

# Agenda Including Addeds

## Planning and Environment Committee

5th Meeting of the Planning and Environment Committee

March 19, 2018, 4:00 PM

Council Chambers

Second Floor, London City Hall

### Members

Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer, T. Park, Mayor M. Brown

The Committee will recess at approximately 6:30 PM for dinner, as required.

	Pages
<b>1. Disclosures of Pecuniary Interest</b>	
<b>2. Consent</b>	
2.1 4th Report of the Advisory Committee on the Environment	3
2.2 2nd Report of the Trees and Forest Advisory Committee	12
2.3 Sidewalk Patio Standards and Application Process	14
2.4 Planning Application - 1040 Waterloo Street - Passage of By-law to Repeal Existing Designation and Pass New Designating By-law	42
2.5 328 Hamilton Road	50
2.6 Deferred Matter #4 - Variances Granted by the Committee of Adjustment	52
2.7 Planning Application - 3493 Colonel Talbot (H-8756)	58
2.8 Planning Application -1245 Michael Street (H-8857)	65
2.9 Planning Application - 770 Whetter Avenue (H-8873)	78
2.10 Building Division Monthly Report for January 2018	93
2.11 Single Source Procurement (#18-10) for Mobiinspect: Partho's Mobile Application	99
2.12 Annual Report on Building Permit Fees	128
<b>3. Scheduled Items</b>	
3.1 Public Participation Meeting - Not to be heard before 4:00 PM - Planning Application - 50 Charterhouse Crescent (Z-8834)	131
3.2 Public Participation Meeting - Not to be heard before 4:00 PM - Planning Application - 825 Commissioners Road East (Z-8860)	147
3.3 Public Participation Meeting - Not to be heard before 4:30 PM - Planning Application - 1176, 1200 and 1230 Hyde Park Road (O-8822)	165
a. <i>(ADDED) Revised Recommendation and By-law</i>	207

3.4	Public Participation Meeting - Not to be heard before 5:00 PM - Wonderland Road Community Enterprise Corridor	217
a.	<i>(ADDED) J. W. Harbell, Stikeman Elliott</i>	297
b.	<i>(ADDED) T. Pierce, Greenhills Shopping Centres Limited</i>	322
3.5	Public Participation Meeting - Not to be heard before 5:30 PM - Planning Application - Hamilton Road Area Community Improvement Plan (O- 8866)	324
a.	Councillor M. van Holst	482
b.	Hamilton Road Business Association - Case for Forgivable CIP Loan Program	483
3.6	Public Participation Meeting - Not to be heard before 6:00 PM - Planning Application - 504 English Street - Demolition Request and Heritage Alteration Permit Application	487
3.7	Public Participation Meeting - Not to be heard before 6:00 PM - Planning Application - 491 English Street - Demolition Request and Heritage Alteration Permit Application	505
4.	<b>Items for Direction</b>	
4.1	3rd Report of the Environmental and Ecological Planning Advisory Committee	519
4.2	Planning Application - 499 Sophia Crescent (H-8791)	540
a.	M. Palumbo, Monteith Brown Planning Consultants	555
4.3	Old East Village Business Improvement Area (BIA) Request for Boundary Expansion	556
5.	<b>Deferred Matters/Additional Business</b>	
5.1	PEC Deferred List	560
5.2	<i>(ADDED) Not to be heard before 6:00 PM - D. Dudek, Chair of the London Advisory Committee on Heritage - 4th Report of the London Advisory Committee on Heritage</i>	563
6.	<b>Adjournment</b>	



# **Advisory Committee on the Environment**

## **Report**

4th Meeting of the Advisory Committee on the Environment  
March 7, 2018  
Committee Room #4

Attendance                      PRESENT:    S. Ratz (Chair), M. Bloxam, S. Brooks, S. Hall, M. Hodge, J. Howell, G. Sass, N. St. Amour, D. Szoller and A. Tipping and J. Bunn (Secretary).

ABSENT: K. Birchall, R. Harvey, L. Langdon and T. Stoiber.

ALSO PRESENT: T. Arnos, B. Orr and J. Stanford.

### **1. Call to Order**

#### **1.1 Disclosures of Pecuniary Interest**

That it BE NOTED that no pecuniary interests were disclosed.

### **2. Scheduled Items**

#### **2.1 Proposed Public Nuisance By-law Amendment to Address Odour**

That it BE NOTED that the delegation from O. Katolyk, Chief Municipal Law Enforcement Officer was postponed to a future meeting of the Advisory Committee on the Environment.

#### **2.2 Overview of Current Issues With Respect to What is Going Down Drains/Toilets**

That the matter of "Toilet Training", as presented by B. Orr, Sewer Outreach and Control Inspector, BE REFERRED to the Waste Sub-Committee for review and a report back at a future meeting of the Advisory Committee on the Environment; it being noted that the attached presentation and communication related to this matter were provided to the committee.

### **3. Consent**

#### **3.1 3rd Report of the Advisory Committee on the Environment**

That it BE NOTED that the 3rd Report of the Advisory Committee on the Environment, from its meeting held on February 7, 2018, was received.

#### **3.2 2nd Report of the Environmental and Ecological Planning Advisory Committee**

That it BE NOTED that the 2nd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on January 18, 2018, was received.

#### **3.3 Municipal Council Resolution - 2nd Report of the Advisory Committee on the Environment**

That it BE NOTED that the Municipal Council resolution, from its meeting held on January 30, 2018, with respect to the 2nd Report of the Advisory Committee on the Environment, was received.

#### **3.4 Notice of Application - City of London - Lands south of Exeter Road, north of Dingman Drive, east of White Oak Road, and west of Marr Drain**

That it BE NOTED that the Notice dated February 13, 2018, from T. Macbeth, Planner II, with respect to an application by the City of London

regarding the lands south of Exeter Road, north of Dingman Drive, east of White Oak Road and West of Marr Drain, was received.

3.5 City of London Planning Services Community Information Meeting - White Oak-Dingman Secondary Plan Process

That it BE NOTED that the Notice of the City of London Planning Services Community Information Meeting, from T. Macbeth, Planner II, with respect to the White Oak-Dingman Secondary Plan process, was received.

**5. Items for Discussion**

5.1 Resilient Cities Conference: Preparing London for a Rapidly Changing Future Final Report

That it BE NOTED that the Resilient Cities Conference: Preparing London for a Rapidly Changing Future Final Report from S. Ratz, was received.

5.2 Sub-Committee Membership List

That it BE NOTED that the Advisory Committee on the Environment Sub-Committee list, dated February 7, 2018, was received.

5.3 Proposed Event Plans for 2018

That it BE NOTED that the Advisory Committee on the Environment held a general discussion related to proposed events in 2018 and received the communication from S. Ratz with respect to this matter.

5.4 Green Standards for Light Pollution and Bird-Friendly Development

That it BE NOTED that the document entitled "Green Standards for Light Pollution and Bird-Friendly Development - Recommendations for the City of London", prepared by the Environmental and Ecological Planning Advisory Committee, the Advisory Committee on the Environment and the Animal Welfare Advisory Committee, was received.

5.5 Advisory Committee on the Environment Terms of Reference

That it BE NOTED that the Advisory Committee on the Environment (ACE) held a general discussion with respect to the ACE Terms of Reference.

5.6 Advisory Committee Budget Use

That it BE NOTED that the Advisory Committee on the Environment held a general discussion with respect to Advisory Committee budget use.

**7. Adjournment**

The meeting adjourned at 2:15 PM.

# Toilet training! Back to the basics of the 3Ps

Pee, Poo and Paper: toilet paper that is.

Barry Orr  
City of London  
Sewer Outreach and Control Inspector

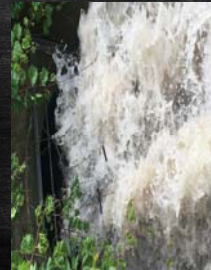
Is protecting our water environment important?



Listen!



Why have sewers?



Visits around the world!



2 totally different systems.

- 1) Storm sewers: for rain water only (receives no treatment)
- 2) Sanitary sewers: from your house or business to the wastewater treatment plant



Underground the sewer system is not so simple.



Everything that goes down a sink or toilet impacts treatment in some way.



Plugged and overflowing sewers are not sustainable.



Simple solutions to a complex system.



### The Toilet Toll in Poetry

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I'm here to help,  
The type of wipe  
That disappears  
When inside your pipe.  
  
Though, I'm not one  
For making speeches  
It's just not fun  
When they wash up on beaches.  
  
It's all to flush  
The soft and the plush  
But it shouldn't go down  
Unless it is much.  
  
If our Organization  
is to succeed  
Then standardization  
is the way to proceed.  
  
So please make sure  
You're advertisement says  
Don't trust 'TV  
Know what goes into your tank!



Wipes, wipes wipes... all kinds of wipes.





Stop flushing garbage!



Equipment damage is increasing.



The cost to repair and maintain the sewer system is spiraling out of control.



Garbage material is going into our receiving water environment.



Community Engaged Learning, working together  
we can make a difference!



Evidence based learning.



Toilets are not garbage cans,  
that is a fact.



Society needs to make changes now in order  
to protect our natural water environment!

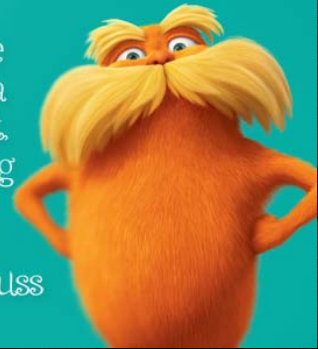


Can we put a value on protecting water?  
Remember water is life!



Unless someone  
like you cares a  
whole awful lot  
nothing is going  
to get better.  
it's not.

— dr. seuss







**Environmental  
Protection**

**Vincent Sapienza, P.E.**  
*Commissioner*

**Pamela Elardo, P.E.**  
*Deputy Commissioner*

**Bureau of Wastewater  
Treatment**  
96-05 Horace Harding  
Expressway – 2<sup>nd</sup> Floor  
Corona, NY 11368

Tel. (718) 595-6924  
Fax (718) 595-4084

March 2, 2018

International Wastewater Services Flushability Group  
Submitted via email to [staff@iwsfg.org](mailto:staff@iwsfg.org)

To Whom It May Concern:

The New York City Department of Environmental Protection (DEP) submits these comments on behalf of New York City (the City) on the International Wastewater Services Flushability Group's (IWSFG's) second draft of the Publicly Availability Specification (PAS) for Flushability.

At this time DEP does not have specific comments on the three revised PAS documents, Criteria for Recognition as a Flushable Product, Terms and Definitions for Determination of Flushability and Disintegration Test Methods, that were revised in response to the comments received. However, DEP would like to take the opportunity to express our appreciation of the efforts of the IWSFG to develop criteria and methods that adequately determine if a material identified as a "flushable" and subsequently flushed down a toilet is compatible with the associated downstream sewerage network. DEP continues to support IWSFG's efforts to establish five critical standards for evaluation of flushability: environmental and health protection; toilet and drain line clearance; disintegration; settling; and biodegradation. Further, DEP supports IWSFG's application of rigorous performance thresholds to these standards for evaluation so they successfully identify whether materials marketed as flushable clear plumbing and disintegrate prior to reaching wastewater pumps and treatment equipment in a manner that does not interfere with the wastewater treatment promise or compromise any biosolids generated by the treatment process.

DEP is happy to continue to work with IWSFG to test the efficacy of these PAS documents to ensure that these standards are protective of a wide range of wastewater systems, including New York City's, and that the guidelines are incorporated into commercial practice. Should you have any follow-up questions or concerns, please contact me: 718-595-6924.

Sincerely,

**Pam Elardo, P.E.**  
**Deputy Commissioner**

**2ND REPORT OF THE**  
**TREES AND FORESTS ADVISORY COMMITTEE**

Meeting held on February 28, 2018, commencing at 12:15 PM, in Committee Room #4, Second Floor, London City Hall.

**PRESENT:** R. Mannella (Chair); T. Khan, J. Kogelhelde, C. Linton, N. St. Amour and M. Szabo and J. Bunn (Acting Secretary).

**ABSENT:** C. Haindl, G. Mitchell and R. Walker.

**ALSO PRESENT:** K. Hodgins, J. Ramsay, S. Rowland and J. Spence.

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**I. CALL TO ORDER**

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

**II. SCHEDULED ITEMS**

None.

**III. CONSENT ITEMS**

2. 1st Report of the Trees and Forest Advisory Committee

That it BE NOTED that the 1st Report of the Trees and Forests Advisory Committee, from its meeting held on January 24, 2018, was received.

3. Letter of Resignation - K. Richardson

That it BE NOTED that the letter of resignation from the Trees and Forests Advisory Committee, dated February 20, 2018, from K. Richardson, was received.

**IV. SUB-COMMITTEES & WORKING GROUPS**

None.

**V. ITEMS FOR DISCUSSION**

4. Tree Protection By-law - Update

That it BE NOTED that the Trees and Forests Advisory Committee heard a verbal update from J. Spence, Manager, Urban Forestry, with respect to the Tree Protection By-law.

5. Community Tree Planting Projects

That it BE NOTED that the Trees and Forests Advisory Committee heard a verbal update from J. Ramsay, Forestry Technologist, with respect to Community Tree Planting Projects.

6. Reforest London Aftercare Program

That it BE NOTED that discussion with respect to the ReForest London Aftercare Program took place in conjunction with the discussion related to the Trees and Forests Advisory Committee 2018 Work Plan.

7. 2018 Work Plan

That it BE NOTED that the Trees and Forests Advisory Committee (TFAC) held a general discussion with respect to the 2018 TFAC Work Plan.

**VI. DEFERRED MATTERS/ADDITIONAL BUSINESS**

None.

**VII. ADJOURNMENT**

The meeting adjourned at 1:19 PM.

**NEXT MEETING DATE: March 28, 2018**

**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Information Report  
Sidewalk Patio – Standards and Application Process

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken:

- (a) This report **BE RECEIVED** for information.
- (b) The Sidewalk Patio – Standards and Application Process document attached hereto as Appendix “A” **BE RECEIVED**; it being noted that review and approval of sidewalk patios will be implemented as an Administrative Practice.

**Executive Summary**

**Purpose and the Effect of Recommended Action**

To formalize the application process, requirements and design standards for patios within the public right-of-way as an Administrative Practice, and introduce the attached *Sidewalk Patios - Standards and Application Process* as an administrative tool to be used in the review of proposed patios.

**Rationale of Recommended Action**

Various City Service Areas have been involved in the pilot project for temporary seasonal patios within the right-of-way. Through that process, issues of safety, accessibility, financial considerations and design have been monitored, evaluated and refined. The resulting *Sidewalk Patio Standards and Application Process* will ensure that sidewalk patios, going forward, address these concerns.

**Analysis**

**1.0 Relevant Background**

Food establishments with a valid business license can obtain a Boulevard Café Permit to establish and operate a sidewalk patio within the municipal right-of-way. In 2012, a pilot project was introduced to allow sidewalk patios within municipally-owned on-street parking spaces. Council directed staff to develop guidelines that apply to patios on municipal sidewalks, as well as within on-street parking spaces.

Approximately two to 6 Boulevard Café Permits are issued annually. Interest in the program has grown in Downtown as well as areas such as Wortley Village and Old East Village.

Environmental and Engineering Services, Realty Services, Development and Compliance Services, and Planning Services have worked together to develop and refine standards for the location and design of patios, as well as formalize the application process.

## 2.0 Key Issues and Considerations

The following issues and mitigation measures have been identified relating to both on-boulevard and on-street patios:

### 2.1 Safety

Creating a safe and enjoyable environment on public property, particularly within the right-of-way, is of utmost importance. Locating patios adjacent to the traveled portion of the street introduces potential conflicts between patrons and vehicles. Through the attached standards, safety precautions will be implemented, including allowing enough room for vehicle overhangs, providing visual and physical markers for drivers, and ensuring a barrier is provided between patios and traveled portions of the street.

### 2.2 Pedestrian Circulation

Utilizing the public right-of-way for private dining areas takes away physical space that could be used for pedestrian circulation, amenities (such as benches) and other fixed and movable elements. The attached standards outline appropriate clearway widths, separation distances from existing utilities, and the appropriate location of movable elements (such as sandwich boards). The location and design of patios within the right-of-way will ensure that accessibility and pedestrian movements are not compromised in the adjacent sidewalk areas, and that the addition of sidewalk patios enhances the streetscape environment.

### 2.3 Liability

The use of public property for private patios can present additional risk and liability for the City. As part of the sidewalk patio application process, business owners proposing patios are required to have third party liability insurance to cover any damages, or other losses associated with the patio on public property.

### 2.4 Loss of On-street Parking

The use of on-street parking spaces for patios, reduces available on-street parking and the associated revenue. Through the application process, proponents are required to pay an annual fee that is equivalent to the average revenue generated by an on-street parking space. This fee is booked to Parking and Licensing's revenue.

## 3.0 Conclusion

Building on the success of the pilot project, this report acknowledges the approach moving forward will be to continue allowing sidewalk patios within boulevards and in on-street parking spaces, city-wide, where they contribute positively to the public realm and meet the location and design standards set out in the attached *Sidewalk Patio Standards and Application Process* document.

The attached *Sidewalk Patio Standards and Application Process* document addresses concerns related to pedestrian circulation, as well as separation and safety in close proximity to moving vehicles. The application process and fees will continue to address the loss of on-street parking spaces and associated revenue by requiring payment equivalent to the average revenue generated from a parking space per patio season.

<b>Prepared by:</b>	<b>Britt O’Hagan, MCIP, RPP Urban Design &amp; GIS</b>
<b>Submitted by:</b>	<b>Michael Tomazincic, MCIP, RPP Manager, Current Planning</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>

March 13, 2018  
BO

Y:\Shared\implemen\URBAN DESIGN\Projects\Public Projects (Public Spaces, ROW, Infrastructure, etc..)\Patio Standards

Appendix "(A)"

# Sidewalk Patio

Standards and Application Process









# Sidewalk Patio

## Standards and Application Process

CONTENTS

<b>Contents</b>	
<b>1.0 Purpose</b>	<b>3</b>
<b>2.0 Application Process</b>	<b>5</b>
Steps in the Application Process	
<b>3.0 Classifications</b>	<b>7</b>
Boulevard Patios	
On-Street Parking Space Patios	
<b>4.0 Design Details</b>	<b>17</b>
Functionality	
Furniture	
Fences and Planting	
Additional Features	
<b>5.0 Maintenance and Enforcement</b>	<b>23</b>





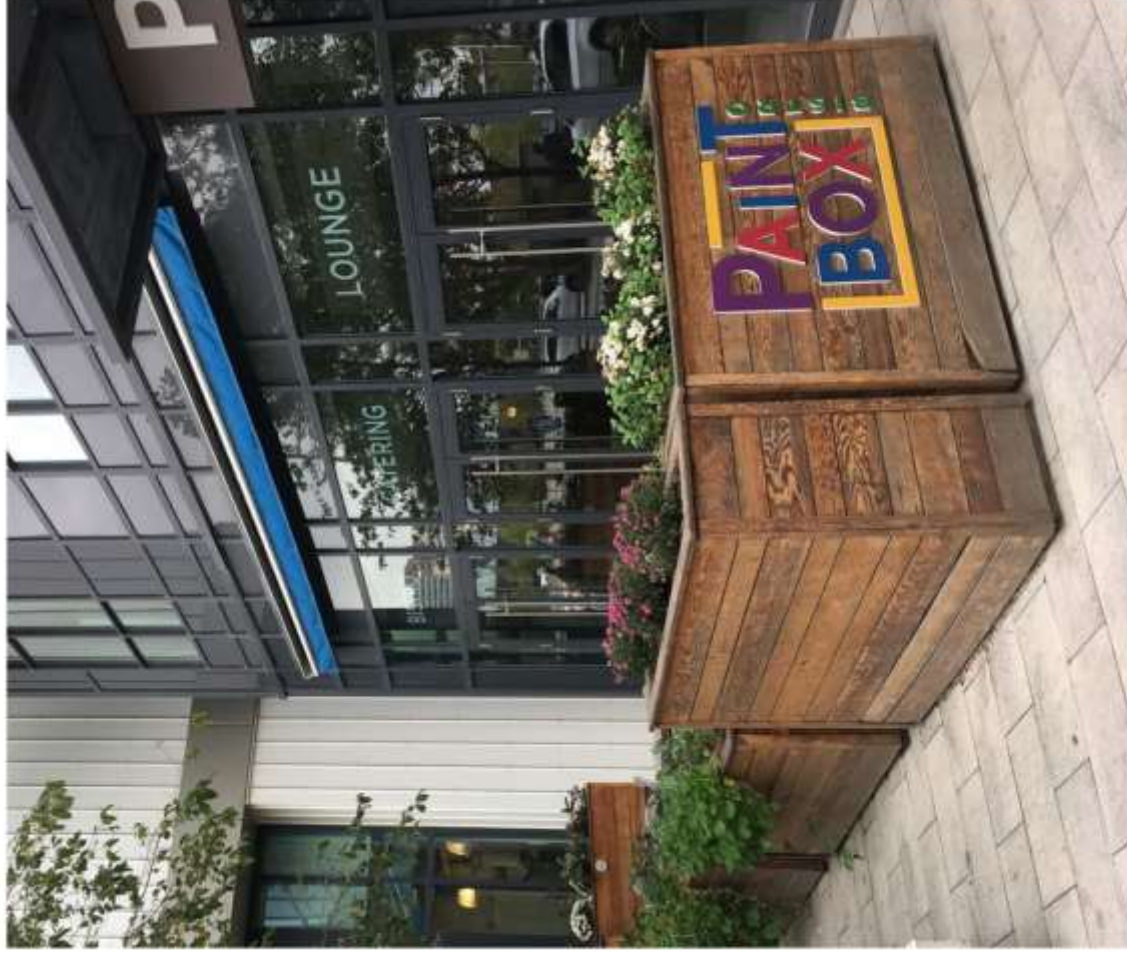
# 1.0 Purpose

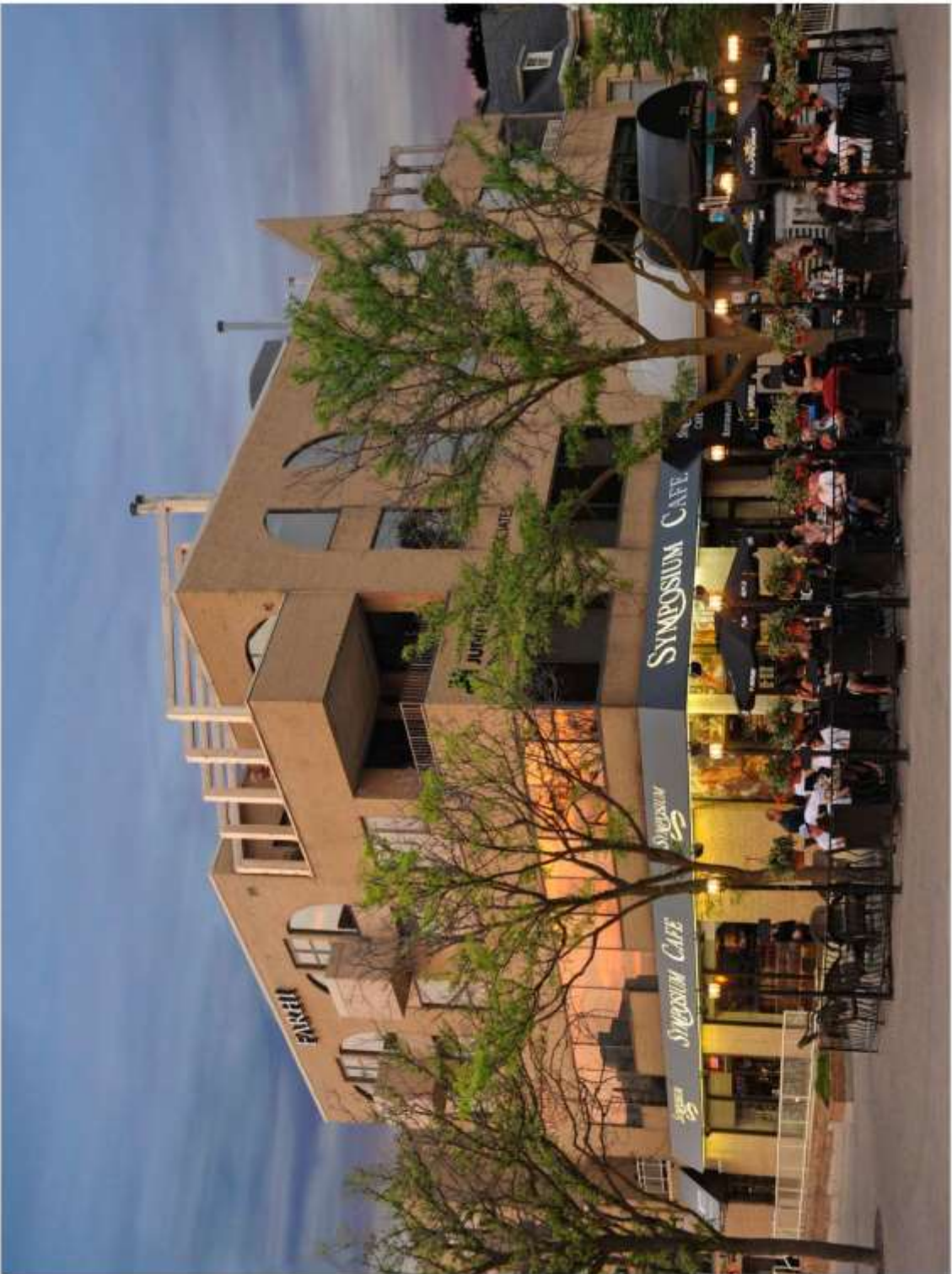
The following document outlines the design requirements for patios within the public right-of-way. These standards apply to the establishment of patios throughout the entire city.

The intention in reviewing sidewalk patio design is to ensure that universal accessibility, public safety and the streetscape experience are enhanced and not negatively impacted by the introduction of a patio.

Sidewalk patios can activate the street and create a more vibrant urban environment. By providing opportunities for outdoor dining, the City, and businesses within it, can encourage the use and enjoyment of the public realm.

To establish a sidewalk patio, an applicant must first consult with City staff and follow this illustrated step-by-step guide to determine the location and design details of the patio.







# 2.0 Application Process

The process of establishing a sidewalk patio consists of eight steps, to ensure the use of City property complies with these standards and requirements, and protects the public. The City has the right to reject an application if it is determined that the patio does not enhance the public realm.

All applications are required to comply with the Accessibility for Ontarians with Disabilities Act (AODA).

## Steps in the Application Process

### 1. Consult

Meet with Realty Services staff to discuss your desire to develop a sidewalk patio within the public right-of-way. Realty Services will outline the materials required for your application submission.

### 2. Select Patio Location

Use this document to determine which patio location is best suited for your situation. The application should include documented consent from adjacent property owners, if utilizing an area in front of an adjacent property.

3. **Plan & Elevation Drawings**  
Provide a plan (overhead view) that shows the design and layout for your patio, and compliance with the classification and design detail requirements.  
Provide an elevation (street level view) drawing of your proposed patio that shows all proposed features such as furniture and lighting.  
The application should include details of the patio surface and how elements will be affixed to the surface.

4. **Photographs & Material Samples**  
Provide at least four images:
  - View from the front,
  - View from the right
  - View from the left
  - View in context of surroundings, including neighbouring properties and the streetscape.
 If available, provide any samples, photographs, or drawings of design features such as furniture, plantings, awnings etc. to be used.



Sidewalk Patio | Standards & Application Process

5. **Comply with Classifications and Design Details**

Follow the classifications and design detail standards in sections 3.0 and 4.0 to ensure your patio complies to the minimum standards. Where standards are enhanced, meet the desired outcomes of these guidelines.

6. **Complete the Form**

Complete the form, that is available through Realty Services.

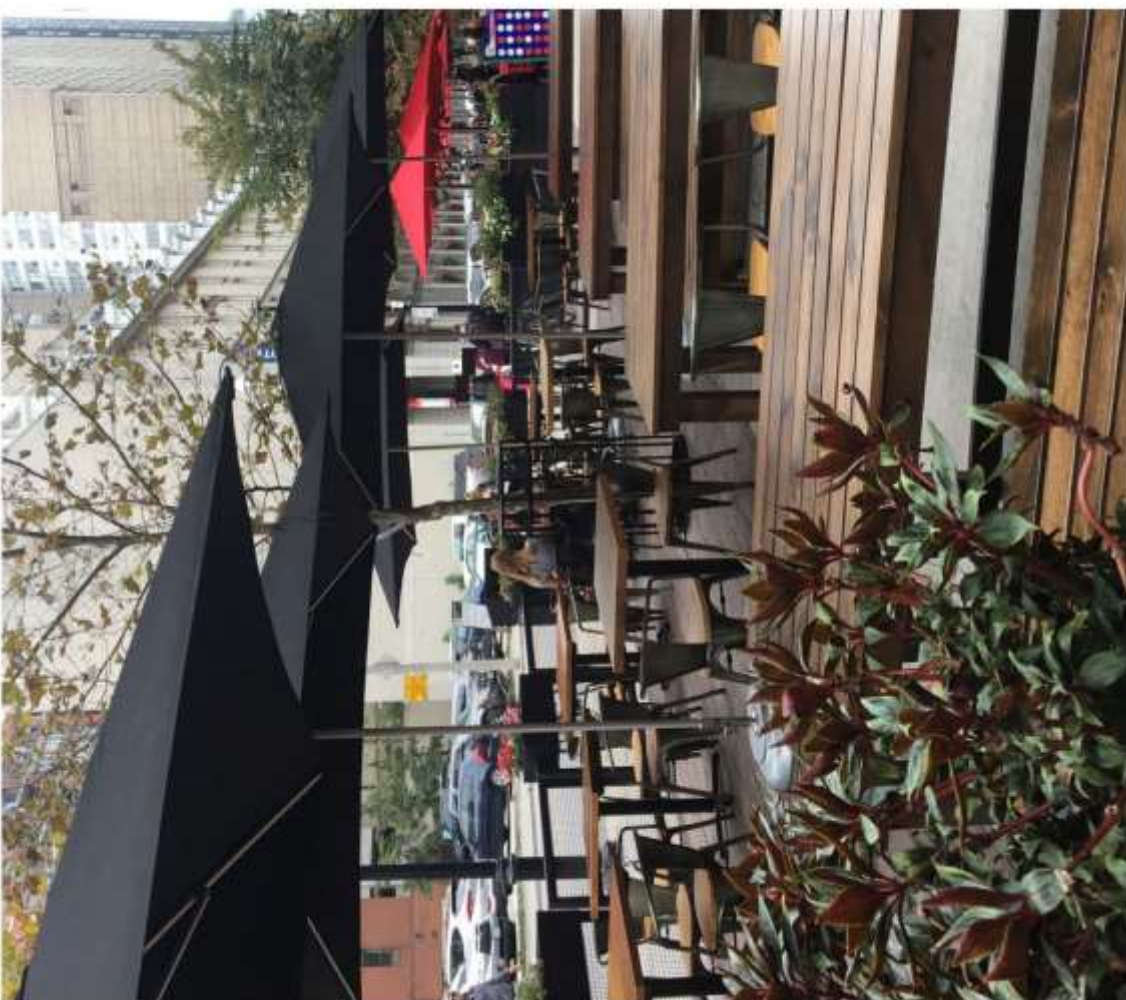
7. **Submit for Staff Review**

Submit your application package to Realty Services. Staff from various City of London departments will review it and consider it for approval, or recommend modifications. Only one initial application is required unless there is a redesign or resizing of the patio.

