ontario Provincial, or Ontario Law website to support this density calculation claim of 926 units per hectare. Overall this latest Revised Planning Application for Zoning By-Law Zoning Amendment is an outrageous ask.

See the scale of what is being asked in the chart below:

NOTICE DATE	HEIGHT STOREYS Ht. in METERS	NUMBER UNITS	PARKING SPOTS	REQUIRED SET BACKS in Meters	PROPOSED SET BACKS in Meters
CURRENT ZONING	8 24	0	Is temp. zoned parking lot	front 6.0 rear 18.0 E. side interior yard 18.0 W. side yard interior 18.0	Complimentary to existing neighbourhood homes. Healthy eco foot print of light/breathability between buildings.
Dec.14, 2022,	12 44	257	121	front 6.0 rear 18.0	front 1.8 rear 7.0

				E. side interior yard 18.0 W. side yard interior 18.0	E. side interior yard 7.0 W. side interior yard 1.5
SEPT. 13, 2023	<b>16</b> <b>56</b>	325	146	front 10.0 rear 17.4 E. side interior yard 18.0 W. side yard interior 18.0	Front 3.0 rear 8.0 E. side interior yard 3.0 W. side interior yard 3.0

3) Most importantly to a modern liveable city: The existing residential community would be badly affected by the proposed enormity of this build application terms of shadowing, traffic, parking and pedestrian hazards on an already congested narrow, two block street. It is already very hard to enter, navigate and exit by residents, business suppliers and City of London service and utility providers.

I would like to be in attendance at the next in council chambers meeting to address this build.

You have my permission to use this email and add it to the record.

**Patricia Cullimore**

Quite frankly the scale of the building in the most recent application by 200 Albert London [Inc.](#) is too large for this site not only in accordance to City by-laws but also in the context of its location.

Even with revisions to the by-laws, the applicant is requesting a minimum front yard setback of 3.0m, a difference of 7.0m from the 10.0m required; minimum east and west interior side yard setbacks of 3.0m, a difference of 14.4m from the 17.4m required; a minimum rear yard setback of 8.0m, a difference of 9.4m from the 17.4m required. These are not insignificant differences which could impact future development in the area. Presumably the by-laws were established for a reason and there's not much point in having them if the City is not prepared to enforce them.

In terms of neighbourhood context, please compare the images below: the top image is the rendering used in the developer's application for an amendment to permit a 12-storey building and the one below it pertains to the latest application for an amendment to permit a 16-storey building. The 16-storey building is a behemoth: there is nothing of it's scale in the area.

I do not know what a density of 926 units/hectare represents in terms of number of residents but it seems to imply an over-intensification when the current zoning requires 250 units/hectare. This influx will have a significant impact on a site where the current residential density is 0 units/hectare.

I will end with a question: what is the developer offering in terms of the type of housing London is in greatest need of: affordable housing? Greater availability does not necessarily translate into lower rent.

