

Agenda Including Addeds
Community Advisory Committee on Planning

3rd Meeting of the Community Advisory Committee on Planning

March 13, 2024, 5:30 PM

Committee Room #5

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.

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 advisorycommittee@london.ca.

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**Community Advisory Committee on Planning
Report**

2nd Meeting of the Community Advisory Committee on Planning
February 14, 2024

Attendance PRESENT: S. Bergman (Chair), M. Ambrogio, I. Connidis, J. Gard, S. Jory, J.M. Metrailler, M. Rice, M. Wallace, K. Waud and M. Whalley and J. Bunn (Committee Clerk)

ABSENT: M. Bloxam, J. Dent, A. Johnson, S. Singh Dohil and M. Wojtak

ALSO PRESENT: L. Dent, K. Edwards, E. Hunt, K. Gonyou, M. Greguol and K. Mitchener

The meeting was called to order at 5:30 PM; it being noted that I. Connidis, S. Jory, M. Rice and M. Wallace were in remote attendance.

1. Call to Order

- 1.1 Disclosures of Pecuniary Interest
- J. Gard discloses a pecuniary interest in clause 5.1 of the 2nd Report of the Community Advisory Committee on Planning, having to do with a Heritage Easement Agreement for the property located at 39 Carfrae Street, by indicating that he owns the property.

2. Scheduled Items

None.

3. Consent

- 3.1 1st Report of the Community Advisory Committee on Planning
- That it BE NOTED that the 1st Report of the Community Advisory Committee on Planning, from the meeting held on January 10, 2024, was received.
- 3.2 Notice of Planning Application - Intent to Remove Holding Provision - 447 Ashland Avenue
- That it BE NOTED that the Notice of Planning Application, dated January 23, 2024, from A. Patel, Planner, with respect to an Intent to Remove a Holding Provision related to the property located at 447 Ashland Avenue, was received.
- 3.3 Notice of Planning Application and Notice of Public Meeting - Zoning By-law Amendment - 192-196 Central Avenue
- That it BE NOTED that the Community Advisory Committee on Planning (CACP) has reviewed the Notice of Planning Application and Notice of Public Meeting, dated January 12, 2024, from I. de Ceuster, Planner, with respect to a Zoning By-law Amendment related to the properties located at 192-196 Central Avenue and the Heritage Impact Assessment (HIA), dated July 24, 2023, from MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC), with respect to the properties located at 192-194 Central Avenue and the CACP is generally supportive of the findings of the above-noted HIA; it being noted that the CACP encourages a

greater emphasis on a landscaping plan to transition to neighbouring properties and indicates that consideration should be given to increasing setbacks to protect adjacent heritage properties.

3.4 2023 Annual Heritage Report

That it BE NOTED that the staff report, dated February 14, 2024, with respect to the 2023 Annual Heritage Report, was received.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, dated January 2024, was received.

5. Items for Discussion

5.1 Heritage Easement Agreement for the property located at 39 Carfrae Street

That it BE NOTED that the Community Advisory Committee on Planning (CACP) received a staff report, dated February 14, 2024, with respect to a Heritage Easement Agreement for the property located at 39 Carfrae Street and the CACP supports the staff recommendation.

5.2 Updates on Bill 23 Implementation and the Heritage Register - Discussion

That Mayor J. Morgan BE REQUESTED to send a letter to Doug Ford, Premier of Ontario, with copies to Michael Ford, Minister of Citizenship and Multiculturalism, Peter Bethlenfalvy, Minister of Finance and John Ecker, Chair, Ontario Heritage Trust, requesting that Subsection 27(16) of the Ontario Heritage Act be amended to extend the deadline for the removal of listed (non-designated) properties from municipal heritage registers for five years from January 1, 2025 to January 1, 2030; it being noted that the communication, as appended to the Added Agenda, from P. King, with respect to this matter, was received.

5.3 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated February 14, 2024, was received.

6. Adjournment

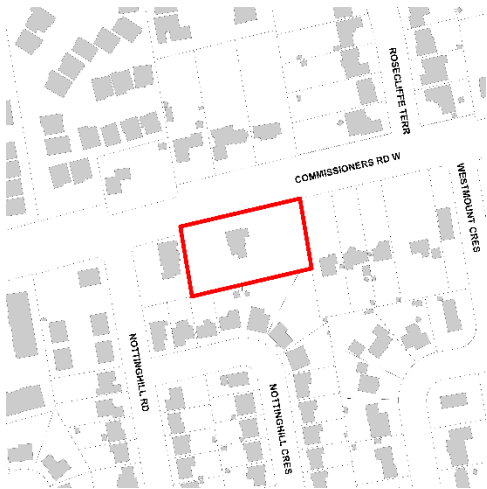
The meeting adjourned at 7:35 PM.



NOTICE OF PLANNING APPLICATION & NOTICE OF PUBLIC MEETING

Zoning By-law Amendment

634 Commissioners Road West



File: Z-9708

Applicant: Royal Premier Homes (c/o Siv-ik Planning & Design Inc.)

What is Proposed?

Zoning amendment to allow:

- Cluster stacked townhouses, consisting of two 3.5 storey with 28 units at a density of 67 Units Per Hectare.
- The retention of the single-detached dwelling on the subject lands.
- Special provisions include a minimum front yard setback of 5.0 metres, a minimum interior side yard setback of 3.0 metres, a maximum density of 67 Units Per Hectare, and a minimum 3.0-metre-deep landscape strip along the south lot line.

LEARN MORE & PROVIDE INPUT

You are invited to provide comments and/or attend a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Tuesday, April 9, 2024, no earlier than 1:00 p.m.

Please monitor the City's website closer to the meeting date to find a more accurate meeting start time: <https://london.ca/government/council-civic-administration/council-committee-meetings>

Meeting Location: The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

Please provide any comments by **February 26, 2024**

For more information contact:

Brent House
bhouse@london.ca
519-661-CITY (2489) ext. 4078
Development Services, City of London
300 Dufferin Avenue, 6th Floor,
London ON PO Box 5035 N6A 4L9
File: Z-9708

london.ca/planapps

To speak to your Ward Councillor:

Councillor Paul Van Meerbergen
pvanmeerbergen@london.ca
519-661-CITY (2489) ext. 4010

If you are a landlord, please post a copy of this notice where your tenants can see it. We want to make sure they have a chance to take part.

Date of Notice: February 15, 2024

Application Details

Requested Zoning By-law Amendment

Possible change to Zoning By-law Z.-1 FROM a Residential R5 Special Provision (R5-7(30)) Zone TO a Residential R5 Special Provision (R5-7(_)) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

The complete Zoning By-law is available at www.london.ca/planapps.

Current Zoning

Zone: Residential R5 Special Provision (R5-7(30))

Permitted Uses: Cluster townhouse dwellings; cluster stacked townhouse dwellings.

Height: 12.0 metres

Special Provisions: Density 25 units per hectare (Maximum); Front Yard Depth 6.5 metres (21.3 feet) (Minimum); Interior Side Yard Depth 1.8 metres (5.9 feet) when (First 30 metres of Lot Depth) the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (9.8 feet) when the wall of a unit contains windows to habitable rooms; Interior Side yard Depth 3.0 metres (9.8 feet) (Remainder of the lot); Rear Yard Depth 1.0 metre per 1.0 metre of main building height, but in no case less than 6.0 metres; Enhanced Landscape Strip A minimum 6.0 metre deep landscape strip shall be required along the south lot line (up to 6 surface parking stalls may encroach into the required landscape strip).

Requested Zoning

Zone: Residential R5 Special Provision (R5-7(_)) Zone.

Permitted Uses: Cluster townhouse dwellings; cluster stacked townhouse dwellings.

Additional Permitted Uses: Existing Single-Detached Dwelling.

Height: 12.0 metres

Special Provisions: Maximum density of 67 units per hectare, whereas 60 units per hectare is the maximum permitted; a minimum front yard depth of 5.0 metres, whereas 8.0 metres is the minimum required; Interior side yard setback of 3.0 metres when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres when the wall of a unit contains windows to habitable rooms; a rear yard setback of 1.0 metres per 1.0 metres of main building height but in no case less than 6.0 metres; a minimum 3.0 metre deep landscape strip along the south lot line.

The City may also consider the use of holding provisions, and additional special provisions to facilitate the proposed development.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The subject lands are in the Neighbourhoods Place Type in The London Plan with frontage along a Civic Boulevard on Map 3 – Street Classifications, permitting a range of residential uses including single-detached dwellings; duplexes; triplexes; fourplexes; stacked townhouses; low-rise apartments; mixed-use buildings; and small-scale community facilities.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision-making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](#) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and/or zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Clerk of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

Notice of Collection of Personal Information

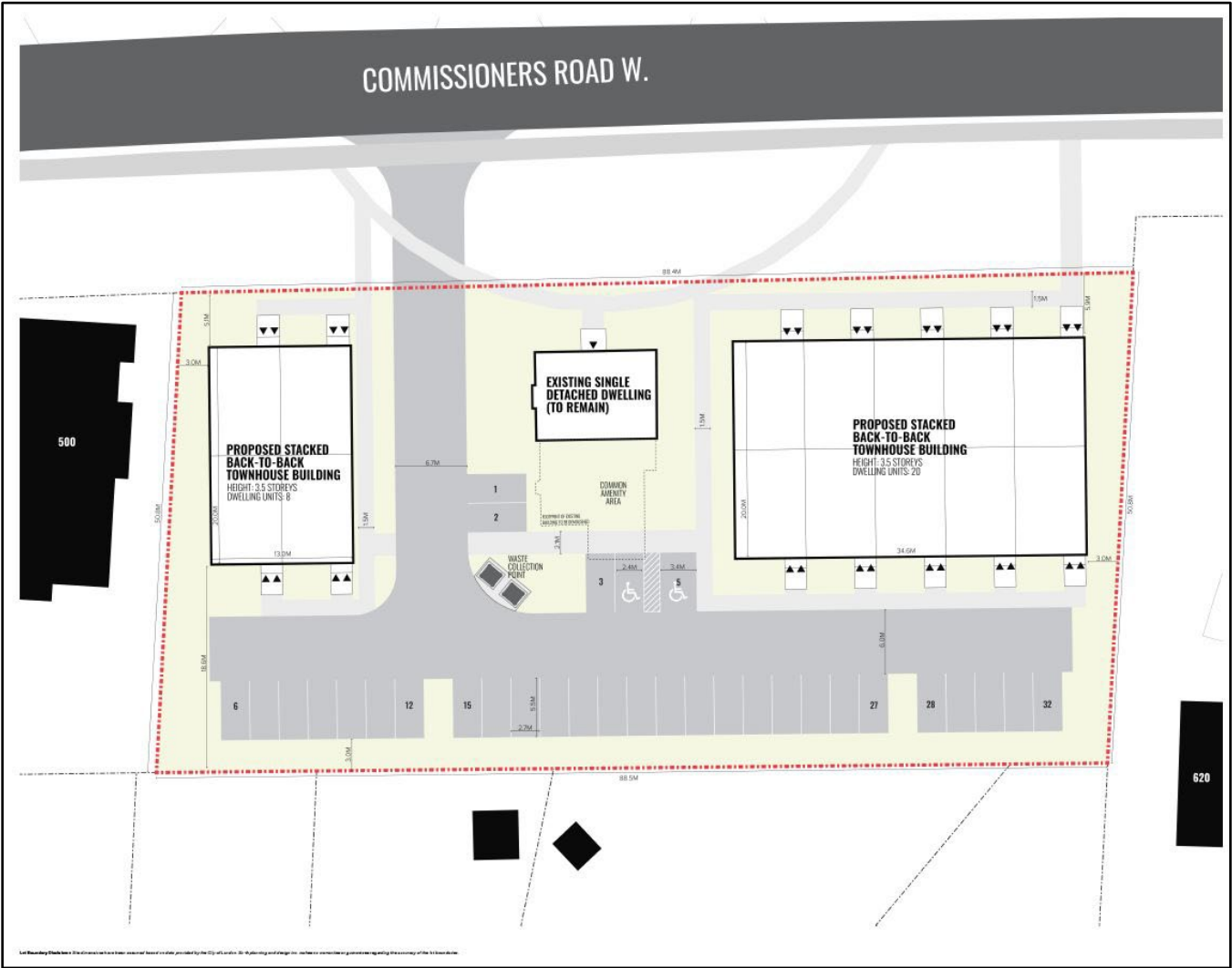
Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL)

interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at plandev@london.ca by April 5, 2024, to request any of these services.

Site Concept



Site Concept Plan (634 Commissioners Road West)

Building Renderings



Isometric View of proposed built form (634 Commissioners Road West)

The above images represent the applicant’s proposal as submitted and may change.



**Heritage Impact Assessment - 634
Commissioners Road West,
London, Ontario**

Final Report

December 4, 2023

Prepared for:
Royal Premier Homes
425-509 Commissioners Road West
London, Ontario N6K 1J5

Prepared by:
Stantec Consulting Ltd.
400-1305 Riverbend Road
London, Ontario N6K 0J5

Project Number:
160940867

Executive Summary

Royal Premier Homes retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for the property located at 634 Commissioners Road West in the City of London, Ontario. In accordance with Section 27(1) of the *Ontario Heritage Act* (OHA), the City of London (the City) maintains a register of properties that are of cultural heritage value or interest (CHVI). The property at 634 Commissioners Road West is a listed resource and is described as a Georgian structure built in 1850. However, historical research undertaken as part of the Heritage Overview determined *circa* 1870 to be a more appropriate date of construction. The property was added to the register on March 26, 2007. On February 9, 2023, the property was designated under Part IV of the OHA under By-law L.S.P.-3506-12. Royal Premier Homes is proposing to retain the existing residence and construct two three and one half storey townhouse buildings to the east and west of the existing residence. The townhouse building to the east of the existing residence will contain 20 units and the townhouse building to the west of the existing residence will contain eight units.

The residence at 634 Commissioners Road West was evaluated using *Ontario Regulation 9/06* (as amended by O. Reg. 569/22) and was determined to demonstrate design/physical value and historic/associative value. The residence has design value as a representative Ontario vernacular frame structure built *circa* 1870. The residence contains a blend of Georgian and Italianate design elements popular in Ontario during the mid to late 19th century. The blend of these two styles together and use of locally available materials including stone, brick, and timber gives the residence a vernacular character.

The property at 634 Commissioners Road West is located on part of Lot 38, Concession 1 in the former Township of Westminster. This lot is directly associated with the Kilbourn, Teeple, and Jarvis families. These three families were related by marriage and farmed on Lot 38, Concession 1 between about 1815 and 1905. The residence at 634 Commissioners Road West was likely built by Robert Jarvis *circa* 1870. Robert and his brother Francis farmed Lot 38, Broken Front and Concession 1 and today Jarvis Street is named in their honour. Together, these three families contributed to the pattern of settlement along Commissioners Road during the 19th century.

The proposed undertaking will conserve the residence at 634 Commissioners Road West and result in the construction of two multi-unit townhouses. An assessment of impacts resulting from the proposed undertaking has determined no direct impacts are anticipated. The undertaking may possibly result in indirect impacts from land disturbance due to temporary vibrations during the construction phase of the project. In addition, materials have not yet been selected to clad the townhouses. Based on the impacts identified, the following mitigation measures are recommended:



- Incorporate materials to clad the proposed townhomes that harmonize with the existing residence. Sympathetic materials to clad the townhomes include white coloured siding, the use of buff brick or stone accenting, and the use of pediment motifs. These recommended materials and designs are elements of the existing residence and therefore will be compatible with its overall character and heritage attributes. The use of these materials and designs is not intended to recreate or mimic the architectural character and heritage attributes of the existing residence. These materials should be used in a manner that creates a distinct yet sympathetic design for the proposed townhouses.
- Retain a qualified person(s) to complete a pre-construction vibration assessment to determine acceptable levels of vibration given the site-specific conditions (including soil conditions, equipment proposed to be used, and building characteristics).
- Should the residence be determined to be within the zone of influence, additional steps should be taken to secure the building from experiencing negative vibration effects (i.e., adjustment of machinery or establishment of buffer zones).

The Executive Summary highlights key points from the report only; for complete information and findings, the reader should examine the complete report.



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Heritage Impact Assessment - 634 Commissioners Road West, London, Ontario

December 4, 2023

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Project Personnel

Project Manager:	Meaghan Rivard, MA, CAHP
Heritage Consultant:	Meaghan Rivard, MA, CAHP
Report Writer:	Frank Smith, MA, CAHP
GIS Specialist:	Josh Sa
Quality Reviewer:	Meaghan Rivard, MA, CAHP Lashia Jones, MA, CAHP
Independent Reviewer:	Meaghan Rivard, MA, CAHP



Abbreviations

CAHP	Canadian Association of Heritage Professionals
CHVI	Cultural Heritage Value or Interest
HIA	Heritage Impact Assessment
MA	Master of Arts
MCM	Ministry of Citizenship and Multiculturalism
OHA	Ontario Heritage Act
O. Reg.	Ontario Regulation
PPS	Provincial Policy Statement



1.0 Introduction

December 4, 2023

1.0 Introduction

1.1 Study Purpose

Royal Premier Homes retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for the property located at 634 Commissioners Road West in the City of London, Ontario (Figure 1 and Figure 2). In accordance with Section 27(1) of the *Ontario Heritage Act* (OHA), the City of London (the City) maintains a register of properties that are of cultural heritage value or interest (CHVI). The property at 634 Commissioners Road West was a listed resource and was described as a Georgian structure built in 1850. However, historical research determined *circa* 1870 to be a more appropriate date of construction. The property was added to the register on March 26, 2007. On February 9, 2023, the property was designated under Part IV of the OHA under By-law L.S.P.-3506-12. A copy of the designating By-law is contained in Appendix A.

Royal Premier Homes is proposing to retain the existing residence and construct two three and one half storey townhouse buildings to the east and west of the existing residence. The townhouse building to the east of the existing residence will contain 20 units and the townhouse building to the west of the existing residence will contain eight units.

The purpose of the HIA is to respond to policy requirements regarding the conservation of cultural heritage resources in the land use planning process. Where a change is proposed within or adjacent to a protected heritage property, consideration must be given to the conservation of cultural heritage resources. The objectives of the report are as follows:

- Identify and evaluate the CHVI of the Study Area
- Identify potential direct and indirect impacts to cultural heritage resources
- Identify mitigation measures where impacts to cultural heritage resources are anticipated to address the conservation of heritage resources, where applicable

To meet these objectives, this HIA contains the following content:

- Summary of project methodology
- Review of background history of the Study Area and historical context
- Evaluation of CHVI according to *Ontario Regulation 9/06* (as amended by O. Reg. 569/22)



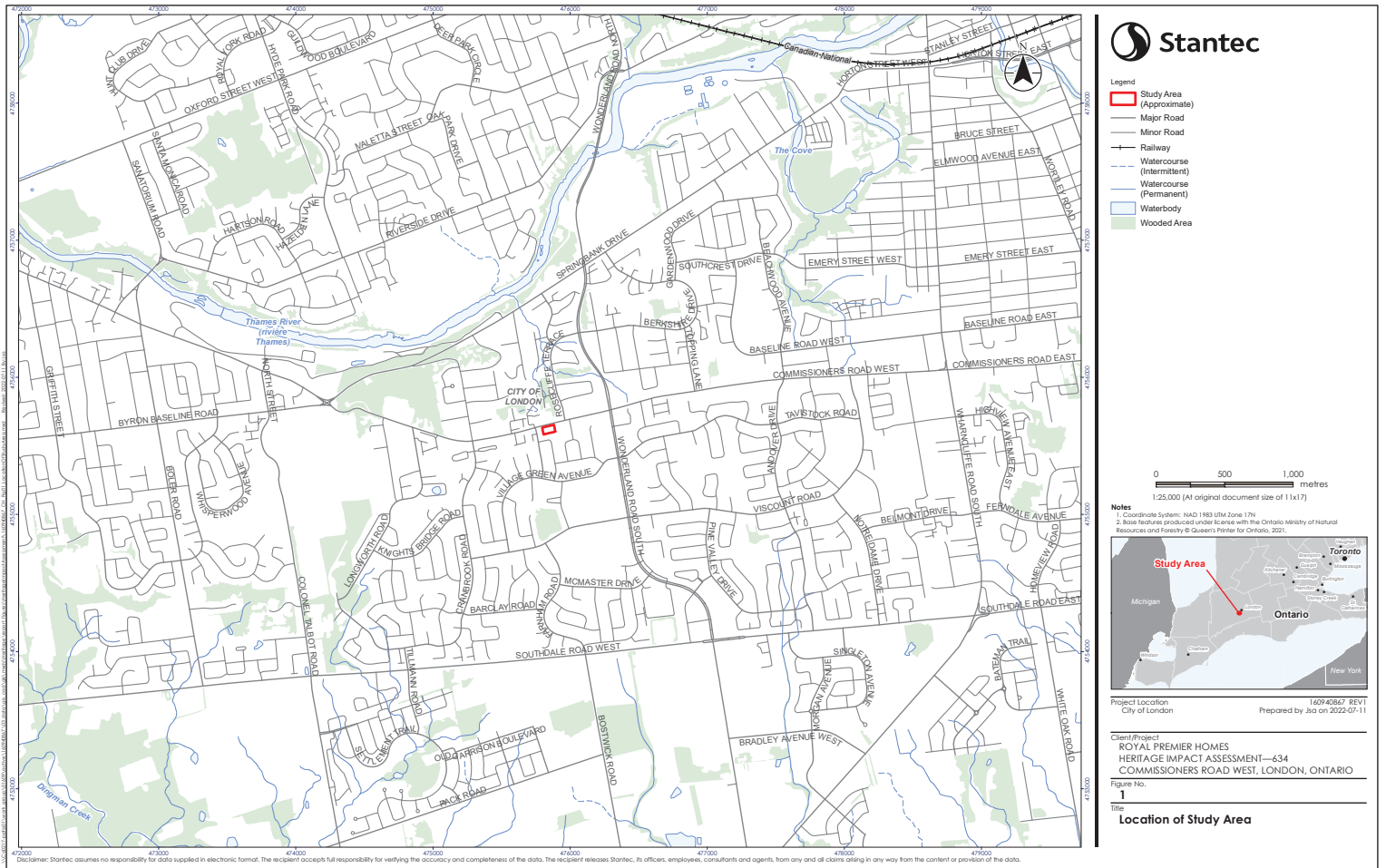
Heritage Impact Assessment - 634 Commissioners Road West, London, Ontario