8. **Construct & Operate**

A licensing agreement is required to operate a sidewalk patio. The license can be obtained through Realty Services and is valid for a 3-year term.

Once your patio has been approved, you can construct and operate your sidewalk patio in compliance with your approved submission package.





# 3.0 Classifications

There are several potential sidewalk patio locations within the public right-of-way. Selecting the right location for the specific context will ensure the streetscape is enhanced and the safety of patrons and the public is secured.

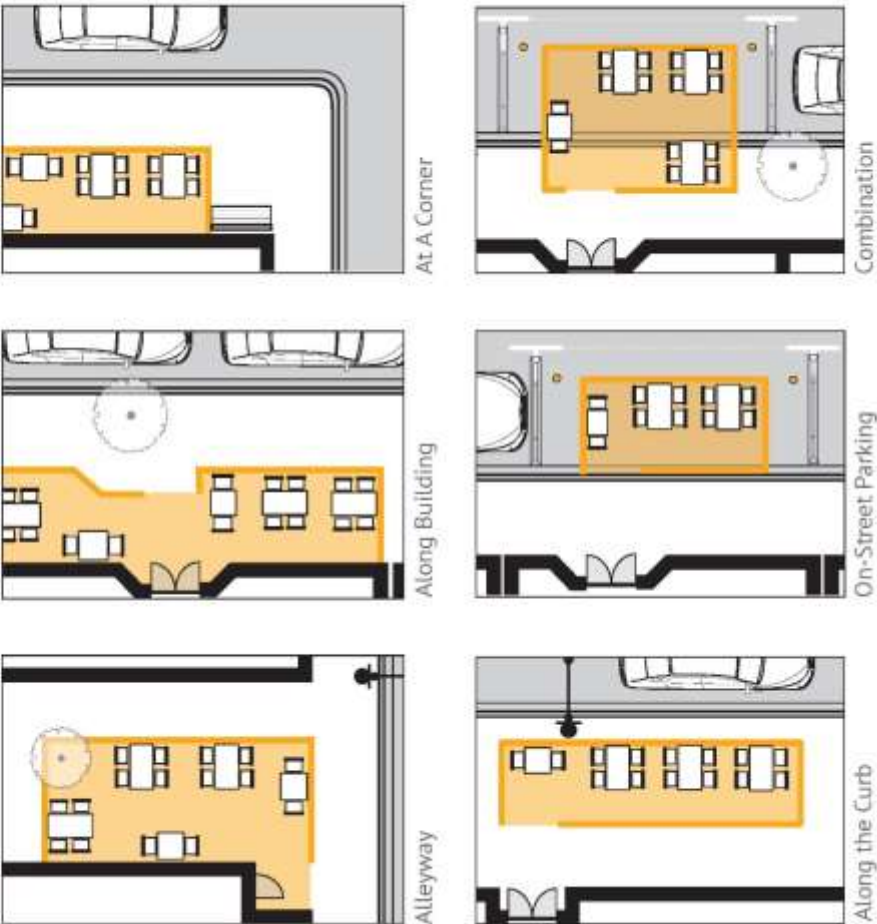
When choosing the location of a patio, consideration should be given to the existing streetscape, surrounding uses, and availability of space.

Patios are to respect adjacent businesses and not impede the flow of pedestrians or pedestrian traffic movements.

Sidewalk patios fit into two categories:

- 3.1 Patios provided entirely on the boulevard
- 3.2 Patios that utilize an on-street parking space.

The following pages explain in detail each of the six potential patio locations and include minimum and maximum measurements related to each situation.



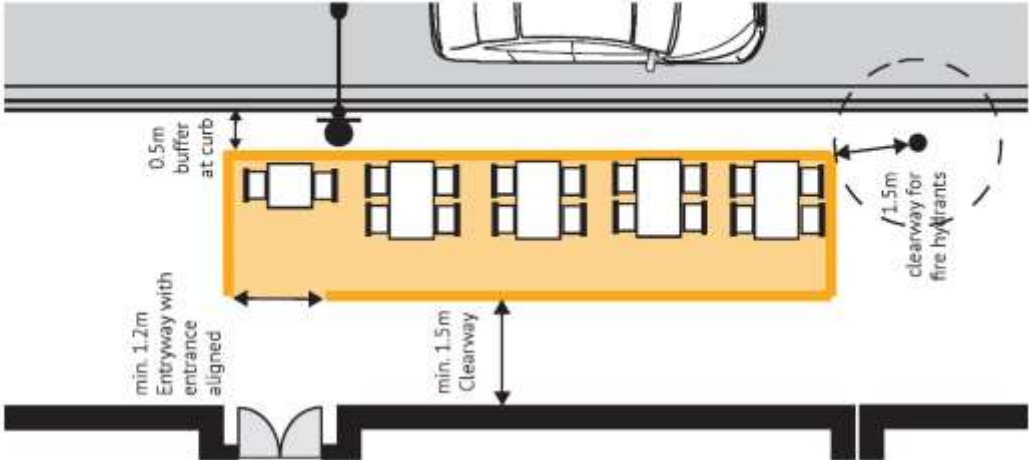
3.1 Boulevard Patios

Along the Curb

- 1. Patios along the curb are located on the exterior edge of the public right-of-way with the clearway located between the building and the patio.
- 2. Between the boundary of the patio and the curb, a minimum buffer of 0.5m must be provided.
- 3. This location is most preferred as it maintains a consistent flow of pedestrian traffic along the fronts of shops and businesses, while still providing the patio.

Summary of Required Distances

Clearway	1.5m (min)
Distance from Curb	0.5m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)



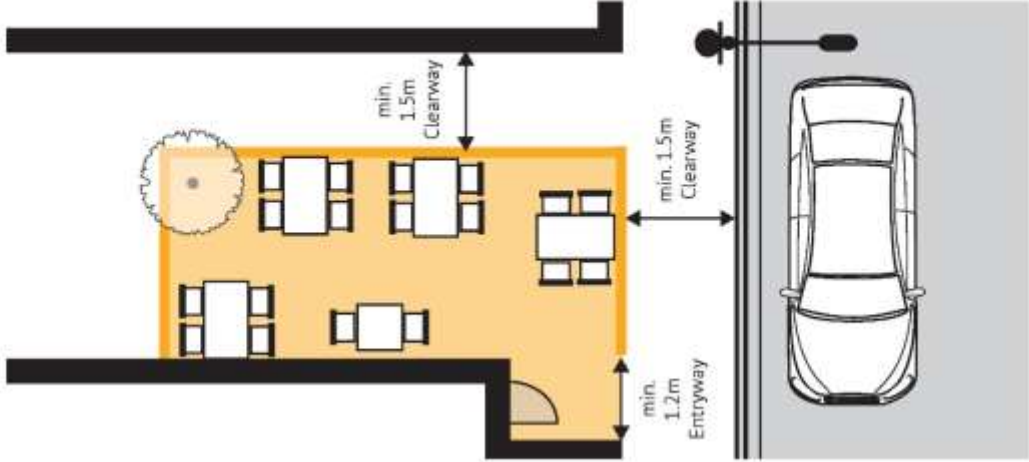


Alleyways

- 1. Where there is a public alley between two buildings, a patio may be located in the space adjacent to the establishment provided the proposed patio does not prevent vehicular access.
- 2. Where vehicular traffic has an alternate route available, or if vehicular access is not required, the patio may still be located within the alley, but shall provide a clearway for pedestrian access.
- 3. The clearway shall be located between the outer edge of the patio and any neighbouring buildings and/or the curb.
- 4. The entrance to the patio should be located as close as possible to the entry of the associated establishment. This will provide ease of access for the patio to serve patrons.

Summary of Required Distances

Clearway	1.5m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)



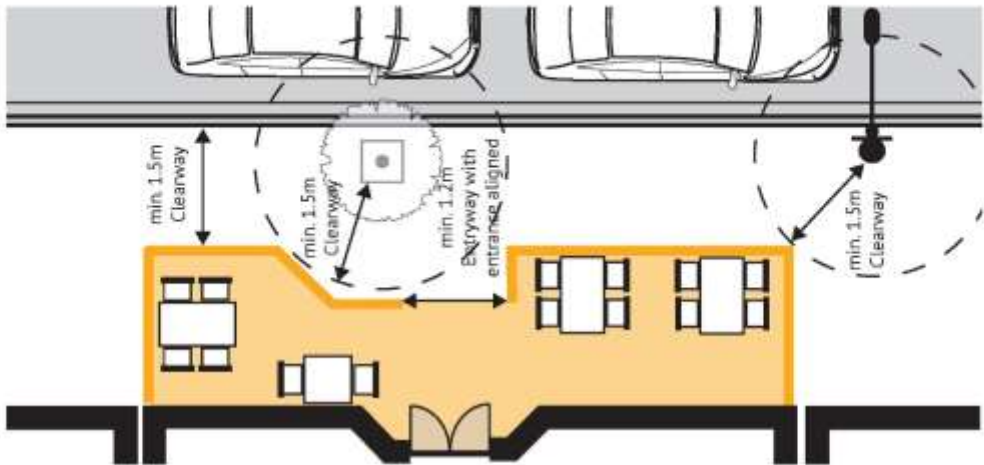
CLASSIFICATIONS

Along the Building

- 1. This classification includes patios located immediately adjacent to the building, but extending beyond the front property line into the public right-of-way.
- 2. The clearway shall be located between the outer edge of the patio and the curb. Clearway shall be from the edge of tree grates, light posts and other fixed elements.
- 3. This patio location is the least preferred as it causes a zig zag effect for pedestrian traffic. This location is particularly unsuitable where the existing streetscape consists of primarily retail shops that would not provide patios in the right-of-way. Should this patio location be the only viable option, it will be permitted provided these standards are followed and implemented.
- 4. Where patios can be located elsewhere, this location should not be considered.

Summary of Required Distances

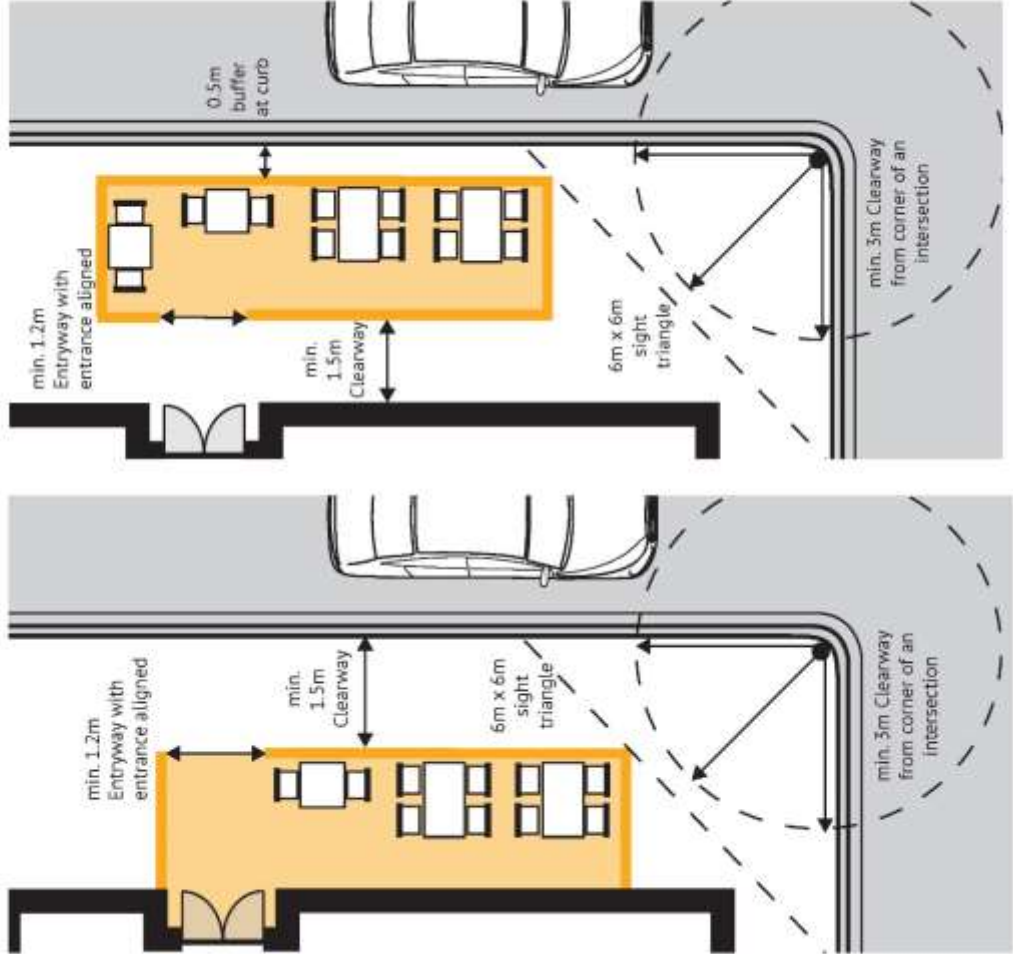
Clearway	1.5m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)



- Patio At A Corner**
1. Corners and intersections require special treatment to ensure the increased pedestrian volumes and general activity can be accommodated without interference.
  2. Where a patio is in close proximity to an intersection, in addition to the clearway is required.
  3. From the corner of the intersection, a minimum clearway of 3 metres is required.
  4. A 6m x 6m sight triangle should be maintained where there is sufficient space.
  5. This clearway distance is required for patios located along the boulevard at a corner and in the boulevard at a corner.

Summary of Required Distances

Clearway	1.5m (min)
Distance from Curb	0.5m (min)
Clearway from Corner	3.0m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)



CLASSIFICATIONS

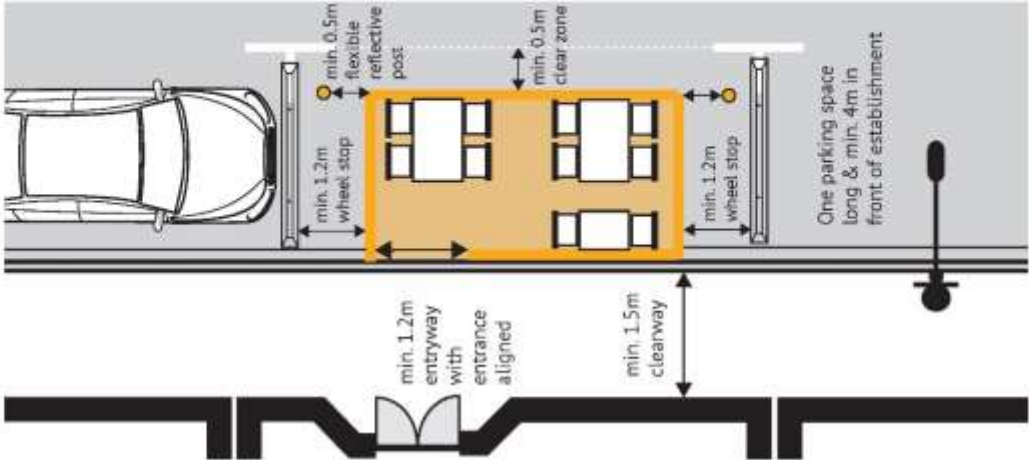
3.2 On-street Parking Space Patios

In On-Street Parking Space

- 1. Where the public right-of-way is not large enough to support a patio on the sidewalk, patios may be located within an on-street parking space subject to an agreement with the City.
- 2. The clearway shall be located between the curb and the associated building.
- 3. Patios located within an on-street parking space must be brought to the same height as the sidewalk.
- 4. Patios in on-street parking spaces may only occupy complete spaces and shall have a minimum of 4m of the parking space located directly in front of the associated establishment.
- 5. This location is also preferred for its minimal effect on the flow of pedestrian traffic within the public right-of-way.

Summary of Required Distances

Clearway	1.5m (min)
Length	6.7m (min) [1 parking space]
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)

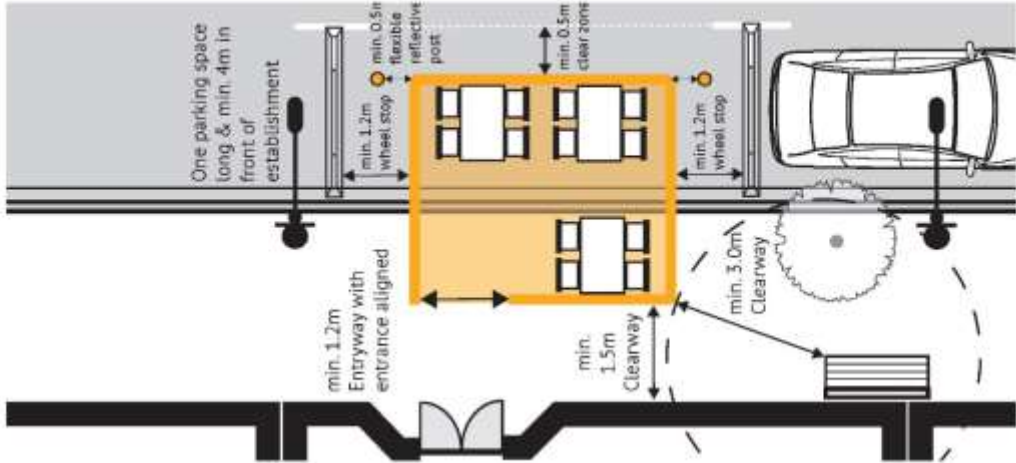


**Boulevard & On-Street Combination**

- 1. In order to create a larger patio, it may be suitable in some cases to combine a patio in the boulevard with a patio in an on-street parking space. The combined, enlarged space will act as one patio.
- 2. The clearway shall be located between the interior boundary of the patio and the associated building.
- 3. The use of an on-street parking space is subject to an agreement with the City.
- 4. The portion within the on-street parking space must be brought to the same height as the public right-of-way. A level transition between the two portions shall be provided.
- 5. This option is preferred for its ability to accommodate more patrons while maintaining a clearway for consistent flow of pedestrian traffic along storefronts.

Summary of Required Distances

Clearway	1.5m (min)
Length	6.7m (min) [1 parking space] 1m (max) [beyond property]
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)



CLASSIFICATIONS



On Street Parking Considerations

1. A full parking space length must be used. The parking area that remains available on either side of the patio must provide one or more full parking spaces of 6.7m length.

2. The outside edge of the patio must be at least 0.5m from the travel lane, creating a 0.5m clear zone.

3. At each end of the parking space, wheel stops must be placed 1.2 m from the edge of patio to provide a buffer from the next parking stall.

4. Patios must have flexible reflective posts, at least 1.2m high, placed 0.5m from both corners of the patio which are in the roadway. The reflective elements should be in line with the edge of the patio that is parallel to the travel lane.

5. The applicant is responsible for the additional costs associated with the removal of any City infrastructure such as parking meters, parking signage, waste receptacles, etc., to accommodate this type of patio. The business owner shall arrange with Transportation and Roadside Operations and/or Parking to reinstall City infrastructure that was removed as part of the patio installation.

6. The applicant is responsible to pay a fee for the use of the on-street parking space, equivalent to the average revenue generated by an on-street parking space per season. This fee will be considered revenue to Parking.

7. The patio surface must be designed for easy removal and to prevent damage to the underlying roadbed. The applicant's plan for affixing wheel stops and flexible reflective posts must be included as part of the application package and requires acceptance by the City.

8. The substructure design of a patio will vary and depends on the slope of the street and the overall design of the structure. The sub-structure must accommodate the crown of the road and provide a level surface for the patio. Adjustable deck support pedestals which can be spaced under the surface and of different heights are a common application. Another method is to provide steel sub-structure and angled beams.

9. The design of the patio structure should not inhibit the adequate drainage of storm water runoff. Small channels between the base and the platform should facilitate drainage.

10. Guardrails must be present on at least the three sides of a patio within the roadway and be constructed to the following specifications:

  - Guardrail must be not less than 1.07m high.
  - Guardrail must be designed and attached in a manner to resist a concentrated load at any point of not less than 1 kN, and,
  - Guardrail must be designed and attached in a manner to resist a uniformly distributed load of 0.75 kN/m.

11. Open guardrails are encouraged to reduce the risk of high winds using the guardrail to move the patio structure.

  - Openings through the guardrail shall be of a size that will prevent the passage of a spherical object having a diameter of 100mm.

**Flexible Street Patio Considerations**

- 1. Where the public right-of-way is a flexible street concept (e.g. Dundas Place), the applicant must meet with City of London staff prior to the submission of an application.
- 2. In this initial meeting with City staff, the available width for a patio, the pedestrian clearway location, and the width of vehicle travel way will be discussed.
- 3. City staff may choose to apply some or all of the requirements of the on-street parking space standards to a patio on a flexible street. These requirements will be confirmed during the meeting with City Staff.
- 4. The pedestrian clearway for a flexible street patio is to be 2.5m.







16 City of London



# 4.0 Design Details

Sidewalk patios will be comprised of structural, functional, and decorative features. To ensure public safety and general aesthetic continuity, the following design details provide the minimum requirements for various features within a sidewalk patio.

These design details include dimensions, locations, and materials for features such as furniture, fencing, lights, and plant materials.

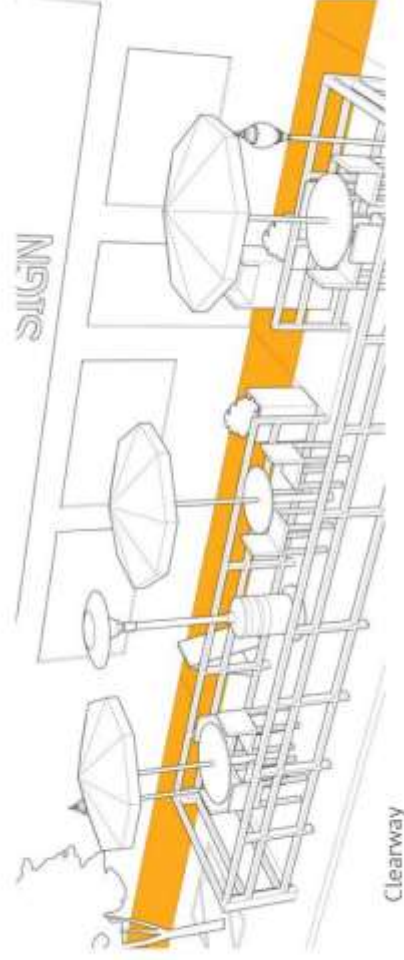
The City encourages creativity and the development of unique outdoor dining spaces within the requirements provided.

## 4.1 Functionality

### 1. Clearway

An unobstructed pedestrian pathway of at least 1.5m must be maintained at all times. The location of the clearway relative to the patio will depend on the location of the patio.

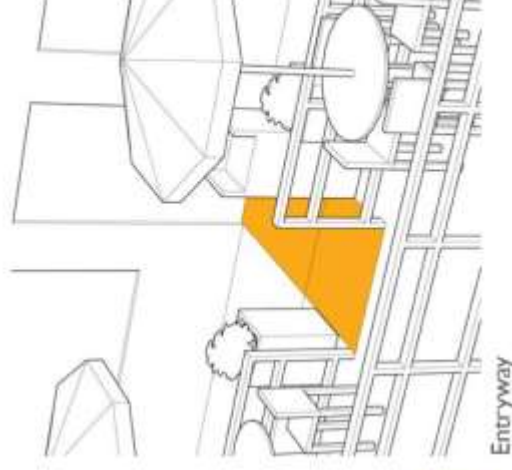
Patios located at a corner will require a clearway of 3m from the corner of the intersection.



### 2. Entryway

An entryway of at least 1.2m must be provided to the patio, and where possible, should be aligned with the entrance to the corresponding establishment.

When entrances cannot be aligned, they should be provided in close proximity to each other to ensure ease of movement and service between the establishment and the patio.



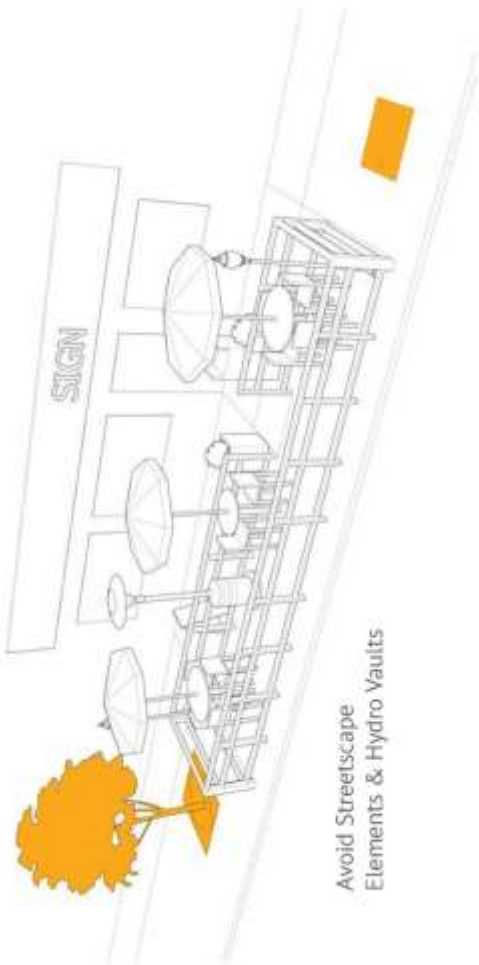
3. **Streetscape Elements**

Streetscape elements shall not be located in the clearway. These include, garbage receptacles, tree grates, fire hydrants, street furniture, and any other item that poses an obstruction within the clearway.

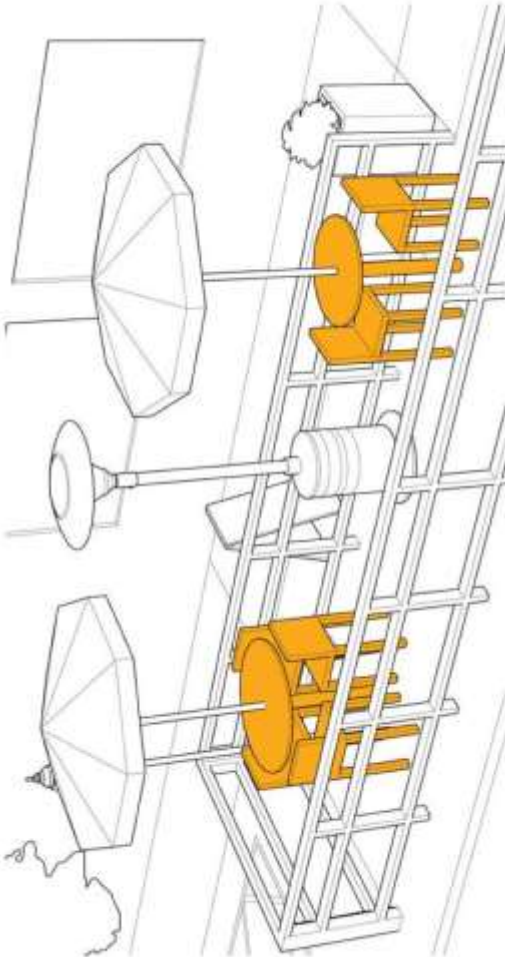
Fire hydrants require a 1.5m buffer at all times.

All other streetscape elements, outside of the clearway do not require a buffer.

Street trees may be incorporated into the patio as long as they are not within the clearway.



Avoid Streetscape Elements & Hydro Vaults



Consistency of Furniture

4. **Hydro Vault**

No patio can be situated on top of, or within 1m of an underground hydro vault.

5. **Seasonal Use**

Sidewalk patios, in their entirety, may only operate as seasonal features. All elements must be removable and disassembled at the end of the season.

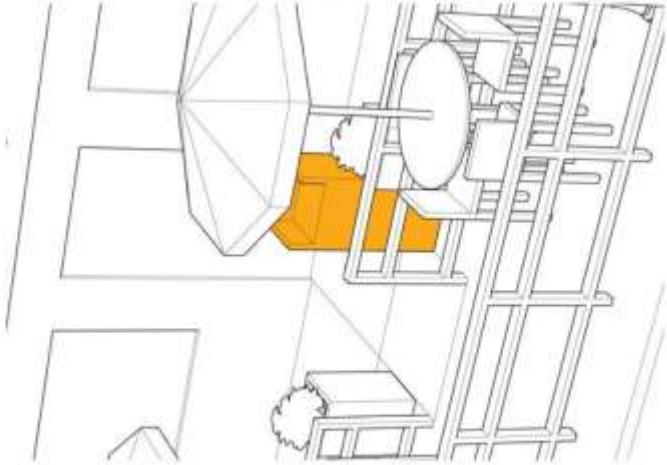
6. **Consistency**

Tables and chairs should be made of matching sets and should be consistent throughout the patio.