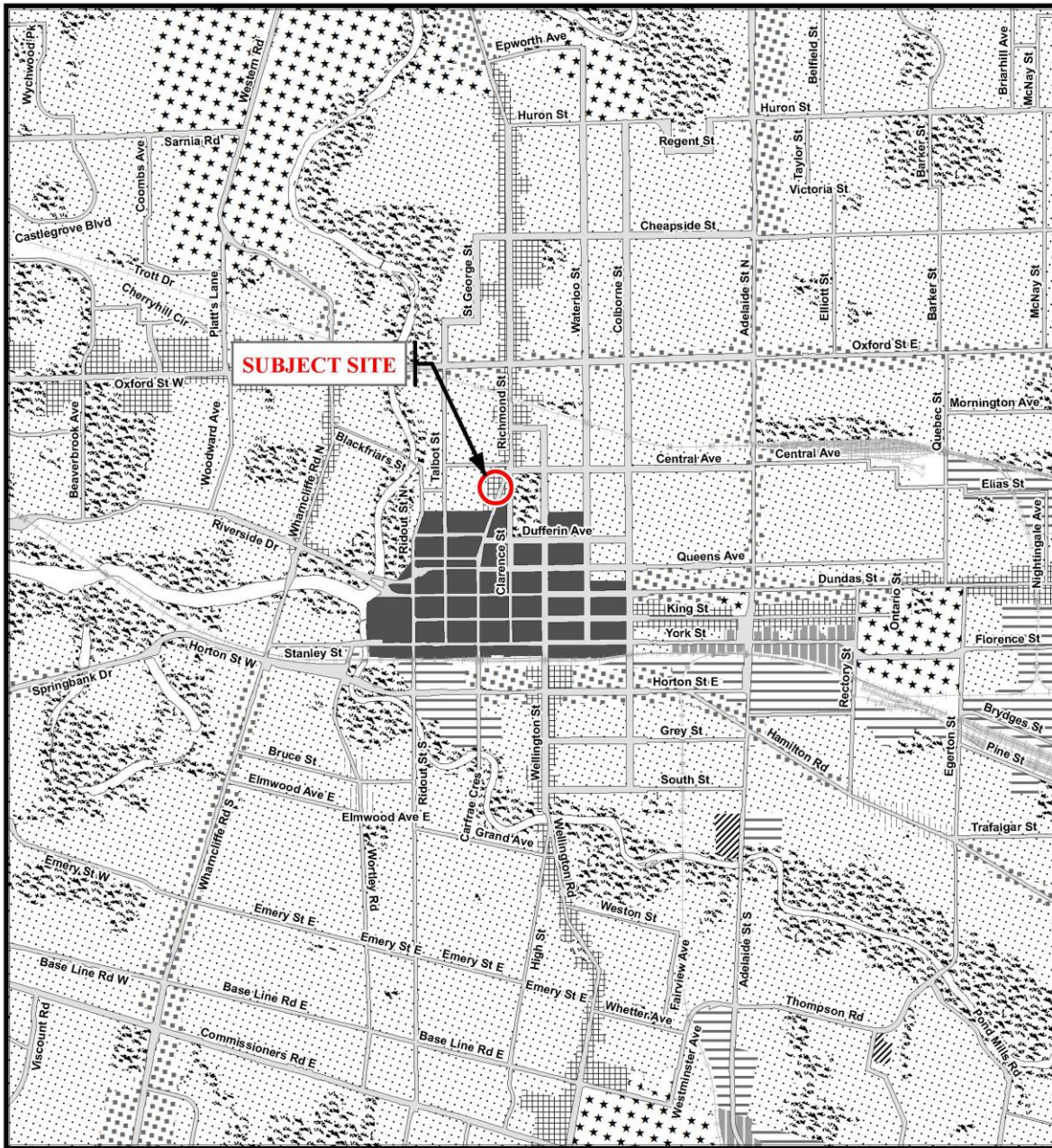
Thank you for your consideration.



**Charlene Jones**

- concerns over setback proposed along rear property line and impacts on neighboring property, noise and construction impacts on business