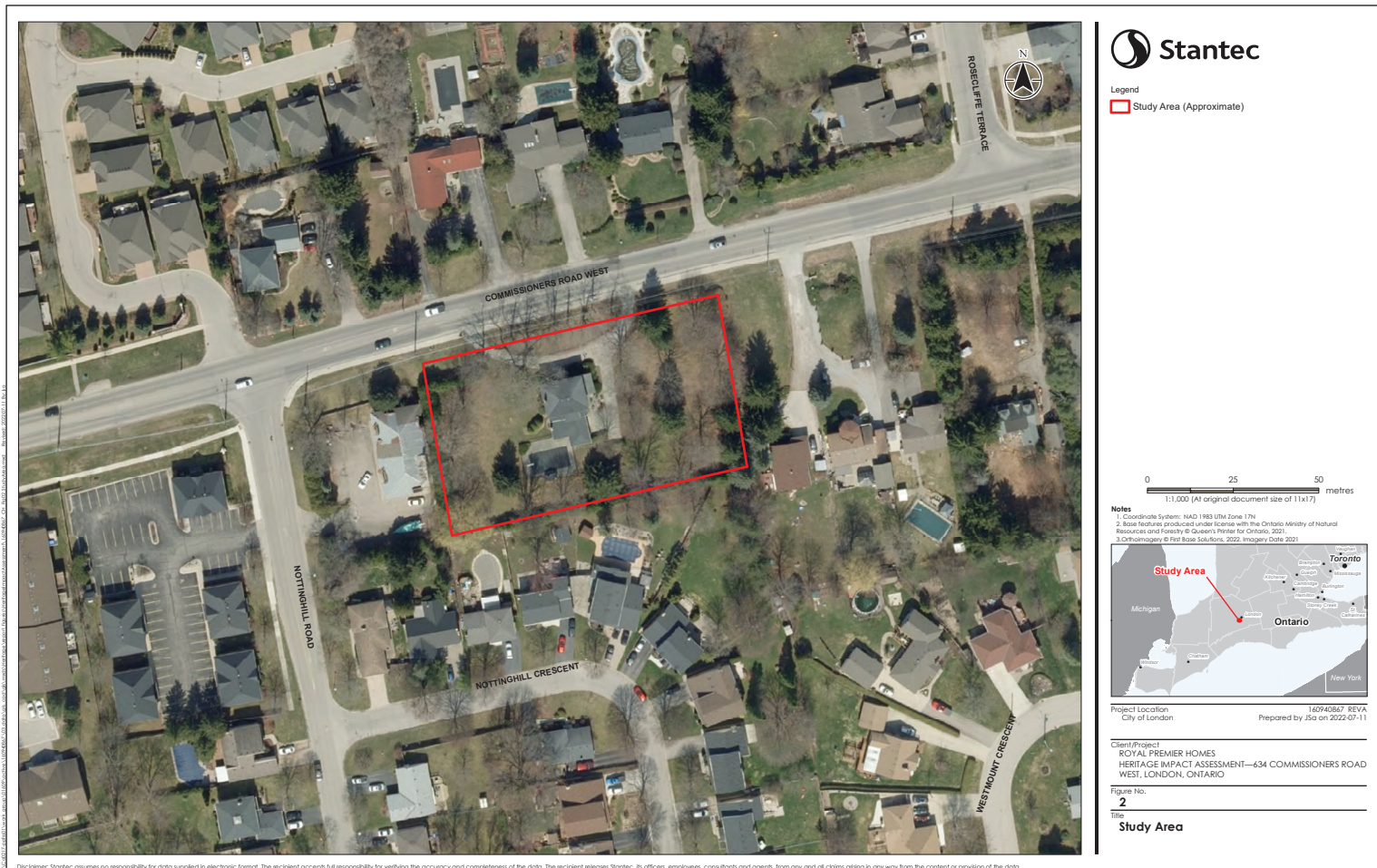
1.0 Introduction

December 4, 2023

- Description of the proposed site alteration
- Assessment of impacts of the proposed site alterations on cultural heritage resources
- Review of development alternatives or mitigation measures where impacts are anticipated
- Recommendations for the preferred mitigation measures







2.0 Methodology

2.1 Policy Framework

2.1.1 Planning Act

The *Planning Act* provides a framework for land use planning in Ontario, integrating matters of provincial interest in municipal and planning decisions. Part I of the *Planning Act* identifies that the Minister, municipal councils, local boards, planning boards, and the Municipal Board shall have regard for provincial interests, including:

(d) The conservation of features of significant architectural, cultural, historical or scientific interest

(Government of Ontario 1990)

2.1.2 The 2020 Provincial Policy Statement

The Provincial Policy Statement (PPS) was updated in 2020 and is intended to provide policy direction for land use planning and development regarding matters of provincial interest. Cultural heritage is one of many interests contained within the PPS. Section 2.6.1 of the PPS states that, “significant built heritage resources and cultural heritage landscapes shall be conserved”.

(Government of Ontario 2020)

Under the PPS definition, 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. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted, or adopted by the relevant planning authority and/or decision maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Under the PPS definition, significant means:

In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.



Under the PPS, “protected heritage property” is defined as follows:

property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

(Government of Ontario 2020)

2.1.3 City of London Official Plan

The City of London’s Official Plan, *The London Plan*, contains the following policy regarding development within or adjacent to designated and listed heritage properties:

586_ The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved.

The London Plan also contains the following general objectives regarding cultural heritage resources:

- 1. Promote, celebrate, and raise awareness and appreciation of London’s cultural heritage resources.*
- 2. Conserve London’s cultural heritage resources so they can be passed on to our future generations.*
- 3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.*

(City of London 2016)

2.2 Background History

To understand the historical context of the property, resources such as primary sources, secondary sources, archival resources, digital databases, and land registry records were consulted. Research was also undertaken at the London Public Library. To familiarize the study team with the Study Area, historical mapping and aerial photography from 1862, 1878, 1913, 1942, 1967, and 1972 was reviewed.



2.3 Field Program

A site assessment was undertaken on February 2, 2022, by Frank Smith, Cultural Heritage Specialist and Meaghan Rivard, Senior Cultural Heritage Specialist. The weather conditions were overcast with intermittent snow flurries and drizzle. The site visit consisted of a pedestrian survey of the exterior of the property.

2.4 Evaluation of Cultural Heritage Value or Interest

2.4.1 Ontario Regulation 9/06

The criteria for determining CHVI is defined by *Ontario Regulation (O. Reg.) 9/06* as amended by O. Reg. 569/22. In order to identify CHVI at least one of the following criteria must be met:

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

(Government of Ontario 2023)



2.5 Assessment of Impacts

The assessment of impacts is based on the impacts defined in the Ministry of Citizenship and Multiculturalism (MCM) *Infosheet #5 Heritage Impact Assessments and Conservation Plans* (Infosheet #5). Impacts to heritage resources may be direct or indirect.

Direct impacts include:

- *Destruction of any, or part of any, significant heritage attributes or features*
- *Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance*

Indirect impacts do not result in the direct destruction or alteration of the feature or its heritage attributes, but may indirectly affect the CHVI of a property by creating:

- *Shadows that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden*
- *Isolation of a heritage attribute from its surrounding environment, context or a significant relationship*
- *Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features*
- *A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces*
- *Land disturbances such as a change in grade that alters soil, and drainage patterns that adversely affect an archaeological resource*

(Government of Ontario 2006)

In addition to direct impacts related to destruction, this HIA also evaluated the potential for indirect impacts resulting from the vibrations of construction and the transportation of project components and personnel. This was categorized together with land disturbance. Although the effect of traffic and construction vibrations on historic period structures is not fully understood, vibrations may be perceptible in buildings with a setback of less than 40 metres from the curbside (Crispino and D'Apuzzo 2001; Ellis 1987; Rainer 1982; Wiss 1981). For the purposes of this study, a 50-metre buffer is used to represent a conservative approach to delineate potential effects related to vibration. The proximity of the proposed development to heritage resources was considered in this assessment.



2.6 Mitigation Options

In addition to providing a framework to assess the impacts of a proposed undertaking, the MCM Infosheet #5 also provide methods to minimize or avoid impacts on cultural heritage resources. These include, but are not limited to:

- *Alternative development approaches*
- *Isolating development and site alteration from significant built and natural features and vistas*
- *Design guidelines that harmonize mass, setback, setting, and materials*
- *Limiting height and density*
- *Allowing only compatible infill and additions*
- *Reversible alterations*
- *Buffer zones, site plan control, and other planning mechanisms*

(Government of Ontario 2006)



3.0 Historical Overview

December 4, 2023

3.0 Historical Overview

3.1 Introduction

The Study Area is located at 634 Commissioners Road West, approximately 43 metres east of the intersection of Nottingham Road and Commissioners Road West. The legal description of the property is “CON 1 PT LOT 38 REG 48430.00SF 290.00FR 167.00D.” Historically, the Study Area is located on part of Lot 38, Concession 1 in the former Township of Westminster. The following sections outline the historical development of the Study Area from the period of colonial settlement to the present-day.

To understand the historical context of the property, resources such as primary sources, secondary sources, archival resources, digital databases, and land registry records were consulted.

3.2 Physiography

The Study Area is situated within the “Mount Elgin Ridges” physiographic region (Chapman and Putnam 1984: 144-146). The region is located between the Thames Valley and Norfolk Sand Plain and consists of a succession of ridges and vales. The southern portions of the region drain to Lake Erie via Kettle, Catfish, and Otter Creeks. Northerly parts of the region drain to the Thames River. The two landforms of the region contain contrasting soils. The ridges contain well drained soil while the hollows contain poor drainage. In general, low-lying land in this region is used for pasture while the rolling hills are cultivated. Corn is the most important crop grown in the region and other crops include wheat, grain, and oats. The Mount Elgin Ridges is also considered one of the most prosperous dairy and livestock regions in Ontario (Chapman and Putnam 1984: 145).

3.3 Township of Westminster

3.3.1 Survey and Settlement

The former Township of Westminster and City of London is located on the traditional territory of the Attawandaron (Neutral), Anishinaabeg, Haudenosaunee (Iroquois), and Lunaapeewak Indigenous peoples (City of London 2021). From the 17th century until 1763, southwestern Ontario was part of the sprawling colony of New France. The French colony was ceded to the British and Spanish following their victory in the Seven Years War in 1763. Much of this new British territory was administered as the Province of Quebec. In 1783, Great Britain recognized the independence of the United States and about 50,000 Loyalists left the fledgling republic for British lands, including Canada (Craig 1963: 3). To accommodate the Loyalists, the British parliament passed the



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Constitutional Act of 1791, which divided Quebec into Upper and Lower Canada. The division was both geographic and cultural: French laws would be preserved in Lower Canada, while the British constitution and laws would be implemented in Upper Canada (Craig 1963: 17).

John Graves Simcoe was selected as Lieutenant Governor of the newly created province. Simcoe was a veteran of the American Revolution, having served in the Queens Rangers, and eagerly planned to build a model British society in Upper Canada. He desired to “inculcate British customs, manners, and principles in the most trivial as well as serious matters” in the new colony (Craig 1963: 20-21). Simcoe intended to populate the new colony with Loyalists and new immigrants from the United States (Taylor 2007: 4-5).

The survey of the Township of Westminster began in 1810 under the direction of Deputy Surveyor Simon Zelotes Watson. He began a preliminary survey of the township on May 27, 1810, and the following day started the survey in the northeast corner of the township south of the Thames River. The first line across the township that Watson surveyed was referred to as the baseline and roughly follows the present-day alignment of Baseline Road East (Baker and Neary 2003: 12). Watson was authorized to place settlers along the road and recruited about 300 Americans for settlement. However, Watson’s plans were blocked by Colonel Thomas Talbot, causing considerable acrimony between the two men (Paddon 1976: 45).

The overall settlement of Westminster Township during much of the first half of the 19th century was under the superintendence of Colonel Thomas Talbot. He was responsible for the settlement of 26 townships in southwestern Ontario. Talbot had the reputation as a strict superintendent and vigorously enforced the requirement which stipulated that all settlers clear and open at least half of the roadway along their lot. Settlers who ignored the requirement often had their right to settle on their land revoked (Westminster Township Historical Society (WTHS) 2006a: 395).

In 1811, Provincial Land Surveyor Mahlon Burwell, a close associate of Colonel Talbot, began to survey additional sections of Westminster Township. He laid out the north branch of Talbot Road (present-day Colonel Talbot Road) to just north of present-day Lambeth, southwest of the Study Area. Shortly before the War of 1812, a former Indigenous trail (present-day Commissioners Road) was widened and improved by a government appointed road commission. The road was built to facilitate the transportation of military supplies between Burlington and Detroit and became an important road in Westminster Township (Baker and Beates Neary 2003: 28-29). Burwell’s survey of the remainder of Westminster Township was put on hold during the War of 1812 (Baker and Neary 2003: 28).



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The War of 1812 caused considerable disruption to the settlement of southwestern Ontario and Westminster Township. Until the War of 1812, the majority of immigrants to Upper Canada, including Westminster Township, were from the United States. Many of these immigrants arrived from New England and New York. Other early settlers to Westminster Township included Scottish immigrants (Miller 1992: 5). Some colonial officials expressed their wariness towards American settlers, with Colonel Talbot writing in 1800 that American immigrants were largely “enticed by a gratuitous offer of land, without any predilection on their part, to the British constitution” (Taylor 2007: 28). During the War of 1812, American settlers were perceived by Loyalists and the British military as disloyal or apathetic towards the war effort. There was some truth to this perception in Westminster Township, and several prominent settlers defected to American forces, including Simon Zelotes Watson (Hamil 1955: 76). During the war several skirmishes took place in Westminster Township, including two near Commissioners Road and present-day Springbank Park (Baker and Neary 2003: 28). After the war, the policy of encouraging immigration from the United States was largely abandoned and British administrators clamped down on granting land to American settlers (Taylor 2007: 31).

The survey of Westminster Township resumed in August 1816, with Burwell laying out a northern extension of the Talbot Road between Lots 42 and 43, Concession 1. The Talbot Road served as a direct link between the Township of Westminster and the main Talbot Road to the south. The last portion of the survey, Concessions 3 to 9, was completed between 1819 and 1821 by Deputy Land Surveyor John Bostwick (St. Denis 1985: 19-20). The township was surveyed using the double-front system, with most lots being 200 acres in size (Plate 1). Properties north of Baseline Road on the Broken Front concession were irregularly sized due to the meandering course of the Thames River. The Township was named for the City of Westminster, the site of the British Parliament. The name was likely chosen because the township was bordered on the north by London Township (Gardiner 1899: 314).



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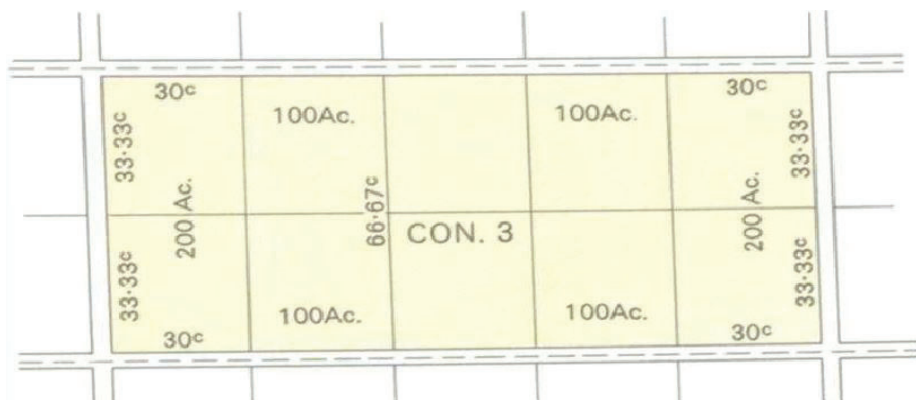


Plate 1: Double Front Survey System (Dean 1969)

3.3.2 19th Century Development

The first administrative meeting for the United Townships of Westminster, Delaware, and Dorchester was held on March 4, 1817, in Archibald McMillan's tavern. In 1817, the township had a population of 428 people, residing in 107 houses. The township had two schools and two mills. The average price of land in 1817 was 20 shillings per acre (Brock and Moon 1972:568). The lots along Commissioners Road were becoming increasingly settled and some farmers opened brickyards on properties that contained clay deposits. In 1819, a cemetery was established on Commissioners Road which is known today as Brick Street Cemetery (Baker and Neary 2003: 28). An article published in the Montreal Gazette in June 1831 described the first concession of the Township of Westminster, which includes the Study Area, as being settled primarily by Americans and that "many of the farms are extensive and tolerably well cultivated, having good framed barns, fine promising young orchards, and comfortable dwellings" (Brock 1975: 65).

The first post offices were established in Westminster Township in 1840. One was located in present-day Lambeth and another in present-day Byron (WTHS 2006a:393). The fertile soil of the township made it agriculturally very productive. In 1849, the township's farmers produced 57,600 bushels of wheat, 54,000 bushels of oats, 12,000 bushels of peas, 22,000 pounds of wool, and 36,000 pounds of butter (WTHS 2006a: 69). The value of cleared land in the township had increased to 60 shillings an acre. Many farmers in the township also produced maple syrup if the wood lots on their farm had maple trees (WTHS 2006a:114).



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Between 1851 and 1861 the population of Westminster Township increased from 5,069 to 6,285. By this time, the population of the township consisted primarily of people born in Canada, British immigrants, and a small but notable American population (Board of Registrations and Statistics 1853; Board of Registration and Statistics 1863). Railway service entered the township in 1853 when the London and Port Stanley Railway was constructed through the township. The railway linked to the Great Western Railway in London (Port Stanley Terminal Rail 2021).

Hamlets developed throughout the township including Hall's Mills (later Byron), Lambeth, Belmont, Nilestown, Ponds Mills, and Glanworth (WTHS 2006a: 88-89). The closest hamlet to the Study Area was Byron, located approximately three kilometres to the northwest along Commissioners Road. By 1862, the population of Byron was 200, and contained two sawmills, two grist mills, a tannery, a chair factory, a carpet loom, a ham factory, a carding mill, a woolen mill, two distilleries, two blacksmiths, a tavern, two hotels, two general stores, and a post office (Kerr 1983:15).

To the north of Westminster Township, the City of London was incorporated in 1855, with a population of 10,000 (Armstrong 1986:68). The development of London and Westminster Township would become increasingly intertwined during the late 19th century as suburban development and the City's infrastructure began to encroach upon Westminster Township. The City constructed a waterworks in the township in 1878, which eventually became part of the popular Springbank Park (McTaggart and Merrifield 2010:17-18). Suburban development also began in an area known as London South, which was eventually annexed by the City in 1890 (Flanders 1977:3). As a result of the annexation, the population of Westminster Township decreased from 7,892 in 1881 to 6,335 in 1891 (Dominion Bureau of Statistics 1953).

3.3.3 20th Century Development

Westminster Township remained predominantly agricultural during the first half of the 20th century. In 1920, Colonel Talbot Road was incorporated into King's Highway 4. This north-south road ran through much of Southwestern Ontario and was eventually expanded to run from Elgin County to Bruce County (Bever 2022a). The population of Westminster Township in 1921 was 5,687, an increase of 668 people since 1911 (Dominion Bureau of Statistics 1953). In 1921, a total of 31,254 acres of land were under cultivation in the township, the second highest total in Middlesex County (Dominion Bureau of Statistics 1925 :408).

While the First World War and Great Depression curtailed major growth of the City of London, the postwar building boom led to the suburbanization of swaths of Westminster Township during the 1950s. Between 1951 and 1956, the population of Westminster Township increased 45%. In 1951, 1954, and 1959, the township allowed several parts of the township to be annexed into the City to improve municipal services to the newly suburbanized areas (Meligrana 2000:14; Miller 1992: 212-213).



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However, the City soon proposed a more ambitious annexation that would more than double the size of the City by incorporating additional lands from Westminster and London Townships. The townships opposed this plan and the Township of Westminster argued that much of the proposed land to be annexed was rural. Representatives of Westminster Township explained they had amicably agreed with the City about ceding suburbanized lands but expressed the belief that rural land did not belong in a City (Meligrana 2000:14). In May 1960, the Ontario Municipal Board ruled in favour of the City and, in 1961, 42,550 acres of land in Westminster Township and London Township were annexed into the City. The Study Area was included in this annexation and Commissioners Road rapidly suburbanized during the 1970s and 1980s.

Another major postwar development in the township was the construction of King's Highway 401 and King's Highway 402. Highway 401, which runs from Windsor to the Quebec/Ontario border was constructed in phases through Southwestern Ontario in the 1960s (Bever 2022b). Highway 402, which runs from Sarnia to London, was constructed in phases during the 1970s and early 1980s. In 1981, the final stretch of Highway 402 was completed and Highways 401 and 402 merged in Westminster Township (Bever 2022c).

By the early 1980s, the City required additional land for future industrial development and wanted to annex the Highway 401/402 corridor in the Township of Westminster, ideally located for industrial development and just outside of city limits. In 1988, Westminster Township was re-incorporated as the Town of Westminster, partially in response to London's annexation attempts (WTHS 2006a: 73). Despite the incorporation of the Town of Westminster, in 1992 the province approved an annexation that saw the City of London triple in size (Sancton 1994: 28-29). Effective January 1, 1993, the entire Town of Westminster was annexed into the City of London. Also included in the 1993 annexation were portions of London, Delaware, North Dorchester, and West Nissouri Townships (Middlesex County 2016). The population of London in 2016 was 383,822, an increase of 4.8% since 2011 (Statistics Canada 2019).

3.4 Property History

Lot 38, Concession 1 was originally divided into a north half and south half, each containing 100 acres of land. The Study Area is located on the north half of the lot. The lot was granted by the Crown to Timothy Kilbourn in 1818 (ONLand 2022a). However, based on the *Land Petitions of Upper Canada*, the lot was originally occupied by Amos McNames. In 1812, McNames was recorded by John Bostwick to be 25 years old and originally from New York State. Although McNames had improved part of the lot, he was possibly a squatter. During the War of 1812, he abandoned the lot and returned to New York State (Library and Archives Canada 1817).



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After McNames abandoned the lot, it was settled by Timothy Kilbourn. He built a house on the lot and cleared 11 acres of land by 1817. That same year, he petitioned to be granted the north half of the lot on account of his service in the War of 1812 and the fact that he had already built a house and cleared land. The petition was approved in 1818 (Library and Archives Canada 1817).

Timothy Kilbourn was born in 1768 in Litchfield, Connecticut. In 1789, the Kilbourn family moved to Ontario County, New York. While in New York, he married Clement Woodhull, originally from Long Island, New York. Timothy, his father, and his brothers operated sawmills in New York until their bankruptcy in 1794. In 1796, Timothy and his family left New York for Upper Canada. They initially settled in the nearby Delaware Township and were among the first settlers in the area (WTHS 2006b: 320-321). They were likely inclined to move to Delaware Township by their relatives in the Woodhull family. Timothy and his family farmed the land and operated a mill near Kilworth. Timothy quickly rose to prominence within the community and was County Commissioner and County Road Surveyor for Middlesex County. Timothy and Clementine had eight children: Elizabeth, Harriet, Benjamin, Horace, Clarissa, Timothy Junior, Robert, and Harvey. It is unclear why Timothy relocated to Westminster Township after the War of 1812 (WTHS 2006b: 322).

The Census of 1851 recorded that the 84 year old Timothy Kilbourn lived in Delaware Township with the family of his son Harvey Kilbourn (Library and Archives Canada 1851a). Several of Timothy's children remained in Delaware Township (WTHS 2006b: 322). In 1858, Timothy Kilbourn sold the entire north half of Lot 38, Concession 1 to his son Benjamin Kilbourn (ONLand 2022a). Based on census records, Benjamin had occupied the lot since at least 1851 and it is likely he started farming the lot when his father retired. Timothy Kilbourn died in 1864, aged 96 (WTHS 2006b: 322). The Census of 1851 recorded Benjamin Kilbourn as a 55-year-old farmer. He lived with his wife Avis, age 46; son Harvey, age 26; daughter Alvira, age 22; son Timothy, age 20; son Benjamin, age 18; daughter Lucretia, age 14; son Richard, age 12; and son Henry, age 6 (Library and Archives Canada 1851b).