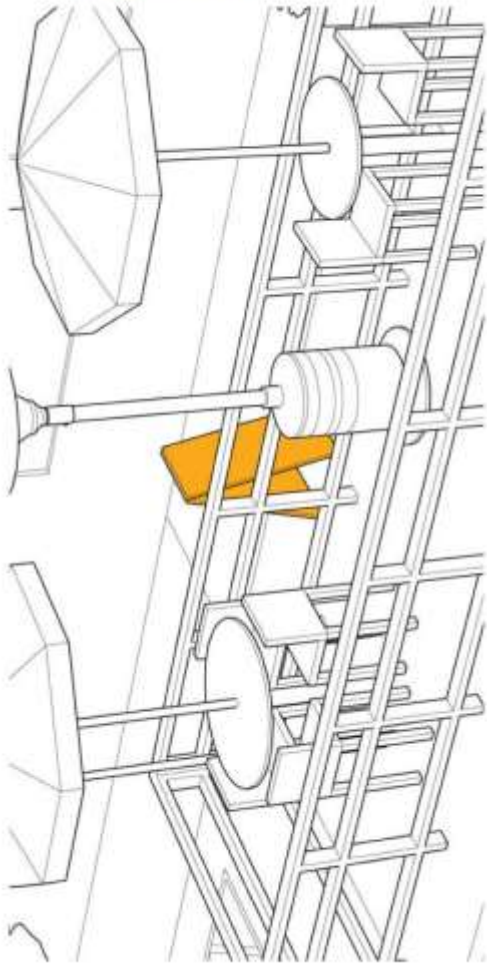
7. **Materials**

All furniture, including fencing, should be made of durable, weather resistant materials, that are easily cleaned.

Composite, metal, or painted & stained wood is preferred. Pressure treated wood and plastic are strongly discouraged.



Host Stands



Menus & Sandwich Boards

4.2 **Furniture**

1. **Host Stands**

Host stands are permitted within the patio provided they are consistent with the furniture in the patio and do not enter the clearway.

2. **Garbage Receptacles**

Garbage receptacles are permitted within the patio provided they are located with host stands and cannot be seen as a prominent feature within the space.

3. **Menus & Sandwich Boards**

Menus and sandwich boards are permitted, provided they complement the furniture within the patio and they do not enter the clearway.

Menus and sandwich boards may not obstruct views within or into a sidewalk patio. Therefore, menus and sandwich boards may not extend beyond 1m from the ground.



### 4.3 Fences and Plantings

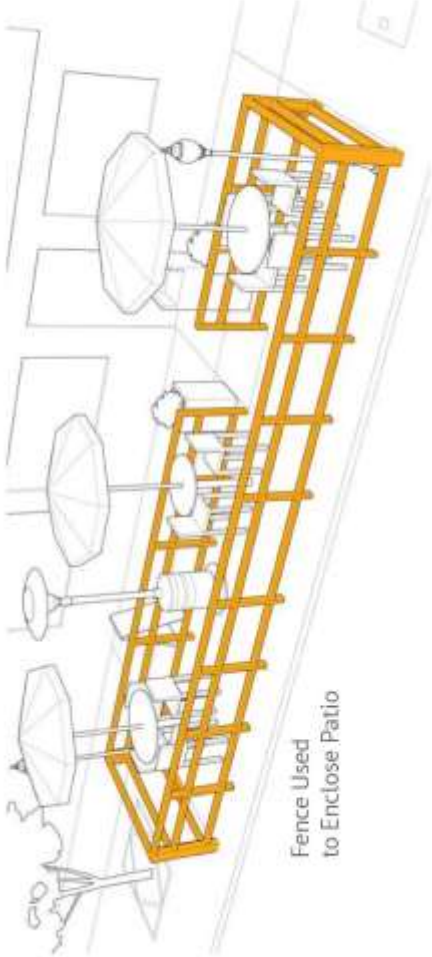
#### 1. Fences

Fencing is required when a business is licensed and serves alcohol on the patio. Patio fencing is optional for unlicensed establishments.

Regardless of a license, where a patio is located in an on-street parking space, fencing is required at all times.

Patio fencing must be 0.75-1m in height, and have a low barrier bar 0.15-0.3m high.

Fencing used as a guardrail for on-street patios must abide by the On-street Parking Considerations in section 3.2



#### 2. Plant Materials

Plants must be healthy, living and maintained throughout the season.

#### 3. Planter Fence

Planters can be used in lieu of a fence, but must be adequately sized to define the patio space.

The planter, with plants, must be 0.75-1m in height and must be a continuous length to delineate the patio space.

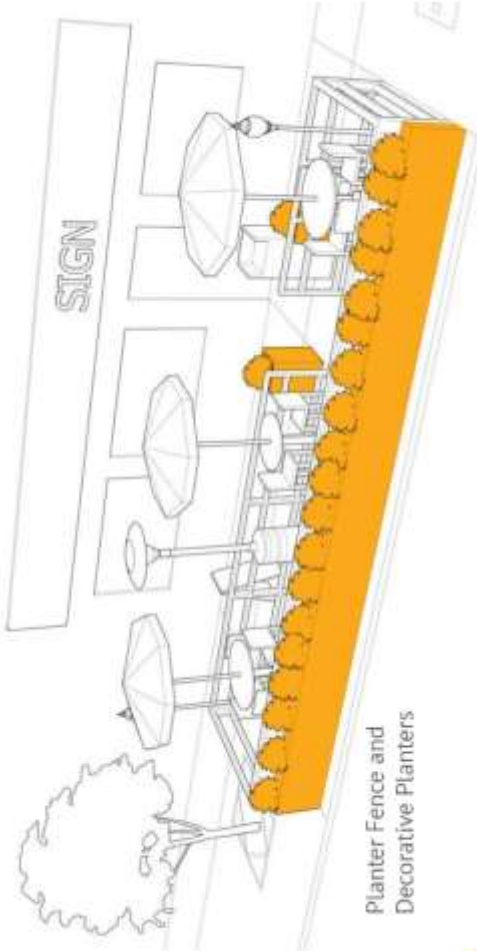
A 0.15-0.3m low barrier bar is required.

Planters must maintain a 0.5m buffer from the curb.

#### 4. Decorative Planters

Ground planters may be used within the patio for decoration. The planters may not exceed 0.5m in width and 1m in height. Planters with plant material, may not exceed 1.5m in height or interfere with sight lines.

Hanging planters may also be used. Plant material may extend a maximum of 0.5m from the hanging planter box.



#### 4.4 Additional Features

##### 1. Awnings & Umbrellas

Awnings and umbrellas must have a minimum height of 2.4m. Awnings must be installed on the first storey of the building.

When fabric is being used for awnings and umbrellas, flame and fade resistant materials are recommended.

##### 2. Heaters

Heaters are permitted within the patio provided they do not exceed 3m in height.

##### 3. Lights

Lighting for the patio is permitted, provided it is located within the boundaries of the patio and does not infringe upon the clearway.

Lights may not exceed 3m in height. The brightness of the lights should be sensitive to the uses surrounding the patio and should be directed onto the patio and away from neighbouring properties and the street.

Lighting must be restricted to low voltage (12V system), 120VAC is not permitted.

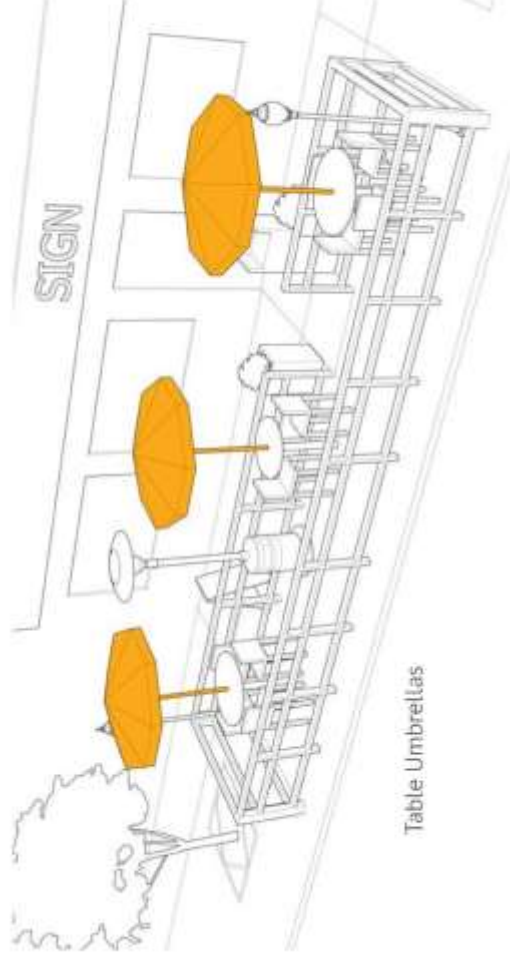


Table Umbrellas

##### 4. Paving

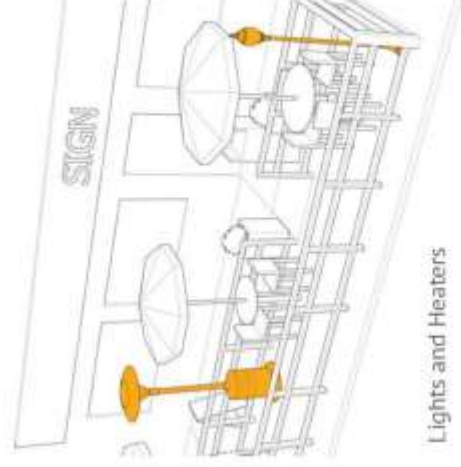
Site specific paving or surface treatment is not permitted in the public right-of-way.

Where paving surface is required, such as to level an on street parking space to the sidewalk, the material should be strong, durable, complimentary to the existing paving materials, and removable at the end of the season.

##### 5. Third Party Advertisements

No third party advertisements shall be permitted on umbrellas, awnings, furniture or any element in the public right-of-way.

All other signs are subject to the City of London Sign and Canopy By-law.



Lights and Heaters





22 City of London

# 5.0 Maintenance and Enforcement

1. The business owner is expected to maintain the sidewalk patio area and furniture in a clean and hygienic manner, and secure or store the patio furniture when not in use outside the hours of business operation.
2. At the termination of the sidewalk patio permit, the application must return the patio area to its pre-approved condition.
3. Businesses which default in the performance of any of the obligations of the sidewalk patio permit will be cited and given time to rectify the problem. If the problem persists, the permit may be terminated and enforcement measures initiated by the City to rectify the problem at the owner's expense.
4. The City reserves authority over the road right-of-way and, when required, will exercise the right to request removal of sidewalk patio area due to safety, construction, or community needs.
5. If the City has safety objections, the sidewalk patio will not be installed or will issue notice of removal within 24 hours when conflicts are identified. Emergencies may necessitate faster removal times as required by the City or Emergency Services. Under these situations, care will be taken for removal of infrastructure, but the City will not be held liable for damages to sidewalk patio infrastructure added to the road right-of-way by the proprietor.
6. The permit holder is required to remove (at their own expense) their patio during public works projects such as repaving and sidewalk widening.
7. After receiving a permit, the permit holder has 30 days to install it on site. If the installation is not completed within 30 days, this may result in revocation of the permit.



Report to Planning and Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: John M. Fleming  
Managing Director, Planning and City Planner  
Subject: Passage of By-law to Repeal Existing Heritage Designation  
and Pass New Heritage Designating By-law  
Request By: Roman Catholic Diocese of London  
1040 Waterloo Street (St. Peter’s Seminary)  
Meeting on: Monday March 19, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the attached by-law to repeal the existing heritage designating by-law and to designate the property at 1040 Waterloo Street to be of cultural heritage value or interest **BE INTRODUCED** at the Municipal Council meeting to be held on March 27, 2018; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*.

Executive Summary

Summary of Request

An application was made, as required as a condition of consent (B.034/16), to repeal the existing heritage designating by-law for the St. Peter’s Seminary property (1040 Waterloo Street) and passage of a new heritage designating by-law that may be registered on the title of the new St. Peter’s Seminary property.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to pass a by-law pursuant to Section 29 of the *Ontario Heritage Act* to designate a new property parcel created by a consent. This action has the effect of retaining all of the heritage attributes identified in the existing heritage designating by-law (By-law No. L.S.P.-3319-198) in a manner consistent with current legislation.

Rationale for Recommended Action

To execute the condition of consent (B.034/16).

Analysis

1.0 Revelant Background

St. Peter’s Seminary is of significant cultural heritage value or interest because of its physical or design value, its historical or associative value, and its contextual value. The property was designated under Part IV of the *Ontario Heritage Act* in 2000 by By-law No. L.S.P.3319-198.

An application pursuant to Section 53 of the *Planning Act* was submitted on behalf of the property owner. The consent application (B.034/16) is requesting to sever approximately 6.1 hectares for institutional uses, retain approximately 7.3 hectares and 0.5 hectares for institutional uses (Appendix B). The St. Peter’s Seminary building will be located on the severed parcel (see Appendix B, Figure 2).

The London Advisory Committee on Heritage (LACH) was consulted at its meeting on October 11, 2017 regarding the request to repeal the existing designation and the passage of a new designation for St. Peter’s Seminary. At its meeting on October 30, 2017, Municipal Council resolved to issue its notice of intent to pass a by-law to repeal

**Planner: K. Gonyou**

By-law No. L.S.P.-3319-198 as well as notice of intention to designate the property under Part IV of the *Ontario Heritage Act*. Notice of these intentions were served on the property owner and the Ontario Heritage Trust, and published in *The Londoner* on December 7, 2017. The 30-day appeal period for both notices expired on January 8, 2018; no objections were received.

The final steps to this request are passage of a by-law to repeal the existing designating and passage of the new designating, and registration of that by-law on the title of the properties affected.

## 2.0 Conclusion

St. Peter's Seminary is a significant cultural heritage resource. The existing designating by-law should be repealed and replaced by the new designation that protects all of the property's heritage attributes in a manner consistent with the current legislation.

<b>Prepared by:</b>	<b>Kyle Gonyou, CAHP Heritage Planner</b>
<b>Submitted by:</b>	<b>Jim Yanchula, MCIP, RPP Manager, Urban Regeneration</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>

March 9, 2018  
KG/

## Appendices

Appendix A – A by-law to repeal By-law No. L.S.P.-3319-198, being, “A by-law to designate 1040 Waterloo Street to be of historical and architectural value.”, and to replace it with a by-law to designate 1040 Waterloo Street to be of cultural heritage value or interest.

## Appendix B – Figures

\\FILE2\users-z\pdp\Shared\policy\HERITAGE\Heritage Alteration Permit Reports\Waterloo Street, 1040 - St. Peter's Seminary\2016 B.34-16 Consent\2017-08-04 Repeal-Replace\2018-03-19 PEC Repeal-Replace By-law 1040 Waterloo Street.docx



## Appendix A

Bill No.  
2018

By-law No. L.S.P. - \_\_\_\_\_

A by-law to repeal By-law No. L.S.P.-3319-198, being, "A by-law to designate 1040 Waterloo Street to be of historical and architectural value.", and to replace it with a by-law to designate 1040 Waterloo Street 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 the property located at 1040 Waterloo Street was designated to be of historical and contextual value or interest by By-law No. L.S.P.-3319-198, on October 16, 2000;

AND WHEREAS the reason for repealing the designating by-law is to consent to the property to be severed into three separate parcels in accordance with Consent No. B.034/16;

AND WHEREAS notice of intention to repeal the designation of the property known as 1040 Waterloo Street has been duly published and served and no notice of objection to such de-designation has been received;

AND WHEREAS notice of intention to designate the real property at 1040 Waterloo Street 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. By-law No. L.S.P.-3319-198 entitled, "A by-law to designate 1040 Waterloo Street to be of historical and architectural value.", passed by Municipal Council on October 16, 2000 is hereby repealed.
2. The real property at 1040 Waterloo Street, 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.
3. 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.
4. 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*.
5. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

**SCHEDULE "A"**  
**To By-law No. L.S.P.-\_\_\_\_\_**

**Legal Description**

All of Lots 45, 46, 57, 60 and 61 and Part of Lots 41, 42, 43, 44, 47, 56, 58, 59 and 62, Plan 402(c) and Part of Epworth Avenue closed by Judge's Order registered as instrument number LY40898 and designated as Parts 3, 4, 5, 6, 7 and 8 on Plan 33R-19900; City of London, County of Middlesex, being part of PIN 08079-0567.

**SCHEDULE "B"**  
**To By-law No. L.S.P.-\_\_\_\_\_**

**Statement for Designation**

**Roll Number**

To be determined

**Description of Property**

St. Peter's Seminary, 1040 Waterloo Street, was built at the northernmost end of Waterloo Street overlooking the north branch of the Thames River, in the former London Township now City of London.

Before St. Peter's Seminary was built, a survey from 1884 shows that the property was originally subdivided for 66 park and villa lots and was generally undeveloped, except for a few buildings and structures located at the south end of the property. The north end of the property close to the bluffs of Thames River, locally known as Sunshine Park, was a vacant field popularly used for picnics, baseball games, and travelling carnivals.

St. Peter's Seminary was founded in 1912 by His Excellency Bishop Michael Francis Fallon, O.M.I.; D.D., L.L.D. World War I postponed the original plans for the construction of a seminary building and for the first 13 years, the theology faculty and students were housed in the Bishop's residence at the former rectory of St. Peter's Cathedral Basilica located at the northwest corner of Dufferin Avenue and Clarence Street, London, Ontario. On September 24, 1923 the St. Peter's Seminary Annex: School of Philosophy opened at 472 Queens Avenue in London, Ontario. Prior to this, the philosophy students preparing for theological studies at St. Peter's Seminary studied at Assumption University in Sandwich (Windsor), Ontario.

Bishop Fallon required a large site for his seminary and was drawn to the present location for several reasons. One of the intentions of St. Peter's Seminary was to be affiliated with the University of Western Ontario so its location close to the university campus (then at St. George Street and Grosvenor Street) was important. Also, the open field and its quiet location at the northern edge of London supported Fallon's vision of St. Peter's Seminary dominating the landscape, with a tower visible from all corners of the City.

The lands on which the Seminary building stands were part of a 32 acre site donated by Sir Philip Pocock, a member of a prominent London Roman Catholic family.

The cornerstone of St. Peter's Seminary was laid by Bishop Fallon on May 31, 1925; and the official opening of the new facility was celebrated on September 29, 1926. Bishop Fallon laid the cornerstone for a new chapel on June 12, 1929; and then St. Thomas Aquinas chapel was officially opened on June 18, 1930.

St. Peter's Seminary provided a venue for education in the Sacred Sciences and ecclesiastical training for clerical students of the Diocese of London. Today, St. Peter's Seminary still has the same intentions but is affiliated with King's University College, University of Western Ontario.

**Statement of Cultural Heritage Value or Interest**

St. Peter's Seminary, 1040 Waterloo Street, is of cultural heritage value or interest because of its physical or design values, historical or associative values, and its contextual values.

**Physical/Design Values**

The main mass of St. Peter's Seminary building is comprised of two four storey wings adjoining a central tower. The exterior is built of stone from Credit Valley, Ontario and Tyndall, Manitoba in the Collegiate Gothic style. The roofs are copper and sea green slate. The roof line is punctuated by gabled dormers. St. Peter's Seminary is a representative example of the Collegiate Gothic style and it demonstrates a high degree of craftsmanship, as particularly exemplified in the stonework details of the building's exterior.

The front entrance of St. Peter's Seminary includes rich Gothic inspired carvings in Tyndall stone and in the main door which is in oak. The door is in two leaves, with the transom forming the characteristic Gothic arch. Delicate tracery and an intricately carved border of grape clusters highlight the entrance. Above, carved niches separated by columns were intended to hold statues depicting the Twelve Apostles on the exterior. The rotunda forms the entrance lobby to the Seminary. It is three storey in height and is of cast travertine with a floor of Verde marble. The statue of St. Michael commemorates the opening of the Seminary in 1926. In addition, heavily carved niches contain statues of saints. Walls are decorated and contain various commemorative plaques. Wood trim defines the entrance to the main hallway.

The Chapel of St. Thomas Aquinas is designed in the late English Gothic Revival style with the elaborate fan-vaulting characteristics of the interiors of this style. The intricate wood carving in the Chapel and the rotunda is the work of Bavarian craftsmen brought to Canada by the Globe Furniture Company of Waterloo, Ontario. This firm supplied the furnishing of the Chapel. The carved angels at the end of each pew and the screens are fine example of the artisans' work. The carvings show a Germanic influence which is exemplified in the statue of Christ the King at the Blessed Sacrament altar. The tableaux which are done in pale wood depicting scenes from the life of St. Therese of Lisieux can be seen in the alcoves surrounding the main altar in the Sanctuary. Inscribed in the gallery of the Chapel is the Latin phrase "Invenerunt Eum in Templo, sedentem in medio doctorum" ("They came upon Him in the Temple, seated in the midst of the teachers"), as well as the Seminary's coat of arms. The stained glass works of the Chapel are Neo-Gothic in style and were created and installed by Robert McCausland Limited of Toronto, Ontario. They depict the Fathers, Doctors and missionaries of the Church. Examples include St. Vincent de Paul and the galley slave, the Jesuit North American Martyrs, St. Jerome and others. The windows around the Sanctuary depict events in the life of Christ.

### **Historical/Associative Values**

The property has historical or associative value because it has direct associations with people and institutions that are significant to the community. St. Peter's Seminary was founded in 1912 by His Excellency Bishop Michael Francis Fallon, O.M.I.; D.D., L.L.D. He is significant as the Bishop of London from 1909 until his death in 1931.

Through his donation of the site for St. Peter's Seminary, Sir Philip Pocock has significant historical associations with the property. Sir Pocock received a papal knighthood for his many charities.

St. Peter's Seminary also demonstrates the work of the architectural firm of Pennington & Boyde of Windsor, Ontario, with J. W. Leighton as associate. The general contractor for the construction of St. Peter's Seminary was the Piggott Construction Company of Hamilton, Ontario. St. Peter's Seminary is one of two known works of Pennington & Boyde in London; the other being Brescia College (built in 1924).

### **Contextual Values**

St. Peter's Seminary is important in defining the character of the area. It is physically, functionally, visually, and historically linked to its surroundings. St. Peter's Seminary building defines the character of the area as a magnificent structure that not only dominates its property but the area around it. Originally, St. Peter's Seminary was set in an open field; its setting has matured to become a park-like atmosphere which includes lawns, trees, gardens, and circulation routes.

In the beginning, St. Peter's Seminary was fairly isolated, but over time it has become an immediate neighbour to the campus of King's University College. The growth of King's University College has changed the landscape of not only the St. Peter's Seminary property but of other large properties, including the former Goodholme Estate (291 Epworth Avenue). Both have evolved to become part of a campus atmosphere for King's University College which, like St. Peter's Seminary, had its origins with the Roman Catholic Diocese of London.

St. Peter's Seminary is a landmark.

### **Heritage Attributes**

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

- The St. Peter's Seminary building:
  - An excellent example of Collegiate Gothic style of architecture;
  - Grandeur of the St. Peter's Seminary building, with its prominent central tower and four storey wings, designed to be impressive when viewed from outside;
  - Exterior cladding in Credit Valley stone and Tyndall, Manitoba stone;
  - Elevated front entrance;
  - Decorative buttresses;

- Copper and sea green slate roof punctuated by gabled dormers;
- Chapel of St. Thomas Aquinas, excellent example of English Gothic Revival:
  - Elaborate fan-vaulting;
  - Intricate wood carvings, including the carved angels at the end of each pew, the screens, and the tableaux of St. Therese of Lisieux;
  - Latin inscription, reading “Invenerunt Eum in Templo, sedentem in medio doctorum”;
  - St. Peter’s Seminary coat of arms;
  - Stained glass;
- Front entrance and Rotunda:
  - Rich Gothic inspired carvings in Tyndall stone;
  - Oak, two leaf main door with characteristic Gothic arch;
  - Tracery and carved border of grape clusters that highlight the entrance;
  - Carved niches separated by columns, which were intended to hold statues depicting the Twelve Apostles on the exterior;
  - Three stories of height, of cast travertine with a floor of Verde marble;
  - Statue of St. Michael which commemorates the opening of St. Peter’s Seminary;
  - Heavily carved niches which contain statues of saints in the Rotunda;
  - Decorated walls, including commemorative plaques;
  - Wood trim which defines the entrance to the main hallway;
- Unobstructed view from the driveway entrance on Waterloo Street with a terminating vista at the St. Peter’s Seminary building;
- Park-like atmosphere:
  - Landscaping with lawns, trees, gardens, and pedestrian circulation routes;
  - Circular driveway in front of the main entrance to St. Peter’s Seminary with a central landscaped area.



Appendix B

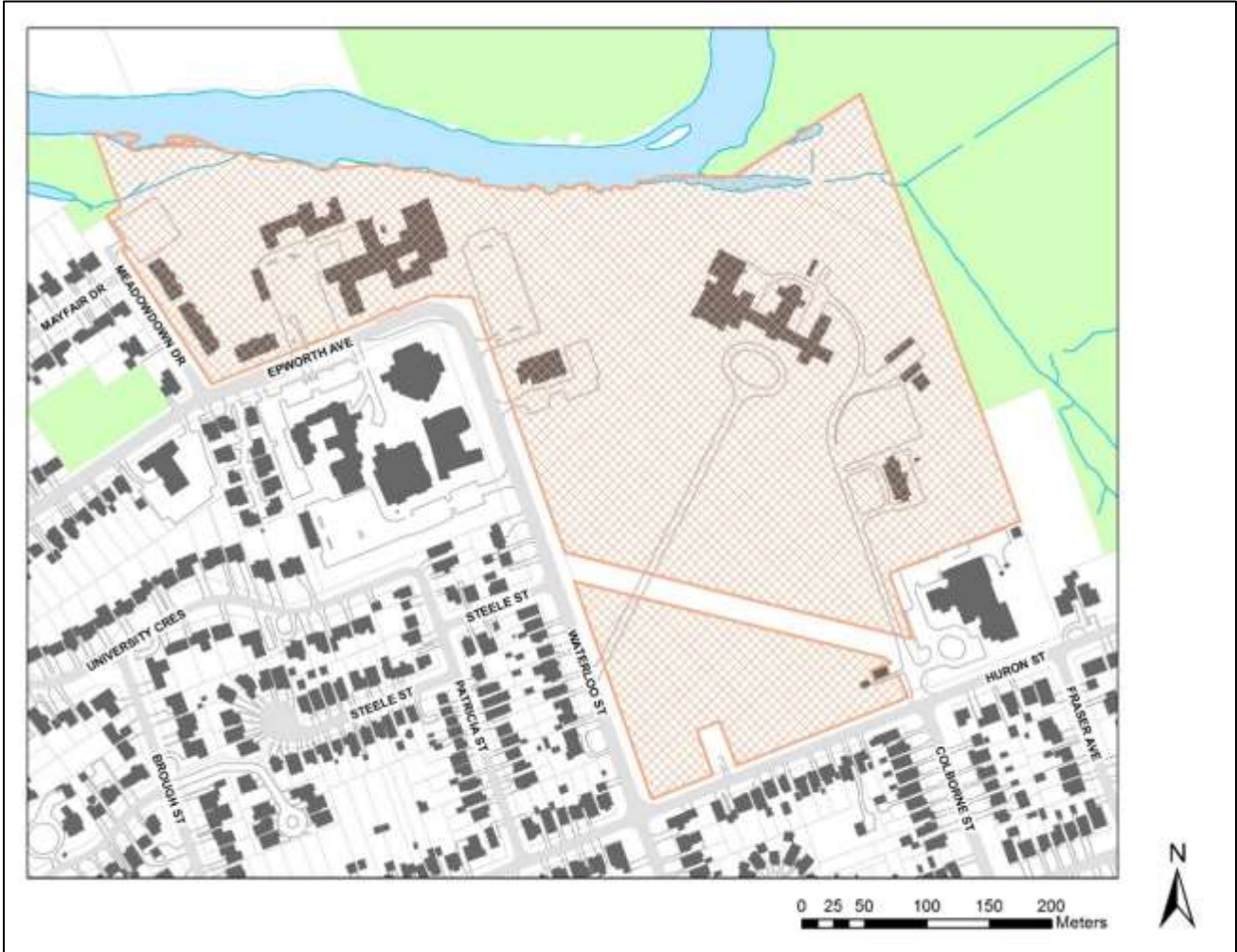


Figure 1: Extent of St. Peter's Seminary property included within designating By-law No. L.S.P.-3319-198 (courtesy Geomatics Division, City of London).



Figure 2: Consent sketch (B.034-16) showing lands to be severed (1040 Waterloo Street, St. Peter's Seminary building), lands to be retained (1071 Colborne Street, including Aquinas House; and 1070 Waterloo Street, Diocesan Centre building).

**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
Kelly Scherr  
Managing Director, Environmental & Engineering Services  
and City Engineer  
**Subject:** 328 Hamilton Road  
**Meeting on:** March 19, 2018

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner and the Managing Director, Environmental and Engineering Services and City Engineer, the report dated March 19, 2018 and entitled “328 Hamilton Road” with respect to the potential purchase of property located at 328 Hamilton Road BE RECEIVED.

**Discussion**

**1.0 Background**

The Civic Administration considered the potential purchase of the property located at 328 Hamilton Road as part of the Corridor Streetscape Master Plan for Hamilton Road from Horton Street to Highbury Avenue.

The City retained IBI Group to undertake a Streetscape Master Plan for the entire section of Hamilton Road from Horton Street to Highbury Avenue. The Master Plan contains five objectives to transform Hamilton Road into an inviting and vibrant place. One of the five objectives is to reclaim and enhance the public realm / provide community destinations. This could be achieved through replacing small streets with “parkettes” to expand the public realm. One potential option included in the draft Master Plan is to close Little Hill Street at Hamilton Road to create a new plaza in front of the former Hyatt Avenue United Church and adjacent to 328 Hamilton Road.

**2.0 Analysis**

Both Environmental and Engineering Services and Planning Services have reviewed the parcel in question and do not have a need for the property or the budget for its acquisition.

The 2018 Hamilton Road and Sackville Street Reconstruction project is anticipated to include the closing of Trafalgar Street (one way section west of Egerton Street) to create a public space and the construction of a shared street on Sackville Street (Hamilton Road to Ormsby Street) beside the Crouch library. The above two improvements will help to achieve the Streetscape Master Plan objective of reclaiming and enhancing the public realm along Hamilton Road.

In conclusion, there is no identified municipal need for 328 Hamilton Road.

**3.0 Acknowledgments**

This report was prepared with the assistance of Graham Bailey, Planning Services, Edward Soldo, Environmental and Engineering Services, Bill Warner, Realty Services, and Tim Wellhauser, Facilities.