# Appendix F – Relevant Background



**Legend**

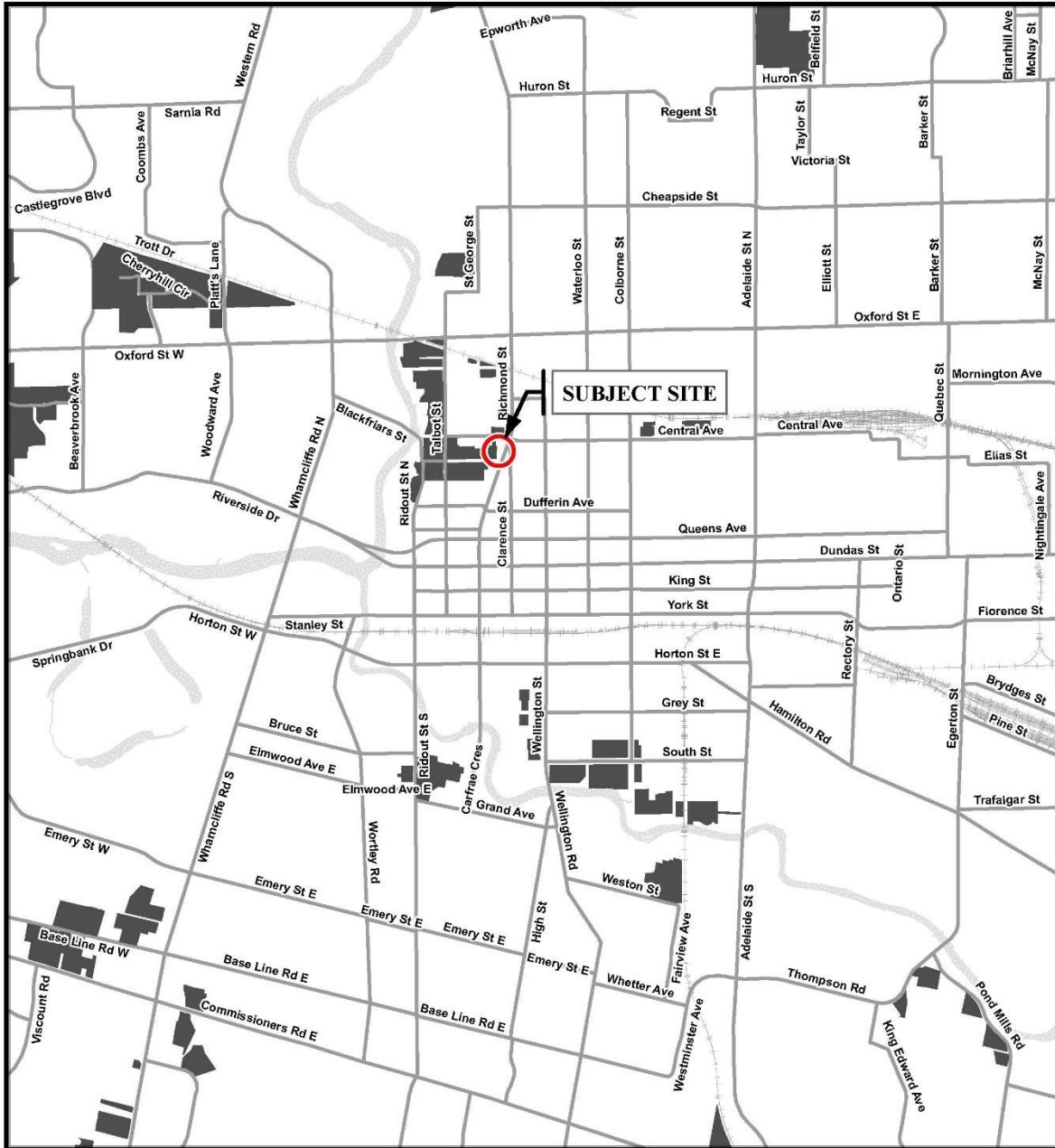
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	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><b>CITY OF LONDON</b>  <b>Official Plan</b>  <b>LONDON PLAN MAP 1</b>  <b>- PLACE TYPES -</b></p> <p>PREPARED BY: Planning &amp; Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>File Number:</b> Z-9561  <b>Planner:</b> NP  <b>Technician:</b> JI  <b>Date:</b> 2023/2/27</p>
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Project Location: \\cfile1\giswork\Planning\Projects\p\_officialplan\workconsol00\excerpts\_LondonPlan\mxds\Z-9561\_Map1\_PlaceTypes.mxd

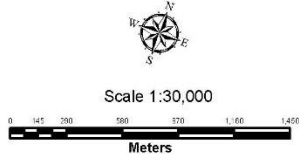
London Plan Map 2 – High Density Residential Overlay (from the 1989 Official Plan)



Legend

-  High Density Residential Overlay (from 1989 Official Plan)
-  Urban Growth Boundary