Benjamin also had another daughter named Harriet (WTHS 2006b: 322). She was married to John Teeple, a laborer who also farmed on the north half of Lot 38, Concession 1. The Census of 1851 lists John Teeple as a 26-year-old laborer. He lived with his wife Harriet, age 26; son Edward, age 7; son Benjamin, age 4; and son Harvey, age 1 (Library and Archives Canada 1851b). John Teeple was from a Loyalist family that immigrated to Canada after the American Revolution. John's grandfather had served in the King's American Dragoons. His father Peter served in the War of 1812 as a private and was awarded a military service medal for action at Fort Detroit. John's mother was Jemima Whitehead from Long Island, New York. John Teeple also possessed land in Lot 36 and Lot 37, Concession 1 and operated a lime kiln (WTHS 2006b: 611-612).



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The agricultural section of the Census of 1851 listed Benjamin Kilbourn as occupying 89 acres of land in Lot 38, Concession 1. His land included 58 acres of crops, nine acres of pasture, two acres of orchards, and 20 acres remained wooded. John Teeple was listed as occupying five acres of Lot 38, Concession 1. His land included five acres of crops (Library and Archives Canada 1851b). In 1858, Benjamin Kilbourn sold eight and one half acres of land in Lot 38, Concession 1 to Delial Teeple, a brother of John Teeple (ONLand 2022a; WTHS 2006b: 611). In 1860, the acreage was sold to John Teeple (ONLand 2022a). Based on subsequent land registry records, this acreage was likely located north of Commissioners Road and south of the township baseline, to the north of the Study Area

The Census of 1861 listed Benjamin Kilbourn as a 63-year-old farmer. He lived with his wife Avis, age 54; daughter Alvira, age 30; daughter Lucretia, age 22; son Robert, age 20; and son Henry, age 14. The Kilbourn family was listed as residing in a one and one half storey stone house. John Teeple was listed as a 37-year-old farmer. He lived with his wife Harriet, age 33; son Edward, age 16; son Benjamin, age 14; son Timothy, age 4; and son John, age 1. The Teeple family resided in a one storey brick residence (Library and Archives Canada 1861). Historical mapping from 1862 depicts the north half of Lot 38, Concession 1 as occupied by B. [Benjamin] Kilbourn while Commissioners Road is depicted crossing the north part of the lot and no structures are depicted (Figure 3). Based on information provided in the census and Tremaine map, including the census description of the Kilbourn's one and one half storey stone house and Teeple's one storey brick house, the present-day residence at 634 Commissioners Road West was built after 1861.

In 1867, Benjamin Kilbourn sold approximately 20 acres of land in the north part of the lot to John Teeple and that same year Teeple sold his original eight and one half acres back to Kilbourne. In 1869, Kilbourn sold 60 acres of the lot to Robert Jarvis (ONLand 2022b). The Jarvis family were within the extended family of the Kilbourn and Teeple families through the marriage of Delial Teeple and Belinda Jarvis (WTHS 2006b: 294). Benjamin Kilbourn sold the last of his part of Lot 38, Concession 1 to Samuel Jarvis in 1875 when he sold about 10 acres of land between Commissioners Road and the township baseline (ONLand 2022b).

It is likely that the current residence at 634 Commissioners Road West was constructed circa 1870 by Jarvis to replace the stone Kilbourn house. By the mid-1860s, Benjamin Kilbourn and most of his family had moved to St. Clair County, Michigan. Only Harriet remained in Westminster Township due to her marriage to John Teeple (WTHS 2006b: 322-323). John Teeple sold and then quit claim to his part of Lot 38, Concession 1 to Robert Summers in 1875 and 1878 (ONLand 2022b). Historical mapping from 1878 shows that the Study Area was on the part of the lot owned by Robert Jarvis. However, no structures are depicted in the Study Area (Figure 4).



3.0 Historical Overview

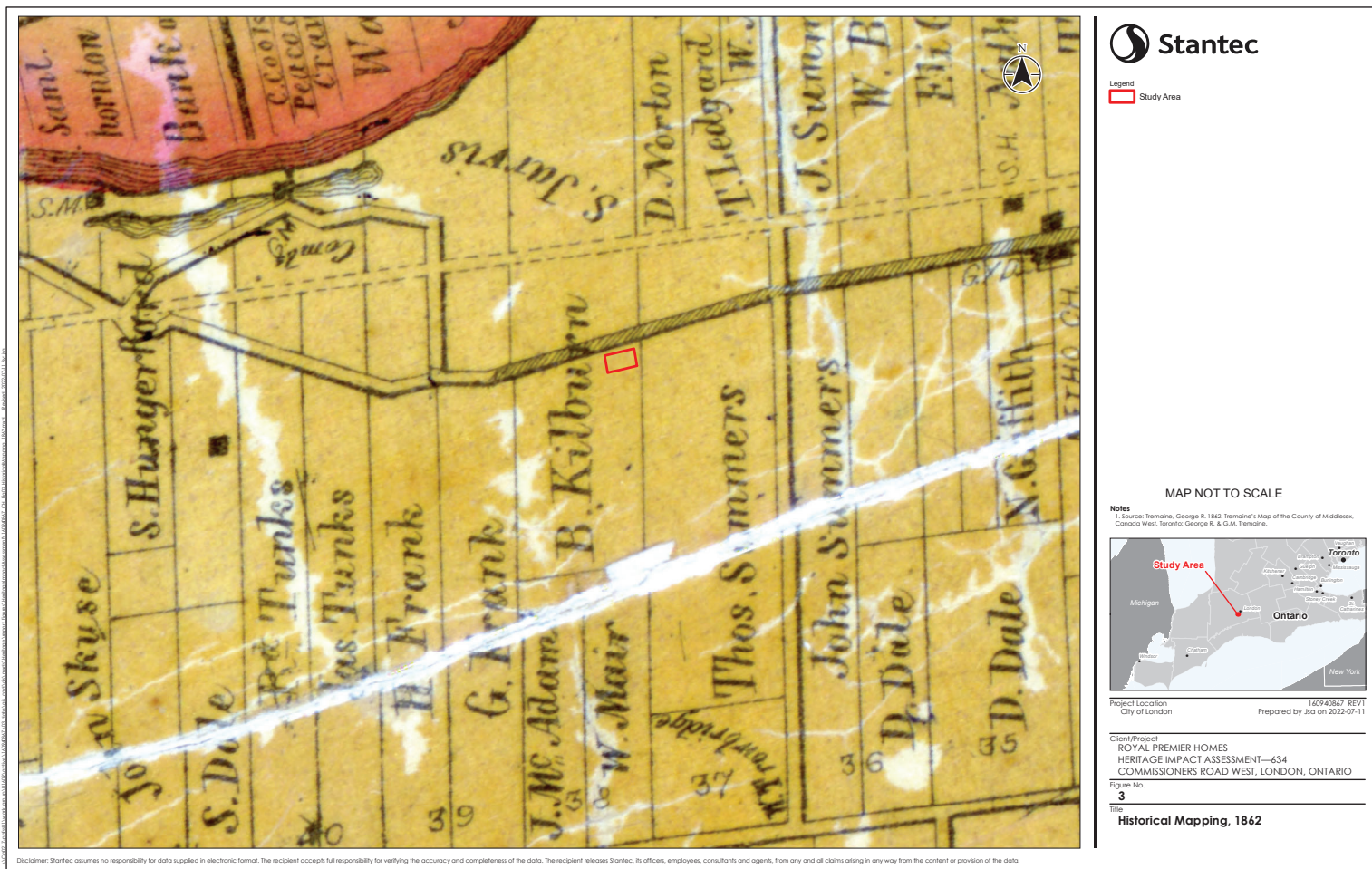
December 4, 2023

Robert Jarvis was born in 1839 and was the son of Thomas and Harriet Jarvis. Robert married Elizabeth Martin in 1860 (WTHS 2006: 294). The Census of 1891 lists Robert Jarvis as a 52-year-old farmer. He lived with his wife Elizabeth, age 50 and daughter Ella, age 28 (Library and Archives Canada 1891). Robert Jarvis died in 1901 and in 1905 Elizabeth Jarvis sold their 60 acres of land, including the Study Area, to William Bartlett (WTHS 2006: 294; ONLand 2022b). The Jarvis family and their role in the area is remembered by the street name Jarvis Street, which is located about 300 metres north of the Study Area (WTHS 2006: 294).

The Census of 1911 lists William Bartlett as residing on Lot 38, Concession 1. He was a 40-year-old farmer who lived with his wife Mary, age 40; son Willie, age 12; daughter Carrie, age 11; son Mosley, age 7; and mother-in-law Ellen Brown, age 78 (Library and Archives Canada 1911). Topographic mapping from 1913 is the first to depict a frame structure at the location of present-day 634 Commissioners Road West (Figure 5). In 1920, Bartlett sold two 15-acre parcels of land to the Soldier's Settlement Board (ONLand 2022b). The Soldier's Settlement Board was created as part of the *Soldier Settlement Act* to provide farmland for returning First World War soldiers (Ashton 1925). Aerial photography from 1942 shows the Study Area and two small farms to the west that were likely part of the Soldier's Settlement Board program (Figure 6).

Between 1942 and 1944, Bartlett sold the remainder of his land in Lot 38, Concession 1 (ONLand 2022b). Based on aerial photographs, the rear additions were added to the residence between 1950 and 1967. During this same time, suburban sprawl was increasingly encroaching upon the Study Area (Figure 7). By the early 1970s, much of the Study Area had transitioned to suburban residential tract housing.







Legend
 Study Area

MAP NOT TO SCALE

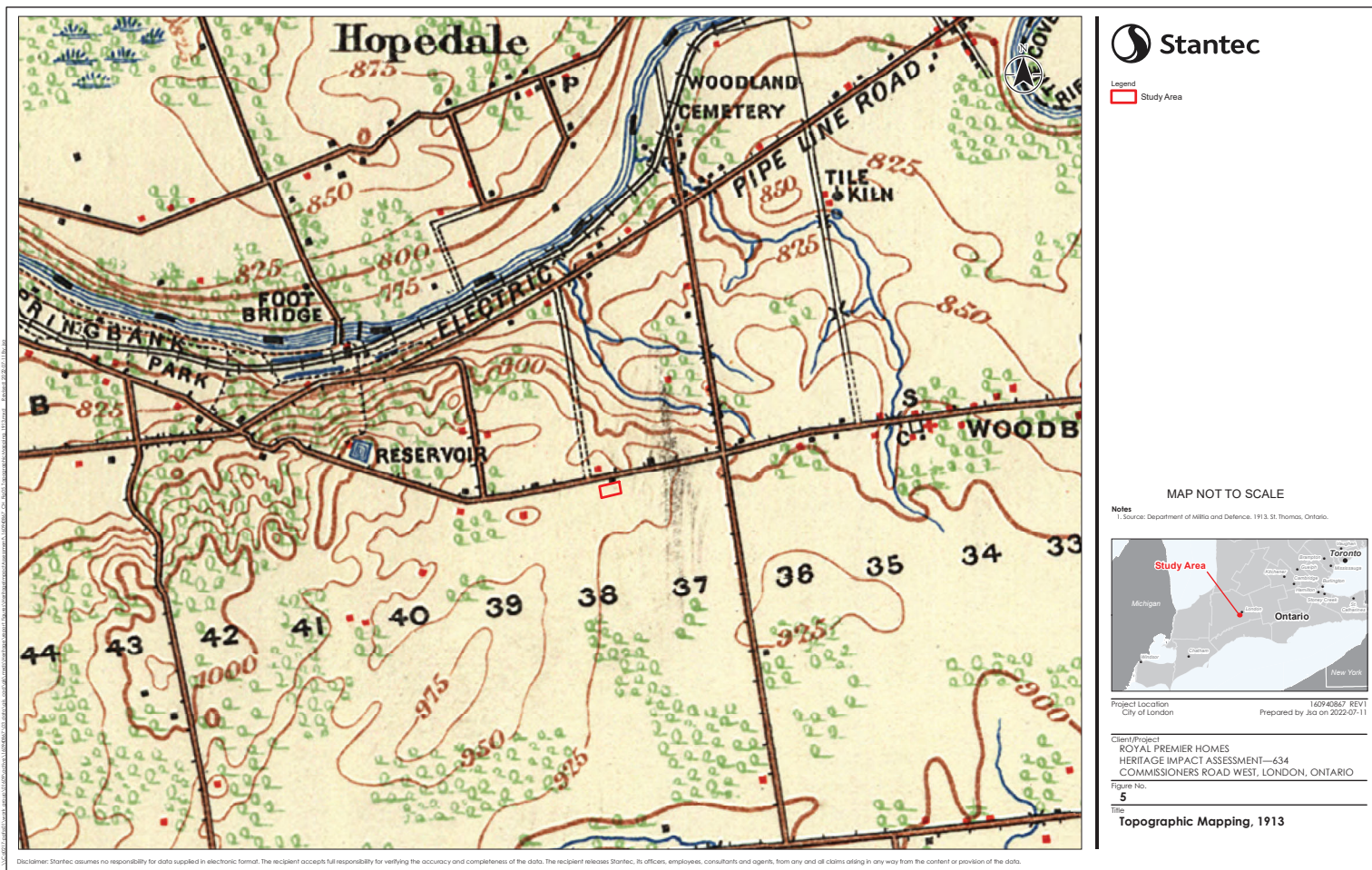
Notes
 1. Source: Page, H.R. 1878, Authenticated Historical Atlas of the County of Middlesex, Ont.
 Toronto: H.R. Page & Co.



Project Location
 City of London
 160940867 REV1
 Prepared by JAD on 2022-07-11

Client/Project
 ROYAL PREMIER HOMES
 HERITAGE IMPACT ASSESSMENT—634
 COMMISSIONERS ROAD WEST, LONDON, ONTARIO

Figure No.
 4
 Title
 Historical Mapping, 1878





Legend
 — Major Road
 — Minor Road
 ■ Study Area

MAP NOT TO SCALE

Notes
 1. Source: Lockwood Survey Corporation, 1967, line 2, Photo 134.



Project Location
 City of London
 160940867 REV1
 Prepared by Jaa on 2022-07-11

Client/Project
 ROYAL PREMIER HOMES
 HERITAGE IMPACT ASSESSMENT—634
 COMMISSIONERS ROAD WEST, LONDON, ONTARIO

Figure No.

7

Title
 Aerial Photograph, 1967

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4.0 Site Description

4.1 Introduction

A site visit of the Study Area was undertaken on February 2, 2022, by Meaghan Rivard, Senior Cultural Heritage Specialist and Frank Smith, Cultural Heritage Specialist, both of Stantec. The weather conditions were overcast with flurries and drizzle. The site visit consisted of a pedestrian survey of the property. Photographs were taken on Nikon D5300 at a resolution of 300 dots per inch and 6000 by 4000 pixels.

4.2 Landscape Setting

The Study Area is located on Commissioners Road West, an east-west arterial roadway within the City of London. Within and adjacent to the Study Area, Commissioners Road West is a two-lane asphalt paved roadway with dedicated turning lanes and no shoulders. The south side of the roadway contains a concrete sidewalk. Both sides of the roadway contain timber utility poles and the south side contains municipal streetlighting installed on some of the utility poles (Plate 2 and Plate 3). The general character of the area is suburban and consists of a mix of 19th century residences (including 634 Commissioners Road West and 651 Commissioners Road West) and mid to late 20th century residences setback from the roadway (Plate 4 and Plate 5).

The property at 634 Commissioners Road west is accessed via a horseshoe shaped gravel driveway connected to Commissioners Road West (Plate 6). The east part of the horseshoe contains an extension south to the attached garage located on the east elevation of the residence. In general, the property is slightly elevated from the roadway and adjacent sidewalk. The front yard of the property is landscaped with a row of mature maple trees located between the driveway and sidewalk (Plate 7). To the south of the tree row is a hedge of deciduous shrubs (Plate 8). South of the driveway are two mature honey locust trees (Plate 9). The western section of the yard contains a hedge of white cedar trees and several intermediate sized specimen trees, including oak, willow, and maple trees (Plate 10).

The backyard contains an inground pool and small pool house and several intermediate specimen trees including Norway spruce and deciduous trees (Plate 11). The backyard is divided from adjacent properties by a modern fence. The eastern section of the yard contains intermediate and mature deciduous and Norway spruce trees and a hedge of deciduous shrubs near the sidewalk along Commissioners Road West (Plate 12). The south, west, and east elevations of the residence contain foundation plantings consisting of a mix of small to mature shrubs including yew, cedar, and broadleaf shrubs (Plate 13).



Heritage Impact Assessment - 634 Commissioners Road West, London, Ontario

4.0 Site Description

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**Plate 2: Looking west on
Commissioners Road West**



**Plate 3: Looking east on
Commissioners Road West**



**Plate 4: 19th century residence,
looking northwest**



**Plate 5: Mid to late 20th century
residences, looking
northeast**



**Plate 6: Gravel driveway, looking
east**



**Plate 7: Looking east at row of
maple trees**



Heritage Impact Assessment - 634 Commissioners Road West, London, Ontario

4.0 Site Description

December 4, 2023



Plate 8: Hedge section, denoted by arrow, looking south



Plate 9: Honey locust trees (denoted by arrow), looking east



Plate 10: Looking west at cedar hedge and specimen trees



Plate 11: Pool area and Pool House, looking east



Plate 12: Mature trees and hedge in east yard, looking west



Plate 13: Representative photo of foundation plantings, looking south



4.0 Site Description

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4.3 Residence

The residence at 634 Commissioners Road West is a two-storey structure with a low-pitched hip roof. The roof is clad in modern shingles and contains two lightning rods, a red brick chimney, and wide soffits. The residence contains a square plan and is clad in modern siding. However, it is possible the original siding remains underneath the modern siding (Plate 14). The foundation of the residence is field stone below the ground level and buff brick above the ground level (Plate 15 and Plate 16).

The main (north) elevation contains a symmetrical façade and consists of three bays (Plate 17). The second storey contains three 2/2 windows (Plate 18). All three windows contain 2/2 wood frame segmental arch windows, wood pediment style window surrounds, and wood shutters (Plate 19). The first storey contains a main entrance flanked by windows (Plate 20). The windows are 2/2 wood frame segmental arch windows, wood pediment style window surrounds, and wood shutters. The main entrance contains a three-pane transom, sidelights, and wood pediment style door surround. The sidelights and wood door are divided by classically inspired wood columns. The main entrance is accessed via a concrete and stone staircase with metal railings (Plate 21). The basement level contains two wood frame windows with segmental arch window openings and buff brick voussoirs (Plate 22).

The west elevation of the residence contains a red brick chimney that runs between the windows of the second and first storeys. The chimney is covered in English ivy to the roof (Plate 23). The second storey contains two 2/2 wood frame segmental arch windows, with wood pediment style window surrounds, and wood shutters. The first storey also contains two 2/2 wood frame segmental arch windows, with wood pediment style window surrounds, and wood shutters (Plate 24). The basement level contains two wood frame windows with segmental arch window openings and buff brick voussoirs (Plate 25).

The south elevation of the residence contains two 2/2 wood frame segmental arch windows with wood pediment style window surrounds. The south elevation also contains a shed roof addition and hip roof addition. The shed roof addition is located on the second storey and contains two four pane wood surround windows (Plate 26). The hip roof addition contains a sliding wood door that leads to the pool area (Plate 27). The west elevation of this addition contains a buff brick chimney with a clean out door labeled "Crawford, Cleveland" (Plate 28). The chimney is flanked by two large windows with wood surrounds. The addition contains a poured concrete foundation. The east part of the addition intersects with the hip roof attached garage on the east elevation.



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The east elevation of the residence contains a second storey with two 2/2 wood frame segmental arch windows, with wood pediment style window surrounds, and wood shutters. The first storey contains a modern enclosed porch with a wood door with pediment door surround and 2/2 wood frame segmental arch window with pediment style window surround (Plate 29). The east elevation also contains a hip roof attached two car garage. The garage and main section of the residence are attached via a small, shed roof addition with two 1/1 wood frame windows (Plate 30). The additions contain poured concrete foundations.



Plate 14: Looking northeast showing hip roof, brick chimney, siding, and square plan





Plate 15: General view of foundation, looking west



Plate 16: Visible stone section of foundation (denoted by arrow), looking west



Plate 17: Main elevation, looking south



Plate 18: Second storey windows, looking south



Plate 19: Window details, looking south



Plate 20: First storey showing windows and doors

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Plate 21: Main entrance details, looking south



Plate 22: Basement window, looking south



Plate 23: West elevation, looking east



Plate 24: Window details, looking east



Plate 25: Basement window, looking east



Plate 26: South elevation, looking north



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Plate 27: Hip roof addition, looking northeast



Plate 28: Clean out door, looking east



Plate 29: East elevation, looking west



Plate 30: Garage and shed roof addition, looking east

5.0 Comparative Analysis

The property at 634 Commissioners Road West is listed on the City's *Register of Cultural Heritage Resources* as a "Georgian" structure built in 1850. It was added to the heritage register on March 26, 2007. The City of London defines Georgian architecture as "Generally relating to the architectural style of during the reigns of kings George I, George II, George III, and George IV (1714-1830), usually extending into the 1850s in a colonial context. Georgian buildings are typified by their balance of symmetrical facades usually with a central doorway and multi-pane windows" (City of London 2019).

Historical research undertaken as part of the heritage overview indicates the residence at 634 Commissioners Road West was likely built after 1861 based on census data. A date of *circa* 1870 is likely for the construction of the residence based on the change of ownership in 1869 of much of Lot 38, Concession 1 from the Kilbourn family to the Jarvis family. The Jarvis family likely replaced the existing Kilbourn residence with a new two storey frame structure.

A construction date of 1870 is generally considered late for a Georgian style residence. However, of the 70 Georgian structures listed on the *Register of Cultural Heritage Resources*, a total of 19 were built between 1865 and 1880. The Georgian style is rare in the City of London, accounting for slightly over one percent of all listed and designated properties within the City (City of London 2019).

However, the residence also contains the massing, height, roof, windows, pediment door and window surrounds, and soffits of a subset of Italianate residences built in Ontario during the mid-19th to late-19th century. This subset of Italianate residences borrowed the massing and symmetry of Georgian residences (Blumenson 1990: 59). Additional Italianate characteristics such as brackets or dentils could have been removed when the residence was clad with modern siding. The *Register of Cultural Heritage Resources* contains 347 examples of Italianate architecture, accounting for 5.8% of listed and designated heritage resources.



6.0 Evaluation

6.1 Introduction

The criteria for determining CHVI is defined by O. Reg. 9/06 as amended by O. Reg. 569/22. If a property meets one or more of the criteria it is determined to contain, or represent, a cultural heritage resource. A summary statement of cultural heritage value will be prepared, and a list of heritage attributes which define the CHVI identified. The evaluation of 634 Commissioners Road West according to O. Reg. 9/06 is provided in subsequent sections below.

6.2 Design or Physical Value

The residence at 634 Commissioners Road West is a representative Ontario vernacular frame structure built *circa* 1870. The residence contains a blend of Georgian and Italianate design elements popular in Ontario during the mid to late 19th century. The blend of these two styles together and use of locally available materials including stone, brick, and timber gives the residence a vernacular character.

Components of the residence that contain both Georgian and Italianate design elements include the hip roof, square plan, symmetrical main elevation, and pediment window and door surrounds. The segmental arch windows and wide soffits are more typical to the Italianate style. Residences that contain both Georgian and Italianate design features were common in Ontario during the mid to late 19th century. These types of residences were viewed as containing the tradition and conservatism of the Georgian style while incorporating newer design elements (Blumenson 1990: 59). While the original exterior cladding has been replaced or obscured, the residence retains a relatively high degree of integrity and modifications over time have been sympathetic.