<b>Submitted by:</b>	<b>Jim Yanchula, MCIP, RPP Manager, Urban Regeneration</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>
<b>Recommended by:</b>	<b>Kelly Scherr, P.ENG., MBA, FEC Managing Director, Environmental &amp; Engineering Services and City Engineer</b>

March 12, 2018

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Rev2.docx



**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** George Kotsifas, P. Eng.  
Managing Director, Development & Compliance Services  
and Chief Building Official  
**Subject:** Deferred Matter (Item 4) - Variances granted by the Committee  
of Adjustment – Information Report  
**Meeting on:** March 19, 2018

**Recommendation**

That, on the recommendation of the Manager, Development Planning, the following report relating to an overview of the nature of Variance Applications granted in 2015, 2016 and 2017 by the Committee of Adjustment BE RECEIVED

**Executive Summary**

**Summary of Request**

Municipal Council has directed staff to report annually on the nature of Variances granted by the Committee of Adjustment.

**Purpose and the Effect of Recommended Action**

The purpose and effect of this Information Report is to provide an overview of the nature of Variances granted by the Committee of Adjustment over a three (3) year period. Analysis will provide an overview of trends and breakdown by various categories of Variance Applications considered by the Committee of Adjustment.

**Rationale of Recommended Action**

Municipal Council has directed staff to report annually of the nature of Variances granted by the Committee of Adjustment.

**Analysis**

**1.0 Minor Variances**

**1.1 What is a Minor Variance?**

A minor variance is a small variation or relief from the requirements of the Zoning By-law. A minor variance approval functions as a certificate of permission, because it allows the property owner to obtain a building permit even though their property does not comply precisely with the regulations of the Zoning By-law.

**1.2 Who makes a Decision to Grant a Variance**

The Committee of Adjustment is provided with authority to approve, with or without conditions, refuse or defer requests for Minor Variances.

The committee serves as a quasi-judicial body that has independent authority, as delegated by Council, to consider applications for minor variances under the *Planning Act*.

Council may by by-law, constitute and appoint a committee of adjustment comprised of no less than three individuals. London’s Committee of Adjustment currently consists of five (5) members, who are not Members of Council and are appointed to hold office for the term of office of the Council that appoints them.

### 1.3 Basis for Decisions of Variance Applications

Committee members must base their decisions on the planning merits of the application after having considered the recommendations of staff and receiving input from the applicant and members of the public.

*The Planning Act* (Section. 45(1) and 45(2)) provides the basis for decisions of the Committee of Adjustment.

The committee may authorize a minor variance from the provisions of the by-law, if the committee is satisfied that the application meets all of the following four tests (S.45(1)):

- I. Is the variance minor in nature;
- II. Is the variance desirable for the appropriate development or use of the land, building or structure;
- III. Does the variance meet the general intent and purpose of the by-law; and
- IV. Does the variance meet the general intent and purpose of the Official Plan.

The Committee of Adjustment may also consider applications that request the extensions, enlargements or changes to legal non-conforming uses under the Zoning By-law. The committee may authorize a minor variance from these types of requests if the committee is satisfied that the application is consistent with section 45(2) of the *Planning Act*, as follows:

- I. For the same use, or a more compatible use than was permitted by the by-law; or,
- II. Confirm specific uses that are defined in the by-law in general terms.

Decisions made by the committee must contain reasons for the decision and indicate how the variance meets the four tests or satisfies the criteria of the Act for legal non-conforming uses or for uses not specifically mentioned in the Zoning By-law.

The Committee decisions may attach conditions and subject to such terms that the committee considers necessary. Decisions made by the committee may be appealed to the Ontario Municipal Board.

### 1.4 Examples / Types of Minor Variance Applications

Typical examples of relief to the Zoning By-law by way of a Minor Variance include:

- locational (Yard) setbacks for main structures (interior, exterior, front and rear yards);
- parking deficiencies, front yard parking, parking setbacks and coverage;
- changes to legal non-conforming Uses/uses not specifically mentioned in the Zoning By-law;
- accessory structures – decks, sheds, detached garages (location, height and footprint)
- height, coverage, gross floor area (GFA), landscaped open space.

## 2.0 Nature of Variances granted by the CoA over a three year period

### 2.1 Breakdown of Nature of Variance

For the purposes of this report, Variance Applications were broken down into 5 separate categories which are listed and below:

- Locational (Yard) Setbacks for Main Structures;
- Parking Deficiencies, Front Yard Parking, Parking setbacks and coverage;
- Changes to Legal Non-Conforming Uses;
- Accessory Structures – Decks, Sheds, Detached Garages
- Height, Coverage, Gross Floor Area, Landscaped Open Space (Category 4 Variances)

Definitions/Descriptions of these categories are provided in APPENDIX ‘A’

### 2.2 Three (3) Year Review of the Natures of Variance by Category

The following table provides a three (3) year glimpse of the variances applications considered by the Committee of Adjustment. The table is broken down by the various categories previously described. The table also provides data related to the yearly percentage of each category and the three (3) average for variances by each category.

**TABLE 2.1 THREE YEAR REVIEW OF THE NATURE OF VARIANCES**

Nature of Variances	2015	2016	2017
<b>Totals (187) **</b>	180	176	204
<b>Locational (Yard) Setbacks for Main Structures (54) (29%) **</b>	47 (26%)*	58 (33%)*	58 (28%)*
<b>Parking Deficiencies, Front Yard Parking, Parking Coverage / Setbacks (31) (17%) **</b>	37 (21%)*	31 (18%)*	24 (12%)*
<b>Legal Non-Conforming (17) (9%) **</b>	20 (11%)*	22 (12%)*	8 (4%)*
<b>Accessory Structures (28) (15%) **</b>	26 (14%)*	26 (15%)*	32 (16%)*
<b>Height, GFA, Lot Coverage, Lot Area &amp; Frontage, Landscape Open Space. (57) (30%)**</b>	50 (28%)*	39 (22%)*	82 (40%)*

\*Percentage of yearly total

\*\*Average over the three (3) year period

Over the past three (3) years the Committee of Adjustment has reviewed an average of 187 minor variance applications, with 2017 seeing the highest volume (experienced in recent years).

#### Locational (Yard) Setbacks for main structures

Over the past three (3) years the Committee of Adjustment has reviewed a yearly average of 54 minor variance applications for yard setback regulations for main structures on a lot. These types of variances make up just under 30% of the overall number of variances considered by the Committee of Adjustment. The most common form of relief sought within this category are for front and interior yard setback variances. The primary contributor triggering front yard setback variances is often the result of direction within the London Plan to place new structures, particularly those within primary transit areas of the City, to locate closer to the street edge. Interior yard setbacks are often triggered from development pressures to maximize building footprints in trade-off for site amenities such as parking, landscaping, and various design elements. Staff anticipate that the new Zoning By-law that will be created to implement the London Plan will provide the regulatory framework to reduce Variances of this nature. Also, recent amendments to the Zoning By-law, particularly the new Infill Regulations (S.4.23) and amendments to several of the Residential R1 Zone variations with regards to interior yard setbacks for 2-3 storey residential structures have reduced the number of Variances of this nature.

## Parking Deficiencies, Front Yard Parking, Parking setbacks and coverage

Over the past three (3) years the Committee of Adjustment has reviewed an average of 31 minor variance applications for the various parking regulations for uses and properties. These types of variances make up approximately 17% of the overall number of variances considered by the Committee of Adjustment on a yearly basis. Most of the parking regulations (S.4.19) of the Zoning By-law have been in place since the mid-1990's and as uses of existing buildings change or pressure to expand building footprints and densities emerge, conflict with existing regulations occur. Council has provided flexible regulations within strategic districts of the City (Downtown, Mainstreets) to relax many parking regulations, however some pressures continue to exist for expanding or changing land uses to meet the existing parking regulations of the by-law

## Changes to Legal Non-Conforming Uses

Over the past three (3) years the Committee of Adjustment has reviewed an average of 17 applications for matters related to the extension, enlargement or change of use for legal non-conforming uses. These types of Committee of Adjustment applications make up just under 10% of the overall number of applications considered by the Committee of Adjustment. The *Planning Act* provides strong regulatory tools and rights to continue a use that is no longer permitted under the current zoning rules. The *Planning Act* further provides rights to such uses, buildings and lands to be enlarged, extended and to change from one non-conforming use to another. A Committee of Adjustment application is the manner in which these rights are exercised. The City of London, like many other historic and expanding communities, has a vast built form in many older and established areas of the City that are under pressure to expand or be repurposed.

## Accessory Structures – Decks, Sheds, Detached Garages

Over the past three (3) years the Committee of Adjustment has reviewed an average of 28 minor variance applications for accessory structures located on a lot. These types of variances make up approximately 15% of the overall number of variances considered by the Committee of Adjustment. Although in most instances these types of variances have minor land use impacts, they can often incite considerable neighbourhood discussions at Committee meetings. The most common form of relief sought to accessory structures is for interior yard setback requirements. Most requests of this nature involve proposals to allow a decrease from the required 0.6 metres (2 feet) interior yards setback. Another common form of variance under this category are requests to grant relief to the maximum height limits of accessory structures (increases above the maximum of 4 metres (13.1 feet) or 6 metres (19.7 feet) height limits of the By-law. Finally, another common type of accessory structure variance is to the maximum coverage provisions of S.4.1(2) for accessory structures which limits the coverage to 10% of the lot area.

## Height, Coverage or Gross Floor Area (Category 4 Variances)

Over the past three (3) years the Committee of Adjustment has reviewed an average of 57 minor variance applications for category 4 grouping of variances (Height, GFA, Lot Coverage, Lot Area & Frontage and Landscape Open Space). These types of variances make up approximately 30 % of the overall number of variances considered by the Committee of Adjustment. This category is quite inclusive of many property matters that are often the subject of a variance application. Triggers for many of these applications are often requests for consent or redevelopment proposals that seek to maximize the development limits of the site.

### **2.3 Appeals of the Decision of the Committee of Adjustment**

Decisions of the Committee of Adjustment can be appealed to the Ontario Municipal Board by an applicant, a resident, a public body or other interested party. Appeals of the decisions of this current Committee of Adjustment are rare. Over the past three (3) years there have been a total of four (4) appeals of this Committee's decisions. There were two (2) appeals filed in 2016 and two (2) appeals filed last year in 2017. No appeals of the Committees decisions were filed in 2015.



**3.0 Conclusion**

The purpose and effect of this Information Report is to provide an overview of the nature of Variances granted by the Committee of Adjustment over a three (3) year period. On a go-forward basis, Development Services will provided a yearly update to Council on the breakdown by various categories of Variance Applications considered by the Committee of Adjustment.

<b>Prepared and Recommended by:</b>	<b>Lou Pompilii, MPA, RPP Manager, Development Planning</b>
<b>Reviewed by:</b>	<b>Matt Feldberg Manager, Development Services (Subdivisions)</b>
<b>Concurred In by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng Managing Director, Development and Compliance Services and Chief Building Official</b>

March 12, 2018  
LP/GK/PY/MF/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\Deferred Matter – Nature of Variances

## Appendix A

### Variance Category Description

#### Locational (Yard) Setbacks for main structures

These types of Variances consist of requests for relief to the locational criteria of main buildings in terms front, side (interior / exterior) and rear-yard setback. The most common form of relief from the setback requirements of the Zoning By-law are related to front-yard setbacks. Requests for this form of relief are often required to facilitate urban design objectives for the siting of medium-to-high density residential land uses and some commercial structures. Other common requests for Yard setback relief relate to interior yard relief. This form of relief is often requested to allow for larger footprints of structures on an existing parcel of land.

#### Parking Deficiencies, Front Yard Parking, Parking setbacks and coverage

These types of Variance consist of requests for relief to parking requirements (number of spaces), locations of parking area setback (1-3 m from property line or front yard) and parking coverage..

#### Changes to Legal Non-Conforming Uses.

A legal non-conforming use is a use of land, building or structure which was legally established according to the applicable zoning regulations and building code laws of the time it was established, but which does not meet the zoning and building regulations currently in place. When legal non-conformance is confirmed, a Committee of Adjustment application may be considered to allow redevelopment, change of use or expansion to occur.

#### Accessory Structures – Decks, Sheds, Detached Garages

A separate category for Minor Variance applications exists specific to accessory structures. These structures are incidental and subordinate to the main use on the lot, consisting primarily of decks, sheds and detached garages or carports. Variances of this nature generally involve relief to the locational, height or coverage restrictions of the By-law related to accessory structures (S.4.1)

#### Height, Coverage or Gross Floor Area (GFA) etc (Category 4 variance).

The final category is a grouping that consists of most other regulations related to property development specifically building height, lot coverage, max./min. gross floor area, lot frontage and area and landscaped open space.

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**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** George Kotsifas, P.Eng  
Managing Director, Development and Compliance  
Services and Chief Building Official  
**Subject:** Holding Provision Report  
**Application By:** 2219008 Ontario Limited (York Developments)  
**Address:** 3493 Colonel Talbot Road  
**Meeting on:** March 19, 2018

**Recommendation**

That, on the recommendation of the Senior Planner, Development Services, based on the application of 2219008 Ontario Ltd.(York Developments) relating to a portion of the the property located at 3493 Colonel Talbot Road, the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on March 27, 2018, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, FROM a Holding Residential R1 Special Provision (h.h-100. R1-8(5)) Zone TO a Residential R1 Special Provision (R1-8(5)) Zone, to remove the “h”, and “h-100” holding provisions that were put in place to ensure the orderly development of lands and the adequate provision of municipal services; and to ensure there is adequate water service and appropriate access.

**Executive Summary**

**Summary of Request**

To remove the holding provisions for the subject lands to permit construction.

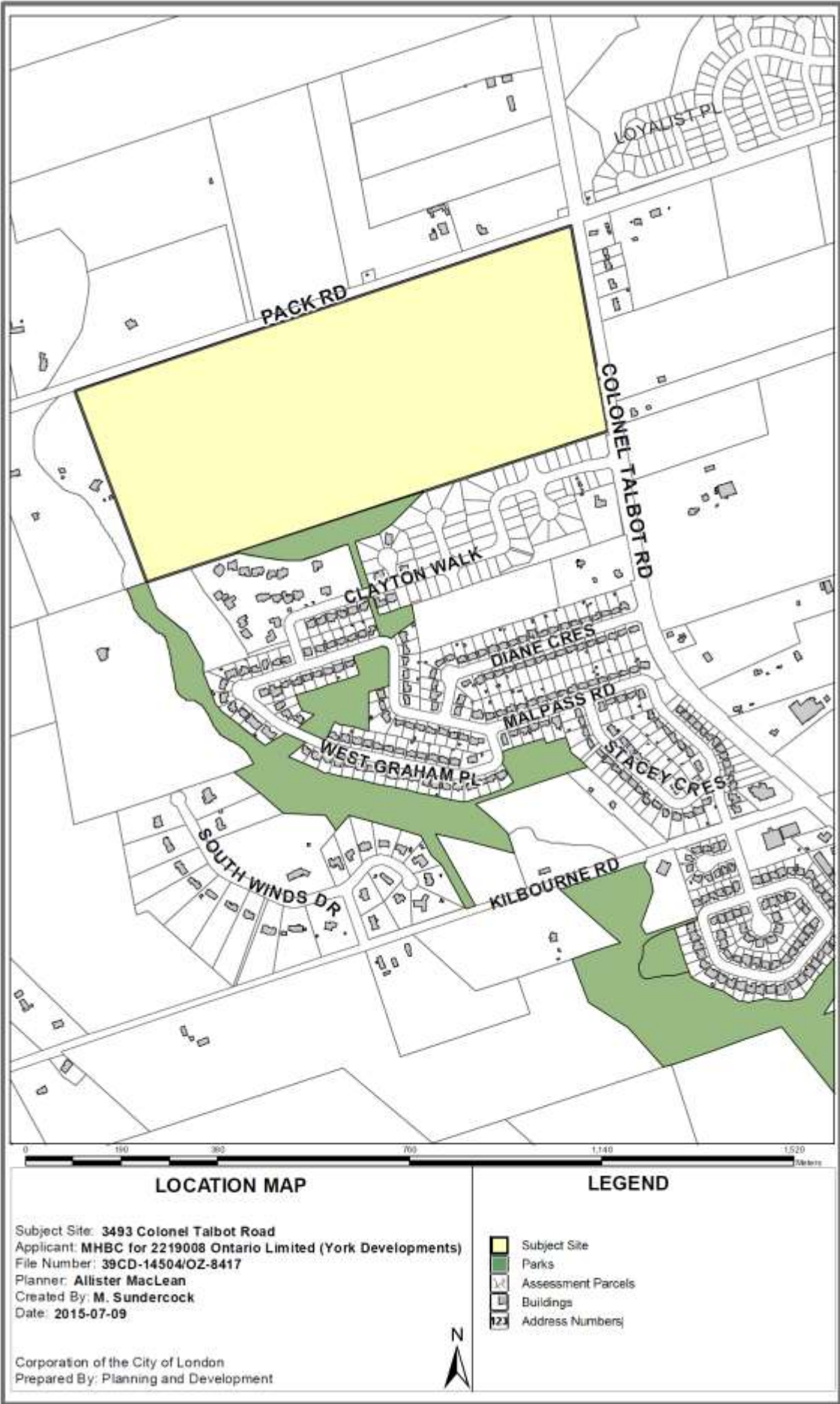
**Summary of Recommended Action**

The recommended action will remove the “h”, and “h-100” holding provisions from a portion of 3493 Colonel Talbot Road to permit building permits for 108 single detached dwellings.

**Rationale of Recommended Action**

1. The removal of the holding provisions will allow for development in conformity with the Z-1 Zoning By-law.
2. All issues have been resolved and these holding provisions are no longer required.

Location Map





Analysis

1.0 Site at a Glance

The subject property is situated in the southwest quadrant of the City of London at the southwest corner of Colonel Talbot Road and Pack Road. The property is within the City of London’s Southwest Area Secondary Plan and forms part of the North Lambeth Residential Neighbourhood.

The site is approximately 40.5 ha (100.0ac) in size and is situated entirely within the City’s Urban Growth Boundary with frontage along Colonel Talbot Road and Pack Road (both identified as arterial roads).

Residential subdivisions are situated immediately south and to the northeast of the subject site. Agricultural lands, rural residences and naturalized areas surround the balance of the property. The western boundary of the site is adjacent to the Dingman Creek corridor.

2.0 Description of Proposal

This phase of the subdivision (Phase 2) shall be registered in one (1) phase, consisting of 108 single family detached Lots and five (5) park blocks, two (2) open space blocks, one (1) medium density block and several road widening’s and one foot reserve blocks. This application is to remove the holding provisions to allow the development of 108 single detached dwellings.



3.0 Revelant Background

On September 15, 2014, an application was received for Draft Plan of Subdivision on the subject property. The proposed subdivision, comprised 202 residential units in the form of single detached dwellings, two (2) medium density residential blocks (Blocks 204 and 205), one (1) mixed use block (Block 203), an institutional block (Block 176), five (5) walkway blocks (Blocks 177,178,211, 212 and 213), one (1) future development block (Block 206), two (2) park blocks (Blocks 207 and 208),two (2) open space blocks (Blocks 209 and 210), a stormwater management block (214) serviced by Pack Road, and six (6) local public streets (including the extension of Isaac Drive to the north). The Silverleaf subdivision was granted draft approval on March 24, 2016.

**4.0 Key Issues**

**Why is it Appropriate to remove these Holding Provisions**

The applicant has provided the required security with the City and has executed a Subdivision Agreement of this phase for this Site.

**h. Holding Provision**

*h - Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.*

The execution of the subdivision agreement for this phase combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

**h-100 Holding Provision**

*h-100 Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.*

*Permitted Interim Uses: A maximum of 80 residential units*

Through drawing review, Development Engineering has indicated there is adequate water service and appropriate access for the proposed 108 single detached dwellings. As a result it is appropriate to remove the h-100 holding provision at this time.

**5.0 Conclusion**

It is appropriate to remove the holding provisions for this phase at this time. Removal of the holding provisions will allow for the consideration of building permits to permit the construction of a 108 single detached dwellings.

Prepared and Recommended by:	Alanna Riley, MCIP, RPP Senior Planner Development Services
Reviewed by:	Lou Pompili, MPA, RPP Manager, Developments Planning
Reviewed by:	Matt Feldberg Manager, Development Services (Subdivisions)
Concurred In by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services and Chief Building Official

March 9, 2018  
AR/ar

CC:  
Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\H-8756 - 3493 Colonel Talbot Road (AR)\PEC rep.docx

**Appendix A**

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on a portion of the lands located at 3493 Colonel Talbot Road.

WHEREAS 2219008 Ontario Ltd. has applied to remove the holding provisions from the zoning on a portion of the lands located at 3493 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 3493 Colonel Talbot Road, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-8(5)) Zone comes into effect.
- 2) This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 27, 2018

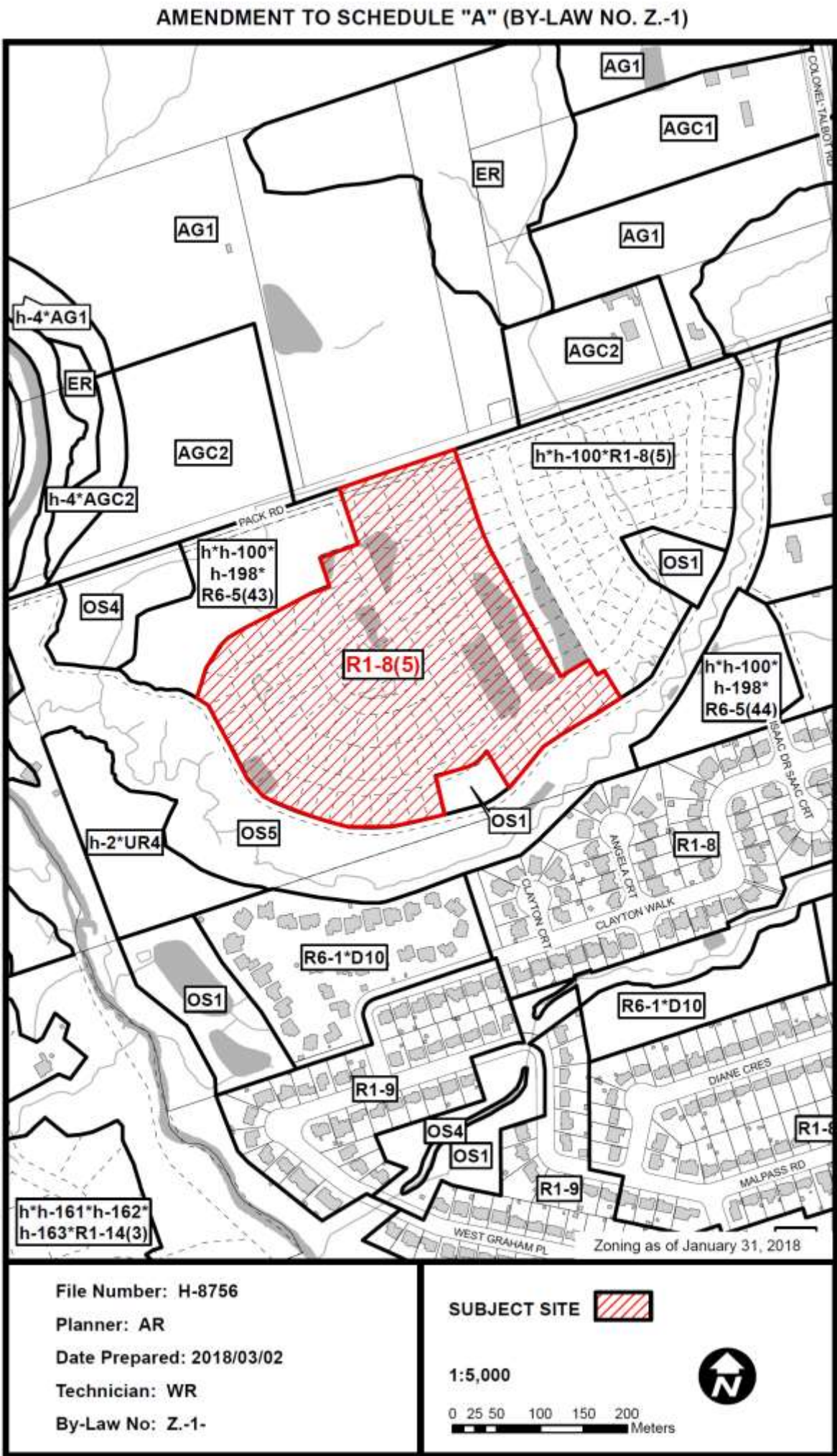
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018



Amendment Map



Report to Planning and Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: G. Kotsifas, P. Eng  
Managing Director, Development & Compliance Services &  
Chief Building Official  
Subject: Application By: Wastell Builders (London) Inc.  
1245 Michael Street  
Meeting on: Monday, March 19, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Wastell Builders (London) Inc. relating to the property located at 1245 Michael Street, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the lands **FROM** a Holding Residential R4 Special Provision (h•h-147•R4-4(2)) Zone **TO** a Residential R4 Special Provision (R4-4(2)) Zone to remove the h and h-147 holding provisions.

Executive Summary

Summary of Request

To remove holding provisions from the zoning on 1245 Michael Street.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (“h”, “h-147”) symbols from the zoning to permit construction of 76 street townhouse dwellings within a plan of subdivision.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the applicant has entered into a subdivision agreement and provided the necessary securities (“h”) and the Applicant has entered into a development agreement to ensure urban design considerations have been addressed (“h-147”).

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on Michael Street, which is generally located south of Huron Street east of Highbury Avenue, and west of Sandford Street. The subject site is approximately 3.4 ha in size, and is an irregular shape. The site is directly adjacent to the Stronach Arena and Community Centre. The site was the former Huron Heights Public School, which was owned by the Thames Valley District School Board and was built in 1959. There are two existing public walkways which access the site in the northwest corner and the southwest corner of the site. The site is surrounded by single detached residential uses to the west and south, a community facility (Stronach Area and Park) to the east, and a cemetery and existing townhouse development to the north.

1.2 Current Planning Information

- Official Plan Designation – Schedule “A” - Low Density Residential, Multi Family, Medium Density Residential, Open Space
- The London Plan Place Type – Neighbourhood Place Type
- Existing Zoning – a Holding Residential R4 Special Provision (h•h-147•R4-4(2)) Zone



Location Map



### 1.3 Site Characteristics

- Current Land Use – vacant/former school site
- Frontage – approx. 66.1 m (216.8 ft) along Michael Street
- Area - 3.4 ha (8.42 ac)
- Shape - irregular

### 1.4 Surrounding Land Uses

- North – cemetery, townhouses (cluster housing)
- East – recreational uses (Stronach Arena/baseball diamonds/playground)
- South – single detached dwellings, recreational uses (Stronach Arena/baseball diamonds/playground)
- West – single detached dwellings

## 2.0 Description of Proposal

### 2.1 Development Proposal

The Applicant, Wastell Builders (London) Inc. is proposing a 76 unit townhouse development within a plan of subdivision. The proposed plan of subdivision consists of five (5) multi-family residential blocks, and one (1) open space block, all served by one (1) new local street (off of Michael Street). The dwellings will be freehold townhouse units, approximately two storeys in height, and accessed by a public street. The proposed development density is approximately 23 units per hectare. The design of the development includes a window street adjacent to Stronach Arena.

## 3.0 Revelant Background

### 3.1 Planning History

The subject site was the former Huron Heights Public School (French Immersion). It was constructed in 1959, with a major addition added to the school in 1962. The site consisted of a main school building, several outbuildings/storage sheds and eleven classroom portables on site. The school was closed in June 2014 and declared surplus by the Thames Valley District School Board. The subject site was offered to the City, however it was determined that this site was not required for municipal purposes. The subject lands were subsequently sold to a private developer in 2016.

### 3.2 Requested Amendment

A request to amend the zoning to delete the holding (“h” and “h-147”) symbols from the subject lands at 1245 Michael Street was received in late 2017. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The “h-147” symbol shall not be deleted until a site plan is approved and a development agreement is entered into which incorporates the design objectives as identified in the Council resolution (ensure building orientation to the street and adjacent open space block, in particular the end units located at street corners and the end units directly adjacent to Stronach Park).

### 3.3 Community Engagement (see more detail in Appendix B)

In response to the Notice of Application, one inquiry was received, but no concerns were raised. A response was provided to the inquirer clarifying the process and intent of the removal and the inquirer was satisfied.

### 3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing “h” are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions (“h” symbol), an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 120 days to remove the holding provision(s).

The City’s Official Plan and the new London Plan also contain policies with respect to holding provisions, the process, and notification and removal procedures.



## 4.0 Key Issues and Considerations

### 4.1 Issue and Consideration # 1- “h” holding provision

The “h” holding provision states that:

*“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”*

The special provisions have been endorsed by Council. The Owner has provided the necessary security and the subdivision agreement is finalized for execution by the owner and the City. This satisfies the requirement for removal of the “h” holding provision.

### 4.2 Issue and Consideration # 2- “h-147” holding provision

The “h-147” holding provision states that:

*“To ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which incorporates the design objectives as identified in the Council resolution.”*

Through the circulation of the draft plan of subdivision, Staff recommended the implementation of the h-147 holding provision to ensure the building orientation is directed to the street and the adjacent open space block, in particular the end units located at street corners and the end units directly adjacent to Stronach Park.

The Applicant has submitted a site plan which meets the objectives of the holding provision. The units have street and park orientation.

A development agreement has been entered into with the City and the Applicant which demonstrates the urban design objectives and all other site plan matters have been addressed. This satisfies the design objectives and overall approvals to meet the holding provision removal.

Figure 1 and 2 – Elevations for 1245 Michael Street



5.0 Conclusion

The Applicant has entered into a subdivision agreement and development agreement for this site. Therefore, they have met the conditions required to remove the “h” and “h-147” holding provision. The removal of the holding provisions are recommended to Council for approval.

<b>Recommended by:</b>	<b>Nancy Pasato, MCIP, RPP Senior Planner, Development Services</b>
<b>Reviewed by:</b>	<b>Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)</b>
<b>Reviewed by:</b>	<b>Matt Feldberg Manager, Development Services (Subdivision)</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>

March 9, 2018  
NP/np

\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\H-8857 - 1245 Michael Street (NP)\report holding 1245 Michael.docx

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 1245 Michael Street.