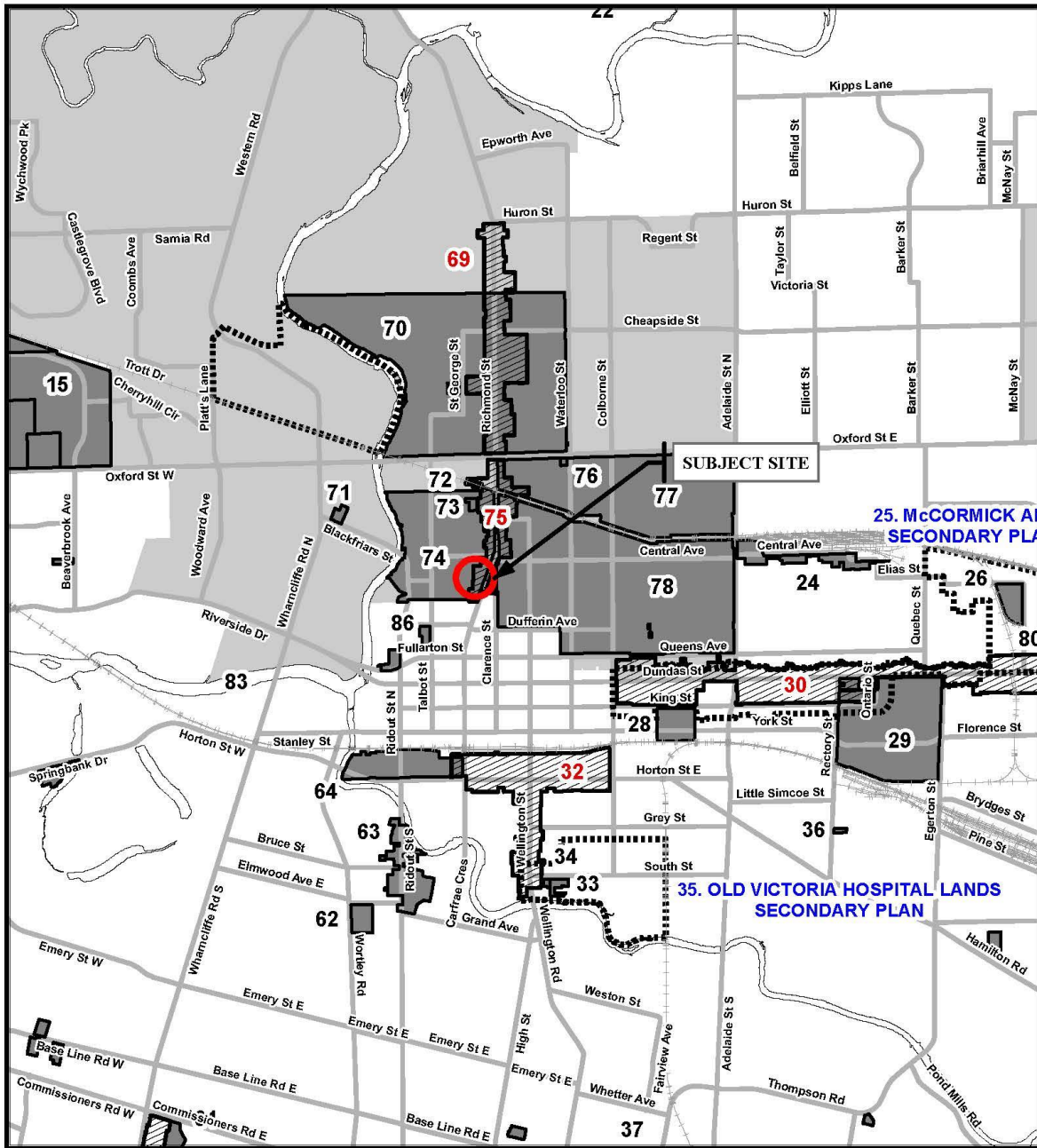
*This is an excerpt from Planning & Development's working consolidation of Map 2 - High Density Residential Overlay (From the 1989 Official Plan) of the London Plan, with added notations.*