The residence cannot be considered rare or unique as many examples of Ontario vernacular structures remain in the City of London. While the Georgian style is rare within the City of London, the Georgian design elements of 634 Commissioners Road West largely overlap with many Italianate characteristics. In addition, while some Georgian residences contain hip roofs, frame exteriors, and classical detailing, this is generally considered to be limited to vernacular interpretations of the Georgian style in Ontario (Blumenson 1990: 7,9). As a vernacular structure, the building materials, construction methods, and quality of craftsmanship were typical and industry standard at the time of the construction of the residence. Therefore, the residence does not demonstrate a high degree of craftsmanship or a high degree of technical or scientific achievement.



6.3 Historic or Associative Value

The property at 634 Commissioners Road West is located on part of Lot 38, Concession 1 in the former Township of Westminster. This lot is directly associated with the Kilbourn, Teeple, and Jarvis families. These three families were related by marriage and farmed on Lot 38, Concession 1 between about 1815 and 1905. Both the Kilbourn and Teeple families were part of the initial wave of settlers to Westminster Township from the United States in the decades after the American Revolution and also important early settlers in the area. The Kilbourn family operated a sawmill and the Teeple family operated lime kilns. Both families also participated in the War of 1812. The residence at 634 Commissioners Road West was likely built by Robert Jarvis *circa* 1870. Robert and his brother Francis farmed Lot 38, Broken Front and Concession 1 and today Jarvis Street is named in their honour. Together, these three families contributed to the pattern of settlement along Commissioners Road during the 19th century.

The property contains a residence, pool, and landscaped yard. It does not offer or potentially offer new knowledge that can contribute to a greater understanding of the former Township of Westminster or City of London. The architect or designer of the residence is unknown.

6.4 Contextual Value

The property is a former farmhouse set in a suburban landscape. It is a remnant of the former agricultural character of the area and is located on a larger than average property parcel for the area. During the mid to late 20th century the agricultural character of this portion of Commissioners Road transitioned to a suburban character as residential development encroached. As a 19th century farmhouse set on a generously sized lot, the property does not contribute to the mostly mid to late 20th century character of the area. While the residence is located near another 19th century farmhouse at 651 Commissioners Road West, these residences stand in contrast to the overall suburban and mid to late 20th century character of the area. Therefore, the property does not support the mostly mid to late 20th century suburban character of the area.

The property contains a former farmhouse and is no longer used for agricultural purposes. No physical, functional, or visual link to its past agricultural use exists on the property or within the broader context of the area. Therefore, the property is not physically, visually, or historically linked to its surroundings. The residence is setback from the roadway and partially screened by vegetation. It is not located at a corner or a prominent location on Commissioners Road West and has not been determined to serve as a well-known marker in the community. Therefore, the residence is not considered to be a landmark.



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6.5 Summary of Evaluation

Table 1 provides a summary of the findings of CHVI based on an evaluation according to O. Reg. 9/06 as amended by O. Reg. 569/22.

Table 1: Evaluation of 634 Commissioners Road West according to O. Reg. 9/06

Criteria of O. Reg. 9/06 (amended by O. Reg. 569/22)	Yes/No	Comments
1. Is a rare, unique, representative, or early example of a style, type, expression, material, or construction method	Yes	The residence at 634 Commissioners Road West is a representative Ontario vernacular frame structure built <i>circa</i> 1870. The residence contains a blend of Georgian and Italianate design elements popular in Ontario during the mid to late 19 th century. The blend of these two styles together and use of locally available materials including stone, brick, and timber gives the residence a vernacular character.
2. Displays a high degree of craftsmanship or artistic merit	No	The craftsmanship and artistic merit of the property is typical and industry standard for the mid to late 19 th century.
3. Demonstrates a high degree of technical or scientific achievement	No	As a vernacular structure, the building materials, construction methods, and quality of craftsmanship were typical and industry standard at the time of the construction of the residence.
4. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community	Yes	The property is historically located on part of Lot 38, Concession 1 in the former Township of Westminster. This lot is directly associated with the Kilbourn, Teeple, and Jarvis families. Together, these three families made a contribution to the pattern of settlement along Commissioners Road during the 19 th century.
5. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	No	This property does not offer or potentially offer new knowledge that can contribute to a greater understanding of the former Township of Westminster or City of London
6. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community	No	The architect or builder is unknown.



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Criteria of O. Reg. 9/06 (amended by O. Reg. 569/22)	Yes/No	Comments
7. Is important in defining, maintaining, or supporting the character of an area	No	During the mid to late 20 th century the agricultural character of this portion of Commissioners Road transitioned to a suburban character as residential development encroached. As a 19 th century farmhouse set on a generously sized lot, the property does not contribute to the mostly mid to late 20 th century character of the area.
8. Is physically, functionally, visually, or historically linked to its surroundings	No	The property contains a former farmhouse and is no longer used for agricultural purposes. No physical, functional, or visual link to its past agricultural use exists on the property or within the broader context of the area.
9. Is a landmark	No	The residence is setback from the roadway and partially screened by vegetation. It is not located at a corner or a prominent location on Commissioners Road West and has not been determined to serve as a well-known marker in the community.

6.6 Statement of Cultural Heritage Value or Interest

6.6.1 Description of Property

The property at 634 Commissioners Road West is located in the City of London approximately 43 metres east of the intersection of Nottinghill Road and Commissioners Road West. The property contains a residence located on a generously sized lot landscaped with a lawn, pool, shrubs, and intermediate and mature deciduous and coniferous trees. The residence was built *circa* 1870 and is an example of an Ontario vernacular structure with Georgian and Italianate design influences.

6.6.2 Cultural Heritage Value

The residence at 634 Commissioners Road West demonstrates design value as a representative Ontario vernacular frame structure built *circa* 1870. The residence contains a blend of Georgian and Italianate design elements popular in Ontario during the mid to late 19th century. The blend of these two styles together and use of locally available materials including stone, brick, and timber gives the residence a vernacular character. Components of the residence that contain both Georgian and Italianate design elements include the hip roof, square plan, symmetrical main elevation, and



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pediment window and door surrounds. The segmental arch windows and wide soffits are more typical to the Italianate style. Residences that contain both Georgian and Italianate design features were common in Ontario during the mid to late 19th century. These types of residences were viewed as containing the tradition and conservatism of the Georgian style while incorporating some more contemporary design elements associated with the Italianate style.

The property demonstrates historical and associative value through its connection with the Kilbourn, Teeple, and Jarvis families. These three families were related by marriage and farmed on Lot 38, Concession 1 between about 1815 and 1905. Both the Kilbourn and Teeple families were part of the initial wave of settlers to Westminster Township from the United States in the decades after the American Revolution. Both families also participated in the War of 1812. The residence at 634 Commissioners Road West was likely built by Robert Jarvis *circa* 1870. Robert and his brother Francis farmed Lot 38, Broken Front and Concession 1 and today Jarvis Street is named in their honour. Together, these three families made a contribution to the pattern of settlement along Commissioners Road during the 19th century.

6.6.3 Heritage Attributes

- Representative example of a mid to late 19th century Ontario vernacular structure with Georgian and Italianate design elements, including:
 - Two storey structure with square plan
 - Hip roof with red brick chimney, lightning rods, and wide soffits
 - Symmetrical main (north) elevation with three bays
 - Segmental arch 2/2 windows with wood frames and wood pediment style surrounds
 - Wood shutters on the north, east, and west elevations
 - Main entrance with wood door, classically inspired columns, sidelights, transom, and pediment style door surround
 - Basement wood frame windows with segmental arch openings and buff brick voussoirs
 - Buff brick and fieldstone foundation

The attached modern garage (east elevation) and modern enclosed porch (east elevation) are not considered to be heritage attributes.



7.0 Impact Assessment

7.1 Description of Proposed Undertaking

Royal Premier Homes is proposing to construct two three and one half storey townhouse buildings to the east and west of the existing residence at 634 Commissioners Road West. The townhouse building to the west of the existing residence is proposed to contain eight units and have a footprint of 19 metres by 13 metres. The townhouse building to the east of the existing residence is proposed to contain 20 units and have a footprint of 32.5 metres by 19 metres. Parking access is proposed to be at the rear and provided by a 6.7 metre wide driveway connecting to Commissioners Road West. The concept plan envisions the retention of the existing residence with the exception of the modern attached porch and rear addition. The concept plan and preliminary renderings are contained in Appendix B.

7.2 Assessment of Impacts

The residence at 634 Commissioners Road West has CHVI since it meets two criteria for determining CHVI in O. Reg 9/06. Therefore, an assessment of potential impacts to heritage attributes of 634 Commissioners Road West is provided below in Table 2 and Table 3 (see Section 6.6.3 for identification of heritage attributes). Impacts are defined by Info Sheet #5 (Section 1).

Table 2: Evaluation of Potential Direct Impacts

Direct Impact	Impact Anticipated	Relevance to 634 Commissioners Road West
Destruction of any, or part of any, <i>significant heritage attributes</i> or features.	No	The proposed undertaking would not result in the demolition of any heritage attributes at 634 Commissioners Road West. Therefore, no mitigation measures are required.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance.	No	The proposed undertaking would not result in alteration that is unsympathetic or incompatible with the historic fabric and appearance of 634 Commissioners Road West. While the modern enclosed porch and rear addition will be removed, these additions do not contain heritage attributes. Therefore, no mitigation measures are required.



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Table 3: Evaluation of Potential Indirect Impacts

Indirect Impact	Impact Anticipated	Relevance to 634 Commissioners Road West
Shadows created that alter the appearance of a <i>heritage attribute</i> or change the viability of a natural feature or plantings, such as a garden	No	No natural features were identified as heritage attributes at 634 Commissioners Road West. While the new townhouse buildings may cast shadows during certain times of the day, they will not alter the appearance of heritage attributes at 634 Commissioners Road West. Therefore, no mitigation measures are required.
Isolation of a <i>heritage attribute</i> from its surrounding environment, context, or a <i>significant relationship</i>	No	No contextual relationships were identified as heritage attributes at 634 Commissioners Road West. Therefore, no mitigation measures are required.
Direct or indirect obstruction of <i>significant views</i> or vistas within, from, or of built and natural features	No	Views within the Study Area or the surrounding streetscape were not identified as heritage attributes. As such, significant views will not be obstructed by the proposed undertaking. Therefore, no mitigation measures are required.
A change in land use such as rezoning a battlefield from open space to residential use, allowing new <i>development</i> or <i>site alteration</i> to fill in the formerly open spaces	No	The property is currently zoned as a residential R1 Zone. Permitted use for residential R1 zoned lands is the construction of single detached dwellings. The proposed undertaking will result in a change of land use (and zoning) to allow for multi-unit residential development. However, development on the site will continue to be residential in nature, and while density on the site will increase, it will not result in a change in land use that impacts the heritage attributes of the property. Therefore, no mitigation measures are required.
Land disturbances such as a change in grade that alters soil, and drainage patterns that adversely affect an <i>archaeological resource</i>	Possible	Typically, indirect impacts resulting from land disturbances apply to archaeological resources, which are beyond the scope of this report. However, land disturbance from construction (e.g., site grading and related construction activities) may also have the potential to impact the residence through temporary vibrations during the construction period that may cause shifts in the foundation that can impact the residence. Therefore, mitigation measures are required.



7.3 Discussion of Impacts

The proposed undertaking would not result in direct impacts to the identified heritage attributes of 634 Commissioners Road West. More specifically, the existing residence will be retained *in situ* and no heritage attributes will be altered as part of the proposed undertaking. While the existing enclosed modern porch and rear addition will be removed, these additions do not contain heritage attributes and are therefore not characterized as an impact to the heritage character of the property.

No indirect impacts are anticipated from shadows, isolation, or obstruction. While a change in land use is anticipated to allow for townhouse construction, the property will remain residential in nature and the proposed changes are not anticipated to impact the heritage attributes or heritage value of the property. There may be potential for indirect impacts related to land disturbance during the construction phase that could result in vibrations that are damaging to the structure.

While impacts of vibration on heritage buildings are not well understood, studies have shown that impacts may be perceptible in buildings 40 metres from the curbside when heavy traffic is present (Ellis 1987). Construction of the proposed undertaking may involve heavy vehicles on site to grade, excavate, or pour foundations, which may result in vibrations that have potential to affect the historic foundations of 634 Commissioners Road West. If left unaddressed, these could result in longer-term issues for the maintenance, continued use, and conservation of the building.



8.0 Mitigation

8.1 InfoSheet #5 Mitigation Options

The property at 634 Commissioners Road West was determined to contain CHVI as it meets two criteria of O. Reg 9/06. As identified in Table 2 and Table 3, the proposed undertaking has the potential to result in an indirect impact to 634 Commissioners Road West as onsite construction activity could result in vibrations that have potential to affect historic foundations. Accordingly, the mitigation options identified in InfoSheet #5 (see Section 2.6) have been explored below.

Alternative development approaches: The proposed development will retain the existing residence and its heritage attributes *in situ*. An alternative development approach is not feasible given the size of the property and the proposed residential intensification. Therefore, to retain the residence *in situ*, construction activity will be required within 50 metres of the property.

Isolating development and site alteration from significant built and natural features and vistas: The proposed development has isolated new structures from the existing residence and its heritage attributes. The existing residence will be retained *in situ* and all heritage attributes will remain visible. As such, this mitigation measure has already been implemented in the proposed development.

Design guidelines that harmonize mass, setback, setting, and materials:

The massing of the proposed townhomes has been designed to harmonize with the existing residence. This is achieved, in part, through sensitive positioning of primary entrances and elevations in keeping with the existing residence through the location of primary entrances and primary elevations designed to harmonize with the existing residence. While the height of the proposed townhomes will be one and one half storeys higher than the existing residence, the setback and setting of the proposed townhomes has been designed to mitigate this increased height.

The setback of the proposed townhouses have been designed to harmonize with the existing residence. The existing residence is setback 6.4 metres from the municipal right of way. The proposed townhouse to the west of the existing residence will be setback between 6.3 metres from the municipal right of way and the proposed townhouse to the east of the existing residence will be setback 8.4 metres from the existing right of way. This setback is consistent with the existing residence and the positioning of the proposed east townhome slightly to the south of the existing residence and the proposed west townhome approximately in line with the existing residence will allow its heritage attributes to remain prominently visible from Commissioners Road West.



8.0 Mitigation

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The setting of the proposed townhomes has been designed to harmonize with the existing residence. An area of softscaping and driveway totaling 15.4 metres in width is proposed between the west townhome and the existing residence and an area of softscaping 7.9 metres wide metres wide is proposed between the east townhome and existing residence. These distances will result in the west and east elevations of the residence remaining prominently visible along Commissioners Road West. In addition, the distance between the residence and proposed townhomes will offset the proposed additional height of the townhomes from visually overshadowing the residence.

While materials for the proposed townhouses have not yet been selected, it is understood that material selection will be sympathetic to the existing residence. Sympathetic materials to clad the townhomes may include white coloured siding, the use of buff brick or stone accenting, and the use of pediment motifs.

Limiting Height and Density: The height and density of the proposed development has been designed to not overshadow the existing residence and to provide open common amenity areas near the existing residence. Therefore, the proposed undertaking contains considerations to limit height and density in relation to the existing residence.

Allowing only compatible infill: Redevelopment at the property is to be residential in nature and retain the existing residence *in situ*. The townhomes proposed to the east and west of the existing residence contain a massing, setback, and setting that is compatible and sympathetic with the existing residence. In addition, the selection of sympathetic materials is anticipated for the proposed townhomes. Therefore, this mitigation measure has been implemented in the proposed development.

Reversible alterations: Given that the proposed development retains the residence *in situ* and does not directly impact the heritage attributes, reversible alterations are not required.

Buffer zones, site plan control, and other planning mechanisms: The proposed development may result in the potential for land disturbance during the construction phase of the project. As such, planning mechanisms and site plan controls may be considered at this phase of study to avoid impacts to the built heritage resource. Site plan controls and planning mechanisms may be used to identify appropriate thresholds for vibration or zones of influence related to construction activity. Construction activity should be planned to minimize vibrations on the residence. Therefore, this mitigation measure is appropriate for the proposed development.



8.2 Mitigation Discussion

Based on the discussion of Mitigation Options in Section 8.1, it has been determined that site plan controls are an appropriate mitigation measure. Planning mechanisms and site plan controls are intended to lessen the impact on identified heritage attributes resulting from the potential for land disturbance due to temporary vibrations during the construction phase of the project. A typical approach to mitigating the potential for vibration effects is twofold. First, a pre-construction vibration assessment can be completed to determine acceptable levels of vibration given the site-specific conditions (including soil conditions, equipment proposed to be used, and building characteristics). Second, depending on the outcome of the assessment, further action may be required in the form of site plan controls, site activity monitoring, or avoidance. This should be considered prior to the commencement of any construction activities onsite.

In addition, materials for the proposed townhouses have not yet been selected. Therefore, appropriate material selection is anticipated to harmonize with the existing residence. Sympathetic materials to clad the townhomes include white coloured siding, the use of buff brick or stone accenting, and the use of pediment motifs. These materials and designs are elements of the existing residence and therefore will be compatible with its overall character and heritage attributes. The use of these materials and designs is not intended to recreate or mimic the architectural character and heritage attributes of the existing residence. These materials are anticipated to be used in a manner that creates a distinct yet sympathetic design for the proposed townhouses.



9.0 Recommendations

The proposed undertaking will conserve the residence at 634 Commissioners Road West and result in the construction of two multi-unit townhouses. An assessment of impacts resulting from the proposed undertaking has determined no direct impacts are anticipated. The undertaking may possibly result in indirect impacts from land disturbance due to temporary vibrations during the construction phase of the project. In addition, materials have not yet been selected to clad the townhouses. Based on the impacts identified, the following mitigation measures are recommended:

- Incorporate materials to clad the proposed townhomes that harmonize with the existing residence. Sympathetic materials to clad the townhomes include white coloured siding, the use of buff brick or stone accenting, and the use of pediment motifs. These recommended materials and designs are elements of the existing residence and therefore will be compatible with its overall character and heritage attributes. The use of these materials and designs is not intended to recreate or mimic the architectural character and heritage attributes of the existing residence. These materials should be used in a manner that creates a distinct yet sympathetic design for the proposed townhouses.
- Retain a qualified person(s) to complete a pre-construction vibration assessment to determine acceptable levels of vibration given the site-specific conditions (including soil conditions, equipment proposed to be used, and building characteristics).
- Should the residence be determined to be within the zone of influence, additional steps should be taken to secure the building from experiencing negative vibration effects (i.e., adjustment of machinery or establishment of buffer zones).

To assist in the retention of historic information, copies of this report should be deposited with local repositories of historic material as well as with municipal and regional planning staff. Therefore, it is recommended that this report be deposited at the following location:

London Public Library

251 Dundas Street

London, ON N6A 6H9



10.0 Closure

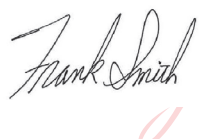
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This report has been prepared for the sole benefit of Royal Premier Homes and may not be used by any third party without the express written consent of Stantec Consulting Ltd. Any use which a third party makes of this report is the responsibility of such third party.

We trust this report meets your current requirements. Please do not hesitate to contact us should you require further information or have additional questions about any facet of this report.

Stantec Consulting Ltd.

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Heritage Impact Assessment - 634 Commissioners Road West, London, Ontario

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Heritage Impact Assessment - 634 Commissioners Road West, London, Ontario

11.0 References

December 4, 2023

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Appendices



Appendix A Designating By-Law



Properties

PIN 08438 - 0002 LT
Description PT N 1/2 LT 38 CON 1 AS IN 236820; EXCEPT 236821, 236960, 262640, 262456; T/W 296062; "DESCRIPTION IN 236820 MAY NOT BE ACCEPTABLE IN FUTURE RE: REMAINDER" LONDON/WESTMINSTER
Address 634 COMMISSIONERS ROAD WEST
LONDON

Applicant(s)

This Order/By-law affects the selected PINs.

Name THE CORPORATION OF THE CITY OF LONDON
Address for Service P.O. Box 5035, London, ON N6A 4L9
This document is being authorized by a municipal corporation Josh Morgan, Mayor & Michael Schulthess, City Clerk.
This document is not authorized under Power of Attorney by this party.

Statements

This application is based on the Municipality By-law See Schedules.

Signed By

Sachit Tatahari-Bharatam 300 Dufferin Ave Suite1014, P.O. acting for Signed 2023 02 09
Box 5035 Applicant(s)
London
N6A 4L9

Tel 519-661-4940

Fax 519-661-5530

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

CITY OF LONDON 300 Dufferin Ave Suite1014, P.O. Box 2023 02 09
5035
London
N6A 4L9

Tel 519-661-4940

Fax 519-661-5530

Fees/Taxes/Payment

Statutory Registration Fee \$69.00
Total Paid \$69.00

Bill No. 13
2023

By-law No. L.S.P.-3506-12

A by-law to designate 634 Commissioners Road West to be of cultural heritage value or interest.

WHEREAS pursuant to the *Ontario Heritage Act, R.S.O. 1990, c. 0.18*, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS notice of intention to so designate the property known as 634 Commissioners Road West has been duly published and served and no notice of objection to such designation has been received;

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

1. The real property at 634 Commissioners Road West, more particularly described in Schedule "A" attached hereto, is designated as being of cultural heritage value or interest for the reasons set out in Schedule "B" attached hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published once in a newspaper of general circulation in The City of London, to the satisfaction of the City Clerk, and to enter the description of the aforesaid property, the name and address of its registered owner, and designation statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property in the Register of all properties designated under the *Ontario Heritage Act*.
4. This by-law shall come into force and be deemed to come into force in accordance with Section 29(12) and 29(18) of the *Ontario Heritage Act, R.S.O. 1990*.

PASSED in Open Council on December 13, 2022.



Josh Morgan
Mayor



Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

SCHEDULE "A"
To By-law No. L.S.P.-3506-12

Legal Description

PT N 1/2 LT 38 CON 1 AS IN 236820
EXCEPT 236821, 236960, 262640, 262456; T/W 296062

SCHEDULE “B”
To By-law No. L.S.P.-3506-12

Statement for Designation

Description of Property

The property at 634 Commissioners Road West is located in the City of London approximately 43 metres east of the intersection of Nottingham Road and Commissioners Road West. The property contains a built resource located on a generously sized lot landscaped with a lawn, pool, shrubs, and intermediate and mature deciduous and coniferous trees. The built resource was constructed *circa* 1870 and is an example of an Ontario vernacular structure with Georgian and Italianate design influences.

Statement of Cultural Heritage Value or Interest

The property at 634 Commissioners Road West is of significant cultural heritage value or interest because of its physical or design values and its historical or associative values.

The built resource at 634 Commissioners Road West demonstrates design value as a representative Ontario vernacular frame structure built *circa* 1870. The built resource contains a blend of Georgian and Italianate design elements popular in Ontario during the mid- to late- 19th century. The blend of these two styles together, and use of locally available materials including stone, brick, and timber, gives the built resource on the property a vernacular character. Components of the built resource that contain both Georgian and Italianate design elements include the hip roof, square plan, symmetrical main elevation, and pediment window and door surrounds. The segmental arch windows and wide soffits are more typical to the Italianate style. Residences that contain both Georgian and Italianate design features were common in Ontario during the mid- to late- 19th century. These types of residences were viewed as containing the tradition and conservatism of the Georgian style while incorporating some more contemporary design elements associated with the Italianate style.