WHEREAS Wastell Builders (London) Inc. has applied to remove the holding provision from the zoning for lands located at 1245 Michael Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1245 Michael Street, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R4 Special Provision (R4-4(2)) Zone comes into effect
- 2) The By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 27, 2018.

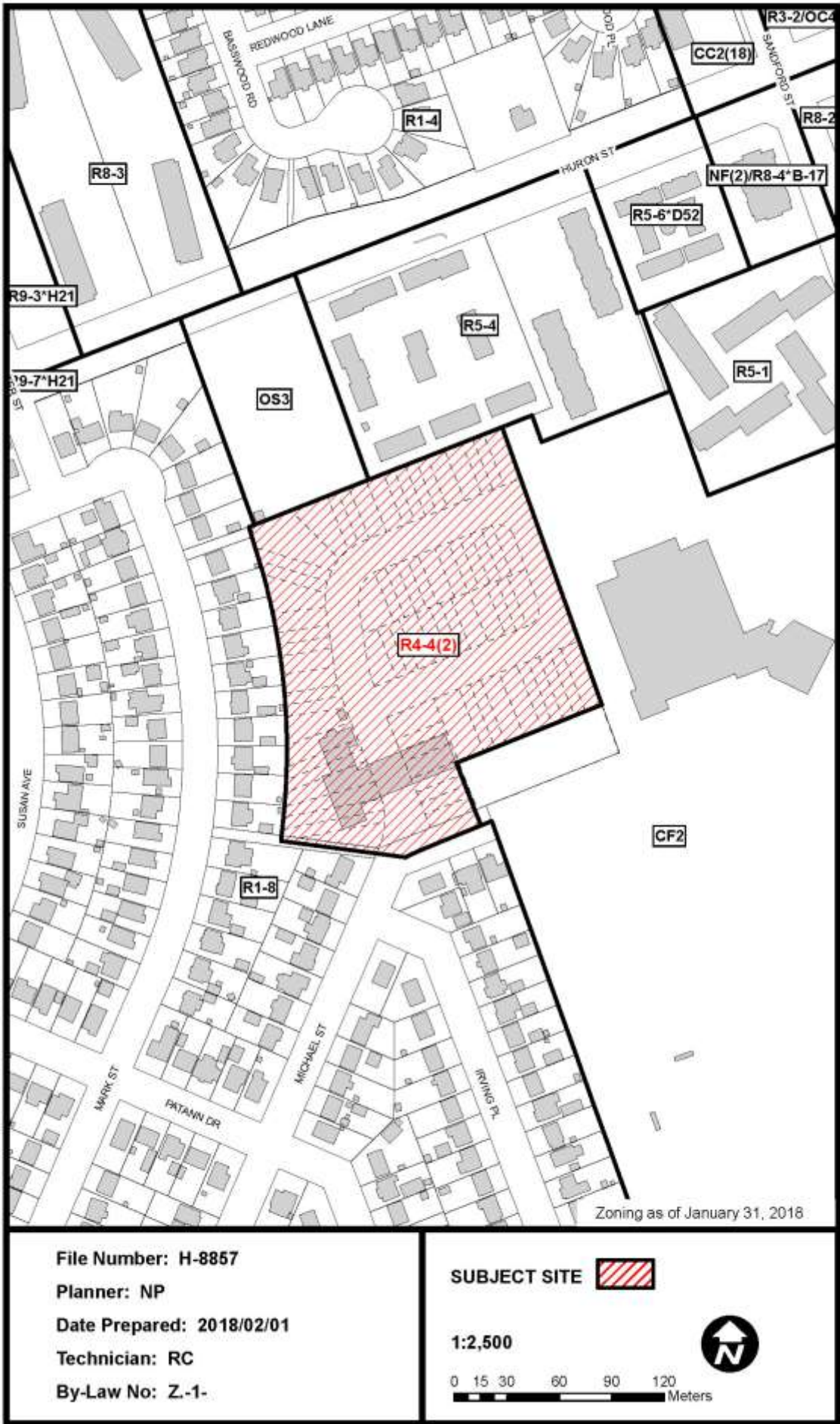
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018



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



Appendix B – Public Engagement

Community Engagement

**Public liaison:** On November 28, 2017, Notice of Application was sent to 25 property owners in the surrounding area (those that requested notice through the previous zoning amendment). Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 7, 2017.

One (1) reply was received.

**Nature of Liaison:** City Council intends to consider removing the “h” and the “h-147” holding provision from the subject lands. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a subdivision agreement has been entered into for the subject lands. The “h-147” symbol shall not be deleted until a site plan is approved and a development agreement is entered into which incorporates the urban design objectives as identified in the Council resolution (ensure building orientation to the street and adjacent open space blocks). Council will consider removing the holding provision(s) as it applies to these lands no earlier than January 8, 2017.

**Responses:** Questions about the application.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
	Myra Maclean No address given Via email

Myra Maclean email, received November 30, 2018

“In the past, residents in this area have been asked to submit their views about different parking issues in the neighbourhood, and it appears that if the vast majority of residents do not return the form and make their opinions known the existing ruling remains. A fair decision, in my opinion.....lack of interest, status quo seems the right way to go.

For the above reason I would like to make sure that I understand the specifics mentioned in the letter re possible zoning change so that I can make an informed decision. I have tried to wade through the zoning information on line, but as I am not the sharpest knife in the drawer, I am left clueless as to implications of removing Holding Symbol.

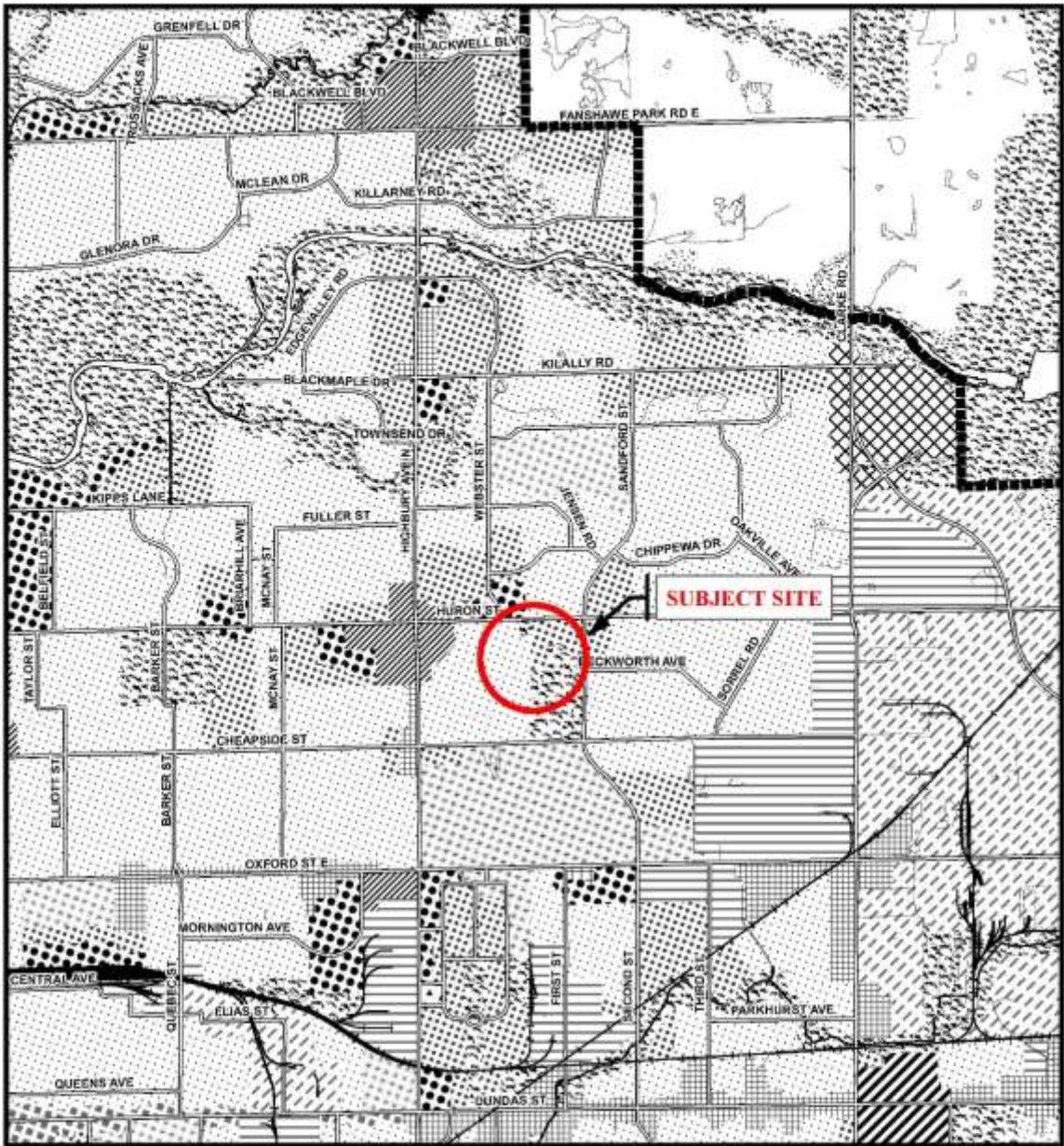
I would be very grateful if you could explain in layman terms the pros and cons of changes to existing zoning, and if in fact input from area residents would impact this proposed development at 1245 Michael Street. It would appear from signage at this site that all houses have been SOLD, causing some to wonder who in fact has purchased these homes. Could it be that these homes have already been designated as rental properties and purchased by would be non- resident owners? Seems strange to me that all homes would be purchased” sight unseen” but I am happy to stand corrected!

As I am writing to you might I ask one more question re zoning please? With the new bylaw in effect that in essence allows 2 dwellings on one lot in our neighbourhood i.e. Patann, are we saying that a landlord can legally have 5 rental bedrooms in the main house and an additional 5 bedrooms in the new dwelling. A total possible income of 10x \$500.00 per month and this is not classed as a business....doesn’t make a great deal of sense really does it?



Appendix C – Relevant Background

Additional Maps  
Official Plan Schedule “A” Excerpt



**Legend**

Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth
Multi-Family, Medium Density Residential	Rural Settlement
Low Density Residential	Environmental Review
Office Area	Agriculture
Office/Residential	Urban Growth Boundary

**CITY OF LONDON**  
Department of  
Planning and Development  
  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -  
  
PREPARED BY: Graphics and Information Services

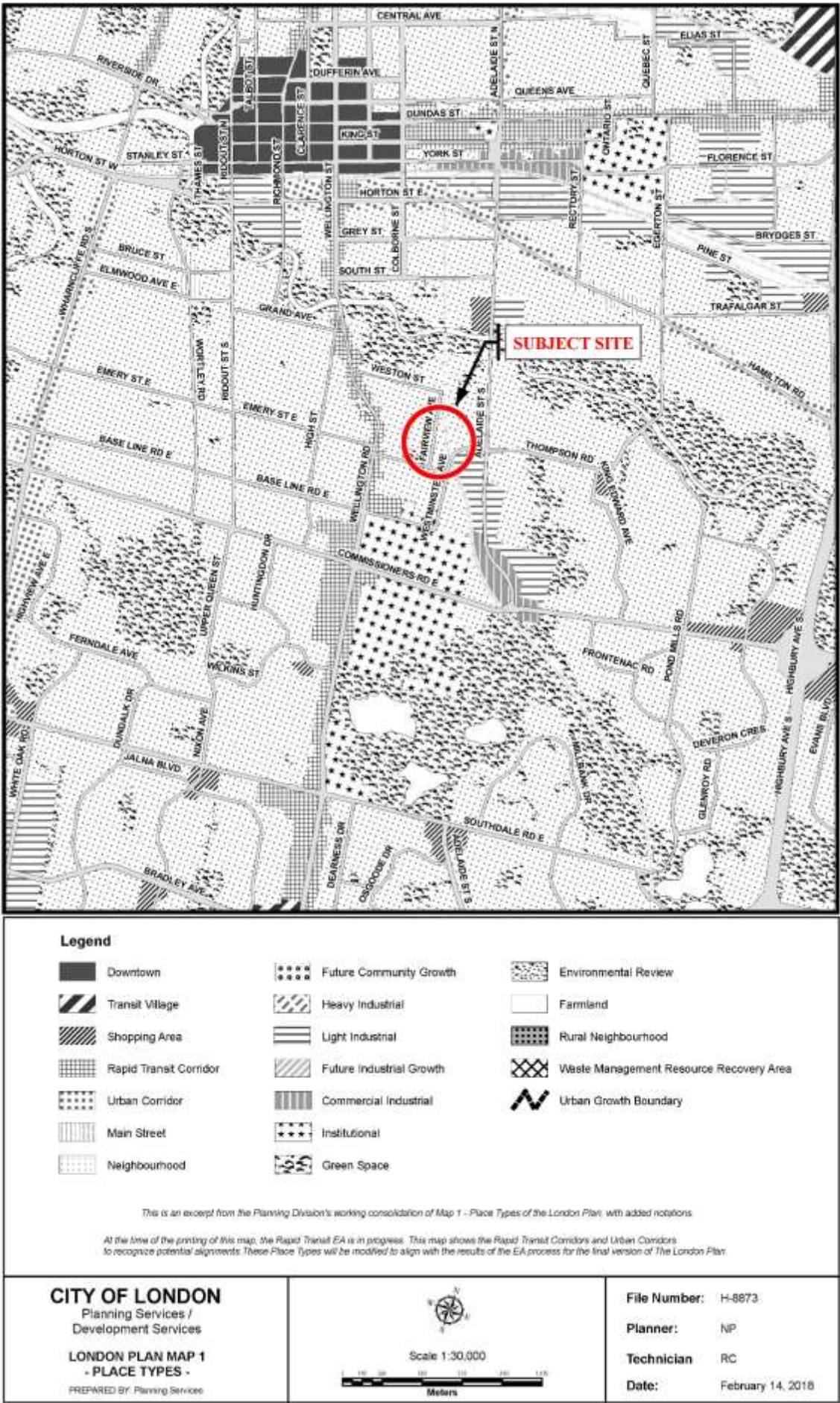
Scale 1:30,000  
Meters

FILE NUMBER: H-8857  
PLANNER: NP  
TECHNICIAN: RC  
DATE: 2018/01/02

PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consolid00\excerpt\lmd\_templates\scheduleA\_NEW\_b&w\_6x14.mxd



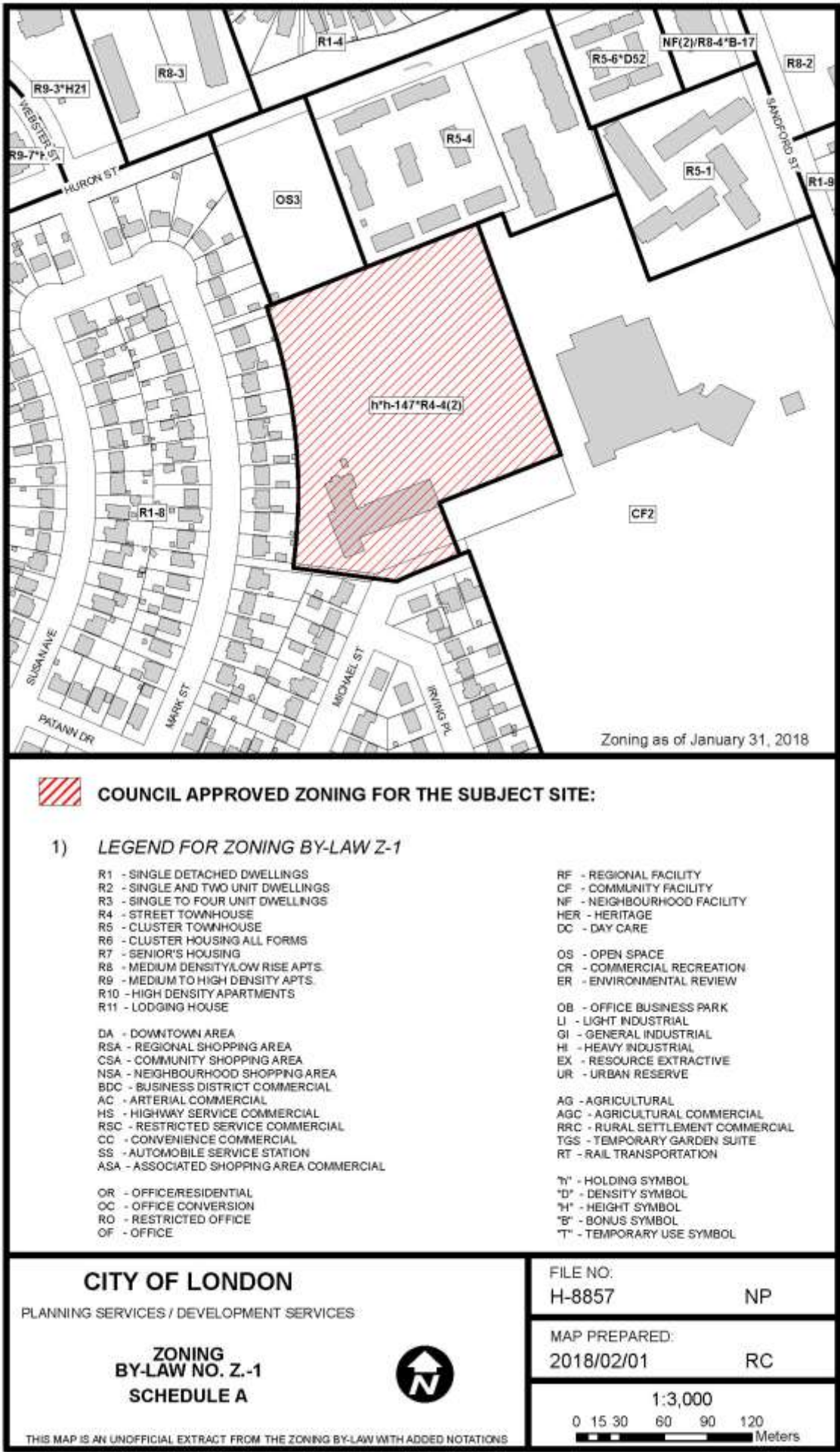
London Plan Place Types Excerpt



Project Location: E:\Planning\Projects\p\_zoning\z-1zones\amendments\H-8873\projects\LondonPlan-EXCERPT-Map1.mxd



Zoning By-law Map Excerpt



**Additional Reports**

39T-16506/Z-8664, 1245 Michael Street, Planning and Environment Committee on January 23, 2017, Staff recommendation for a draft plan of subdivision and associated zoning by-law amendment to permit the development of a 76 unit townhouse residential plan of subdivision.

Report to Planning and Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: G. Kotsifas, P. Eng  
Managing Director, Development & Compliance Services &  
Chief Building Official  
Subject: Application By: Homes Unlimited (London) Inc.  
770 Whetter Avenue  
Meeting on: Monday, March 19, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Homes Unlimited (London) Inc. relating to the property located at 770 Whetter Avenue, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the lands **FROM** a Holding Residential R9 Special Provision (h•h-5•h-18•h-65•R9-1(2)•H15) Zone **TO** a Residential R9 Special Provision (R9-1(2)•H15) Zone to remove the h, h-5, h-18 and h-65 holding provisions.

Executive Summary

Summary of Request

To remove holding provisions from the zoning on 770 Whetter Avenue.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (“h”, “h-5”, “h-18”, and “h-65”) symbols from the zoning to permit construction of a four (4) storey, 54 unit residential apartment building.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the applicant has entered into a development agreement and provided the necessary securities (“h”), a public site plan meeting before Planning and Environment Committee has occurred (“h-5”), an archaeological assessment and the necessary sign off has been provided (“h-18”), and the development agreement and site plan have incorporated the necessary noise and vibration attenuation measures, recommended in the noise and vibration assessments provided to the City (“h-65”).

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the southwest corner of Whetter Avenue and Westminster Avenue. Westminster Avenue is a primary collector road. The lands to the north and east of the site consist primarily of one to two (1-2) storey single family dwellings. The lands to the south comprise multiple three (3) storey apartments, and lands to the east are bounded by Thompson Road and the CN Railway.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Holding Residential R9 Special Provision (h•h-5•h-18•h-65•R9-1(2)•H15) Zone

1.3 Site Characteristics

- Current Land Use –vacant
- Frontage –66.9m
- Depth – 102m
- Area – 0.73 ha
- Shape – rectangular

1.4 Surrounding Land Uses

- North – Residential- single detached dwellings
- East – Residential- townhouses
- South – Residential- low rise apartment
- West – Residential- single detached dwellings

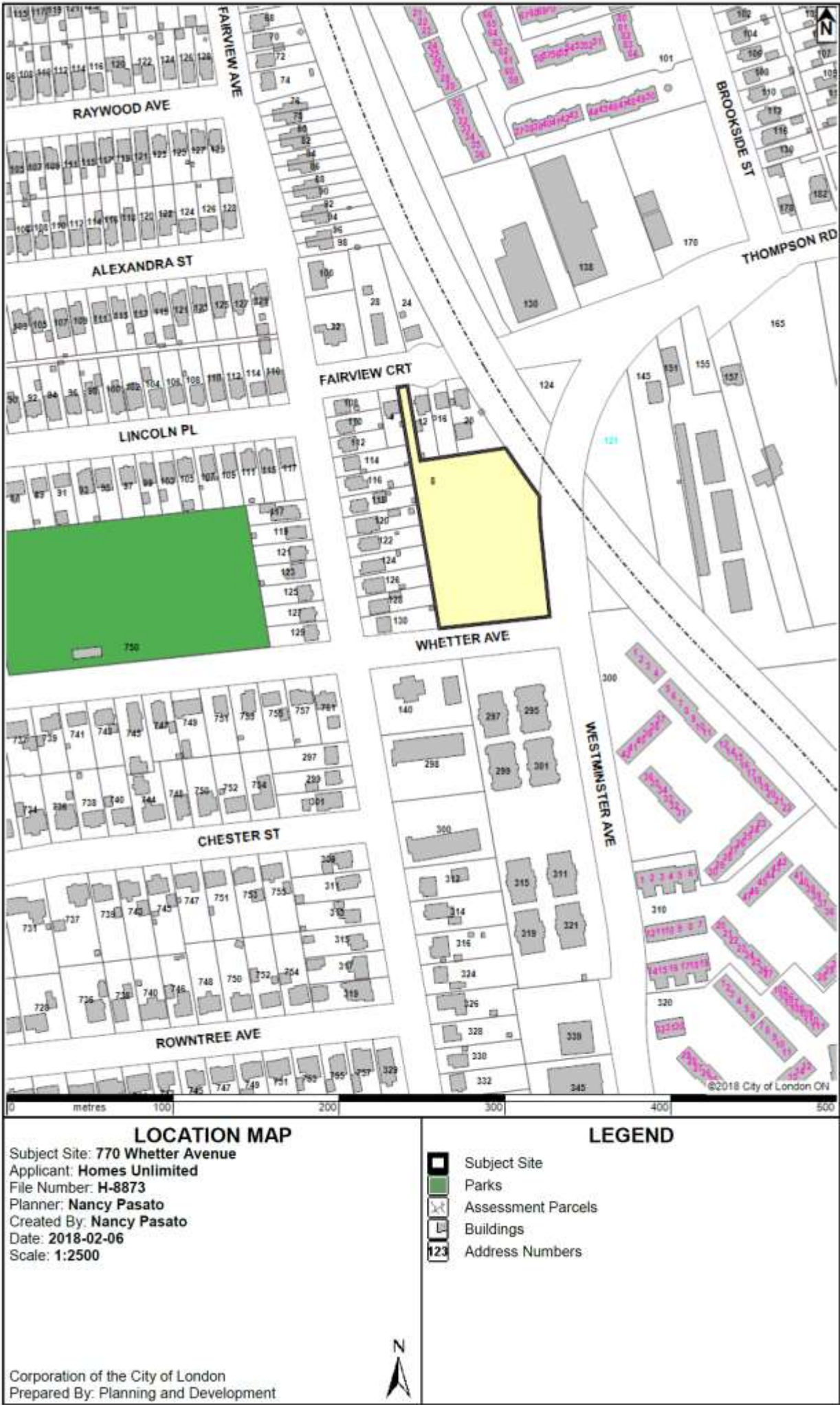
2.0 Description of Proposal

2.1 Development Proposal

The Site Plan shows a four (4) storey, 54 unit apartment building located along Whetter Avenue. The parking area is located to the west and north of the building containing a total of sixty-eight (68) vehicular spaces. One vehicular access is located from Whetter Avenue with pedestrian access to the building provided from Westminster Avenue and internal to the site from the west side. The pedestrian entrance along Westminster Avenue is defined by a walkway and landscaping. Long term bicycle parking and garbage storage are located internal to the building. Privacy fencing (1.8 metre board on board) is proposed along the north and west property lines. Existing mature trees along the north and west property lines are to be preserved and additional tree and plant material are proposed. The proposed development is located within close proximity to the Westminster Hospital South Campus lands and public transit.



Location Map



**3.0 Revelant Background**

**3.1 Planning History**

The application for Site Plan Approval was accepted on June 14, 2017 for the construction of an apartment building four (4) storeys in height with a total of fifty-four (54) units. A public meeting was held at PEC on December 4, 2017. PEC and Municipal Council supported the site plan application.

A consent application (B.44/17) was approved on February 13, 2018. The approved consent will sever and convey approximately 139.5m<sup>2</sup> to 4 Fairview Court and sever and convey approximately 139.5m<sup>2</sup> to 12 Fairview Court for the purpose of existing residential uses, and to retain 7,222m<sup>2</sup> for the apartment budiling. The severance would provide frontage on Whetter Avenue in conformity to the Zoning By-law

**3.2 Requested Amendment**

The Applicant is requesting the removal of the h, h-5, h-18, and h-65 holding provisions on the site.

**3.3 Community Engagement (see more detail in Appendix B)**

In response to the Notice of Application, one comment was received. Concerns raised include: reconsider the apartment building use; traffic is an issue in the area; two schools in area/traffic dangerous for children; train nearby; Fairview Court was closed to prevent cut through traffic years ago, now it will be used for this development; a traffic study should be undertaken. As part of the public site plan process, similar concerns were raised and addressed through the site plan approval process.

**3.4 Policy Context**

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing “h” are met. To use this tool, a municipality must have approved official plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions (“h” symbol), an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 120 days to remove the holding provision(s).

The City’s Official Plan and the new London Plan also contain policies with respect to holding provisions, the process, and notification and removal procedures.

**4.0 Key Issues and Considerations**

**4.1 Issue and Consideration # 1- “h” holding provision**

The “h” holding provision states that:

*“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”*

The Owner has provided the necessary security and has entered into a development agreement with the City. This satisfies the requirement for removal of the “h” holding provision.

**4.2 Issue and Consideration # 2- “h-5” holding provision**

The “h-5” holding provision states that:

*“To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the “h-5” symbol.””*

A public site plan meeting was held at the Planning and Environment Committee (PEC) on December 4, 2017.

Several issues were raised at this meeting, including concerns around drainage, grading, noise and traffic (rail and vehicles), no provision for drop-off area for visitors/residents, and privacy.

Site Plan staff have completed their review and ensured that these and other issues have been addressed in the approved plans. Engineering plans have been accepted that ensure drainage and grading will not negatively impact surrounding properties. Noise and vibration studies have been accepted by the City and CP Rail and recommendations from the study have been incorporated into the approved design details. Access and parking layout has been accepted, including a new provision for drop-off area in proximity to the main entrance. Privacy fencing and enhanced landscaped buffering has been included in the accepted plan.

The issues raised at PEC have been addressed and Municipal Council has advised the Approval Authority of their support of this site plan. This is sufficient to satisfy the requirements for the removal of the “h-5” holding provision.

#### **4.3 Issue and Consideration # 3- “h-18” holding provision**

The “h-18” holding provision states that:

*“To ensure that lands are assessed for the presence of archaeological resources prior to development. The proponent shall carry out an archaeological resource assessment of the entire subject property or identified part thereof and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London. No grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division. The property will be assessed by a consultant archaeologist, licensed by the Ministry of Citizenship, Culture and Recreation under the provisions of the Ontario Heritage Act (R.S.O. 1990); and any significant sites found will be properly mitigated (avoided, excavated or the resource protected), prior to the initiation of construction, servicing, landscaping or other land disturbances. The condition will also be applied where a previous assessment indicates the presence of significant archaeological resources but mitigation has not been carried out.”*

A Stage 1 and 2 Archaeological Assessment was submitted as part of the site plan application. The assessment found no archaeological resources and recommended no further study on the subject site. A letter from the Ministry of Tourism, Culture and Sport was provided. This satisfies the removal of the “h-18” holding provision.