<p><b>CITY OF LONDON</b> <b>Official Plan</b></p> <p><b>LONDON PLAN MAP 2</b> <b>- HIGH DENSITY RESIDENTIAL OVERLAY -</b> <b>(FROM THE 1989 OFFICIAL PLAN)</b></p> <p><small>PREPARED BY: Planning &amp; Development</small></p>	 <p>Scale 1:30,000</p> <p>Meters</p>	<p><b>File Number:</b> Z-9561</p> <p><b>Planner:</b> NP</p> <p><b>Technician:</b> JI</p> <p><b>Date:</b> 2023/2/27</p>
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Project Location: \\cfile1\giswork\Planning\Projects\p\_officialplan\workconsol00\excerpts\_LondonPlan\mxds\Z-9561\_Map2\_RemnantHDR.mxd







# The London Plan Map 7 – Specific Policy Areas



### LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

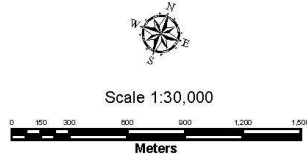
### BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

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

**CITY OF LONDON**  
Official Plan

**LONDON PLAN MAP 7**  
- SPECIFIC POLICY AREAS -  
PREPARED BY: Planning & Development



**FILE NUMBER:** Z-9561  
**PLANNER:** NP  
**TECHNICIAN:** JI  
**DATE:** 2/27/2023

# Zoning By-Law No. Z.-1 – Zoning Excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R10-3\*H24\*OC7/T-70**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
  
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

## CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9561

NP

MAP PREPARED:

2023/2/27

Jl

1:1,000

0 5 10 20 30 40 Meters



## Appendix G – Urban Design Peer Review Panel Comments and Responses from Applicant

**Comment:**

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.

**Applicant Response:**

Acknowledged.

**Comment:**

The Panel notes that the proposed 5.5m rear-yard setback will limit development potential on abutting properties on Central Avenue and compromise the livability of future residents due to a narrow mid-block condition. The Panel recommends an increased setback of 10m to 12.5m to achieve an appropriate 20-25m tower separation.

**Applicant Response:**

The applicant has updated the rear yard separation distances from the proposed building through the inclusion of stepbacks on Levels 4 and 6. More specifically, the tower portion (Levels 7-16) has a separation distance from the rear lot line of 12.5 metres. Levels 4-6 also includes a separation distance of 10.35 metres, while Levels 1-3 have 8.0 metres. It is our opinion that the updated stepbacks allow for adequate separation distances from the adjacent property to the north to achieve an appropriate 20-25m tower separation.

**Comment:**

The Panel notes that the tower floor plate is too large and resembles a slab-building rather than a tower. Consider reducing the floor plate size. Subject to the City of London policies increasing the overall height to create a more slender tower to compensate the loss of floor space may be appropriate.

**Applicant Response:**

The tower portion of the proposed development has a floor plate size of approximately 1,000 m<sup>2</sup>. Further, stepbacks along Levels 4 and 6 create a cascading effect to minimize the overall tower floor plate and create a 'slender tower' appearance.

**Comment:**

Consider mirroring the programming of the ground floor and certain site functions so that the residential lobby is located adjacent to the porte-cochere and loading functions at the East of the site in what could be a 'utility and servicing zone.'

**Applicant Response:**

The residential lobby is located adjacent to the porte-cochere in the south-eastern corner of the proposed ground floor. In order for the site to function adequately and provide sufficient space for truck movement patterns, the proposed loading space is located at the west of the site.

**Comment:**

The Panel notes that the site plan indicates a disproportionate ratio of hard to soft surface areas on site, with the majority of the site being hard surface. The Panel recommends that the applicant explore opportunities to incorporate additional greenspace and low-impact development features on site. If possible, internalize the ramp to underground parking to free up additional space at grade for landscaping.

**Applicant Response:**

The ramp leading to the underground parking is now internalized in order to maximize outdoor amenity space in the north-west corner. This reduces the number of hard surfaces proposed on-site, providing a greater balance between hard and soft surfaces.

**Comment:**

While the Panel notes that there is a generous amount of amenity space on the ground floor, both interior and exterior, the Panel recommends relocating the amenity areas such that there is a more direct relationships between the indoor and outdoor amenities.

**Applicant Response:**

Indoor amenity space is provided adjacent to the outdoor amenity space in the north-western corner of the proposed ground floor to create a "direct relationship" between the outdoor and indoor space.