The property demonstrates historical and associative value through its connection with the Kilbourn, Teeple, and Jarvis families. These three families were related by marriage and farmed on Lot 38, Concession 1 between about 1815 and 1905. Both the Kilbourn and Teeple families were part of the initial wave of settlers to Westminster Township from the United States in the decades after the American Revolution. Both families also participated in the War of 1812. The built resource at 634 Commissioners Road West was likely constructed by Robert Jarvis *circa* 1870. The naming of Jarvis Street – which is located about 300 metres north of 634 Commissioners Road West – is associated with the Jarvis family. Together, these three families contributed to the pattern of settlement along Commissioners Road during the 19th century.

Heritage Attributes

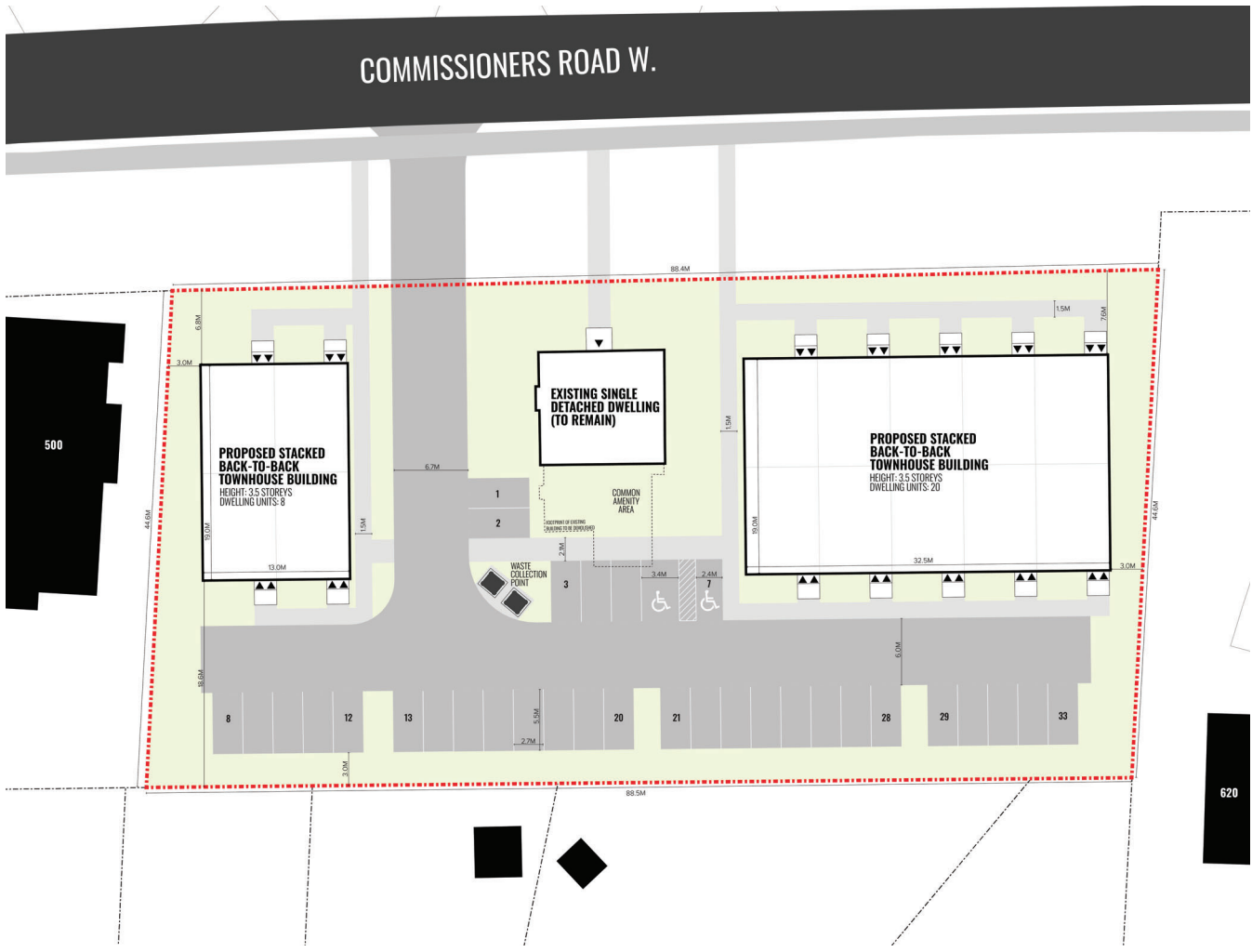
Heritage attributes which support and contribute to the cultural heritage value or interest of this property include:

- Representative example of a mid- to late- 19th century Ontario vernacular structure with Georgian and Italianate design elements, including:
 - Two storey structure with square plan
 - Hip roof with red brick chimney, lightning rods, and wide soffits
 - Symmetrical main (north) elevation with three bays
 - Segmental arch 2/2 windows with wood frames and wood pediment style surrounds
 - Wood shutters on the north, east, and west elevations
 - Main entrance with wood door, classically inspired columns, sidelights, transom, and pediment style door surround
 - Basement wood frame windows with segmental arch openings and buff brick voussoirs
 - Buff brick and fieldstone foundation

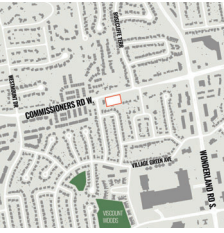
The attached contemporary garage (south and east elevation), small rear addition (south elevation), and contemporary enclosed porch (east elevation) are not considered to be heritage attributes

Appendix B Concept Plan and Massing Model





CONCEPT PLAN
PROJECT SITE
634 Commissioners Road W



SITE DATA
R5-7(30) ZONE

Regulations	Required	Proposed
Permitted Uses:	Section 9.2	Cluster Stacked Townhouse Development
Lot Area:	1,000sqm (min)	4,499.3sq*
Lot Frontage:	30.0m (min)	66.4m
Front Yard:	4.5m (min)	6.8m*
Interior Side Yard (First 30m of Lot Depth):	1.8 metres (5.3 feet) when the width of a lot is less than 10 metres, or 3.0 metres (9.8 feet) when the width of a lot is 10 metres or more.	3.0m
Interior Side Yard (Remainder of Lot):	3.0m (min)	3.0m
Rear Yard:	1.0 metre per 10 metres of rear boundary length, but in no case less than 3.0 metres.	18.6m
Landscape OS:	50% (min)	38.4%
Lot Coverage:	45% (max)	21.5%
Height:	12.0m (max)	12.0m
Density:	Stacked Townhouse: 65 units/ha Single Detached: 1 per unit	65 units/ha
Parking:	18 total required	33 total provided

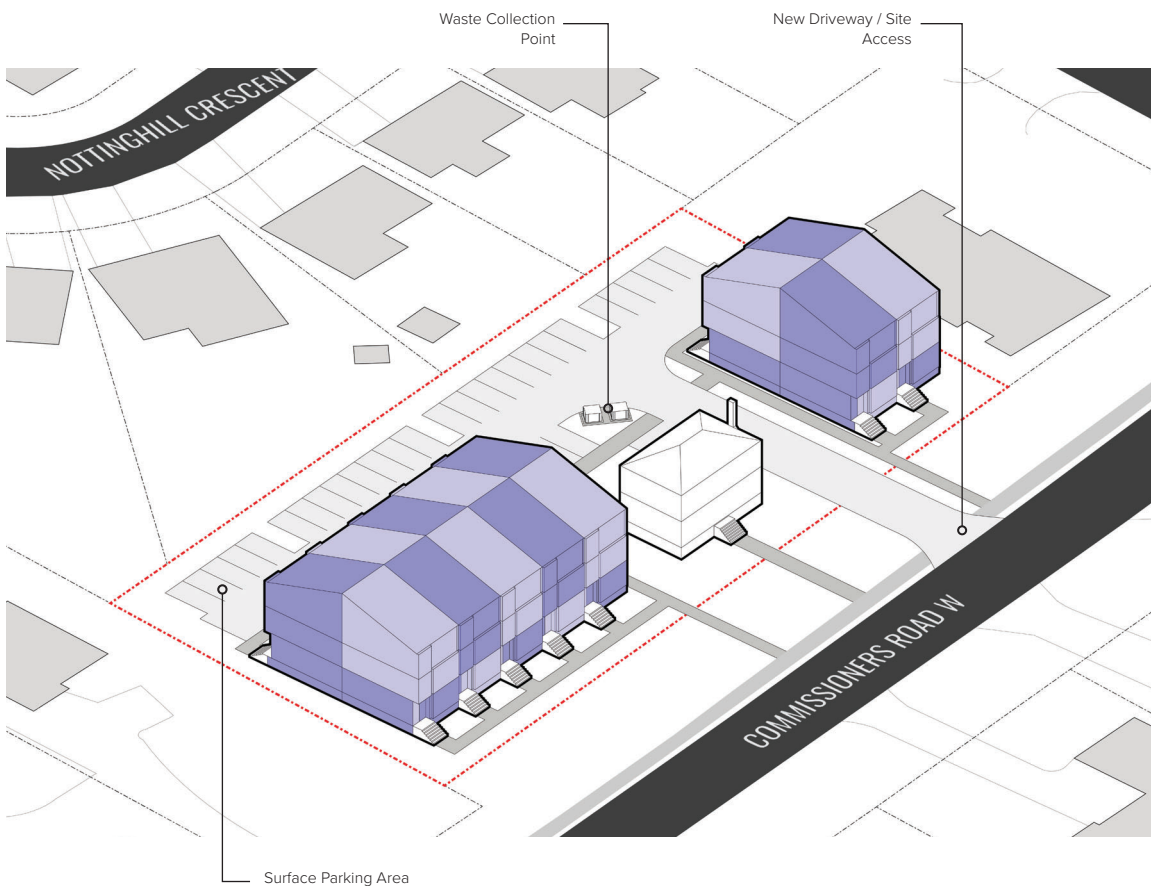
* Requires Special Provision

Client: Royal Premier Homes
Date: 10/27/21
Drawn By: D. Murphy
Plan Scale: 1/8"=1'-0"
File No: 634C-W
Version: 2.0



Lot Boundary Disclaimer: Site dimensions have been assumed based on data provided by the City of London. Sivik planning and design inc. makes no warranties or guarantees regarding the accuracy of the lot boundaries.

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PRELIMINARY MASSING MODEL

PROJECT SITE

634 Commissioners Road West

Client:	Royal Premier Homes
Date:	09.28.2023
Drawn By:	D. Murphy
Plan Scale:	nts
File No:	634CW
Version	2.0

[siv-ik] PLANNING
DESIGN

Contact Us
www.siv-ik.ca
info@siv-ik.ca
905.921.9029

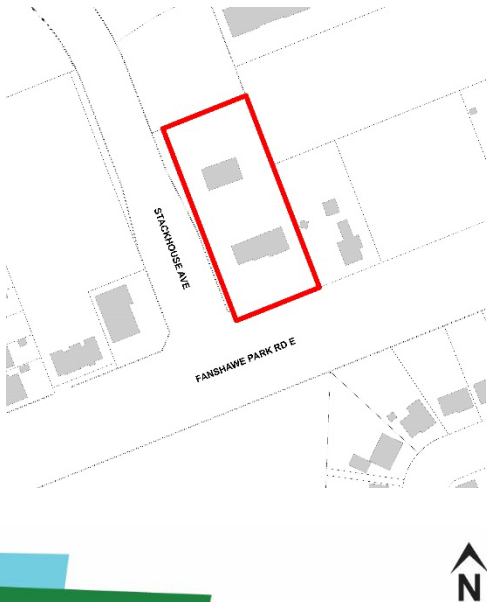
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NOTICE OF PLANNING APPLICATION & NOTICE OF PUBLIC MEETING

Zoning By-law Amendments

1170 Fanshawe Park Road East



File: Z-9713

**Applicant: 1170 Fanshawe Park Road East Inc.
(c/o Brock Development Group Inc.)**

What is Proposed?

Zoning amendment to allow:

- A 3.5-storey, 26-unit stacked townhouse development with a maximum height of 12.0 metres and density of 70 units per hectare.
- Access is proposed from Stackhouse Avenue with 37 surface parking spaces.
- Special provisions are requested to facilitate the development.

LEARN MORE & PROVIDE INPUT

You are invited to provide comments and/or attend a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Tuesday, April 30, 2024, no earlier than 1:00 p.m.

Please monitor the City's website closer to the meeting date to find a more accurate meeting start time: <https://london.ca/government/council-civic-administration/council-committee-meetings>

Meeting Location: The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

Please provide any comments by **March 18, 2024**

For more information contact:

Michaela Hynes
mhynes@london.ca
519-661-CITY (2489) ext. 4753
Development Services, City of London
300 Dufferin Avenue, 6th Floor,
London ON PO Box 5035 N6A 4L9
File: Z-9713

london.ca/planapps

To speak to your Ward Councillor:

Councillor Jerry Pribil
jpribil@london.ca
519-661-CITY (2489) ext. 4005

If you are a landlord, please post a copy of this notice where your tenants can see it. We want to make sure they have a chance to take part.

Date of Notice: February 26, 2024

Application Details

Requested Zoning By-law Amendment

Possible change to Zoning By-law Z.-1 FROM a Residential R1 (R1-14) Zone TO a Residential R6 Special Provision (R6-5(_)) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

The complete Zoning By-law is available at www.london.ca/planapps.

Current Zoning

Zone: Residential R1 (R1-14) Zone

Permitted Uses: A single detached dwelling.

Height: 12.0 metres

Requested Zoning

Zone: Residential R6 Special Provision (R6-4(_))

Permitted Uses: Single detached dwelling, semi-detached dwelling, duplex, triplex, townhouse dwelling, stacked townhouse dwelling, apartment buildings, and fourplex dwelling.

Special Provisions: Minimum front yard setback (Fanshawe Park Road East) of 3.0m whereas 8.0m is the minimum required; Minimum exterior side yard setback (Stackhouse Avenue) of 2.0m whereas 6.0m is the minimum required; Minimum interior side yard setback of 2.5m whereas 3.0m is the minimum required; Maximum density of 70 units per hectare whereas 35 units per hectare is permitted; and to permit a total parking requirement of 35 spaces for the proposed 26 units.

Height: 12.0 metres

The City may also consider the use of holding provisions, and additional special provisions to facilitate the proposed development.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The subject lands are in the Neighbourhoods Place Type in The London Plan. The Neighbourhoods Place Type is intended to promote intensification that will respect the existing neighbourhood character while providing strategic ways to accommodate development to improve our environment, support local businesses, enhance our physical and social health, and create dynamic, lively, and engaging places to live. The Neighbourhoods Place Type also encourages a diversity of housing choices that allow for affordability and opportunity for people to remain in their neighbourhoods as they age. The Place Type permits a range of residential uses including triplexes; fourplexes; stacked townhouses; low-rise apartments; mixed-use buildings; and small-scale community facilities.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision-making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](#) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and/or zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Clerk of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

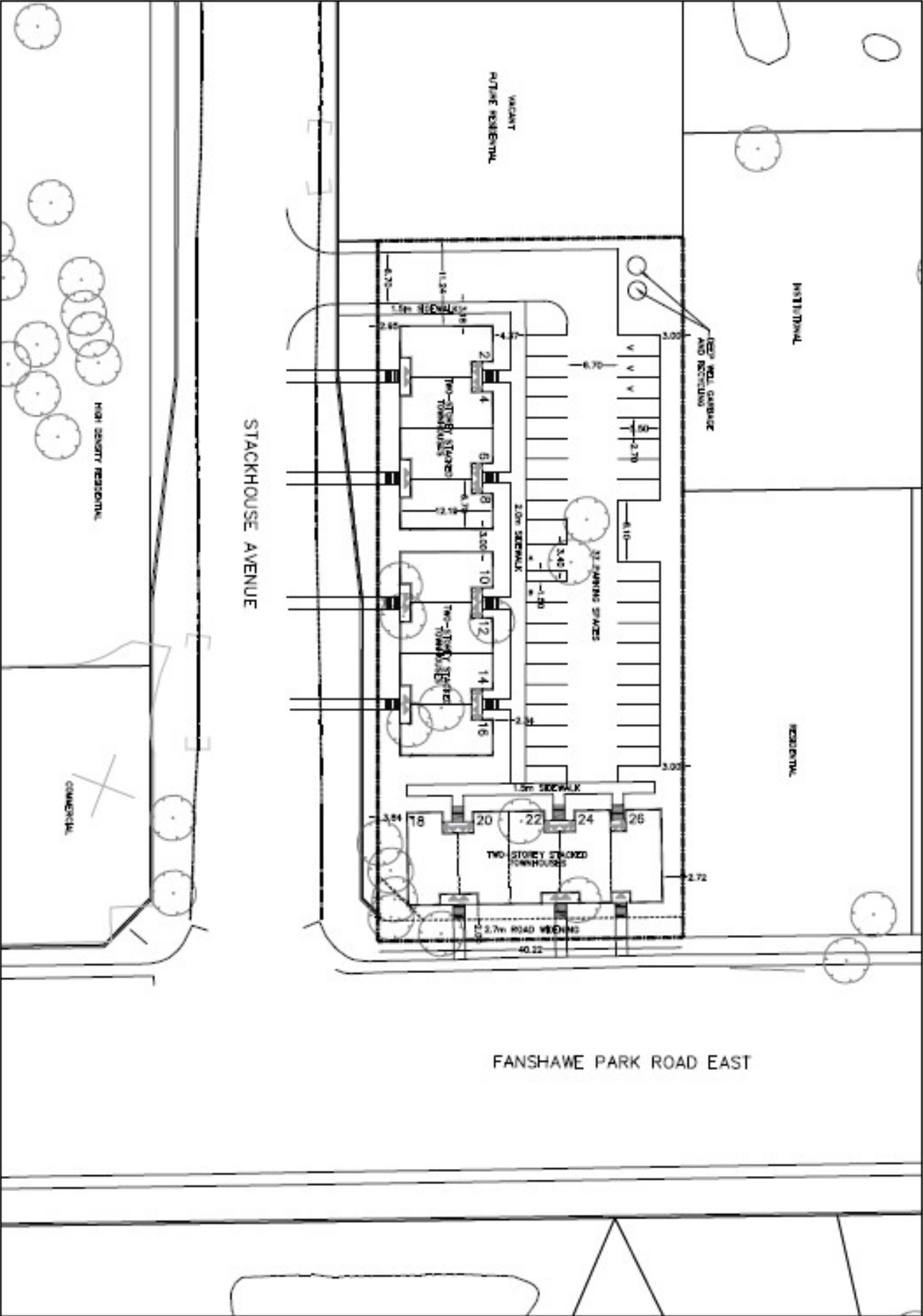
Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

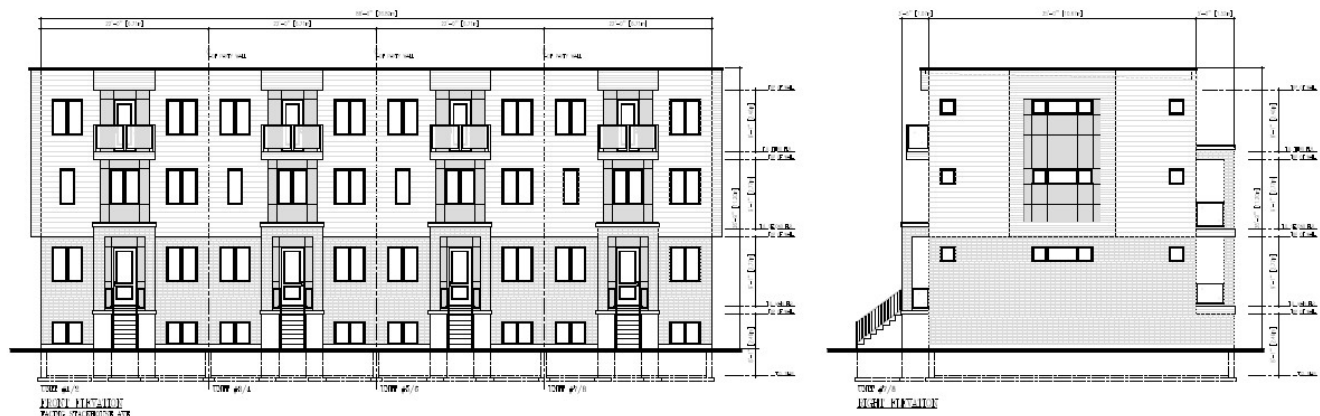
Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at plandev@london.ca by March 26, 2024, to request any of these services.

Site Concept



Renderings



Block A – front and right elevations



Block B – front and right elevations



WALL FINISH / COLOUR LEGEND	
FINISH TYPE	COLOUR
BRICK VENEER	DARK GREY
HORIZONTAL SIDING (TYPE 1)	CEDAR
HORIZONTAL SIDING (TYPE 2)	LIGHT GREY
PREFINISHED ALUMINUM PANEL	WHITE
TRIM	BLACK

Block C – front and right elevations

The above images represent the applicant’s proposal as submitted and may change.

Heritage Impact Assessment

Brock Development Group
1170 Fanshawe Park Road
City of London



February 2, 2024



EXECUTIVE SUMMARY

Zelinka Priamo Ltd. was retained by Brock Developments (the client) to prepare a Heritage Impact Assessment (HIA) as a background document for the proposed redevelopment of the lands known municipally as 1170 Fanshawe Park Road East (hereinafter referred to as the “subject lands”) for the construction of 3 stacked townhouses (one fronting Fanshawe Park Road, and the other two onto Stackhouse Avenue). The proposed development is to be located on the northeast corner of Fanshawe Park Road East and Stackhouse Avenue. The lands currently contain a single detached dwelling, with a garage at the rear of the property.

This HIA involves a built heritage assessment to assist the City of London (the City) with its decision-making process regarding rezoning approval.

The purpose of this HIA is to determine if the identified built heritage resources will be impacted by the proposed development by responding to provincial and municipal policy requirements regarding the conservation of built heritage resources in the land use planning process. Consideration must be given to the conservation of heritage resources where a development or site alteration is proposed within or adjacent to a protected heritage property.

This report will identify and evaluate the heritage value of those properties adjacent to the proposed development; identify potential impacts to the identified heritage resources; and, propose appropriate mitigation measures and recommendations for minimizing and avoiding potential negative impacts of the identified heritage resources.

The HIA determined that there are no potential indirect impacts to adjacent properties resulting in vibration impacts from construction activities, as due to the unique nature of the proposed development, construction activities are not anticipated. And, due to the identified cultural heritage resource’s siting within the study area, no direct impacts are anticipated with respect to visual impacts from the proposed development.

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1.0 INTRODUCTION

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1.1 Purpose

The purpose of this HIA is to determine if the identified built heritage resources will be impacted by the proposed development by responding to provincial and municipal policy requirements regarding the conservation of built heritage resources in the land use planning process. Consideration must be given to the conservation of heritage resources where a development or site alteration is proposed within or adjacent to a protected heritage property.

This report will identify and evaluate the heritage value of those properties adjacent to the proposed development; identify potential impacts to the identified heritage resources; and, propose appropriate mitigation measures and recommendations for minimizing and avoiding potential negative impacts of the identified heritage resources.