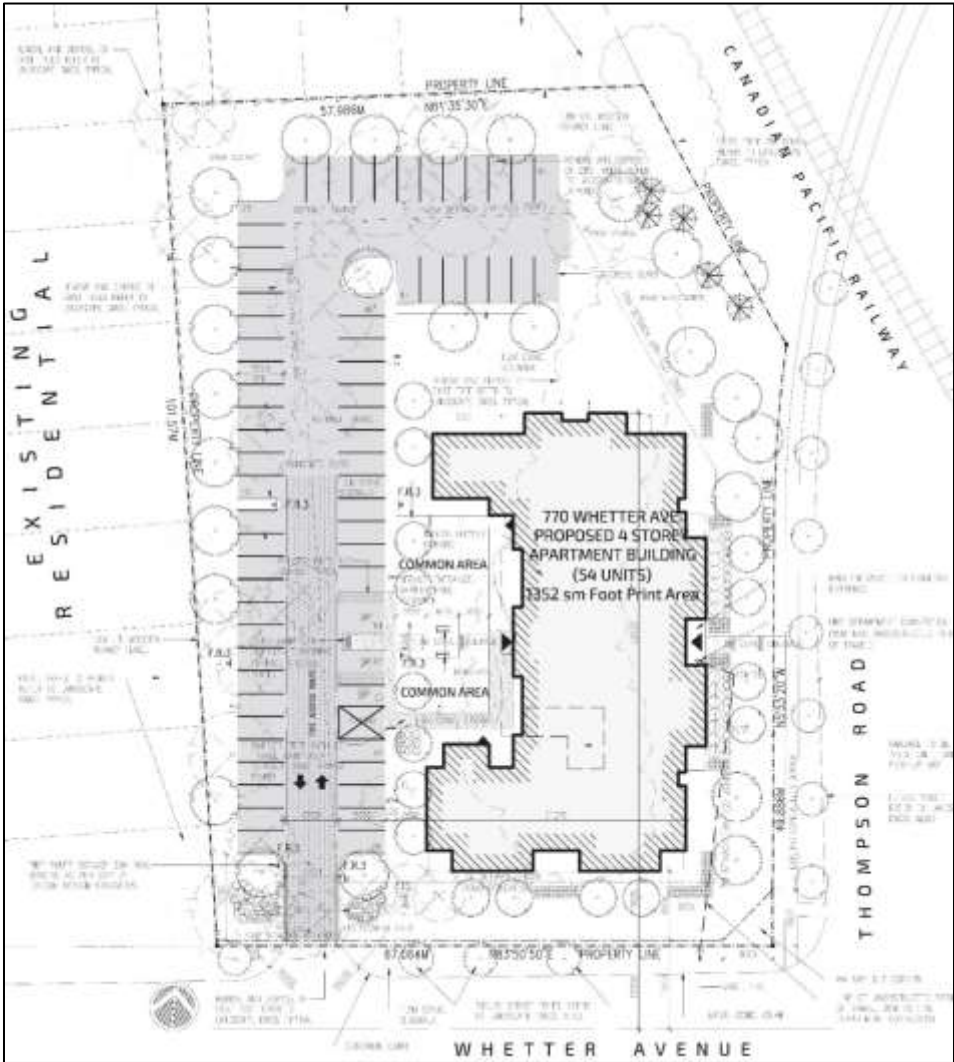
#### **4.4 Issue and Consideration # 4- “h-65” holding provision**

The “h-65” holding provision states that:

*“To ensure there are no land use conflicts between the adjacent arterial roads and/or rail line and the proposed residential uses, the “h-65” shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in noise and vibration assessment reports acceptable to the City of London.”*

A noise and vibration study was submitted through the site plan application. Recommendations from the report include installation of central air conditioning to permit windows to remain closed for noise control purposes, dwelling units on the north and east facades must have brick veneer or acoustically equivalent masonry exterior wall construction, appropriate warning clauses are to be registered on title and included in all Offers of Purchase and Sale to notify future occupants of the potential noise situation. The report was reviewed by staff and CN Rail and the recommendations have been incorporated into the site design and the development agreement. This satisfies the requirement for the removal of the “h-65” holding provision.

Site Plan 770 Whetter Avenue





5.0 Conclusion

The Applicant has entered into a development agreement for this site, a public meeting has occurred for the site plan at PEC, has provided an archaeological assessment and Ministry sign-off, and has provided a noise and vibration study and incorporated mitigation measures and warning clauses in the site plan and development agreement. . Therefore, they have met the conditions required to remove the “h”, “h-5”, “h-18” and “h-65” holding provision. The removal of the holding provisions are recommended to Council for approval.

Recommended by:	<div>Nancy Pasato, MCIP, RPP Senior Planner, Development Services</div>
Reviewed by:	<div>Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)</div>
Reviewed by:	<div>Matt Feldberg Manager, Development Services (Subdivision)</div>
Concurred in by:	<div>Paul Yeoman, RPP, PLE Director, Development Services</div>
Submitted by:	<div>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</div>

March 9, 2018  
MT/mt

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## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 770 Whetter Avenue.

WHEREAS Homes Unlimited (London) Inc. has applied to remove the holding provision from the zoning for lands located at 770 Whetter Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 770 Whetter Avenue, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R9 Special Provision (R9-1(2)•H15) Zone comes into effect
- 2) The By-law shall come into force and effect on the date of passage.

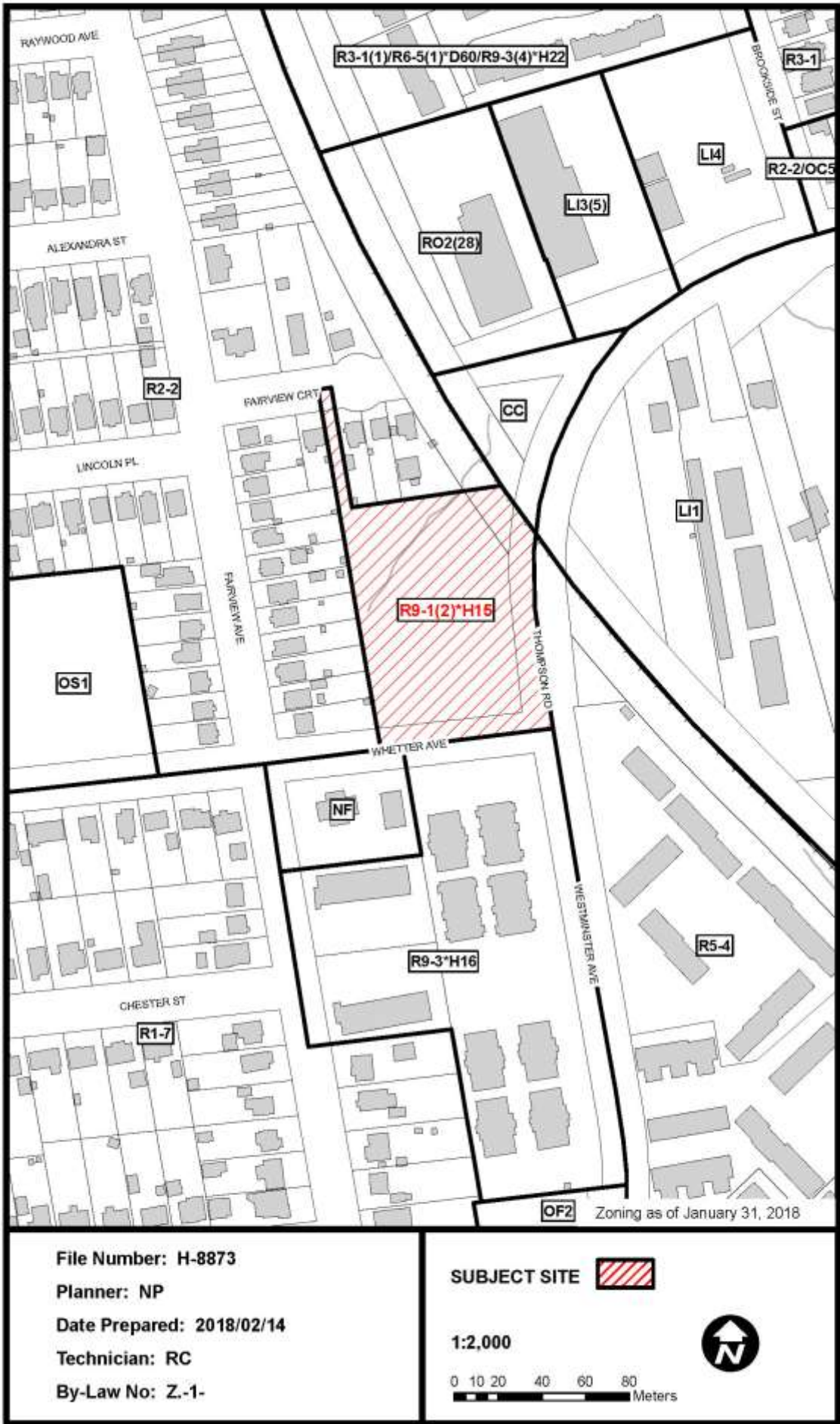
PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

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



Appendix B – Public Engagement

Community Engagement

**Public liaison:** On February 7, 2018, Notice of Application was sent to 18 property owners in the surrounding area (those that requested notice through the previous zoning amendment). Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 15, 2018.

One (1) reply was received.

**Nature of Liaison:** City Council intends to consider removing the Holding (“h”, “H-5”, “h-18”, and “h-65”) Provisions from the Holding Residential R9 Special Provision (h•h-5•h-18•h-65•R9-1(2)•H15) Zone. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or development agreement has been entered into for the subject lands. The “h-5” provision is applied to ensure that that development takes a form compatible with adjacent land uses and requires a public site plan review. The “h-18” is to ensure that the lands are assessed for the presence of archaeological resources prior to development. The “h-65” was put in place to ensure there are no land use conflicts between the adjacent arterial roads and/or rail line and the proposed residential uses, and shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in noise and vibration assessment reports acceptable to the City of London. Council will consider removing the holding provisions as it applies to these lands no earlier than February 20, 2018.

**Responses:** A summary of the comments received include the following:  
Reconsider the apartment building use; traffic is an issue in the area; two schools in area/traffic dangerous for children; train nearby; Fairview Court was closed to prevent cut through traffic years ago, now it will be used for this development; a traffic study should be undertaken.

**Concern for:**  
*Traffic and safety – traffic has greatly increased in this area due to the hospital and the addition of housing on Brookside Avenue. At peak times it is impossible to turn left from Whetter to Thompson Rd. This is also when two busy schools in the area are entering and exiting and could cause dangerous problems for the children and crossing guards. Often the traffic is backed up along Westminster Avenue to Baseline Rd. Fairview Court was closed years ago to prevent cu through traffic, now it will be opened A traffic study should be undertaken.*

*Rail noise – proximity to rail noise/impeded traffic.*

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
	No address given/letter not signed



Planner- N. Pasato

File H-8873

RE: 770 Whetter Avenue

Dear Mr. Pasato-

RECEIVED BY  
FEB 20 2018  
CITY OF LONDON  
DEVELOPMENT SERVICES

In regards to the above lands – I would urge you to reconsider the addition of an apartment building on this site.

Traffic has greatly increased in this area due to the hospital-LHSC-and the addition of a housing complex off of Brookside Avenue.

At peak times- 8:00 a.m. to 9:30 a.m. and 3:30 to 5:00 p.m. it is almost impossible to turn left from Whetter Avenue on to Thompson Road.

This is also when two busy schools in the area are entering and exiting and would cause dangerous problems for the children and the crossing guards.

Often the traffic is backed up all along Westminster Avenue to the busy Baseline Road entrance of the hospital and continues up to Wellington Road.

There are also the train tracks to consider.

Years ago Fairview Court was closed to prevent traffic cutting through our quaint subdivision and this plan to build another apartment building would negate this effort.

If a traffic study was done –I am sure City Hall would realize this is not a good fit for this area.

Thank you for “listening” to my concerns.

Yours truly,

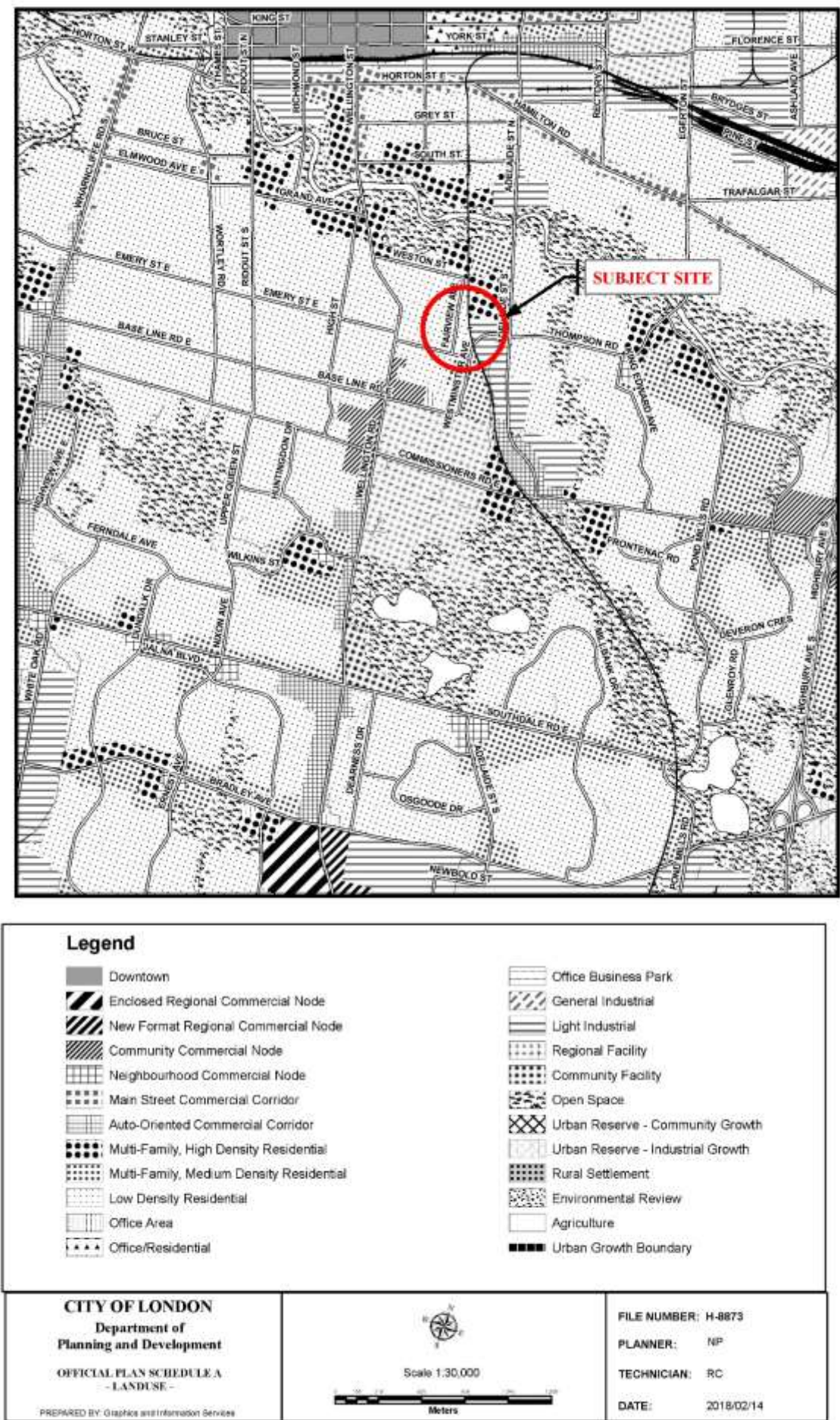
### Agency/Departmental Comments

None.

Appendix C– Relevant Background

Additional Maps

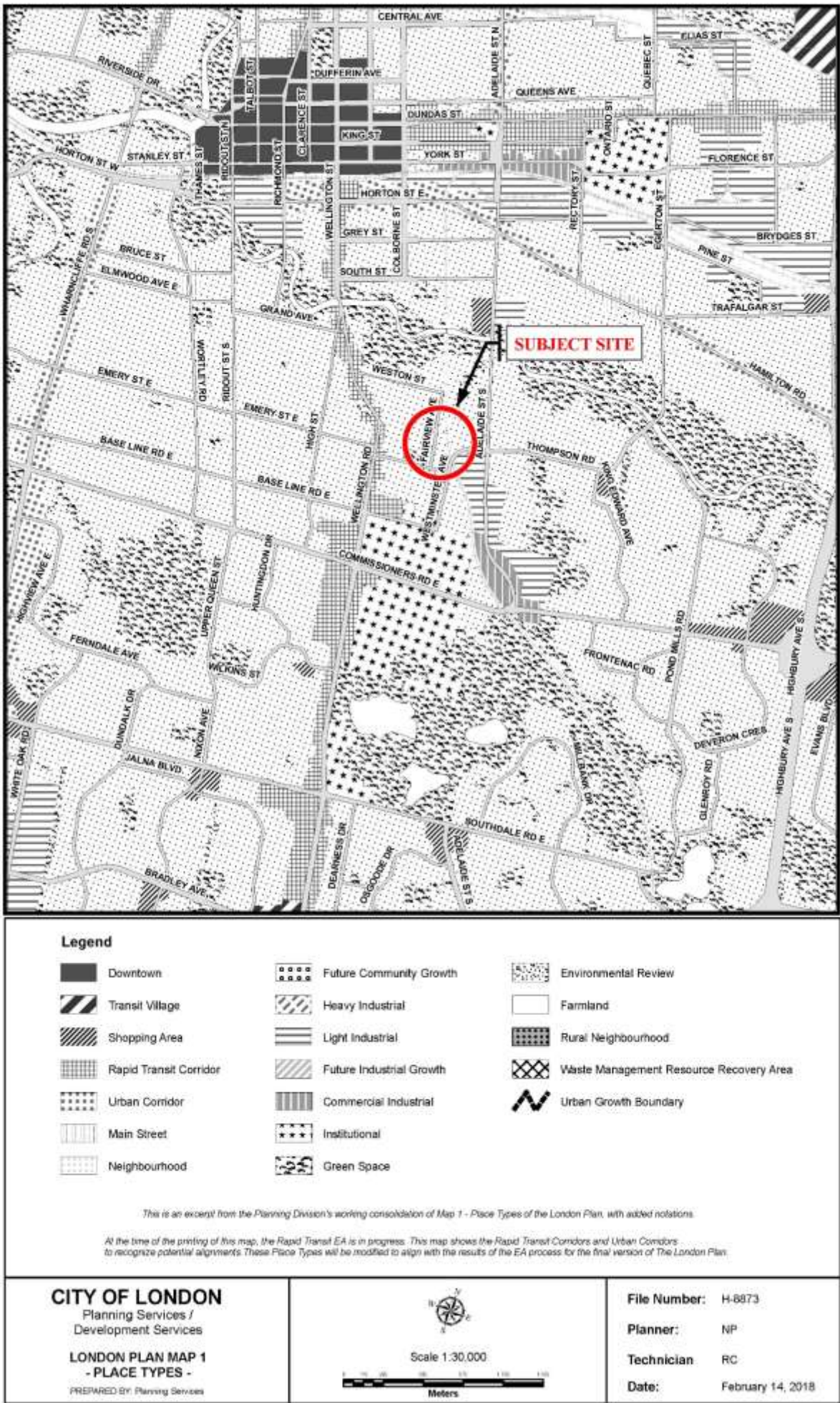
Official Plan Schedule “A” Excerpt



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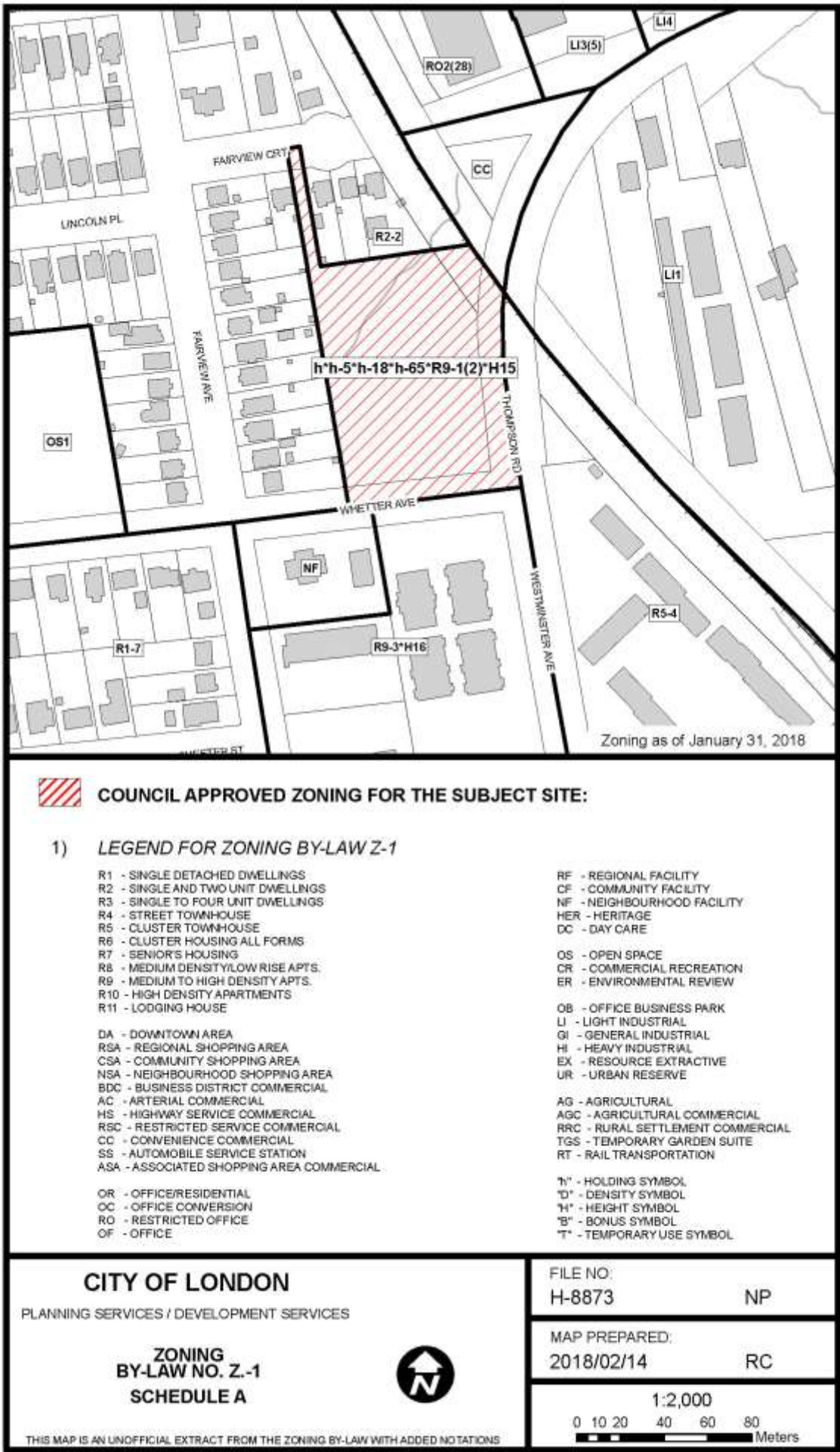


London Plan Place Types Excerpt



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Zoning by-law Map Excerpt





### **Additional Reports**

**File OZ-8055** - Report to the Planning and Environment Committee to amend the Official Plan and the Zoning By-Law on September 4, 2012. On October 31, 2012, a Council Resolution was passed.

**SP17-046** - Report to the Planning and Environment Committee on site plan and issues on December 4, 2017.





## Development and Compliance Services Building Division

**To:** G. Kotsifas, P. Eng.  
Managing Director, Development & Compliance Services  
& Chief Building Official

**From:** P. Kokkoros, P. Eng.  
Deputy Chief Building Official

**Date:** February 21, 2018

**RE: Monthly Report for January 2018**

Attached are the Building Division's monthly report for January 2018 and copies of the Summary of the Inspectors' Workload reports.

### **Permit Issuance**

By the end of January, 263 permits had been issued with a construction value of approximately \$112 million, representing 304 new dwelling units. Compared to last year, this represents a 6% decrease in the number of permits, a 109% increase in the construction value and a 159% increase in the number of dwelling units.

To the end of January, the number of single and semi-detached dwellings issued were 60, which was a 25% decrease over last year.

At the end of January, there were 813 applications in process, representing approximately \$582 million in construction value and an additional 986 dwelling units, compared with 789 applications having a construction value of \$297 million and an additional 1,251 dwelling units for the same period last year.

The rate of incoming applications for the month of January averaged out to 14.7 applications a day for a total of 324 in 22 working days. There were 33 permit applications to build 33 new single detached dwellings, 38 townhouse applications to build 155 units, of which 6 were cluster single dwelling units.

There were 263 permits issued in January totalling \$111.5 million including 304 new dwelling units.

### **Inspections**

#### **BUILDING**

*Building Inspectors* received 2,020 inspection requests and conducted 2,756 building related inspections. An additional 1 inspection was completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 230 inspections were conducted this month per inspector.

Based on the 2,020 requested inspections for the month, 93% were achieved within the provincially mandated 48 hour time allowance.

#### **PLUMBING**

*Plumbing Inspectors* received 943 inspection requests and conducted 1,219 plumbing related inspections. No inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 203 inspections were conducted this month per inspector.

Based on the 943 requested inspections for the month, 98% were achieved within the provincially mandated 48 hour time allowance.

**NOTE:**

In some cases, several inspections will be conducted on a project where one call for a specific individual inspection has been made. One call could result in multiple inspections being conducted and reported. Also, in other instances, inspections were prematurely booked, artificially increasing the number of deferred inspections.

AD:cm  
Attach.

c.c.: A. DiCicco, T. Groeneweg, C. DeForest, O. Katolyk, D. Macar, M. Henderson

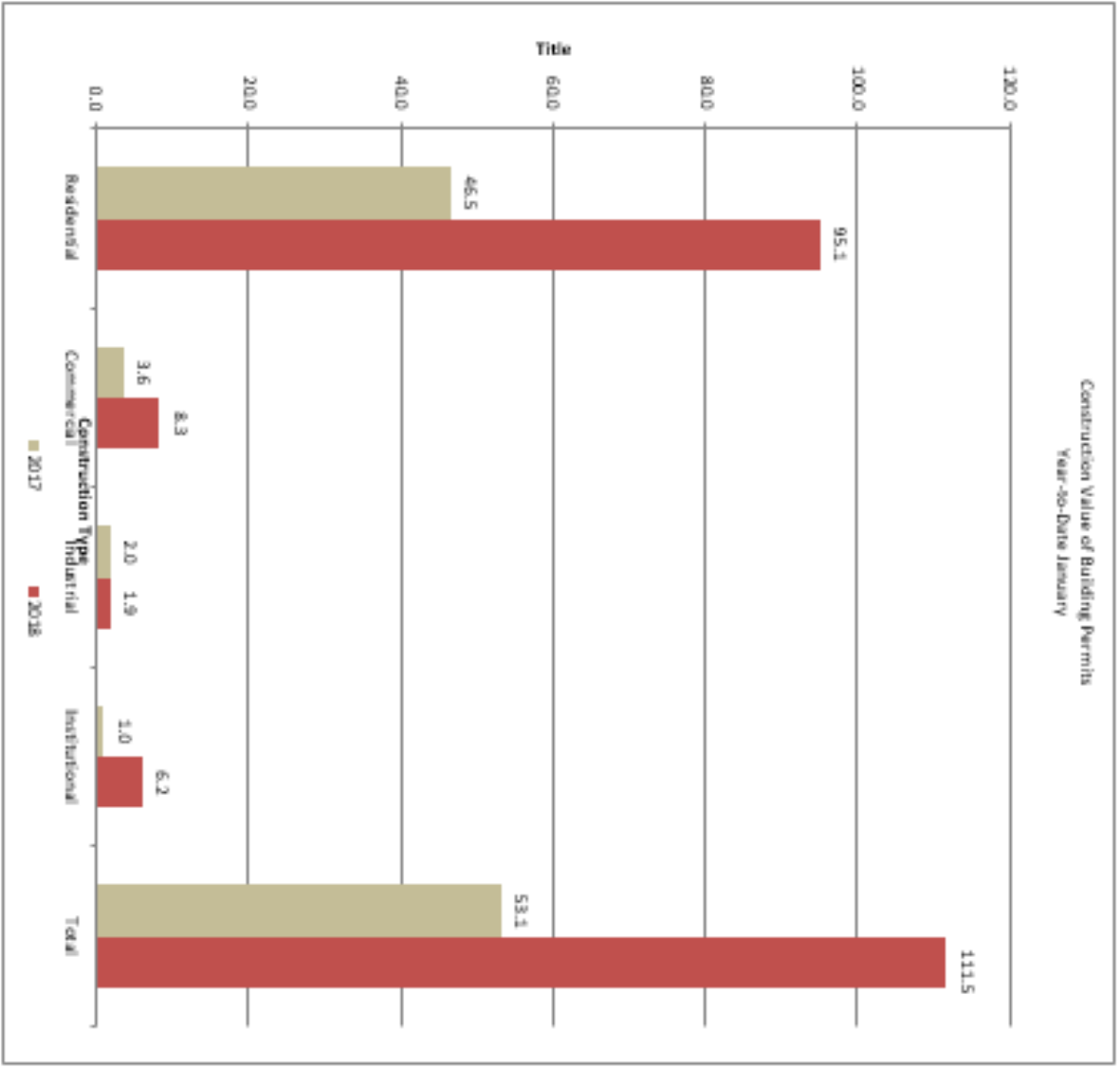
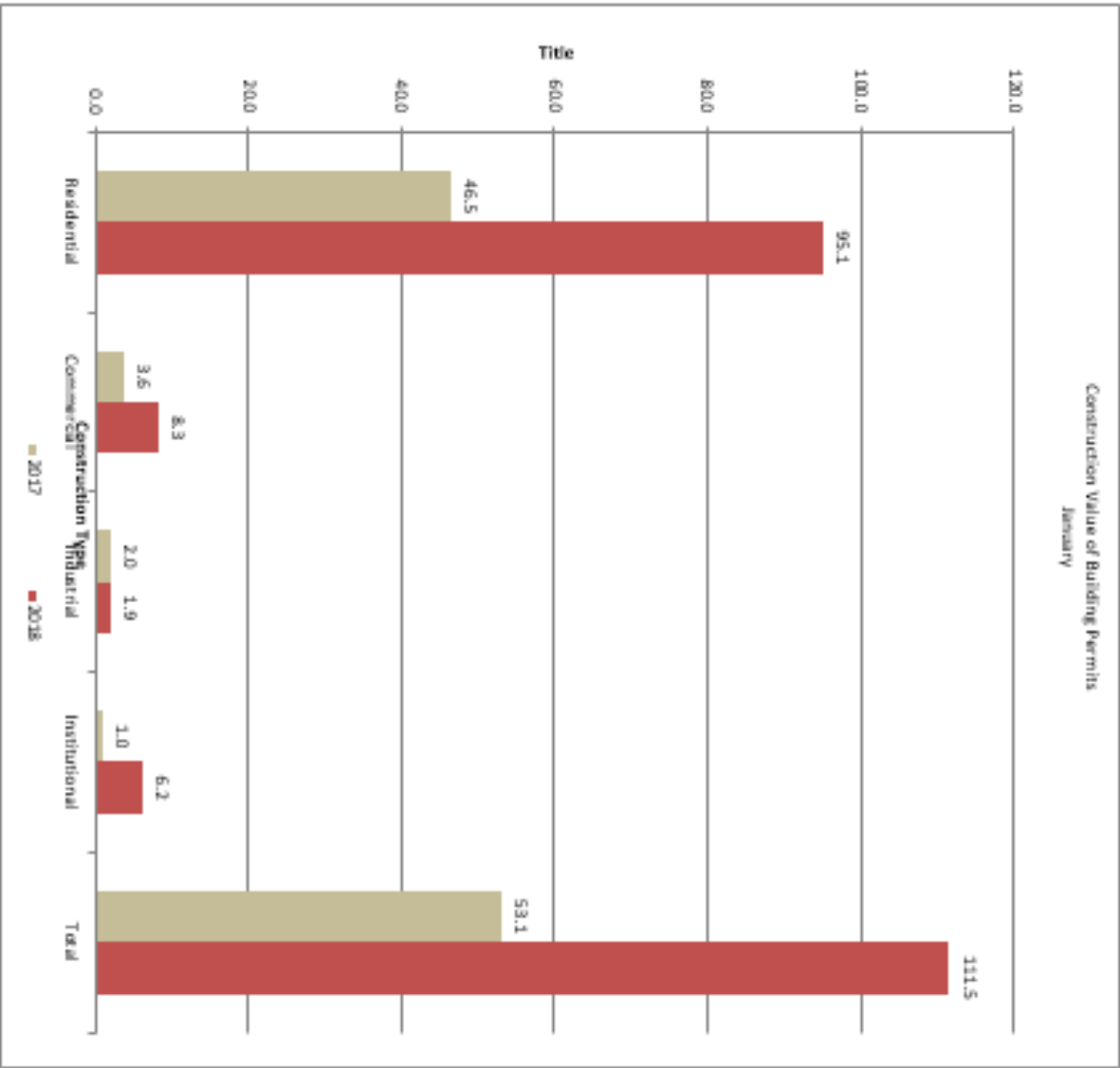
# CITY OF LONDON

## SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF January 2017

CLASSIFICATION	January 2018				to the end of January 2018				January 2017				to the end of January 2017			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS
SINGLE DETACHED DWELLINGS	60	25,531,689	60	60	25,531,689	60	81	33,223,687	81	81	33,223,687	81	81	33,223,687	81	81
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOWNHOUSES	11	7,276,297	27	11	7,276,297	27	12	8,642,660	36	12	8,642,660	36	12	8,642,660	36	12
DUPLEX, TRIPLEX, QUAD, APT BLDG	1	60,000,000	216	1	60,000,000	216	0	0	0	0	0	0	0	0	0	0
RES-ALTER & ADDITIONS	81	2,269,750	1	81	2,269,750	1	100	4,654,920	0	100	4,654,920	0	100	4,654,920	0	100
COMMERCIAL -ERECT	1	2,200,000	0	1	2,200,000	0	1	648,000	0	1	648,000	0	1	648,000	0	1
COMMERCIAL - ADDITION	1	215,000	0	1	215,000	0	1	700,000	0	1	700,000	0	1	700,000	0	1
COMMERCIAL - OTHER	33	5,917,168	0	33	5,917,168	0	27	2,265,500	0	27	2,265,500	0	27	2,265,500	0	27
INDUSTRIAL - ERECT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INDUSTRIAL - ADDITION	0	0	0	0	0	0	2	1,027,100	0	2	1,027,100	0	2	1,027,100	0	2
INDUSTRIAL - OTHER	7	1,922,949	0	7	1,922,949	0	5	935,000	0	5	935,000	0	5	935,000	0	5
INSTITUTIONAL - ERECT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INSTITUTIONAL - ADDITION	1	2,800,000	0	1	2,800,000	0	0	0	0	0	0	0	0	0	0	0
INSTITUTIONAL - OTHER	32	3,379,950	0	32	3,379,950	0	9	1,020,100	0	9	1,020,100	0	9	1,020,100	0	9
AGRICULTURE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SWIMMING POOL FENCES	1	3,500	0	1	3,500	0	3	33,000	0	3	33,000	0	3	33,000	0	3
ADMINISTRATIVE	4	10,000	0	4	10,000	0	7	165,000	0	7	165,000	0	7	165,000	0	7
DEMOLITION	2	0	1	2	0	1	4	0	0	4	0	0	4	0	0	4
SIGNS/CANOPY - CITY PROPERTY	1	0	0	1	0	0	4	0	0	4	0	0	4	0	0	4
SIGNS/CANOPY - PRIVATE PROPERTY	27	0	0	27	0	0	24	0	0	24	0	0	24	0	0	24
<b>TOTALS</b>	<b>263</b>	<b>111,526,303</b>	<b>304</b>	<b>263</b>	<b>111,526,303</b>	<b>304</b>	<b>280</b>	<b>53,314,967</b>	<b>117</b>	<b>280</b>	<b>53,314,967</b>	<b>117</b>	<b>280</b>	<b>53,314,967</b>	<b>117</b>	<b>280</b>

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.  
2) Mobile Signs are no longer reported.