**Comment:**

The Panel notes that while the outdoor amenity at the North-West corner of the site appears to be a good location for privacy and light, it is disconnected from the building and requires a long, indirect pedestrian path of travel for access. Consider shifting the loading space and underground parking ramp along the West of the site closer to Albert Street (or internalizing the underground parking ramp) to allow the outdoor amenity to extend further to the South. Provide a pedestrian connection along the West side of the building.

**Applicant Response:**

The underground parking ramp is now internalized to allow for additional outdoor amenity space to the south. A pedestrian connection along the west side of the proposed building has been added.

**Comment:**

The Panel recommends relocating the indoor amenity space to the South-West corner of the building to allow for a direct connection to the outdoor space.

**Applicant Response:**

The proposed development has been revised to include ground floor dwelling units along Albert Street in order to better activate the street frontage and foster a stronger relationship between the private and public realm. Indoor amenity space is now relocated in the north-west portion of the building to allow direct access to the outdoor amenity space.

**Comment:**

The Panel notes that the proportions and scale of the 3-storey podium read more like commercial frontage rather than a residential building. Moreover, the canopy unnecessarily exaggerates the scale of the building and is too high to provide valuable weather protection. Consider breaking up the vertical bays into smaller bays and windows with detailing that complement the smaller-scaled historic buildings in the neighbourhood.

**Applicant Response:**

The vertical bays on the first floor are now broken into smaller bays and windows to reduce the 'commercial appearance'. Additional detailing with yellow brick accents are provided for the street-fronting dwelling units to complement the historic buildings in the neighbourhood.

**Comment:**

The Panel recommends aligning the West sidewalk with the main entrance and differentiating the canopy or cladding material to attract residents and create a more inviting street presence. Consider lining the sidewalk with benches.

**Applicant Response:**

The internal sidewalk is aligned with the proposed main entrance in the south-eastern corner of the building. A canopy, double-doors, and sign will be provided to differentiate between the main entrance and ground floor dwelling units. Additional yellow brick accents are proposed around the ground floor dwelling unit windows to create an enhanced streetscape. The proposed Site Plan also includes benches that line the sidewalk.

**Comment:**

The Panel notes that the porte-cochere could be further studied in terms of lighting, materials and scale and should have a direct relationship with the main residential entrance.

**Applicant Response:**

Acknowledged. The applicant has updated the main entrance to include signage, a canopy and distinct look and separation in building materials from the street-facing dwelling units on the ground floor. Details including building materials and lighting relating to the porte-cochere will be refined during the Site Plan Application stage.

**Comment:**

The Panel notes that the expression and massing of the tower could benefit from further articulation and step backs to reduce its slab-like appearance. Consider:

- i. Incorporating vertical sections with different cladding materials on the 9-12th floor elevations, similar to the 4-8th floor elevations.
- ii. Breaking up the continuity of the upper parapet to vary the roofline, similar to what is shown at the 9th floor.

iii. Breaking up the symmetry of the tower cladding to relate more to the strong asymmetrical language of the podium. Consider wrapping the dark grey panelling around corners, varying their rooflines, etc.

**Applicant Response:**

- i. Levels 4-6 and Levels 7-16 include different precast concrete panels of off-white and light grey to provide a distinction between the sections. Please refer to the updated Elevation Plans prepared by SRM Architects Inc.
- ii. The continuity of the upper parapet is broken up by the precast concrete (dark grey / black) cornice to vary the roofline on Levels 4, 7, and 16.
- iii. The tower portion of the proposed development now includes a mix of off-white and light grey precast concrete panels in order to break up the symmetry.

**Q3 DEFERRED MATTERS**

**PLANNING AND ENVIRONMENT COMMITTEE  
(AS OF SEPTEMBER 25, 2023)**

<b>File No.</b>	<b>Subject</b>	<b>Request Date</b>	<b>Requested/ Expected Reply Date</b>	<b>Person Responsible</b>	<b>Status</b>
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 contents 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 <sup>rd</sup> 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 continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post	May 4/21 (3.1/7/PEC)	Q4 2023	McNeely/Davenport/ Edwards	Through the EIS Monitoring Project, staff are assessing the efficacy and implementation of EIS recommendations across a number of now assumed developments. Following the completion of this project, a more detailed review of the



File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	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,				recommendations made in the EIS and overall best practices will be reviewed.
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 resolving the detailed design aspects of the project in advance of initiating consultation with the adjacent neighbours, UTRCA, ECAC and ACAAC. Following the detailed design recommendations of the retained consultants and community consultation, staff will recommend a preferred alternative.
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.