1.2 Subject Lands

The subject lands consist of a single, regular-shaped parcel of land located at the northeast corner of Stackhouse Drive and Fanshawe Park Road East. The subject lands have a lot frontage of approximately 40m (131ft) on Fanshawe Park Road East and a lot frontage of approximately 92m (302ft) on Stackhouse Drive, a maximum lot depth of approximately 92m (302ft), and a lot area of approximately 0.3ha (3,724m²). The lands currently contain 1 (one) single-storey single detached dwelling, with a garage at the rear of the property. The lands are generally flat in topography. The subject lands abut residential uses (in the form of single detached dwellings) to the south and east, vacant land planned for a draft plan of subdivision to the north, and medium-high density residential and commercial uses to the west, respectively.

Notably, 1186 Fanshawe Park Road East, a listed heritage property, is located directly to the east of the subject lands.



Project No.: BRK/LON/22-01

Date: JANUARY 2024

Scale: NTS



318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

FIGURE 1 - LOCATION

image retrieved from Google Earth, 2018

1170 FANSHAWE PARK ROAD EAST, HIA
BROCK DEVELOPMENTS
1170 FANSHAWE PARK ROAD
GEO. TOWNSHIP OF LONDON
CITY OF LONDON
COUNTY OF MIDDLESEX

1.3 Study Area

The study area includes the one adjacent property to the subject lands, at 1186 Fanshawe Park Road (Figure 2), that is listed on the City of London Register of Cultural Heritage Resources.

2907 Dundas Street (Figure 3.1) is a 2-storey farmhouse, built circa 1890. It is an example of the Queen Anne architectural style.

The buff brick building has a simple composition with some modern changes to the front entry and windows.



Project No.: BRK/LON/22-01

Date: JANUARY 2024

Scale: NTS



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FIGURE 2 - STUDY AREA

image retrieved from Google Earth, 2018

1170 FANSHAWE PARK ROAD EAST, HIA
BROCK DEVELOPMENTS
1170 FANSHAWE PARK ROAD
GEO. TOWNSHIP OF LONDON
CITY OF LONDON
COUNTY OF MIDDLESEX



East Facade



Front Facade



West Facade



Rear Outbuilding

Project No.: BRK/LON/22-01

Date: JANUARY 2024

Scale: NTS



318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

FIGURE 3.1 - PHOTOS

image retrieved from Zelinka Priamo, 2024

**1170 FANSHAWE PARK ROAD EAST, HIA
BROCK DEVELOPMENTS
1170 FANSHAWE PARK ROAD
GEO. TOWNSHIP OF LONDON
CITY OF LONDON
COUNTY OF MIDDLESEX**



Front - 1170 Fanshawe Park Road East



Stackhouse Avenue and Fanshawe Park Road East

Project No.: BRK/LON/22-01

Date: JANUARY 2024

Scale: NTS



318 Wellington Road, London, ON, N6C 4P4
TEL (519) 474-7137 Email: zp@zpplan.com

FIGURE 3.2 - PHOTOS

image retrieved from Zelinka Priamo, 2024

1170 FANSHAWE PARK ROAD EAST, HIA
BROCK DEVELOPMENTS
1170 FANSHAWE PARK ROAD
GEO. TOWNSHIP OF LONDON
CITY OF LONDON
COUNTY OF MIDDLESEX

2.0 BUILT HERITAGE RESOURCE ASSESSMENT CONTEXT

2.1 Policy Framework

2.1.1 The Planning Act

The *Planning Act* is provincial legislation that provides a framework for land use planning in Ontario. One of the general purposes of the *Planning Act* is to integrate matters of provincial interest in provincial and municipal planning decisions. Part I of the *Planning Act* identifies that the Minister, municipal councils, local boards, planning boards, and the Ontario Land Tribunal shall have regard to matters of provincial interest, such as:

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest

2.1.2 The Provincial Policy Statement, 2020

The *Provincial Policy Statement* (PPS), issued under the authority of Section 3 of the *Planning Act* and updated in 2020, provides policy direction on matters of provincial interest related to land use planning in order to ensure efficient development and protection of natural resources. All planning applications required to be consistent with these policies. The PPS has several provisions relating to heritage conservation.

The relevant policies for the conservation of cultural heritage features are contained in Section 2 – Wise Use and Management of Resources, wherein Subsection 2.6 – Cultural Heritage and Archaeological Resources, states the following provisions:

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

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Under the PPS definition, 'built heritage resource' means:

A building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.

Under the PPS definition, '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. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Under the PPS definition, 'significant' in regards to cultural heritage and archaeology means:

Resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

2.1.3 The London Plan

The property 2907 Dundas Street is a listed heritage property on the *City of London Register of Cultural Heritage Resources*. The City's Official Plan, *The London Plan*, sets out the following policy with regard to development within or adjacent to designated and listed heritage properties:

586_The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved.

The London Plan defines adjacency as:

"sites that are contiguous; sites that are directly opposite a cultural heritage resource separated by a laneway, easement, right-of-way, or street; or sites which a proposed development or site alteration has the potential to impact identified visual character, streetscapes or public views as defined within a statement explaining the cultural heritage value or interest of a cultural heritage resource"

The following general objectives from *The London Plan* regarding cultural heritage resources also apply:

554_In all of the planning and development we do, and the initiatives we take as a municipality we will:

1. Promote, celebrate, and raise awareness and appreciation of London's cultural heritage resources.
2. Conserve London's cultural heritage resources so they can be passed on to our future generations.

3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.

Under *The London Plan* definition, 'cultural heritage resource' means:

A human work or a place that gives evidence of human activity or has spiritual or cultural meaning or value, and which has been determined to have historic value. Cultural heritage resources include both the physical and intangible resources, properties protected under the Ontario Heritage Act, built heritage resources, cultural heritage landscapes, archaeological resources, paleontological resources and both documentary and material heritage.

The following design objective from *The London Plan* is applicable:

565_ New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be 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.

2.2 Impact Assessment Criteria

The impact assessment on cultural heritage resources is based on the impacts as defined by *Infosheet #5 Heritage Impact Assessments and Conservation Plans* prepared by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries. Impacts to heritage resources may be direct or indirect. Direct impacts include:

- **Destruction** of any, or part of any, significant heritage attributes or features.
- **Alteration** that is not sympathetic, or is incompatible, with the historic fabric and appearance.

Indirect impacts do not cause destruction or alteration of the cultural heritage resource, but may include:

- **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden.
- **Isolation** of a heritage attribute from its surrounding context or a significant relationship.
- **Obstruction** of significant views or vistas within, from, or of built and natural features.
- **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces.
- **Land disturbances** such as a change in grade that alters soils, and drainage patterns that adversely affect an archeological resource.

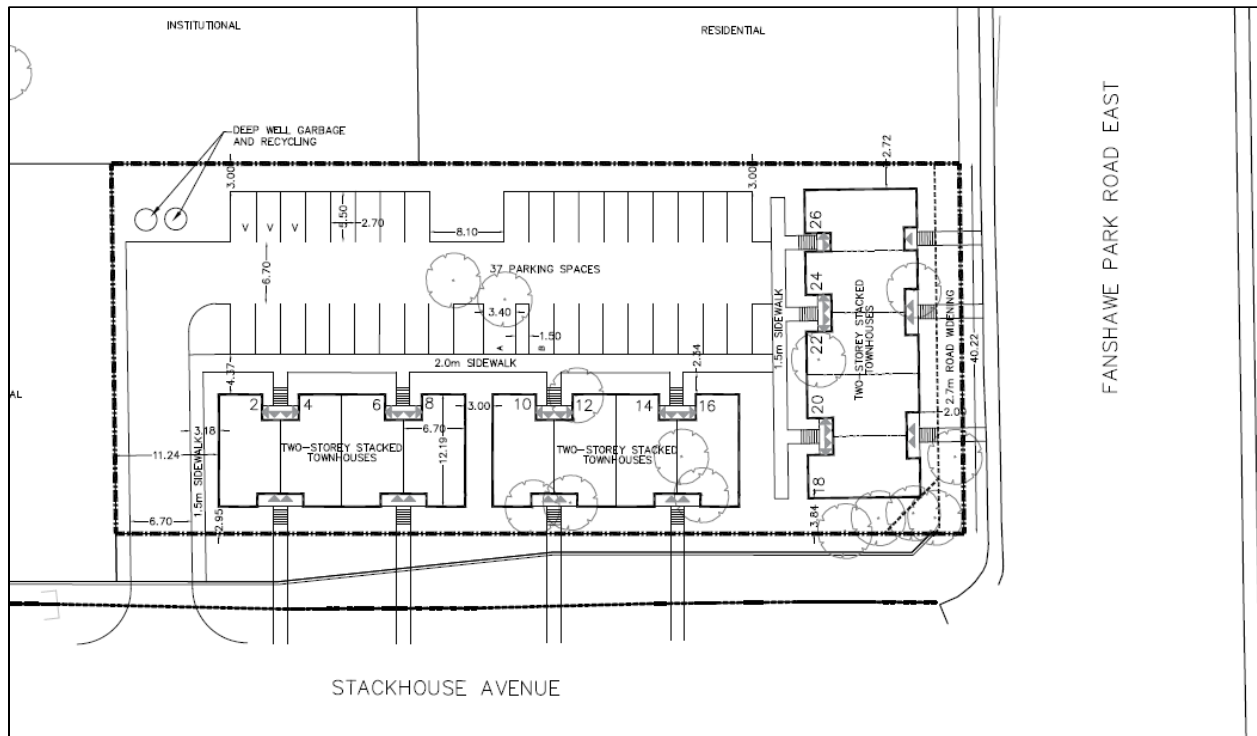
In addition, the potential for indirect impacts resulting from vibration resulting from construction activities should be considered. For the purpose of this HIA, this impact has been categorized under “land disturbances”. Although the impacts of vibration on heritage buildings are not thoroughly studied or well understood, studies have shown that impacts may be perceptible within a 40m radius of development activities including demolition of existing structures, road traffic, and construction of new development (M. Crispino, 2001; Ellis, 2003) and consideration should be given to this potential impact. If left unaddressed, it could result in long-term issues for the maintenance, use, and conservation of the heritage resources.

3.0 IMPACT ASSESSMENT

3.1 Proposed Development

The subject lands (1170 Fanshawe Park Road East) are proposed to be redeveloped for 3 (three), 2-storey stacked townhouses. One will front onto Fanshawe Park Road East while the other two will front onto Stackhouse Avenue. All three buildings are proposed to be two-stories in height with direct pedestrian access to both Fanshawe Park Road East and Stackhouse Avenue.

Figure 3 – Development Concept



3.2 Assessment of Impacts

The following discussion addresses anticipated and potential impacts of the proposed development on built heritage attributes of 1186 Fanshawe Park Road East. Generally speaking, no direct impacts were identified for the building as the proposed development will be entirely restricted to the adjacent property at 1170 Fanshawe Park Road East. The identified heritage attributes relate exclusively to building form, materials, and architectural details. Given this, the proposed development will not affect this heritage resource directly.

Further, the indirect impact on land disruption has little to no potential to reach beyond the extent of the proposed development and reach the adjacent heritage resource. Vibration effects are not expected to be experienced where construction activities are expected. While the impacts of vibration on heritage buildings are not thoroughly studied or well understood, studies have shown that impacts may be perceptible within a 40m radius of development activities including demolition of existing structures, road traffic, and construction of new development. It is unclear at this time how these factors could impact the heritage resources long-term.

No other indirect impacts on the heritage resources from the proposed developed were identified.

Isolation and obstruction typically deal with relationships between heritage resources and their associated views. The proposed development is located adjacent to 1186 Fanshawe Park Road East, and due to the siting and form of the development proposed, there could be potential for impacts on views. However, the built heritage attribute is fronting onto Fanshawe Park Road East, while the proposed development would limit one's view if one were to look from Stackhouse Avenue, thereby limiting a view that is not significant to begin with.

A summary of these findings is included in Table 1 below. Where no impacts to heritage resources are anticipated, 'N' is listed in the 'Impact Potential' column. Where potential impacts to heritage resources are anticipated, 'P' is listed in the column.

Table 1 – Impact Assessment

Possible Impact	Proposed Development	Impact Potential
Destruction	The lands at 1170 Fanshawe Park Road are to be redeveloped for three stacked townhouse buildings.	N
Alteration	Study Area buildings will be maintained as-is.	N
Shadows	Proposed height is complementary to the neighbourhood.	N
Isolation	No isolation of heritage attributes.	N
Obstruction	View from streetscape will not be significantly affected.	N

Land Use Change	Proposed land use is consistent with surrounding land uses.	N
Land Disturbance	Possible vibration from construction activities.	Y

4.0 MITIGATION, IMPLEMENTATION, AND MONITORING

4.1 Potential Mitigation Measures

The proposed development has little to no potential to result in direct and indirect impacts to the identified heritage resource. If mitigation needs are identified, methods of minimizing or avoiding potential impacts on heritage resources resulting from project activities are described in Info Sheet #5; of the options presented, the establishment of buffer zones, site plan controls, and other planning mechanisms best avoid impacts related to potential vibration effects.

4.2 Mitigation Discussion

While the study area is situated directly adjacent to the proposed development, demolition will be limited to the existing single-detached dwelling and garage on the subject lands. Through modern demolition practices (such as buffer zones), in conjunction with only demolishing what is required, there would be very little impact on the identified resource.

5.0 RECOMMENDATIONS

The assessment of impacts resulting from the proposed development at 1170 Fanshawe Park Road East has determined that the proposed development will have little to no impacts related to vibration effects to the adjacent identified cultural heritage resources at 1186 Fanshawe Park Road East.

As the subject lands are proposed to be redeveloped for three (3), 2-storey stacked townhouse buildings, it has been identified that monitoring for possible construction/demolition impacts such as vibrations would occur during the construction phase of the proposed development will not be required.

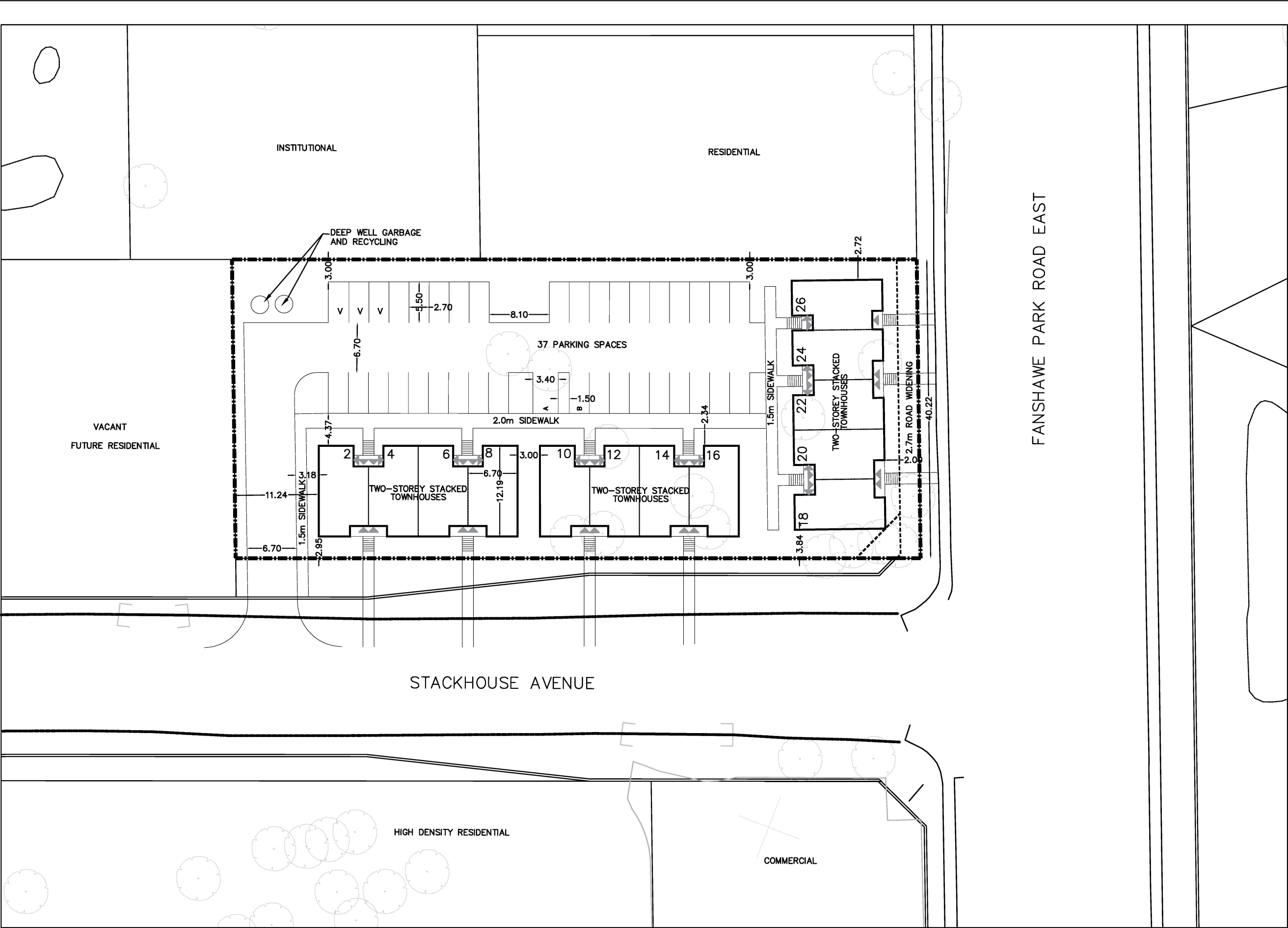
6.0 REFERENCES

- City of London. (2019). *Register of Cultural Heritage Resources*. Retrieved from <https://london.ca/sites/default/files/2020-10/Register-2019-AODA.pdf>
- City of London. (2021, May). The London Plan. London, Ontario.
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- Government of Ontario. (1990). *Planning Act, R.S.O. 1990, c. P.13*. Retrieved from ontario.ca: <https://www.ontario.ca/laws/statute/90p13>
- Government of Ontario. (n.d.). *Provincial Policy Statement, 2020*. Retrieved from ontario.ca/PPS: <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>
- M. Crispino, M. D. (2001). MEASUREMENT AND PREDICTION OF TRAFFIC-INDUCED VIBRATIONS IN A HERITAGE BUILDING. *Journal of Sound and Vibration*, 319-335.

7.0 APPENDIX



100



KEY PLAN

PROPOSED
SITE PLAN

CONC 5, PART LOT 10 REG

(GEOGRAPHIC TOWNSHIP OF LONDON)
CITY OF LONDON
COUNTY OF MIDDLESEX

SITE STATISTICS
PROPOSED R6-4(*) ZONE

	REQUIRED	PROPOSED
LOT AREA	0.20 ha	0.37 ha
LOT FRONTAGE	22.0 m	38.2 m
LOT DEPTH	N/A	105.5 m
FRONT YARD SETBACK	8.0 m	2.0 m
EXT. YARD SETBACK	6.0 m	2.9 m
SIDEYARD SETBACK (N)	6.0 m	11.2 m
SIDEYARD SETBACK (E)	6.0 m	2.7 m
LANDSCAPED AREA	30%	41%
LOT COVERAGE	40%	29%
HEIGHT	10.5 m	~12m
DENSITY	30 UPH	70 UPH
PARKING	39 SPACES	37 SPACES

DRAWING BASED ON CITY OF LONDON
BASE MAPPING

NO.	REVISION	DATE	INITIAL

1170 FANSHAWE
PARK ROAD EAST

BRÜCK

DEVELOPMENT GROUP

DRAWN BY	PROJECT NO.
MD	

DATE	SCALE
DECEMBER 2021	1:500

NOTICE OF REVISED PLANNING APPLICATION AND PUBLIC MEETING

Review of The London Plan

City-wide - Official Plan Review of The London Plan and Land Needs Assessment Update

File: O-9595

Applicant: City of London

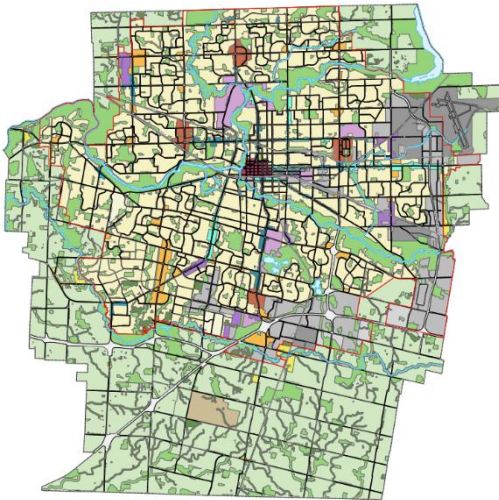
What is Proposed?

Reinitiation of an Official Plan Review consistent with Section 26 of The Planning Act:

- The City of London is holding a Public Participation Meeting before the Planning and Environment Committee to discuss scope and timing for this Review.
- The Public Participation Meeting will also evaluate requests for conversions of Industrial Place Type lands to non-Industrial Place Types as part of the Review of The London Plan and confirm the Planning Horizon.

The purpose of an Official Plan Review is to ensure that The London Plan:

- Conforms with Provincial Plans and Policies,
- Has designated sufficient land supply to accommodate long-term growth,
- Considers potential industrial land conversions based on growth demands and land supply, and
- Has policies that implement the Key Directions and Visions of The London Plan.



LEARN MORE & PROVIDE INPUT

You are invited to provide comments and/or attend a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Tuesday, March 19, 2024, no earlier than 2:00 p.m.

Meeting Location: The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

For more information contact:

Travis Macbeth

tmacbeth@london.ca

519-661-2489 ext. 5102

City Hall | 300 Dufferin Avenue

London, ON N6B 1Z2

If you are a landlord, please post a copy of this notice where your tenants can see it.

We want to make sure they have a chance to take part.

<https://getinvolved.london.ca/land-needs-assessment>

Revised Application Details

Possible Amendments to The London Plan

On July 25, 2023 Council approved the closure of the Comprehensive Review. City Staff are now seeking direction from Council to reinitiate an Official Plan Review consistent with Section 26 of the Planning Act.

The purpose and effect of the reinitiation of the Official Plan Review is to ensure The London Plan policies conform to Provincial Plans and Policies, and conform with municipal growth management responsibilities to ensure sufficient land is designated to accommodate the projected long-term growth of the city's population, employment, and housing. Amendments to The London Plan will be contingent on policy and land needs review of the Official Plan Review.

Amendments to The London Plan may relate to policies or mapping associated with permitted land uses in Place Types of The London Plan, redesignation of land uses, and other policies identified during the review.

Possible amendments to The London Plan as part of the first phase of the Official Plan Review may relate to a Land Needs Assessment to identify capacity of existing urban area, updates to the vacant land inventory, consideration of industrial land conversions, and housekeeping amendments that may be associated with land need and supply.

Possible Amendments to be heard at the Public Participation Meeting may relate to Industrial Land Conversions to non-Industrial Place Types and the Planning Horizon of The London Plan.

The London Plan is available at london.ca.

How Can You Participate in the Planning Process?

The City reviews and makes decisions on planning applications in accordance with the requirements of the Planning Act. If you previously provided written or verbal comments about this application, we have considered your comments as part of our review of the application and in the preparation of the planning report and recommendation to the Planning and Environment Committee. The additional ways you can participate in the City's planning review and decision-making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](https://neighbourgood.ca) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and/or zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Clerk of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Bridgette Somers, Manager, Records and Information Services 519-661-CITY(2489) ext. 5275.

Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at plandev@london.ca by March 12, 2024 to request any of these services.

CACP Stewardship Report Feb 2024

The Stewardship Sub-Committee met on Feb. 28th 2024.