**February 21, 2018**





City of London - Building Division  
Principal Permits Issued From January 01, 2018 to January 31, 2018

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Kellogg Canada Inc	100 Kellogg Lane	Alter-Factories-Interior Renovation Office And Conference Rooms. F	0	1,200,000
Michelin Tires (Canada) Ltd Attn: General Counsel	1025 Green Valley Rd	Install-Site Services-Warehouse Install Storm Sewers To Modify Existing	0	110,000
North London Medical Centre	1055 Fanshawe Park Rd W 110	Alter-Medical Offices-Cm- Interior Alter For Medical Office	0	550,000
White Oaks Mail Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter-Retail Store-Cm - Interior Alter For Units 247/251 Dynamite/Gar	0	289,668
White Oaks Mail Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter-Shopping Centre-Alter Interior For Cibc - Shell Only - White Oaks	0	136,500
White Oaks Mail Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter-Shopping Centre-Alter Interior For Sportchek Units 85,87,89	0	1,280,000
White Oaks Mail Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Install-Retail Store-Commercial Building - Plumbing Installation/Hvac -		350,000
University Of Western Ontario-Board Of Governors	1151 Richmond St	Add-University-Institute - Add To Gym Area On Level Four Frr/Fp	0	2,800,000
Motivty Land Inc.	118 Dundas St	Alter-Office/Retail/Apt Complex-Interior Alteration To A Residential Unit. Condit	0	300,000
Cassens Transport Ulc	1235 Hyde Park Rd	Erect-Gymnasia-Erect Fitness Canteen/Tire Storage, Motor Vehicle	0	2,200,000
1106193 Ontario Limited	1237 Green Valley Rd	Alter-Warehousing-Alter For Inspection Trench	0	180,000
Kilialy Shopping Centre Inc	1257 Huron St	Add-Garage For Apartment Building-Apt- Alter To Repair Parking Garage Frr	0	139,442
Sifton Properties Limited Sifton Properties Limited	1285 Kilialy Rd	Alter-Convenience Store-Interior Alteration For Convenience Store/ Sandwic	0	125,000
Wonderland Commercial Centre Inc	1311 Riverbend Rd	Alter-Medical Offices-Interior Alteration For Animal Clinic	0	370,000
Wonderland Commercial Centre Inc	1371 Beaverbrook Ave	Alter-Retail Store-Interior Alter For A Tenant Fitout.	0	300,000
Wonderland Commercial Centre Inc	1375 Beaverbrook Ave	Alter-Offices-Cm - Interior Alteration For Rexal Store And Clini	0	500,000
Dreweco Development Corp	1460 Beaverbrook Ave	Install-Apartment Building-Ra - Install New Congeneration Unit And Tie Into M	0	250,000
Boys' And Girls' Of London	184 Horton St E	Install-Clubs, Non Residential-Cm- Install Elevator At The Existing Boys And Girl	0	200,000
Bim Foundation Real Estate Management (2008) Ltd	2020 Hyde Park Rd	Alter-Second Hand Goods Shop-Cm - Interior Alteration To Thrift Store.	0	500,000
The Ironstone Building Company Inc.	2070 Meadowgate Blvd A	Erect-Townhouse - Condo-Erect New Rl - 3 Storey, 1 Car Garage, 3 Bedroom,	4	917,997
2292093 Ontario Inc	2360 Auto Mall Ave	Add-Automobile Sales & Service-Add Mezzanine Offices Within Car Dealer Offices S	0	215,000
Magnificent (1865512 Ont Inc) Magnificent Homes	2619 Sheffield Blvd 23	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 2 Storey, 2 Car G	1	433,800
Magnificent (1865512 Ont Inc)	2619 Sheffield Blvd 25	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 2 Storey, 2 Car G	1	365,400
Magnificent (1865512 Ont Inc)	2619 Sheffield Blvd 27	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 2 Storey, 2 Car G	1	433,800
Magnificent (1865512 Ont Inc)	2619 Sheffield Blvd 29	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedroom, Unfinishe	1	364,500
1865512 Ontario Inc.	2619 Sheffield Blvd 31	Erect-Townhouse - Cluster Sdd-Erect New Cluster Sdd, 2 Storeys, 2 Car Garage, 4	1	291,600
Sifton Properties Limited Sifton Properties Limited	2646 Sandra Post Cres	Erect-Townhouse - Cluster Sdd-Erect 1 Storey, 2 Car Garage, 4 Bedrooms, Partiall	1	347,200
St Joseph's Health Care London C/O Facilities Planning	268 Grosvenor St	Alter-Hospitals-Instlt- Alter Kitchen Area In Mount Hope Building	0	110,000
Wonderland Power Center (Holdings) Inc	3200 Wonderland Rd S	Alter-Offices-Cm - Interior Alter For Office. Frr Fpo Shell On	0	195,000
828421 Ontario Inc.	3270 Singleton Ave 23	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 2 Storey, 2 Car	1	266,400
Thames Valley District School Board Thames Valley District School Board	328 Springbank Dr	Alter-Schools Elementary, Kindergarten-Alter Interior For Universal Washroom And Fire Ala	0	150,000
London Health Association	339 Windermere Rd	Alter-Hospitals-Instlt - Alter For Instrument Washer Replacement,	0	322,080
Carvest Properties Limited	40 York St	Erect-Apartment - Condo-Ra - Erect New 24 Storey Residential Condominium.	216	60,000,000

Permits\_Issued\_Greater\_100000\_Construction value

City of London - Building Division  
Principal Permits Issued From January 01, 2018 to January 31, 2018

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Thames Valley District School Board Thames Valley District School Board	525 Dundas St	Alter-Schools Secondary, High, Jr. High-Heat Pump Replacement	0	1,230,000
Thames Valley District School Board Thames Valley District School Board	70 Ponderosa Cres	Install-Schools Elementary, Kindergarten-Replace Fluid Cooler	0	334,000
London Health Sciences Centre	800 Commissioners Rd E	Alter-Hospitals-Alter To Replace Instrument Washer. Level 1. Fr	0	168,690
905 Samia Inc.	905 Samia Rd AA	Erect-Townhouse - Condo-Erect New 6 Units Townhouse, Block Aa, Units 133-	6	1,412,600
905 Samia Inc.	905 Samia Rd M	Erect-Townhouse - Condo-Erect New 4 Units Townhouse, Block M, Units 64-6	4	1,030,400
905 Samia Inc.	905 Samia Rd Z	Erect-Townhouse - Condo-Erect New 6 Units Townhouse, Block Z, Units 130-1	6	1,412,600
Nestle Canada Inc C/O Nestle Ice Cream	980 Wilton Grove Rd	Alter-Plant For Manufacturing-Alter To Construct Raised Platform On Roof Shell	0	228,949
Nestle Canada Inc C/O Nestle Ice Cream	980 Wilton Grove Rd	Alter-Plant For Manufacturing-Relocate Existing Site Services To Prepare Area Fo	0	114,000

Total Permits 41 Units 243 Value 82,124,626

Includes all permits over \$100,000, except for single and semi-detached dwellings

Commercial building permits issued - subject to Development Charges under By-law C.P.-1496-244

Owner

2292093 Ontario Inc
Motivty Land Inc.

Commercial permits regardless of construction value.

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON MARCH 19, 2018
FROM:	GEORGE KOTSIFAS, P.Eng. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	SINGLE SOURCE PROCUREMENT (#18-10) FOR MOBIINSPECT: PARTHO'S MOBILE APPLICATION

<b>RECOMMENDATION</b>
-----------------------

1. That on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions **BE TAKEN** with respect to the mobilINSPECT, a mobile application from Partho:
  - (a) the price of \$104,231 (HST extra) negotiated with Partho for the provision of mobilINSPECT, **BE ACCEPTED** on a Single Source basis in accordance with sections 14.4 (d) and 14.4 (e) of the Procurement of Goods and Services Policy;
  - (b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this purchase;
  - (c) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract for this purchase; and,
  - (d) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract, statement of work or other documents, if required, to give effect to these recommendations.
2. That on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on March 27, 2018 to:
  - (a) authorize and approve an Agreement (Schedule "A" to the by-law) between The Corporation of the City of London and Partho Technologies Inc. ("Partho") for the purpose of using mobilINSPECT mobile application which shall provide useful business functions to the building inspectors through an easy to use and intuitive mobile application running on their smartphone; and
  - b) authorize the Mayor and the City Clerk to execute the Agreement authorized and approved in part a), above.

<b>BACKGROUND</b>
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### Purpose

The purpose of this report is to seek Council approval for a Single Source procurement with Partho for their mobilINSPECT application.

### Discussion

The Large Municipalities Chief Building Officials (LMCBO), following their vision of a unified provincial 'Inspections System', partnered with Partho to develop an application to be used by Ontario municipalities. This inspection application, utilizing smartphones, will integrate with the AMANDA platform to provide a reliable solution for building inspectors to retrieve permit information and enter inspection results in the field while performing their duties. In addition to enhanced functionality, this application provides a solution to connectivity issues that have hindered on-site inspections, particularly with data retrieval from AMANDA and with sending real time results. Some other key features include; secure login, single sign-on, user location enablement, photos and mark-ups.

The implementation of this application to will allow for a more consistent and efficient management of processing inspections. Additionally, the use of this smartphone application will further enhance productivity and customer service by enabling inspection results to be entered during an inspection without concern for connectivity.

The City will diligently mitigate any risks associated with a project of this nature through contract and statement of work management, milestone-based scheduling, approvals and payments, and project management best practices.

**Rationale for mobilINSPECT, Partho’s Mobile Application Software**

Civic Administration is seeking a Single Source procurement in accordance with sections 14.4 (d) and (e) of the Procurement of Goods and Services Policy.

- 14.4 (d) There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contract;
- 14.4 (e) The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience.

The rationale for the Single Source procurement is as follows:

- Operational costing is modeled to pass on the benefits of economy of scales to the all municipalities on the mobilINSPECT platform.
- Engaging Partho will allow the City to leverage the skills and expertise Partho has gained thus far by working with other municipalities (Waterloo, St. Catherines, etc.).
- Partho has experience with the AMANDA platform, as such, engaging Partho will ensure compatibility with the City of London Amanda Platform.
- Additional benefits include:
  - Data mapping and implementation plan
  - Enhanced Security and Single Sign On
  - Go Paperless, improve efficiency, annotate deficiencies on inspection pictures, voice to text ability, and offline mode capability
  - Geolocation and timestamp

**Indemnification**

The City Solicitors Office and Risk Management have reviewed the Software as A Service Subscription Agreement. Risk Management advises that the Agreement contains an indemnity provision in section (15). This clause cannot be changed and exposes the City of London to liability. In the opinion of Corporate Insurance/Risk Management, this should not stop the City of London from moving forward with final approval of this agreement as the benefits of this project outweigh the potential risks.

**Project Funding**

The planned funding for this project will come from two sources; the 2018 operating budget will contribute \$54,231, and the Building Permit Stabilization Reserve will contribute the remaining \$50,000. The \$50,000 drawdown from the Building Permit Stabilization Reserve can be accommodated while maintaining a sufficient balance within the reserve that is between 30% and 50% of the year’s costs for the administration and enforcement of the *Building Code Act* and the Building Code.

**Report and Contract/Agreement Review**

This report, the Software as A Service Subscription Agreement, and Mobilinspect Terms of Service have been reviewed by Lynn Marshall, Legal Services; Jason Wills, Risk Management; Peter Kokkoros and Catherine DeForest, Development and Compliance Services and Mat Daley and Kelly Dalton, Information Technology Services.

PREPARED BY:	
MARIA FINNIS MANAGER OF BUSINESS SERVICES	
RECOMMENDED BY:	REVIEWED AND CONCURRED BY:
GEORGE KOTSIFAS, P.Eng. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL	ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES & CHIEF FINANCIAL OFFICER

Cc: John Freeman, Manager, Purchasing & Supply  
Mat Daley, Director, Information Technology Services



## APPENDIX A

Bill No.  
2018

By-law No. .-

A By-law to approve the Software as a Service Subscription Agreement with Partho Technologies Inc., for a licence to use MobilINSPECT; and to authorize the Mayor and the City Clerk to execute the Agreement.

WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

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

1. The Software as a Service Subscription Agreement attached as Schedule A to this by-law, between The Corporation of the City of London and Partho Technologies Inc., for Subscription Services for mobilINSPECT, is authorized and approved.
2. The Mayor and the City Clerk are authorized to execute the agreement approved under section 1 above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

## SCHEDULE "A"

### SOFTWARE AS A SERVICE SUBSCRIPTION AGREEMENT

**THIS SOFTWARE AS A SERVICE SUBSCRIPTION AGREEMENT**, effective as of the date indicated below ("Effective Date"), is by and between **PARTHO TECHNOLOGIES INC.**, a private limited company organized and existing under the laws of Ontario, with its registered office at 1432 Duval Drive, Mississauga, Ontario L5V 2W4 ("Partho") and **THE CORPORATION OF THE CITY OF LONDON** ("Client"), with offices at 300 Dufferin Avenue London Ontario PO BOX 5035 N6A 4L9. Each of Partho and the Client are referred to a "Party" and collectively as the "Parties" throughout this Agreement.

The **Effective Date** of this Agreement is the 1<sup>st</sup> day of April, 2018.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows;

#### 1. DEFINITIONS AND INTERPRETATION

As used in this Agreement, and in addition to any other terms defined in this Agreement, the following terms shall have the following meanings:

**"Acceptance Criteria"** means the completion by the Client of the user acceptance testing ("UAT") with zero severity one defect results and less than three severity two defect result(s) as more particularly described in Schedule C – Support and SLA.

**"Acceptable Use Policy"** and **"AUP"** each mean the acceptable use policy posted on the day the Client's Term commences, as may from time to time be updated or amended by Partho. The AUP may be contained within the EULA.

**"Agreement"** means this *Software as a Service Subscription Agreement and any amendments or additions made in writing and executed by both parties* from time to time, and including any Schedules, exhibits and attachments.

**"AMANDA"** means the third-party software application necessarily and separately to be first acquired by the Client, the features and functions of which are to be utilized by it to access the Application. The AMANDA system is a popular third party software system in use by municipalities for managing business process workflow on inspections and e-permits and other such functions. In the context of mobiINSPECT, it refers to the business functionality within the Amanda system that municipalities use for recording business inspection results and the web services Application Programming Interface (API) that Amanda exposes for integration of external systems with such functionality.

**"Authorized User"** means an employee of the Client who is authorized to access the Subscription Services as either a named or concurrent user via the Client's account and to use a Client approved password subject to the terms of this Agreement.

**"Business Days"** means any day except Saturday, Sunday or any day on which banks are generally not open for business in the City of Toronto, Ontario.

**"Client Data"** means the Data or content inputted into the Software or generated by the Client or any of its employees or Authorized Users through the Software.

**"Cloud Servers"** means Partho's cloud infrastructure set up to host the Application and Client Data.

**"Data"** means any original digital data (i.e. that is transmitted electronically), or metadata that is captured by the Software as well as related documentation under the terms and conditions of this Agreement.

**“Deliverables”** means all Work Product that Partho is required under any Schedule to deliver to the Client as part of the Services.

**“Documentation”** means the documentation provided electronically by Partho for use with the Services, as periodically updated.

**“Expiration Date”** or **“Term Expiration Date”** means 12 o’clock midnight of the last day of the Term as specified under *Term Expiration* of Schedule B – Subscription Services.

**“Fees”** means the fees payable by the Client to Partho pursuant to this Agreement.

**“Functional Specifications”** means the specifications prepared by Partho with the cooperation of the Client which will conform in content, but not necessarily rigid structure, to the requirements specified in Schedule “A” – Software Specifications which, when completed, will fully describe the required Application at a business rather than a technical level.

**“Initial Term Start Date”** has the meaning given to it under Schedule B – Subscription Services.

**“Intellectual Property Rights”** or **“IPR”** means any and all tangible and intangible: (i) rights associated with works of authorship, including copyrights, moral rights, neighbouring rights, and derivative works thereof, (ii) trademark and trade name rights, (iii) trade secret rights, (iv) patents, design rights, and other industrial property rights, and, (v) all other intellectual property rights (of every kind and nature howsoever designated) whether arising by operation of law, treaty, contract, license, or otherwise, together with all registrations, initial applications, renewals, extensions, continuations, divisions or reissues thereof.

**“Payment Dates”** means the date on which the Fees as specified in Schedule B – Subscription Services are owing, and includes the dates on which such other amounts, as determined through the provision by Partho to Client of any deliverable under and as set forth in a Work Order Form or otherwise agreed to by the parties and accepted in writing.

**“Professional Services”** means the professional services to be provided by Partho as outlined in a Statement of Work, which may be requested pursuant to a submitted Work Order Form. Professional Services shall include, but are not limited to, the development of Enhancements (defined below).

**“Schedules”** means a schedule, which is attached to this Agreement, or which may be added hereafter by written agreement of the Parties, including but not limited to Statements of Work.

**“Services”** means the services to be provided by Partho to the Client as described in this Agreement including any Schedule and any additional services authorized by the Client that Partho agrees to perform or is required to perform hereunder. The Services shall include, but are not limited to, the Subscription Services and Professional Services.

**“Service Level Agreement** or **“SLA”**, in the form set out in Schedule C – Support and SLA *specifies* the quality, availability, and responsibilities of Partho in providing the Subscription Services and as agreed between Partho and the Client.

**“Software”** the *mobiINSPECT* product and service, a description and associated functionality of which is set out in Schedule A – Software Specifications.

**“Statement of Work”** means a statement of work (SOW) or other document which is attached to this Agreement, or which may be added hereafter by written agreement of the Parties that describes the Services to be provided by Partho to the Client.

**“Subscription Fee”** means the annual amounts, payable by Client to Partho for the Subscription Services, as set out in Schedule B – Subscription Services.

**“Subscription Services”** means license of the Software by Partho to the Client and Authorized Users.

**“Support Services”** means those Partho-provided services as set out in Schedule C – Support and SLA.

**“Term”** shall have the meaning given to it in Schedule B – Subscription Services.

**Term Expiration Date** shall have the same meaning as **Expiration Date”**.

**“Third Party Components”** refers to any one or more portions of the Software of which the Intellectual Property Rights belong to any one or more individuals or organizations that have provided Partho with the right to sublicense any such portion(s).

**“Work Order Form”** shall mean Partho’s standard form for requesting Professional Services the form of which is attached hereto as Schedule E – Work Order Form.

**“Work Product”** means all configurations and customizations to the Software made, created, designed or developed by Partho for the Client pursuant to a Work Order Form, including but not limited to any custom features, workflow, functionality, skins, banners, colour schemes and graphics. Work Product specifically excludes the Software, any preexisting software, open source software or third party software that may be implemented in the deliverables being created pursuant to such Work Order Form.

## 2. SCHEDULES

The following is a list of Schedules to this Agreement:

**Schedule “A” – Software Specifications Schedule “B” – Subscription Services Schedule “C” – Support and SLA Schedule “D” – Statement of Work Schedule “E” – Work Order Form Schedule “F” – Security Policy**

## 3. SERVICES

- (a) Partho shall perform the Services in accordance with this Agreement and the applicable Schedule(s), and in a timely, diligent and professional manner.
- (b) Subject to Section 11, each Schedule is automatically deemed to include all of the terms and conditions of this Agreement; provided that whenever the provisions of a Schedule expressly conflict with these terms and conditions, the conflicting provisions of the Schedule control and take precedence over the conflicting provisions of these terms and conditions, but only for purposes of the Schedule.
- (c) Where a Schedule contemplates the development of a Deliverable, Client shall have a period to review and accept the completed Deliverables (such period to be specified in the applicable Schedule, or a reasonable period if no period is specified) and Partho shall have a period to remedy any deficiencies identified by Client (such period to be as specified in the applicable Schedule, or a reasonable period if no period is specified). Client shall provide Partho prompt notice of any deficiencies identified by Client. If Client does not give written notice of any deficiencies within such period, it shall be deemed to have accepted the Deliverables.

## 4. TERM AND TERMINATION

- (a) The Term of this Agreement begins on the Initial Term Start date identified in Schedule “B” and shall end on the Term Expiration Date, unless renewed in accordance with Section 4(b).
- (b) The Term may be renewed by the parties in writing for successive Renewal Terms, unless terminated in accordance with this Agreement.
- (c) The Fees to be charged during Renewal Terms shall be calculated in accordance with Schedule B – Subscription Services and shall be subject to increase, at minimum, equivalent to the higher of



- i. an equivalent increase in the Cost of Living Index as published by Statistics Canada under the heading "all items" for the City of Toronto, or
- ii. Partho's then current published rates.

(d) *Termination*

- i. Either party may terminate this Agreement if the other party materially breaches this Agreement, including any failure to make payments when due, and such other party fails to cure such breach in all material respects within thirty (30) days after being given notice of the breach from the non-breaching party.
- ii. Either party may terminate this Agreement, upon written notice to the other Party, if such other party is subject to proceedings in bankruptcy or insolvency, voluntarily or involuntarily, if a receiver is appointed with or without the other party's consent, if the other party assigns its property to its creditors or performs any other act of bankruptcy, or if the other party becomes insolvent and cannot pay its debts when they are due.

(e) *Early Termination.* If this Agreement is terminated by Partho pursuant to paragraphs 4(d)(i) or (ii), the Client shall pay Partho, as liquidated damages and not as a penalty, an amount equal to the annual fees due multiplied by the number of remaining years in the then current Term.

(f) *Effect of Termination*

- i. Each party shall promptly deliver to the other party, all papers, databases, documents, software programs, and other tangible items (including copies) containing the other party's Confidential Information in its possession or under its control, or on request, destroy such materials and certify that it has done so;
- ii. upon a request by the Client within thirty (30) days of termination, Partho will within fifteen (15) days of such request, provide to the Client a copy of the Client Data in a format that is readable using commercially available third party software (e.g. .csv or .xlsx);
- iii. upon a request by the Client within thirty (30) days of termination, Partho will delete and cause to be deleted all Client Data from all computer systems owned and controlled by Partho; and
- iv. the licenses granted to the Client under this Agreement shall terminate and the Client and all Authorized Users shall cease using the Software and any licenses granted to Partho in respect of the Client Data and Client's trademarks will terminate.

## 5. LICENSE TO SUBSCRIPTION SERVICES

- (a) Partho hereby grants to Client a non-exclusive, non-transferrable license to access the Subscription Services and use the Software solely to permit the Client and Authorized Users to use the Software for legitimate purposes in accordance with the terms of this Agreement during the Term.
- (b) Partho reserves the right to modify the Services at any time and without advance notice. The Client acknowledges that components used in connection with a prior version of the Services may be incompatible with a subsequent version of the Services. Notwithstanding this paragraph, Partho will not modify the Services to remove the core functionality of the Software as described in Schedule A – Software Specifications and Project Plan.
- (c) Additional upgrades (i.e., modifications, additions or substitutions that result in a substantial change, improvement or addition to the Software), if available, may be offered by Partho for additional Fees. If the Client wishes to request such modifications/changes to the Software, it

must do so by submitting a Work Order Form. Partho will evaluate such Work Order Form and outline the agreed upon scope of work and applicable fees in a Statement of Work.

- (d) Partho represents, warrants and covenants that the Software is and shall be hosted on Cloud Servers maintained by a reputable third party host (“Third Party Host”) located in Canada. Partho will be responsible for contracting with the Third Party Host, and for paying all fees and charges of the Third-Party Host. Partho further represents, warrants and covenants that (a) the Software is and shall be hosted on cloud hosting provider that are at least a Tier-2; and (b) the Third Party Host is and shall be certified compliant by an accredited certification body with the ISO/IEC 27018 standard (Code of practice for protection of personally identifiable information (PII) in public clouds acting as PII processors.
- (e) When each User first attempts to access the Software, such User will be prompted to accept the then current end-user license agreement (“EULA”).
- (f) Partho regularly upgrades and updates the Subscription Services. This means that the Subscription Services are continually evolving. Some of these changes will occur automatically, while others may require Client to schedule and implement the changes. The changes may also mean that Client needs to upgrade its equipment in order to make efficient use of the Subscription Services. Partho will provide Client with advance notification in this case.
- (g) Partho recognizes that Client may have legitimate business reasons for not upgrading to a new version of the Subscription Services as soon as the version becomes available. However, Partho will not support old versions indefinitely. When an old version used by Client is at end-of-life, Partho may remove Client's access to that version and upgrade Client to a new version. Client shall bear the sole responsibility and cost of performing any hardware upgrades required to access updated versions of the Software.

## **6. LICENSE RESTRICTIONS**

Except as set forth in this Agreement, any Schedule and to the extent contrary to applicable law: (i) Client may not make or distribute copies of the Software; (ii) Client may not alter, merge, adapt or translate the Software, or decompile, reverse engineer, disassemble, or otherwise reduce the Software to a human-perceivable form; (iii) Client may not rent, lease, host or sublicense the Software (except as is incidental or necessary for the provision of the Software to Users); (iv) Client may not modify the Software or create derivative works based upon the Software; (v) Client may not make the Software available to anyone who is not an Authorized User; (vi) Client and Authorized Users must use the Software and Subscription Services in strict accordance with the EULA as amended from time to time; (vii) Client may not use the Subscription Services to build a competitive solution or assist someone else to build a competitive solution; (viii) use the Subscription Services in a way that violates any applicable law; (ix) Client may not use the Subscription Services to load test the Subscription Services in order to test scalability; or (x) Client may not exceed the payload or other usage limits identified in any Schedule.

## **7. CLIENT RESPONSIBILITIES, REPRESENTATIONS AND WARRANTIES**

- (a) Client agrees to cooperate with any reasonable investigation by Partho regarding an actual or potential violation of the EULA as updated from time to time. Such investigation may include review of Client’s internal digital security protection strategy, its EULA and associated end user compliance and acceptance terms.
- (b) Client Duties and Responsibilities:
  - i. Client will make available in a timely manner for Partho at no charge to Partho, all technical data, programs, files, documentation, test data, sample output, or other information, resources, and personnel required by Partho as set forth in the applicable document for the performance of the Services. Client will be responsible for, and assumes the risk of any issues or problems resulting from the content, accuracy, completeness, competence, or consistency of all Client programs, files, documentation, test data, sample output, or other information, resources, and personnel supplied by Client. Client will

provide, at no charge to Partho, reasonable office space and equipment at Client's facilities (such as copiers, fax machines and modems) as Partho reasonably requires in performing the Services.