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
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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	Staff at the May 23, 2023 PEC meeting submitted its comprehensive review of the existing Community Improvement Plans and Financial Incentive programs, including recommendations for changes to Community Improvement Plans and preliminary impacts of recommended changes to

<b>File No.</b>	<b>Subject</b>	<b>Request Date</b>	<b>Requested/ Expected Reply Date</b>	<b>Person Responsible</b>	<b>Status</b>
	<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		<p>Financial Incentives ahead of the upcoming 2024-2027 budget.</p> <p>Final approval of all recommended changes is anticipated to be completed Q3 2023.</p>
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.

**Q3 DEFERRED MATTERS**

**PLANNING AND ENVIRONMENT COMMITTEE  
(AS OF SEPTEMBER 25, 2023)**

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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		<p>Financial Incentives ahead of the upcoming 2024-2027 budget.</p> <p>Final approval of all recommended changes is anticipated to be completed Q3 2023.</p>
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.

# Community Advisory Committee on Planning Report

12th Meeting of the Community Advisory Committee on Planning  
November 8, 2023

Attendance                      PRESENT: S. Jory (Acting Chair), M. Bloxam, I. Connidis, J. Dent, J. Gard, A. Johnson, S. Jory, J. Metrailler, M. Rice, S. Singh Dohil, K. Waud and M. Whalley and J. Bunn (Committee Clerk)

ABSENT: M. Ambrogio, S. Bergman and M. Wojtak

ALSO PRESENT: L. Dent, K. Gonyou, M. Greguol, K. Mitchener and J. Raycroft

The meeting was called to order at 5:30 PM; it being noted that M. Bloxam, I. Connidis, A. Johnson, S. Singh Dohil and M. Whalley were in remote attendance.

## 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 11th Report of the Community Advisory Committee on Planning

That it BE NOTED that the 11th Report of the Community Advisory Committee on Planning, from its meeting held on October 11, 2023, was received.

### 3.2 Public Meeting Notice - Zoning By-law Amendment - 200 Albert Street

That it BE NOTED that the Public Meeting Notice, dated October 25, 2023, from N. Pasato, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 200 Albert Street, was received.

## 4. Sub-Committees and Working Groups

### 4.1 Stewardship Sub-Committee Report

That the following actions be taken with respect to the Stewardship Sub-Committee Report, from the meeting held on October 25, 2023:

a) the review of the structure and function of Community Advisory Committee on Planning (CACP) Sub-Committees and Working Groups BE REFERRED to the Policy Sub-Committee for a report back at a future meeting of the CACP; and,

b) the above-noted Stewardship Sub-Committee Report BE RECEIVED.

## 5. Items for Discussion

5.1 Demolition Request and Heritage Alteration Permit Application for the Property Located at 187 Wharnccliffe Road North, Blackfriars/Petersville Heritage Conservation District

That it BE NOTED that the Community Advisory Committee on Planning (CACP) received a staff report, dated November 8, 2023, with respect to a demolition request and heritage alteration permit application for the property located at 187 Wharnccliffe Road North in the Blackfriars/Petersville Heritage Conservation District and the CACP supports the staff recommendation.

5.2 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated November 8, 2023, was received.

5.3 (ADDED) Composite Materials in Heritage Conservation Districts/Heritage Properties

That the consideration of alternative composite materials, including but not limited to cement board, permitted to be used in property alterations within Heritage Conservation Districts and heritage designated properties BE REFERRED to the Policy Sub-Committee for review and report back to a future meeting of the Community Advisory Committee on Planning.

**6. Adjournment**

The meeting adjourned at 6:26 PM.