Present: Maggie Whalley, Kerby Waud, Jeff Gard, Jim Cushing, Benjamin Vazquez and Matt Thompson, with Kyle Gonyou and Laura Dent (Heritage Planning staff) in attendance.

Designation 244 Baseline Rd

The Sub-Committee supported the Designation of this property, commenting that the historical and architectural history was extremely thorough but suggested that since the possible architect was not directly known that should not be listed in the criteria.

600 Sanatorium Rd (former CIPRI and Beck Sanatorium) CHER and CHERR

SSC received these reports which are extremely well-executed, thorough and detailed. This property on the edge of the Thames River and currently owned by IO, has seen many changes and developments over its almost 120 years on the site. Starting as a residential care institution for TB patients, it grew particularly during and after WW1, and became an almost self-sufficient community with its own farms, training and education programs. There were 2 churches on site. There were also important links to the medical research community in London and elsewhere. In the 1950s, after the impact of antibiotics and vaccination, its original purpose became obsolete and it was taken over by CIPRI.

The CHERR (which includes recommendations) assessed former studies and recommended that the property is of more than local importance. It listed 10 buildings that were culturally significant (these are mostly sited in the central quadrangle), and noted that the landscape, both designed, casual and natural, is also culturally significant. SSC noted that this is the last remaining site of 'residential medical care' in the province.

Report to Community Advisory Committee on Planning

To: Chair and Members
Community Advisory Committee on Planning
From: Kyle Gonyou, RPP, MCIP, CACP
Manager, Heritage and Urban Design
Subject: Heritage Designation of the Property at 244 Base Line Road
East, Ward 11
Date: March 13, 2024

Recommendation

Notice of intention to designate the property at 244 Base Line Road East to be of cultural heritage value or interest pursuant to Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O.18, is recommended for the reasons outlined in Appendix D of this report.

Executive Summary

At the request of the property owners, an evaluation of the property at 244 Base Line Road East was undertaken using the criteria of O. Reg. 9/06. The property at 244 Base Line Road East meets two of the nine criteria for determining cultural heritage value or interest and merits designation pursuant to Part IV of the *Ontario Heritage Act*.

The house on the property at 244 Base Line Road East was built in 1929 for George and Phyllis Arthur. It is a representative example of the Tudor Revival architectural style. The property is important in defining the character of Old South. The property has been evaluated and has met the criteria for designation per O. Reg. 9/06. The property at 244 Base Line Road East should be designated under Part IV of the *Ontario Heritage Act*.

Analysis

1.0 Background Information

1.1 Property Location

The property at 244 Base Line Road East is located on the northwest corner of Base Line Road East and Wortley Road (Appendix A). The property is located in the Old South neighbourhood of London.

1.2 Cultural Heritage Status

The property at 244 Base Line Road East is listed as a non-designated property on the *Register of Cultural Heritage Resources*. The property has been included on the *Register* (and its predecessor, the Inventory of Heritage Resources) since 1998.

1.3 Description

The house at 244 Base Line Road East is a two-and-a-half storey, detached dwelling (Appendix B). The house has a generally L-shaped footprint, with a complex massing. The house is representative of the Tudor Revival architectural style through a culmination of elements: asymmetrical massing including its frontispiece gable, complex roof shapes, rug brick exterior cladding as well as paring or stucco half-timbering, a large fieldstone chimney, diamond or quarry-leaded casement windows and other smaller windows, an oriel projection with windows, and recessed doorway with painted wood front door and accessories in a Tudor Revival style.

The house has a striking similarity with houses designed by the architect L. Gordon Bridgman, including the houses at 291 Epworth Avenue, 369 St. George Street, and 381 St. George Street. These houses are representative of the Tudor Revival architectural style in London. The Tudor Revival architectural style was popularized

during period revivals of different architectural styles in the early twentieth century. It is most recognized by the inclusion of half-timbering as an exterior cladding material but includes other architectural elements to articulate this stylistic expression.

For more information, see Appendix C (Evaluation) and Appendix D (Statement of Cultural Heritage Value or Interest).

1.4 Property History

An extensive and thoroughly researched history of the property at 244 Base Line Road East can be found in the report prepared by C. G. Ryan (July 2023) (on file with Heritage Planner). A summary follows.

Prior to the present house, a house was located on the property at 244 Base Line Road East (although addressed 405 Wortley Road). The prior house was built in about 1894 when the property was owned by Charlotte Taylor. In 1900, the property was sold to Thomas Baty, who named the home “Lindlea.” Thomas Baty sold portions of the estate property during the 1920s, resulting in many of the houses now located on the north side of Base Line Road and the west side of Wortley Road that date from this period.

The property at 244 Base Line Road East was purchased from the estate of Thomas Baty on April 24, 1929, for \$6,800, by George Andrew Arthur (1894-1961) and Phyllis Arthur (1901-1976). A mortgage was taken out on July 18, 1929, for \$10,000, presumably for the construction of the house. The house on the property at 244 Base Line Road East was constructed in 1929, as it is recorded in the City Directory (1930) as “new house.” The house was built in the Tudor Revival style.

Later, a portion of the property at 244 Base Line Road East was severed to create the parcel at 236 Base Line Road East.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are recognized for the value and contributions that they make to our quality of life, sense of place, and tangible link to our shared past. Cultural heritage resources are to be conserved as per the fundamental policies in the *Provincial Policy Statement* (2020), the *Ontario Heritage Act*, and *The London Plan*. It is important to recognize, protect, and celebrate our cultural heritage resources for future generations.

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).

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

passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

To determine eligibility for designation under Section 29 of the *Ontario Heritage Act*, properties are evaluated using the mandated criteria of Ontario Regulation 9/06.

Pursuant to Section 41(2), *Ontario Heritage Act*, a property may be designated both individually and as part of a Heritage Conservation District.

2.1.2.1 Ontario Regulation 9/06

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

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

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

2.1.2.2 Ontario Regulation 385/21

Ontario Regulation 385/21 was proclaimed on July 1, 2021. This regulation prescribes certain requirements for a heritage designating by-law. A heritage designating by-law must meet the requirements of Ontario Regulation 385/21.

2.2 The London Plan

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

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Request for Designation

In July 2023, the City received a request from the property owners of 244 Base Line Road East to consider the designation of their property pursuant to Part IV of the

Ontario Heritage Act. Extensive historical research had been completed by the property owner. Staff reviewed this information and prepared an evaluation of the property using the criteria of O. Reg. 9/06.

4.2 Cultural Heritage Evaluation

The property at 244 Base Line Road East was evaluated using the criteria of O. Reg. 9/06. The property has met two criteria for designation. The criteria that the property at 244 Base Line Road East has met are:

Criteria 1: the house on the property at 244 Base Line Road East has design value or physical value because it is a representative example of a Tudor Revival house.

Criteria 7: the property at 244 Base Line Road East has contextual value because it is important in defining the character of the Old South neighbourhood of London.

See Appendix C (Evaluation) and Appendix D (Statement of Cultural Heritage Value or Interest) for more information.

4.1 Consultation

As an owner-initiated designation, staff have taken a cooperative approach in engaging with the property owners throughout the evaluation process. The property owners facilitated a site visit. The property owners have reviewed and concurred with the Statement of Cultural Heritage Value or Interest and the identification of heritage attributes for the property at 244 Base Line Road East.

The Stewardship Sub-Committee of the Community Advisory Committee on Planning was consulted on this heritage designation at its meeting on February 28, 2024 and provided comments on the property’s evaluation. In compliance with the requirements of Section 29(2), *Ontario Heritage Act*, the Community Advisory Committee on Planning, as the City’s municipal heritage committee, is being consulted at its meeting on March 13, 2024.

Conclusion

The property at 244 Base Line Road East is a significant cultural heritage resource that is valued for its physical or design values, and its contextual values. The property is a representative example of the Tudor Revival architectural style. The property is important in defining the character of Old South. The property has been evaluated and has met the criteria for designation per O. Reg. 9/06. The property at 244 Base Line Road East should be designated under Part IV of the *Ontario Heritage Act*.

Prepared by: Laura E. Dent, M. Arch, PhD, MCIP, RPP
Heritage Planner

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

cc Kevin Edwards, Manager, Community Planning

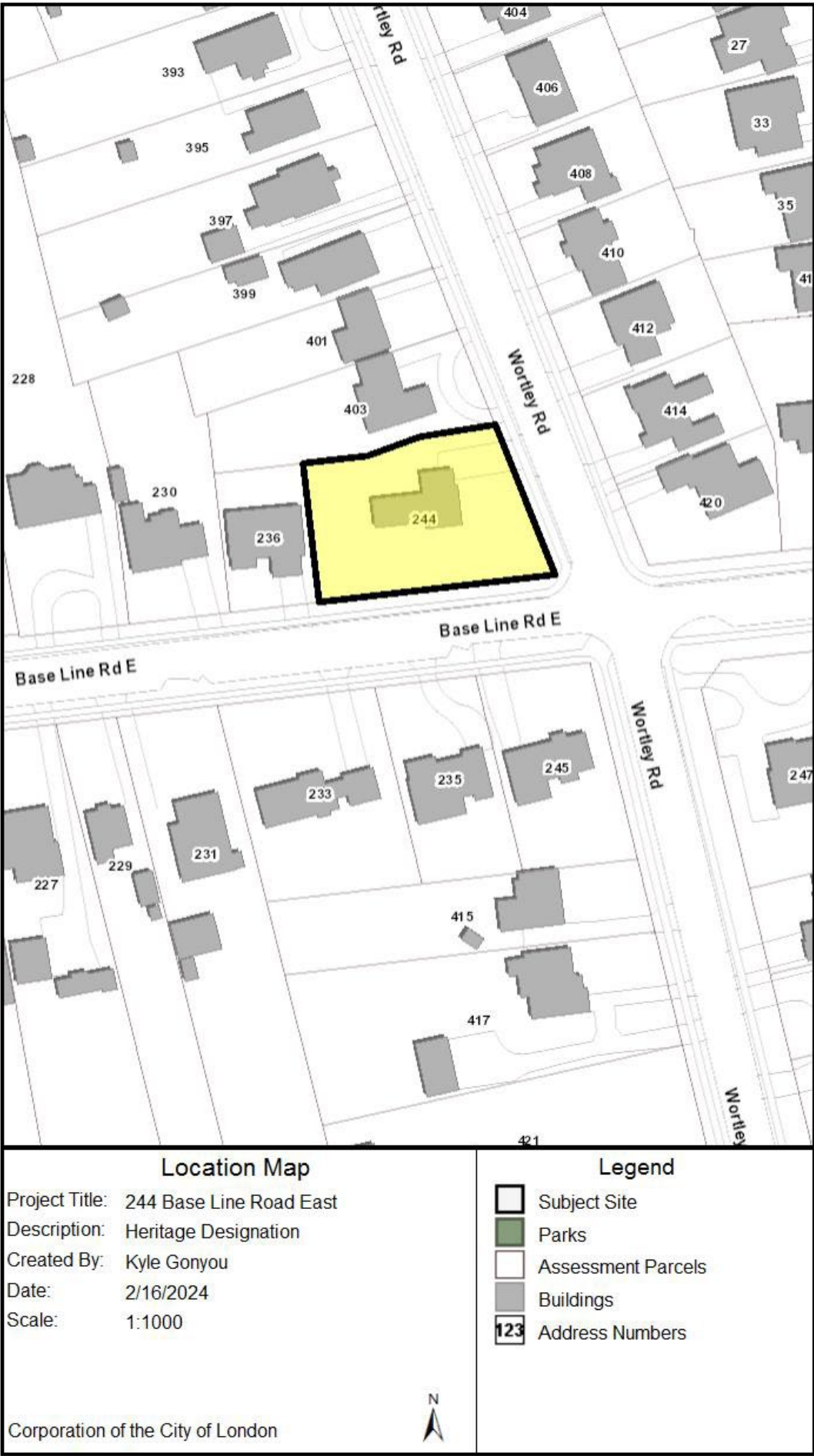
Appendices

- Appendix A Property Location
- Appendix B Images
- Appendix C Evaluation of Cultural Heritage Value or Interest
- Appendix D Statement of Cultural Heritage Value or Interest
- Appendix E Identification of Heritage Attributes

Selected Sources

Corporation of the City of London. n.d. Property files: 244 Base Line Road East.
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<https://www.ontario.ca/laws/statute/90o18>.
Ryan, C. G. "244 Base Line Road East." July 2023.

Appendix A – Property Location



Appendix B – Images



Image 1: Undated photograph of the property at 244 Base Line Road East, showing the view of the house looking northeast.



Image 2: View of the house at 244 Base Line Road East looking north from Base Line Road East.



Image 3: Detail of the front doorway of the house at 244 Base Line Road East.



Image 4: View looking northeast towards the house at 244 Base Line Road East.



Image 5: View of the west façades of the house at 244 Base Line Road East, from the back yard of the property.



Image 6: View of the east facade of the house at 244 Base Line Road East, as seen from Wortley Road.



Image 7: View of the south (left) and east (right) facades of the house at 244 Base Line Road East.

Appendix C – Evaluation of Cultural Heritage Value or Interest

Evaluation of Cultural Heritage Value or Interest

Municipal Address	244 Base Line Road East
Resource Name	
Legal Description	PART LOT 1, W/S WORTLEY RD, BEING PART 2, 33R-14676; LONDON/WESTMINSTER
PIN	08380-0216
Date of Construction	1929
Original Owner	George A. and Phyllis Arthur
Date	February 5, 2024

Property Photograph



Image 8: View of the property at 244 Base Line Road East, from Base Line Road East.

Property History

An extensive and thoroughly researched history of the property at 244 Base Line Road East can be found in the report prepared by C. G. Ryan (July 2023). A summary follows.

Prior to the present house, a house was located on the property at 244 Base Line Road East (although addressed 405 Wortley Road). The prior house was built in about 1894 when the property was owned by Charlotte Taylor. In 1900, the property was sold to Thomas Baty, who named the home “Lindlea.” Thomas Baty sold portions of the estate property during the 1920s, resulting in many of the houses now located on the north side of Base Line Road and the west side of Wortley Road that date from this period.

The property at 244 Base Line Road East was purchased from the estate of Thomas Baty on April 24, 1929, for \$6,800, by George Andrew Arthur (1894-1961) and Phyllis Arthur (1901-1976). A mortgage was taken out on July 18, 1929, for \$10,000, presumably for the construction of the house. The house on the property at 244 Base Line Road East was constructed in 1929, as it is recorded in the City Directory (1930) as “new house.” The house was built in the Tudor Revival style.

Later, a portion of the property at 244 Base Line Road East was severed to create the parcel at 236 Base Line Road East.

Old South

Established as part of the Crown Reserve set aside for government officials during the initial survey of Westminster Township, Old South is a primarily residential area. Base Line Road served as the “base line” for the survey of Westminster Township and was established by Simon Z. Watson in 1810 and was interrupted by the War of 1812. After the relocation of the London District capital to London in 1826, government officials were granted large lots in the area between High Street and Wharncliffe Road South, south of the Thames River and north of Base Line Road. Wortley Road and Ridout Street were cut through to create more road frontages for more lots in the area. This trend of residential development came with the continued division and subdivision of lots, to create the residential landscape today. The subject property at 244 Base Line Road East is located on the northwest corner of Base Line Road and Wortley Road, a prominent intersection in Old South.

Old South, from the Thames River to Emery Street East was annexed by the City of London in 1890. The remaining portion of what’s considered to be Old South was not annexed by the City of London until 1961.

This evolved residential character results in a unique blend of housing forms and expressions. Within Old South, there can be a Victorian house adjacent to an Edwardian house that’s adjacent to a 1920s period revival house. There is also pattern of built form with the lots of large estate homes having been subdivided with infill housing surrounding.

L. Gordon Bridgman, Architect

L. Gordon Bridgman (1888-1970) was an architect who lived and worked in London. His best-known work is the former Elsie Perrin Williams Memorial London Public Library and Art Gallery and Museum (305 Queens Avenue, built in 1939-1940).

Limited information exists about residential commissions of L. Gordon Bridgman. Goodholme (291 Epworth Avenue, built 1932), the house at 369 St. George Street built for W. L. Duffield in 1927 (altered by O. Roy Moore, architect, in 1937), and the house at 381 St. George Street built for W. R. Yendall in 1930 are notable confirmed examples. Given the length of his career, there are likely other examples of his work in London.

While no architectural drawings can be located for the house at 244 Base Line Road East that would identify the architect responsible for its design, there are striking similarities of the house with those built to the design of L. Gordon Bridgman, particularly those houses at 369 St. George Street and 381 St. George Street. The prominent frontispiece of the house with its steeply pitched Tudor Revival gable shows a particular combination of elements that demonstrates the influence of this architect.



Image 9: Houses in the Tudor Revival architectural style, designed by L. Gordon Bridgman. Goodholme at 291 Epworth Avenue (left), house at 369 St. George Street (centre), and house at 381 St. George Street (right).

Resource Description

The house at 244 Base Line Road East is a two-and-a-half storey, detached dwelling. The house has a generally L-shaped footprint, with a complex massing. This massing accentuates its location on the corner of Base Line Road East and Wortley Road. Its front door is oriented south, towards Base Line Road East, whereas its garage and driveway are accessed to the east via Wortley Road.

The complex massing is articulated through the roof shapes of the house. A steeply pitched gable roof, accented by a smaller but equally steep gable frontispiece of the doorway, faces south. The gables have narrow eaves, which emphasizes their steepness. This gable structure dominates the southern elevation of the house's asymmetrical composition. A cross-gable roof terminates the western wing in a hipped end, with a hipped roof gable window, that transitions into a shed style roof that flares at its base to wrap around the south elevation. This flaring accent of the roofline is echoed around the frontispiece of the front doorway as well as the base of the main gable. A cross-gable dominates the east elevation with complex asymmetry. The roof is clad in asphalt shingles.

Rug brick of reddish-brown and brown tones is the primary exterior cladding material of the house. The brick has been applied as a veneer to the house's structure in a stretcher bond pattern. The sills of the window openings are mostly constructed of brick, except those of the quadruplet windows of the frontispiece which are cast concrete, as are the soldier course lintels of most window openings. The brickwork forms a segmented arch over the main doorway. A running course of brickwork also accents the steep pitch of the large and small gables on the south elevation, as well as most window openings. Portions of the upper storey are clad in half-timbering, as well as the parging or stucco-finish of the east gable. An oriel window and garage projection on the east elevation are also clad in half-timbering. The large, tapered chimney, which is sited on the south elevation, is constructed of fieldstone arranged in an erratic pattern of mixed sizes and colour tones with a heavy cast concrete cap.

Windows of the first and second storey are in pairs, triplets, or quadruplets, with six windows in a set on the west elevation. Most of the windows are casement with a diamond or quarry leaded light. The windows in the west wing are leaded, but in a rectangular shaped eight-pane window. A stacked three-lite window is in the peaks of the south gable and east gable, as well as adjacent to the front doorway. Most leaded windows have storm windows. A louvered shutter is in the arched opening above the front doorway.

The front doorway is recessed with the segmented arch opening of the frontispiece on the south elevation. The front door is painted wood composed of vertical boards, with exposed, oversized, decorative hinge hardware. A small six-lite window is located in the upper left of the door, above the handle and knocker. A mail slot is centred in the lower portion of the door.

The house demonstrates characteristics of the Tudor Revival style, reflective of the house's construction in 1929. The Tudor Revival style is expressed in the house at 244 Base Line Road East in the following elements:

- Asymmetrical massing, with frontispiece gable
- Complex roof shape, including steeply pitched gables
- Use of reddish brown and brown rug brick exterior cladding, including masonry detailing
- Secondary use parging or stuccoed finish, including half-timbering, exterior cladding
- Large, tapered fieldstone chimney as a dominant feature of the south elevation
- Diamond or quarry-leaded casement windows
- Three-lite windows in the east gable, south gable, and adjacent to the front doorway
- Oriel projection on the east façade with windows, supported by brackets and clad in parging or stucco half-timbering
- Recessed front doorway on the south elevation
- Painted wood front door with exposed, oversized hinge hardware, six-lite window, knocker, mail slot, and hardware

O. Reg. 9/06 – Criteria for Determining Cultural Heritage Value or Interest
A property may be designated under Section 29, Ontario Heritage Act, if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest.

Criteria	Meets Criteria (Yes/No)	Evaluation
1. The property has design value or physical value because it is a rare, unique, representative or early example o a style, type, expression, material or construction method.	Yes	The house on the property at 244 Base Line Road East is a representative example of the Tudor Revival architectural style. The Tudor Revival style is demonstrated in the house’s asymmetrical massing, complex roof shape including steeply pitched gables, rug brick exterior and brick accents, use of parging/stucco and half-timbering, chimney, diamond or quarry-lite windows, recessed front doorway, and painted wood front door.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No	The property is regarded for its aesthetic charm; however it does not demonstrate a high degree of craftsmanship or artistic merit.
3. The property has historical value because it demonstrates a high degree of technical or scientific achievement.	No	The property does not demonstrate a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.	No	The property is not believed to have direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No	The property is not believed to yield, or have the potential to yield, information that contributes to an understanding of a community or culture in a significant manner.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.	No*	The house at 244 Base Line Road East demonstrates the influence of the architect L. Gordon Bridgman. However, further evidence to document the associative value of the property in its connection to L. Gordon Bridgman would better support this criterion.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	Yes	The property at 244 Base Line Road East is important in defining the character of Old South. Prominently located on the northwest corner of Base Line Road and Wortley Road, the house defines the character of the area in the form and massing of the house. While the expression of built character in the area varies, most of the properties feature large houses with large

		setbacks, gardens, and lawns. Most houses in this part of Old South date from the first half of the twentieth century, with a few houses constructed in earlier or later periods.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.	No	The property is linked to its surroundings, but not in a manner that is significant or different than nearby properties.
9. The property has contextual value because it is a landmark.	No	The property is locally recognized, but not considered to be a landmark.

The property at 244 Base Line Road East meets two of the nine criteria of O. Reg. 9/06, therefore meriting designation pursuant to Section 29, *Ontario Heritage Act*.

* The identification of further evidence to document the associative value of the property in its connection to the architect L. Gordon Bridgman would support the property meeting three criteria for designation.

Appendix D – Statement of Cultural Heritage Value or Interest

244 Base Line Road East

Statement of Cultural Heritage Value or Interest

Legal Description: PART LOT 1, W/S WORTLEY RD, BEING PART 2 33R-14676;
LONDON/WESTMINSTER
PIN: 08380-0216

Description of Property

The property at 244 Base Line Road East is located at the northwest corner of Base Line Road East and Wortley Road in London's Old South neighbourhood.

Statement of Cultural Heritage Value or Interest

The property at 244 Base Line Road East is of significant cultural heritage value or interest because of its physical or design values, and its contextual values.

Criteria 1: the house on the property at 244 Base Line Road East has design value or physical value because it is a representative example of a Tudor Revival house.

Criteria 7: the property at 244 Base Line Road East has contextual value because it is important in defining the character of the Old South neighbourhood of London.

Heritage Attributes

Heritage attributes which support and contribute to the physical or design value of the property as a representative example of a Tudor Revival house:

- Asymmetrical massing, with frontispiece gable
- Complex roof shape, including steeply pitched gables
- Use of reddish brown and brown rug brick exterior cladding, including masonry detailing
- Secondary use parging or stuccoed finish, including half-timbering, exterior cladding
- Large, tapered fieldstone chimney as a dominant feature of the south elevation
- Diamond or quarry-leaded casement windows
- Three-lite windows in the east gable, south gable, and adjacent to the front doorway
- Oriel projection on the east façade with windows, supported by brackets and clad in parging or stucco half-timbering
- Recessed front doorway on the south elevation
- Painted wood front door with exposed, oversized hinge hardware, six-lite window, knocker, mail slot, and hardware

The double-wide metal overhead garage door is not considered to be a heritage attribute. The parged concrete stoop is not considered to be a heritage attribute.

Heritage attributes which support and contribute to the contextual value of the property in defining the character of Old South:

- Location on the northwest corner of Base Line Road East and Wortley Road
- Unobstructed views to the south elevation and east elevation of the house from Base Line Road East and Wortley Road

Appendix E – Identification of Heritage Attributes



1. Asymmetrical massing, with frontispiece gable



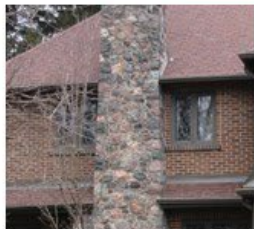
2. Complex roof shape, including steeply pitched gables



3. Use of reddish brown and brown rug brick exterior cladding, including masonry detailing



4. Secondary use of paring or stucco finish, including half-timbering, exterior cladding detailing



5. Large, tapered fieldstone chimney as a dominant feature on the south elevation



6. Diamond or quarry-leaded casement windows



7. Three-lite windows in the east gable, south gable, and adjacent to the front doorway



8. Oriel projection on the east façade with windows, supported by brackets and clad in paring or stucco half-timbering



9. Recessed front doorway on the south elevation



10. Painted wood front door with exposed, oversized hinge hardware, six-lite window, knocker, mail slot, and hardware



11. Location on the northwest corner of Base Line Road East and Wortley Road



12. Unobstructed views to the south elevation and east elevation of the house from Base Line Road East and Wortley Road.

Note: Not every heritage attribute indicated above; image is considered indicative of heritage attributes

C.G. Ryan & A.L. Grant
244 Base Line Road East
London, Ontario
N6C 2P1

8 February 2024

Kyle Gonyou
Manager, Heritage and Urban Design
City of London
City Hall
300 Dufferin Avenue
London, Ontario
N6A 4L9

Dear Mr. Gonyou,

This letter is to indicate our full support for the designation of our home, 244 Base Line Road East, as a municipal heritage property.

We recognize the value of preserving our local built heritage, and are pleased that the recognition of our home will contribute to that endeavour.

In addition, we thank you for the time and effort you have put into this process.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is for C.G. Ryan, and the signature on the right is for A.L. Grant. Both signatures are fluid and cursive.

C.G. Ryan

A.L. Grant

Dear Committee Members,

I would appreciate the opportunity to discuss with you two items regarding built heritage.

- 1) Heritage designation for 651 Talbot including the garbage. Please see attached photo.
- 2) Expropriation recommendation for 172 Central Ave.

172 Central Ave received heritage designation in 2020, and has since been left to rot. This building has the potential to be repurposed as affordable housing. I am asking the Committee to support my request for expropriation to both preserve its historical value and provide housing, ideally for indigenous folks.

1. The first known occupant of this house was Dr. Oronhyatekha, a Mohawk from the Six Nations who practised medicine in London. "Dr. O.", who lived in London from 1874 to 1889, was respected as a skilled and learned physician in Canada. In 1878, while living in London, he applied to become a member of the Independent Order of Foresters, a fraternal and financial institution. By 1881 he had become Supreme Chief Ranger of Foresters (IOF), the organization's international leader, and held the position for 26 Years.

Dr. O. played a pivotal role in the growth and financial stabilization of the IOF during his tenure, enforcing rigorous medical underwriting procedures and expanding product offerings. Between 1881 and 1907, the organization grew from fewer than 500 members to more than 250,000.

Dr. O. was designated a Person of National Historic Significance by Parks Canada in the early 2000s. A 2016 biography, *Dr. Oronhyatekha Security, Justice, and Equality*, by Keith Jamieson and Western University Professor Michelle Hamilton, has increased the profile of this accomplished member of Ontario's indigenous community.

In 1889, Dr. Oronhyatekha moved to Toronto where IOF had relocated. In Toronto Dr. O. has been honoured with a Toronto Historical Board plaque dedicated in 1995. The house he rented at 209 Carlton is listed in the Cabbagetown Heritage Inventory and a nearby street has been named Doctor O. Lane. It seems a shame for Dr. O. to be so honoured in Toronto while his London home is at risk of being demolished! Furthermore, all other buildings associated with Dr. O. are believed to be gone, including those at Six Nations and Tyendinaga. Approval of this demolition request could be construed as a statement that the City of London does not have value and does not wish to commemorate the significant contributions of this indigenous resident. of our community.

1. This solid Italianate-style home built c.1881 makes a strong heritage statement due to its as a modified Italianate design with typical symmetry, height and mass, projecting eaves, pronounced brackets, and a small central gable reminiscent of Ontario cottages. The home's powerful structure features a three-foot thick stone foundation and sturdy roof rafters formed from three trunks split in half.

Most homes with this three-bay Italianate design are two rooms deep with the main stairway parallel to the wall in a long centre hallway. The main block of this unusual plan is only one room deep with a stairway turning to run along the back wall. This

allows for three upstairs bedrooms all at the front. The home is relatively unaltered with high ceilings and doors and probably its original mantles.

2. This home is a significant historical and architectural gem within the Talbot North district which is next in line for consideration as a Heritage Conservation District. The history and stateliness of 172 Central contributes to the collective character of the area and to the cultural mosaic of London. This is a building and story of national significance. It must be preserved.

Sincerely,

AnnaMaria Valastro





MEMBERSHIP FORM 2024

(Please print)

Name of MHC/Group/Individual _____

Mailing Address _____

City _____ Province _____ Postal Code _____

Name of MHC Chair _____ Number of committee members _____

Contact person: (if different than Chair)

Name: _____

Position: _____

Phone: _____ Email address: _____

MHC membership includes up to 6 copies of CHOnews (newsletter) mailed quarterly. Additional copies available below, **extra postage charges apply for a total of 10 or more copies by mail.**

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☐ Prefer electronic copy of CHOnews (**Please include a list of email addresses, form on page 2**)

☐ Number of paper copies needed: _____ ☐ No paper copies

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- ☐ Municipal Heritage Committee
- ☐ Municipal Heritage Committee (2 year membership)
- ☐ Individual
- ☐ Corporate/Business
- ☐ Extra copies of CHOnews by mail (no charge for electronic copies)
- ☐ Postage surcharge for 10 or more copies of CHOnews by mail

#	Unit	Cost	Total
_____	X	\$ 75	= _____
_____	X	\$ 150.	= _____
_____	X	\$ 35	= _____
_____	X	\$ 100	= _____
_____	X	\$ 4	= _____
_____	X	\$ 15	= _____
TOTAL			_____

Payment options



Make cheque payable to: Community Heritage Ontario

Mail cheque & forms to:

Community Heritage Ontarioee-

6282 Kingston Road
Scarborough, ON
M1C 1K9



Online using Paypal

www.communityheritageontario.ca/membership



e-transfer at

schofield@communityheritageontario.ca

If using electronic payment please submit forms to:
membership@communityheritageontario.ca

or

info@communityheritageontario.ca

www.communityheritageontario.ca



P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

February 14, 2024

Chair and Members
Community Advisory Committee on Planning

I hereby certify that the Municipal Council, at its meeting held on February 13, 2024 resolved:

That the report entitled Community Advisory Committee on Planning (CACP) Terms of Reference BE REFERRED to the Community Advisory Committee on Planning for consultation on the amended Terms of Reference;

it being noted that the Strategic Priorities and Policy received a communication from S. Bergman, Chair, Community Advisory Committee on Planning with respect to this matter. (2.3/5/SPPC) (2024-S14/F11A)

M. Schulthess
City Clerk
/hw

cc: S. Corman, Deputy City Clerk
E. Skalski, Deputy City Clerk
E. Hunt, Manager, Legislative Services

Report to Strategic Priorities and Policy Committee

To: Chair and Members
Strategic Priorities and Policy Committee
From: Michael Schulthess, City Clerk
Subject: Community Advisory Committee on Planning (CACP)
Terms of Reference
Meeting on: February 6, 2024

Recommendation

That, on the recommendation of the City Clerk, the following actions be taken:

- a) the report entitled Community Advisory Committee on Planning (CACP) Terms of Reference **BE RECEIVED** for information; and,
- b) the Terms of Reference for the Community Advisory Committee on Planning (CACP) **BE APPROVED** as attached to the staff report as Appendix “A”.

Executive Summary

The existing Terms of Reference for the Community Advisory Committee on Planning (CACP) have been updated by incorporating urban design, aligning with Municipal Council's direction on October 17, 2023. This updated draft is presented in this report for the Council's consideration.

Linkage to the Corporate Strategic Plan

Municipal Council recognizes the importance of accountability and trust in the City of London 2023 – 2027 Strategic Plan. Specifically, as a Well-Run City, the City of London is committed to ensuring people have trust and confidence in their municipal government.

Previous Reports

None.

Discussion

1.0 Council Resolution

The Municipal Council, at its meeting held on October 17, 2023 passed the following resolution:

“That, the following actions be taken with respect to the Urban Design Peer Review Panel:

- a) that Civic Administration BE DIRECTED to take the necessary steps to provide for the immediate dissolution of the Urban Design Peer Review Panel;
- b) that Civic Administration BE DIRECTED to bring the Terms of Reference for the Community Advisory Committee on Planning (CACP) back to a future Strategic Priorities and Policy Committee meeting for consideration of the inclusion of urban design; and
- c) that Civic Administration BE DIRECTED to provide an information report that addresses the matter of the Urban Design Awards and any other matters relevant to the dissolution of the Urban Design Peer Review Panel;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- a communication dated September 28, 2023 from C. O'Brien, Drewlo Holdings Inc.; and,
- a request for delegation status and a communication dated September 28, 2023 from M. Wallace, London Development Institute.”

2.0 Revisions to Terms of Reference

The existing Terms of Reference for the CACP have been updated by incorporating urban design, aligning with the Council's direction on October 17, 2023. The update includes the following for consideration:

- clearly identifying urban design within the mandate as a matter for CACP to provide recommendations and comments to the Planning and Environment Committee; and,
- broadening the voting membership composition to include a representative from the Ontario Association of Landscape Architects; it being noted that the London Society of Architects was provided for within the existing Terms of Reference as a representative sector.

Conclusion

It is respectfully recommended that the attached Terms of Reference for the Community Advisory Committee on Planning be brought forward to Municipal Council for approval on February 13, 2024.

Recommended by: **Michael Schulthess**
 City Clerk

Appendix “A” – Terms of Reference Community Advisory Committee on Planning

Terms of Reference Community Advisory Committee on Planning

Role

The role of a Community Advisory Committee is to provide recommendations, advice, and information to the Municipal Council on those specialized matters which relate to the purpose of the Community Advisory Committee.

Mandate

The Community Advisory Committee on Planning (CACP) shall serve as the City’s municipal heritage committee, pursuant to Section 28 of the *Ontario Heritage Act*, RSO 1990, c O.18. As part of their decision-making process, Municipal Council shall consult with the Community Advisory Committee on Planning (CACP) in accordance with the *Ontario Heritage Act*, as specified through the passing of a by-law or policy, or as set out in this mandate. The CACP shall also serve as the City’s Planning Community Advisory Committee, pursuant to Section 8(1) of the *Planning Act*, RSO 1990, c P.13.

The CACP reports to the Municipal Council, through the Planning and Environment Committee.

The role of the CACP includes the following:

- to advise Municipal Council within its capacity as the City’s municipal heritage committee;
- to recommend and to comment on appropriate policies for the conservation of cultural heritage resources within the City of London, including Official Plan policies;
- to recommend and to comment on the protection of cultural heritage resources within the City of London, such as designation under the *Ontario Heritage Act*;
- to recommend and to comment on the utilization, acquisition and management of cultural heritage resources within the City of London, including those that are municipally owned;
- to recommend and to comment on cultural heritage matters, urban design, agricultural and rural issues;
- to recommend and comment on various planning and development applications and/or proposals;
- to recommend and to comment on urban design policy to ensure that buildings and public spaces demonstrate a high level of design, that fit well within their context to contribute to the policies of the city;
- to review and to comment on the preparation, development, and implementation of any plans as may be identified or undertaken by the City of London or its departments where and when cultural heritage, urban design, rural and/or agricultural issues may be applicable;
- to advise Municipal Council and comment on legislation, programs, and funding that may impact the community’s cultural heritage resources as well as urban design and rural issues; and,
- to assist in developing and maintaining up-to-date information on cultural heritage resources, and to assist in the identification, evaluation, conservation, and management of those resources on an ongoing basis through the review of documents prepared by the Civic Administration and/or local community groups.

Composition

Voting Members

The CACP shall consist of a minimum of five members to a maximum of fifteen members. Appointments to the CACP may include the following:

- Three members-at-large;
- One representative from a Youth-Oriented Organization (i.e. ACO NextGen); and,
- Where possible, appointments to CACP may include a representative of the following broad sectors or spheres of interest:
 - Built Heritage (Architectural Conservancy Ontario London);
 - Local History (London & Middlesex Historical Society);
 - Archaeology/Anthropology (Ontario Archaeological Society, London Chapter);
 - Natural Heritage (Nature London);
 - Movable Heritage – Archives, (Archives Association of Ontario);
 - Movable Heritage – Museums & Galleries;
 - Neighbourhood Organizations;
 - Development Community (London Home Builders Association/London Development Institute);
 - London and area Planning Consultants;
 - Representative of the Indigenous Population;
 - Agricultural organizations;
 - London Society of Architects; and,
 - A member of Ontario Association of Landscape Architects.

Should it not be possible to represent a sector or sphere of interest on CACP, after consultation with other organizations in the respective sector, member-at-large appointments may increase.

Non-Voting Resource Group

The Community Advisory Committee may engage resource members from applicable organizations or sectors as may be deemed necessary.

Sub-committees and Working Groups

The CACP may form sub-committees and working groups as may be necessary to address specific issues; it being noted that the City Clerk's office does not provide support resources to these sub-committees or groups. These sub-committees and working groups shall draw upon members from the CACP and may include outside resource members as deemed necessary. The Chair of a sub-committee and/or working group shall be a voting member of the CACP.

Term of Office

Appointments to Community Advisory Committees shall be determined by the Municipal Council.

Conduct

The conduct of Community Advisory Committee members shall be in keeping with Council Policy and the Respectful Workplace Policy.

Meetings

Meetings shall be once monthly at a date and time set by the City Clerk in consultation with the CACP. Length of meetings shall vary depending on the agenda. Meetings of sub-committees and/or working groups that have been formed by the CACP may meet at any time and at any location and are in addition to the regular meetings of the CACP.

Heritage Planners' Report to CACP: March 13, 2024

1. Heritage Alteration Permits processed under Delegated Authority By-law:
 - a) 75 Byron Avenue East (WV-OS HCD) – Garage removal and addition;
 - b) 31 St Andrew Street (BP HCD) – West elevation windows, cladding, & porch alterations;
 - c) 87 Askin Street (WV-OS HCD) – Porch repair and skirting replacement;
 - d) 162 Wortley Road, Unit 1C (WV-OS HCD) – New non-illuminated channel letter signage;
 - e) 55 Askin Street (WV-OS HCD) – One window replacement east elevation, One window replacement west elevation;
2. Municipal Council decision on CACP Terms of Reference
 - February 13, 2024 Municipal Council Resolution:
 - That the report entitled Community Advisory Committee on Planning (CACP) Terms of Reference BE REFERRED to the Community Advisory Committee on Planning for consultation on the amended Terms of Reference;
3. Local restoration projects recognized with Ontario heritage awards
 - Two London projects were the recipients of the Lt. Gov. Ontario Heritage Awards
 - Metropolitan United Church and the Fugitive Slave Chapel
 - <https://london.ctvnews.ca/local-restoration-projects-recognized-with-ontario-heritage-awards-1.6779748>

Upcoming Heritage Events

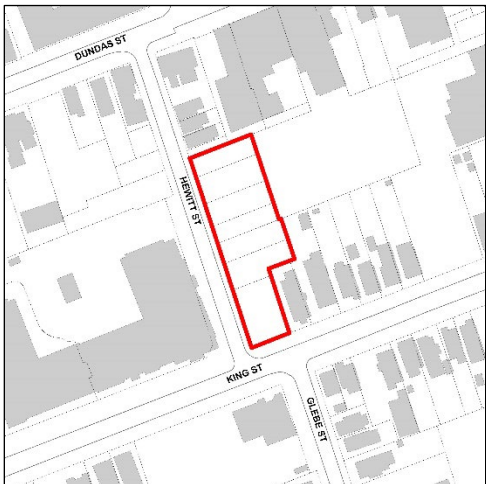
- Ontario Heritage Conference 2024 – Gravenhurst, ON
 - Thursday, June 13 to Saturday, June 15, 2024
 - Registration now open: <https://www.gravenhurst.ca/en/explore-and-play/2024-ontario-heritage-conference.aspx#Register-for-the-Conference>
- London Community Foundation – London Endowment for Heritage
 - Applications open (February 6, 2024 to March 26, 2024)
 - <https://www.lcf.on.ca/london-endowment-for-heritage>
- London and Middlesex Historical Society
 - Upcoming meetings and events: <https://www.londonhistory.org/lmhs-meetings>
- Asian Heritage Month – May 2024



NOTICE OF PLANNING APPLICATION & NOTICE OF PUBLIC MEETING

Zoning By-law Amendment

376-390 Hewitt Street & 748 King Street



File: TZ-9718
Applicant: Stantec Consulting (c/o Brian Blackwell)

What is Proposed?

Zoning amendment to allow:

- The continued operation of the temporary surface residential parking lot on the subject properties for an additional three (3) years

LEARN MORE & PROVIDE INPUT

You are invited to provide comments and/or attend a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Tuesday, April 30, 2024, no earlier than 1:00 p.m.

Please monitor the City’s website closer to the meeting date to find a more accurate meeting start time: <https://london.ca/government/council-civic-administration/council-committee-meetings>

Meeting Location: The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

Please provide any comments by **March 18, 2024**

For more information contact:

Chloe Cernanec
ccernane@london.ca
519-661-CITY (2489) ext. 7674
Development Services, City of London
300 Dufferin Avenue, 6th Floor,
London ON PO Box 5035 N6A 4L9
File: Z-9671
london.ca/planapps

To speak to your Ward Councillor:

Susan Stevenson
sstevenson@london.ca
519-661-CITY (2489) ext. 4004

If you are a landlord, please post a copy of this notice where your tenants can see it. We want to make sure they have a chance to take part.

Application Details

Requested Zoning By-law Amendment

Change Zoning By-law Z.-1 BY AMENDING the temporary use provisions of the existing Business District Commercial Temporary Use (BDC(2)/T-79) Zone and Residential Temporary Use (R8-4/T-79) Zone **TO PERMIT** the temporary residential parking lot for an additional three (3) years. Changes to the currently permitted land uses and development regulations are summarized below.

The Zoning By-law is available at london.ca.

Current Zoning

Zone: Business District Commercial Temporary Use (BDC(2)/T-79) Zone and Residential Temporary Use (R8-4/T-79)

Permitted Uses: R8-4: Apartment buildings; Handicapped person's apartment buildings; Lodging house class 2; Stacked townhousing; Senior citizen apartment buildings; Emergency care establishments; Continuum-of-care facilities. BDC(2): Animal hospitals; Apartment buildings, with any or all of the other permitted uses on the first floor; Bake shops; Clinics; Commercial recreation establishments; Commercial parking structures and/or lots; Converted dwellings; Day care centres; Dry cleaning and laundry depots; Duplicating shops; Emergency care establishments; Existing dwellings; Financial institutions; Grocery stores; Laboratories; Laundromats; Libraries; Medical/dental offices; s) Offices; Personal service establishments; Private clubs; Restaurants; Retail stores; Service and repair establishments; Studios; Video rental establishments; Lodging house class 2. Cinemas; Brewing on Premises Establishment; Food Store; Animal Clinic; Convenience Store; Post Office; Convenience service establishments; Dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor; Bed and breakfast establishments; Antique store; Police stations; Artisan Workshop; Craft Brewery

Special Provision(s): N/A

Temporary Zone: T-79

Permitted Uses: A surface parking lot, accessory to 690, 696, 698, and 700 King Street and 400 Lyle Street, is permitted at 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street, as shown on the map attached hereto comprising part of Key Map No. A108, for a temporary period not exceeding one (1) year from the date of the passing of this By-law beginning April 25, 2023.

Special Provision(s): Parking Area Setback: 2.0 metres from the ultimate road allowance, 1.0 metres from interior lot lines, and 0.4 metres from the sight triangle

Requested Zoning

Zone: Business District Commercial Temporary Use (BDC(2)/T-79) Zone and Residential Temporary Use (R8-4/T-79)

Permitted Uses: The continued operation of the temporary surface residential parking lot on the subject properties for an additional three (3) years in addition to the full range of uses in the (R8-4/T-79) and (BDC(2)/T-79) Zones noted above.

The City may also consider the use of holding provisions and additional special provisions.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The subject lands are in the Urban Corridors Place Type at the corner of two Civic Boulevards in The London Plan, permitting a range of residential, retail, service, office, cultural, recreational, and institutional uses.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps

- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](#) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Clerk of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at plandev@london.ca by April 30, 2024, to request any of these services.

Site Concept

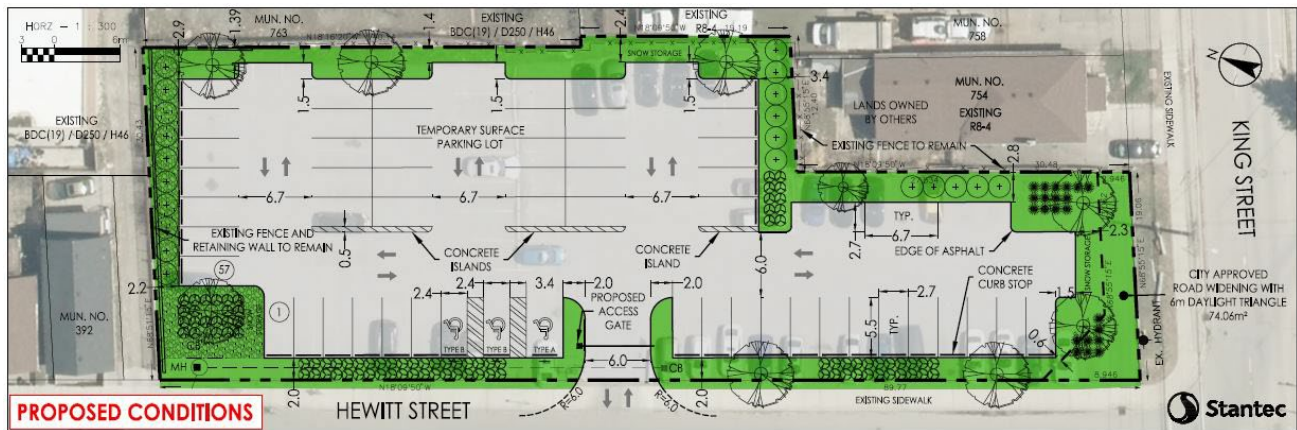


Figure 1: Site Layout

The above image represents the applicant's proposal as submitted and may change.