- ii. Since the Software utilizes the web services API of the AMANDA system as well as relies on known configuration of AMANDA system, the Client acknowledges that any changes/updates to the web services API or AMANDA version and/or configuration updates may have a bearing on the proper functioning of the Software. Client must discuss any updates to configuration and version upgrades with Partho prior to making such updates.
- iii. The Client is responsible for all Authorized Users' use of the Service and compliance with this Agreement. The Client shall: (a) have sole responsibility for the accuracy, quality, and legality of all the Client Data; and (b) prevent unauthorized access to, or use of, the Service, and notify Partho promptly of any such unauthorized access or use.

## **8. PARTHO RESPONSIBILITIES, REPRESENTATIONS AND WARRANTIES**

- (a) Partho shall:
  - a. make the Service available in accordance with the Documentation and the SLA to the Client during the Term pursuant to this Agreement;
  - b. not use the Client Data except to provide the Service, or to prevent or address service or technical problems, or to ascertain trends through analytics in accordance with this Agreement and the Documentation, or in accordance with the Client's instructions; and
  - c. not disclose the Client Data to anyone except in accordance with this Agreement.
- (b) Partho represents and warrants that:
  - a. it is the sole legal and beneficial owner (free from all encumbrances and third party claims) of, or has valid license to use (with right to license), the Software. To the best of Partho's knowledge and belief, neither the Software, nor its use within the scope of the terms of the Agreement, infringes any third party copyright;
  - b. it has the authority to enter into this Agreement and it has the power and authority to grant the license to Client hereunder; and
  - c. it has no constructive or actual knowledge of a potential legal proceeding being brought against Partho that could materially adversely affect performance of this Agreement; and that Partho's execution and performance of this Agreement is not prohibited by any contract to which Partho is a party (including a sole or exclusive license), or order by any court of competent jurisdiction.

## **9. FEES**

- (a) In consideration for Partho's performance of the Services, the Client agrees to pay Partho the Fees more particularly described in Schedule B – Subscription Services. All Fees pursuant to this Agreement shall be in Canadian Funds.
- (b) Subject to the terms of a Schedule, on a monthly basis, Partho shall invoice the Client for Services, and the Client shall pay such invoices within thirty (30) days of receipt (or such other time specified in a Schedule). A finance charge applies on any overdue payment of one and one-half percent (1½%) for each month or portion of a month that the payment is overdue, or the highest interest rate permitted by applicable law, whichever is the lower. Interest shall compound monthly.

- (c) The Fees do not include any taxes, and Client shall pay any sales, use, harmonized sales, value-added or other taxes or import duties due as a result of any amounts paid to Partho. The Client shall bear all of Partho's costs of collection of overdue fees, including reasonable legal fees.

## 10. SUBSCRIPTION SERVICES, SUPPORT AND SLA

- (a) Subject to the terms and conditions contained herein, Partho will provide support, maintenance and training Services in accordance with Schedule C – Support and SLA.
- (b) Partho will not provide any support or maintain:
  - i. Software that has been modified by the Client or any third party, unless the modification has been approved in writing by Partho;
  - ii. a version of the Software that has passed its end-of-life date; or;
  - iii. errors or defects in the Subscription Services caused by any third-party software or hardware, by accidental damage or by other matters beyond Partho's reasonable control.
- (c) In the event that the Subscription Services are unavailable ("Downtime"), Partho shall provide the Client with the credits as required by the SLA (if any).
- (d) In the event that the Client is dissatisfied with the Service, the Client's sole remedies are those listed in the SLA, this Section 10, or termination of this Agreement in accordance with Section 4.
- (e) Notwithstanding the SLA, Partho may, upon reasonable notice, interrupt the Subscription Services between midnight and 6:00 AM, Toronto, Ontario time during Mondays to Fridays and between 9:00 PM and 6:00 AM, Toronto, Ontario time during Saturdays and Sundays, to perform planned maintenance on the Cloud Servers or the Software ("Planned Service Interruption").
- (f) Partho may also interrupt the Services on an exigent basis, as minimally required to repair and/or mitigate the effects of security breaches, virus attacks, denial of service attacks and other intentional interferences by third parties. Partho will exercise reasonable efforts to inform the Client before interrupting the Services to effect the said repairs.

## 11. PROFESSIONAL SERVICES

Professional Services provided by Partho shall be rendered in accordance with and subject to the terms of this Agreement.

### *Enhancements Requested Through Work Order Forms*

The Client may request a modification or change to the Software or the Subscription Services by submitting a Work Order Form as prescribed by this Agreement, in the form attached as Schedule E, as amended from time to time. If such modification or change to the Software or Subscription Services adds additional functionality or features (an "**Enhancement**"), Partho shall advise the Client as to the cost, timeline and additional requirements for developing such Enhancement. The Parties shall then execute a Statement of Work. Unless expressly specified otherwise in writing by both Parties, the development of the Enhancement will be governed by the terms of this Agreement.

Partho warrants that any Development of Enhancement developed will substantially conform to the specifications outlined in the Statement of Work.

If the terms of a submitted Work Order Form conflict with the Statement of Work, the terms of the Statement of Work will govern. However, if a Statement of Work conflicts with this Agreement, the terms of the Statement of Work shall govern, but only with respect to the conflict.

### *Statements of Work*

The Parties may agree to additional Professional Services by signing one (1) or more Statements of Work setting forth, among other things, the following: (a) a full description of the Professional Service to be provided; (b) the applicable Fees, payment of expenses and payment schedule; (c) a description of the Deliverables and related acceptance criteria; (d) the materials to be

provided by each Party; (e) designated project managers to act as the primary contact for the Client (with sufficient knowledge of the Amanda system); and (f) a timeline, if applicable.

## **12. SECURITY**

Security on the Subscription Services will be provided in accordance with the Security Policy described in the attached as Schedule F – Security Policy. Except as expressly provided in this Agreement, the Client acknowledges that the Client bears sole responsibility for the security of the devices that Services are accessed on. The Client agrees to implement security measures that are commercially reasonable for the Client's use of the Services, including encryption technologies, password and user ID requirements, and procedures regarding the application of security patches and updates.

## **13. INTELLECTUAL PROPERTY**

- (a) Client acknowledges that, unless stated otherwise in a Schedule, Partho is the sole and exclusive owner, together with all title and associated Intellectual Property Rights in and to the Services, including but not limited to the Software, Subscription Services, any Enhancements or Deliverables.
- (b) All title and Intellectual Property Rights in and to any of the Third-Party Components are the property of the respective content owners and may be protected by copyright, other intellectual property laws, common law or international treaties.
- (c) Partho retains all rights, title and interest in and to all software, programming documentation, technical ideas, concepts, know-how, databases, inventions, discoveries, improvements, techniques and all related intellectual property rights, created, conceived and developed by Partho prior to the commencement of this Agreement, including without limitation the Products and Documentation (the "Partho Prior Technology"). All right, title, and interest in and to all derivative works, enhancements, extensions and modifications of or related to the Partho Prior Technology or other products developed in whole or in part by Partho, including without limitation all intellectual property rights therein (the "Developed Technology") shall be the sole property of Partho whether developed by Partho or any other party in performing the Professional Services or otherwise unless the parties have agreed on a Work Order specifying ownership rights. All ideas, know-how, techniques or other intellectual property rights originated, developed or owned by the Client prior to the commencement of this Agreement and ideas, know-how, techniques or other intellectual property, excluding the Developed Technology, developed solely by Client during the term of this Agreement shall be the sole property of Client.
- (d) Partho acknowledges and agrees that as between the Parties, the Client is the sole and exclusive owner of the Client Data and Client trademarks, and that no right or interest in the Client Data and Client trademarks other than the licenses provided herein.
- (e) Client hereby grants to Partho a non-exclusive, royalty-free, non-transferable, limited right to use (during the Term) any Client Data provided to Partho, solely to perform the Services pursuant to this Agreement.

## **14. DISCLAIMER, LIMITATION OF LIABILITY**

- (a) EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, THE SERVICES AND ANY DELIVERABLES ARE PROVIDED TO THE CLIENT ON AN "AS IS" BASIS, WITHOUT WARRANTIES FROM PARTHO OF ANY KIND, EITHER EXPRESS OR IMPLIED. PARTHO EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT, UNLESS OTHERWISE SPECIFIED IN A SCHEDULE. PARTHO DOES NOT WARRANT THAT THE USE OF THE SERVICES WILL BE UNINTERRUPTED OR ERROR-FREE.
- (b) NEITHER PARTY SHALL BE LIABLE UNDER THIS AGREEMENT FOR ANY INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE OR CONSEQUENTIAL



DAMAGES (INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF GOODWILL, WORK STOPPAGE, COMPUTER FAILURE OR MALFUNCTION, LOST OR CORRUPTED DATA, CLIENT DATA, LOST PROFITS, LOST BUSINESS OR LOST OPPORTUNITY), OR ANY OTHER SIMILAR DAMAGES UNDER ANY THEORY OF LIABILITY (WHETHER IN CONTRACT, TORT, STRICT LIABILITY OR ANY OTHER THEORY), EVEN IF THE OTHER PARTY HAS BEEN INFORMED OF THIS POSSIBILITY. CLIENT ASSUMES ALL RESPONSIBILITY FOR THE SELECTION OF THE SUBSCRIPTION SERVICES, SOFTWARE AND DOCUMENTATION NECESSARY TO ACHIEVE CLIENT'S INTENDED RESULTS, AND FOR THE USE AND RESULTS OF THE SUBSCRIPTION SERVICES OR WORK PRODUCT.

- (c) EACH PARTY'S TOTAL LIABILITY FOR ANY DIRECT LOSS, COST, CLAIM OR DAMAGES OF ANY KIND THAT ARISE AS A RESULT OF THIS AGREEMENT OR THE SERVICES PROVIDED SHALL NOT EXCEED THE AMOUNT OF THE FEES PAID OR PAYABLE BY CLIENT TO PARTHO DURING THE INITIAL TERM. THIS LIMITATION ON LIABILITY WAS AND IS AN EXPRESS PART OF THE BARGAIN BETWEEN PARTHO AND CLIENT AND WAS A CONTROLLING FACTOR IN THE SETTING OF THE FEES PAYABLE TO PARTHO.
- (d) Partho and the Client agree that the limitations contained in this Section 14 are reasonable in scope and form an integral part of this Agreement.

## 15. INDEMNIFICATION

- (a) *Indemnity by Client.* The Client agrees to defend, indemnify and hold Partho, its directors, officers, employees, agents, contractors and affiliates, harmless from any loss, damage or liability, including all reasonable legal costs, that Partho may incur as a result of or in connection with any third party claim relating to or resulting from (a) any breach by the Client of the Client's obligations under this Agreement, including its obligation to comply with all applicable law; or (b) any third party claim that the Client's use of any Client Data or Client Trademarks infringes, misappropriates or otherwise violates the Intellectual Property Rights of any third party.
- (b) *Indemnity by Partho.*
  - i. *Indemnity.* Partho agrees to defend, indemnify and hold the Client, its directors, officers, employees, elected officials, agents, contractors and affiliates, harmless from any loss, damage or liability, including all reasonable legal costs, that the Client may incur as a result of or in connection with any third party claim relating to or resulting from (a) any breach by Partho of Partho's obligations under this Agreement, including its obligation to comply with all applicable law; or (b) any third party claim that the Software, any Deliverable, Service or the use thereof in the manner contemplated by the applicable Schedules, infringes, misappropriates or otherwise violates the Intellectual Property Rights of any third party.
  - ii. *Exceptions.* Partho will have no indemnity obligation to the Client under Section 15(b) in respect of any damages that resulted from (i) a modification of the Software not provided by Partho; (ii) the failure by the Client to promptly install an upgrade or any enhancement made available by Partho at no additional cost that would have eliminated the actual or alleged infringement; (iii) the failure by the Client to use the latest version of the Software or any component of the latest version of the Software where the use of the latest version would eliminate the actual or alleged infringement, provided that such latest version has been made available to the Client at no additional cost; or (iv) the combination by the Client of the Software with other items (including Client customizations) not provided by Partho, but only if the claim would not have arisen from use of the Software alone.
  - iii. *Replacement, etc.* Should the use of the Software be enjoined, or if in Partho's opinion the Software may become the subject of a suit or action for infringement, Partho may (i) obtain, at no expense to the Client, the right to continue to use such Software; or (ii) at no expense to the Client, provide the Client promptly with a substitute, modified or

replacement Software that is functionally equivalent to such Software and with comparable or better performance and quality characteristics; or (iii) terminate the applicable license(s) and refund to the Client any amounts paid by the Client for use of the applicable Software.

## 16. CONFIDENTIALITY

- (a) *General Rule and Definition.* A party (the “Disclosing Party”) may disclose Confidential Information to the other party (the “Receiving Party”) in connection with this Agreement. “Confidential Information” means secret or confidential information which is not generally known to the public and may include but is not limited to:
- i. information, in whatever form communicated by the Disclosing Party to the Receiving Party or anyone acting on the Receiving Party’s behalf, whether orally, in writing, electronically, in computer readable form or otherwise, or that is gathered by inspection by, the Receiving Party, whether provided before or after the Effective Date;
  - ii. Computer software, including but not limited to the Software;
  - iii. All plans, proposals, reports, analyses, notes, studies, forecasts, compilations or other information, in any form, that are based on, contain or reflect any confidential information of the Disclosing Party regardless of the identity of the person preparing the same;
  - iv. Client Data;
  - v. Personal Information; and
  - vi. the fact that information has been disclosed or made available to the Receiving Party.
- (b) *Exclusions.* Confidential Information does not include the following information: (a) information that is known to the Receiving Party at the time of disclosure as evidenced by any written documents in the possession of the recipient; (b) information that is available to the general public at the time of disclosure to the Receiving Party or is subsequently made available to the general public, without restrictions as to its use or disclosure, without fault of the Receiving Party; (c) information that is disclosed to the Receiving Party by another person or entity having the right to disclose or publicize it; (d) information that is intentionally distributed without restrictions as to confidentiality by the Disclosing Party. In addition, each party may disclose Confidential Information to the extent that the Receiving Party is compelled, pursuant to Canadian law, to disclose it, provided that a party being compelled to disclose shall provide the other party with prompt notice (to the extent permitted by law) in order to allow such party to seek one or more protective orders or other appropriate remedies to prevent or limit such disclosure, and shall co-operate with such party and its legal counsel to the fullest extent. If such protective orders or other remedies are not obtained, the party being compelled to disclose will only disclose that portion of the Confidential Information it is legally compelled to disclose, only to such person or persons to which such party is legally compelled to disclose, and shall provide notice to each such recipient that such Confidential Information is confidential and subject to non-disclosure on terms and conditions substantially similar to and not materially less protective than those in this Agreement, and, if possible, shall obtain each recipient’s written agreement to receive and use such Confidential Information subject to such terms and conditions. Notwithstanding the foregoing, this Section 16(b) does not apply to any Personal Information.
- (c) *Non-Disclosure.* Each party agrees to use the Confidential Information of the other party solely for the purpose of performing its obligations or exercising its rights under this Agreement, and will disclose such Confidential Information only to those of its own representatives who have a need to know the information in connection therewith, and who are under an enforceable legal obligation to keep same confidential and subject to comparable restrictions as apply to the Receiving Party under this Agreement, and shall take appropriate action to ensure their compliance with such obligation. Each party’s efforts to maintain the confidentiality of information under this Agreement, including the measures taken, will not be less than those which the party takes to prevent disclosure of its own proprietary information of like significance and in no event less than a reasonable standard of care. With the exception of

any disclosure permitted by the foregoing, each party agrees not to sell, license, transfer, publish, disclose, display, make available to others, the Confidential Information of the other party. In the event of a loss of any item containing Confidential Information of the disclosing party, or other instance as a result of which the unauthorized disclosure of Confidential Information is suspected (or ought reasonably to be suspected) to have occurred, the receiving party agrees to promptly notify the disclosing party in writing upon discovery of such loss.

- (d) Partho acknowledges that Client is bound by the *Municipal Freedom of Information and Protection of Privacy Act of Ontario* (“MFIPPA”), as amended from time to time, and that this Agreement and any information provided to Client in connection with its performance or otherwise in connection with this Agreement may be subject to disclosure in accordance with MFIPPA. If, pursuant to MFIPPA, a third party requests access to or disclosure of, or if, pursuant to MFIPPA, access or disclosure is required with respect to any of Partho’s Confidential Information or this Agreement or any other agreement, instrument, document or communication or other record, or any part thereof, relating to this Agreement, Partho, or the Services, the Client shall make reasonable attempts to provide prompt notice of the same to Partho prior to granting such access or making such disclosure and shall give Partho a reasonable opportunity prior to granting such access or disclosure to discuss the same with Client, challenge such access or disclosure, make redactions (or cause such redactions to be made) or otherwise preserve the confidentiality of its Confidential Information and the contents of any such agreement, instrument, document, communication or other record to the extent permitted under MFIPPA or otherwise by law.
- (e) *Equitable Relief*. Each party acknowledges that it would be damaging to the other party if Confidential Information of the Disclosing Party which the Receiving Party has or will come into its possession or knowledge in connection with the Agreement or the performance of the Agreement is used other than is authorized under this Agreement or is disclosed to third parties. It is understood that such damages may be difficult to calculate, that monetary damages alone may not be a sufficient remedy for any breach of the confidentiality obligations contained in this Section 16(d) and that such breach will cause irreparable damage to a party. It is hereby agreed that upon any such breach, or threatened breach, by the other party, the non-breaching party wishing to protect its Confidential Information will be entitled to seek and obtain equitable relief, including injunctive relief and specific performance, or any other relief as may be granted by any court, without the necessity of proving actual damages or posting of security or a bond.
- (f) *Destruction*. Each party, upon the request of the other party or within thirty (30) days after termination of this Agreement (whichever is earlier), agrees to return and cause its representatives to return, all copies of Confidential Information belonging to or provided by the other party or destroy such copies as directed by that party and certify their destruction.
- (g) *Indemnity*. Each party agrees to indemnify and hold the other party harmless from and against all loss or damage or any kind and nature suffered by the other party as a result of any breach by it or its representatives of its obligations relating to confidentiality contained in this Section 16
- (h) *Privacy and Personal Information*. Each party agrees that it will not, without the prior written consent of the other party, disclose or make available any Personal Information (as that term is defined in the *Personal Information Protection and Electronic Documents Act*) (“Personal Information”) to any other person or entity except for designated employees, agents and contractors of the other party who have a need to access the Personal Information in order to fulfill the terms of this Agreement, and who have been contractually obligated to maintain the privacy of such Personal Information. No employee shall be designated by either party to access the Personal Information disclosed or transferred by the other party unless such employee agrees to hold such Personal Information in confidence and private and limit the use of such Personal Information to the uses permitted hereby pursuant to and in accordance with a written covenant at least as restrictive as the covenant given by each party contained in this Section 16(h).
- (i) *Ibid*. Each party hereto agrees that Personal Information provided to it by the other party hereto shall only be used for such purposes as are specified herein or as otherwise permitted by the

Disclosing Party and that the other party shall not sell, transfer or disclose such Personal Information to any other party or use the Personal Information for any other purpose other than the purposes of Partho providing the Services specified in this Agreement. Each other party will follow all rules and regulations of the disclosing party with respect to the use, destruction, retention and security of the Personal Information disclosed by the disclosing party.

- (j) *User Information.* The Client represents and warrants that it has the full right, authority and consent to provide Partho with any Personal Information (collectively, “User Information”) about Users, employees, agents, contractors or any other user of any software included in the Software. The Client further acknowledges that the Client shall be responsible for ensuring the accuracy of the User Information.
- (k) *Publicity.* Neither party will issue any press release or other public statement disclosing the existence of this Agreement or any other information relating to this Agreement, the other Party, or the transactions contemplated hereby, without the prior written consent of the other party. Notwithstanding this provision, during the term of this Agreement, or for such longer period at the parties mutually agree to in writing, Partho shall be permitted to use the Client’s trademarks on its website solely for the purpose of indicating that the Client is a customer of Partho. Partho’s use of the Client’s trademarks must be in accordance with the Client’s brand standards (to be provided by the Client upon request by Partho). Partho shall be responsible for all costs associated with use of the Client’s trademarks in accordance with this section. Client shall be entitled to terminate the permission granted in this section upon thirty (30) days prior written notice.

## 17. INSURANCE

During the term of this Agreement, Partho shall maintain commercially reasonable insurance coverage corresponding to the scope of the services offered hereunder including, but not limited to: (i) workers’ compensation, disability, employment insurance, and any other insurance required by law, covering all of its operations in all locations of Client at which services will be performed by Partho under this Agreement; (ii) Comprehensive General Liability Insurance with limits not less than Two Million Dollars (\$2,000,000.00); and (iii) Errors and Omissions Insurance with limits not less than Two Million Dollars (\$2,000,000.00) (iv) Owned Automobile Liability Insurance, if applicable, with limits not less than Two Million Dollars (\$2,000,000.00); and iv) Technology and cyber risk Errors and Omissions Insurance and Network Security, with limits of not less than Two Million Dollars (\$2,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate. Prior to execution of this Agreement Partho shall provide Client with a Certificate of Insurance naming Client as additional insured with respect to the liability arising out of the operations of the named insured and shall provide for not less than thirty (30) days prior written notice by registered mail by Partho’s insurer to Client.

## 18. GENERAL PROVISIONS

- (a) *Appendices and Counterparts.* All recitals and appendices are hereby incorporated into this Agreement. This Agreement may be executed in any number of counterparts and/or duplicate originals.
- (b) *Lawyers’ Fees.* The prevailing party in any suit under this Agreement shall recover all costs, expenses and reasonable lawyers’ fees incurred in such action.
- (c) *Controversies.* Before either party commences any action against the other party, it shall give written notice to the other party of its intention to file a claim, and the senior management of the parties then shall meet in good faith to resolve the dispute.
- (d) *Definitions and Section Headings.* Singular terms shall be construed as plural, and vice versa, where the context requires. Section headings are a matter of convenience and shall not be considered part of this Agreement.
- (e) *Entire Agreement.* This Agreement is the complete and exclusive statement of the understandings of the parties, and it supersedes and merges all prior proposals and understandings, whether oral or written, relating to the subject matter of this Agreement. This

Agreement may not be modified except in writing, signed by an officer of Partho and a duly authorized representative of Client, and expressly referring to this Agreement.

- (f) **Export Laws.** Neither party will export or re-export directly or indirectly (including via remote access) any part of the Documentation, or Deliverables under any Schedule, or any Confidential Information to any country for which a validated license is required under the export laws without first obtaining a validated license. Each party agrees to comply with all requirements of the Canadian export control laws.
- (g) **Force Majeure.** Neither party will be responsible for failure of performance, other than for an obligation to pay money, due to causes beyond its control, including, without limitation: acts of God or nature; labor disputes; sovereign acts of any federal, provincial or foreign government; or shortage of materials.
- (h) **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the Parties hereto agree to adhere to the jurisdiction of the courts of Ontario. Any dispute resolution process in connection with this Agreement shall take place in Ontario.
- (i) **Independent Contractors; Non-exclusive.** Partho and the Client are independent contractors and will so represent themselves in all regards. Neither party may bind the other in any way. Nothing in this Agreement will be construed to make either party the agent or legal representative of the other or to make the parties partners or joint venturers.
- (j) **Notices.** All notices and other communications between the parties must be in writing and must be given by (i) personal delivery, (ii) a nationally-recognized, next-day courier service, (iii) first-class registered or certified mail, postage prepaid, or (v) electronic mail to the party's address specified in this Agreement, or to the address that a party has notified to be that party's address for the purposes of this section.

A notice given in accordance with this Agreement will be effective upon receipt by the party to which it is given or, if mailed, upon the earlier of receipt and the fifth Business Day following mailing.
- (k) **Severability.** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect. However, should either party reasonably conclude that a provision held to be invalid or unenforceable was a material inducement to its entering into this Agreement, and the loss of that provision has deprived it of the benefit of the bargain reached upon execution of this Agreement, then that party may, upon ten (10) days' prior written notice, terminate this Agreement.
- (l) **Waiver.** The waiver of one breach or default shall not constitute the waiver of any subsequent breach or default, and shall not act to amend or negate the rights of any party.
- (m) **Currency.** Unless otherwise specified, all references to amounts of money in this Agreement refer to Canadian (CAD) currency.
- (n) **Non-Solicitation of Employees.** During the course of this Agreement and for a period of two (2) years thereafter, Client shall not solicit for employment, or other capacity, directly or indirectly, the services of Partho's current employees or consultants. For greater certainty, this provision does not preclude Client from hiring an employee of Partho ("Employee") that has applied for employment with Client during the nonsolicitor period provided that Client has not induced or encouraged the Employee to apply for such employment.
- (o) **Subcontracting.** Partho shall not be permitted to subcontract the whole or any part of this Agreement without the Client's prior written consent.



(p) Language. The parties have required that this Agreement and all deeds, documents and notices relating to this Agreement be drawn up in the English language. Les parties aux présentes ont exigé que le présent contrat et tous autres contrats, documents ou avis afférents aux présentes soient rédigés en langue anglaise.

*[Remainder of this page left blank intentionally.]*

*[Signature page for Software as a Service Subscription Agreement]*

**IN WITNESS WHEREOF** the parties have executed this Agreement by their authorized officers in that behalf.

**PARTHO TECHNOLOGIES INC.**

Per: \_\_\_\_\_

Name: VINOD VYAS

Position: Director & Senior Partner

I have authority to bind the corporation.

**THE CORPORATION OF THE CITY OF LONDON**

Per: \_\_\_\_\_

Per: \_\_\_\_\_

We have authority to bind the corporation.

## SCHEDULE “A” SOFTWARE SPECIFICATIONS

**THIS SCHEDULE “A” – SOFTWARE SPECIFICATIONS (“Schedule”)** forms part of the Software as a Service Subscription Agreement dated effective \_\_\_\_\_, 20\_\_\_\_ between Partho Technologies Inc. (“Partho”) and The Corporation of the City of London (“**Client**”), as amended from time to time (“**Agreement**”). Capitalized terms used in this Schedule but not defined in this Schedule are used in the Agreement.

### Functional Specifications

The mobiINSPECT mobile Software is a tool which allows building inspectors to record the findings of their inspections while in the field using their Android or iOS mobile devices. mobiINSPECT mobile application provides useful business functions to the building inspectors through an easy to use and intuitive mobile application running on their smartphone. The feature list available to the inspectors through the mobile application is as listed below under “Functional Flow Specifications”.

The mobile application connects to AMANDA backend system through a secure and robust cloud based mobile backend system. The mobile application is login protected so that only users authorized within the AMANDA system are able to use it. Once authenticated, the inspectors are able to view their building inspection tasks that are created and assigned to them in AMANDA. Inspectors can then carry out the inspection task(s) by taking pictures of the building work. They can also add notes and assign an AMANDA results code to the inspection. When the inspector is ready to submit the completed report back to the AMANDA system, they can simply submit from the field from within the application.

The application handles connectivity issues from the field intelligently to ensure Data is delivered to the back-end AMANDA system. It also allows inspectors to save their report in draft mode if needed to retrieve it back later and submit on completion. Inspectors can also view inspections in the vicinity of where they are so they can carry out additional inspections while in that area to avoid redundant trips back to the same place.

An easy and intuitive user interface and other features such as on-screen annotations make it easy for the building inspector to capture accurate notes and deficiencies and focus on their business function rather than steep learning curves to use the application.

### Functional Flow Specifications

1. The mobiINSPECT mobile application system is a tool which allows building inspectors to record the findings of their inspections in the field using Android or Apple smartphones. \*
2. Using the mobiINSPECT application, the inspector will be able to:
  - (a) Log into mobile application using Amanda credentials
  - (b) View and open inspection tasks assigned to them using the Amanda system
  - (c) Take images and enter notes on each inspection task to create a “report” on that inspection task
  - (d) Annotate images using a stylus or by hand
  - (e) Add caption or description to associate with the image itself
  - (f) Remove unwanted images from the in-progress report
  - (g) Submit the inspection results report (images and notes) from the field to the Amanda back end system
  - (h) Save the report as a draft locally on the device if the inspector needs to work on it later. \*\* (i) Submit the updated draft to the backend system after any desired updates to it.
  - (j) View inspection nearby in a map view so that s/he can take on additional inspections in the vicinity of where they are at that point in time, to achieve logistical efficiencies.
  - (k) Receive push notifications.

- (l) Select a submission policy per municipal policy of whether the reports can be submitted over mobile network connections such as 3G/LTE or only on Wi-Fi.
- (m) View and work open inspection tasks assigned in Amanda to other inspectors on their team similar to their own tasks.

3. The mobiINSPECT application will detect if the device does not have connectivity at the time of submission of report by the building inspector and queue it up internally for auto submission when it detects that connectivity is restored. The inspector will be able to view such pending submissions in read only mode.

\*The following are a function of the resources available on the smartphone device and will be determined based on the client's device of choice during the project kick-off:

- 1. the number of images that can be taken per inspection report
- 2. the number of drafts that can be saved
- 3. number of pending submissions allowed

The quality and bandwidth of the Wi-Fi or mobile data connection being used can have a bearing on the queue size of the pending submissions list. It is highly advised that enterprise grade Wi-Fi and data connectivity be used for optimal performance.

\*\*Partho will advise the client on the OS/API levels and minimum compatible smartphone to be used on Android and iOS. Client will need to upgrade the device OS levels to the required OS/API levels.

Partho recommends that the customer standardize on one platform e.g. either Apple or Android phone for their workforce to avoid complications from maintenance of two different platforms. For Android, Partho advises customers to go with the latest available OS version. For Android, at the time of this writing it is Oreo and for Apple it is iOS 11. For Apple the device selected should be the latest available device at the time of contract signing. At the time of this writing it is iPhone 10 running iOS 11. For Android there are different manufacturers, however, Partho recommends Google Pixel XL running Oreo OS version which is a market leading device.

**SCHEDULE “B”**  
**SUBSCRIPTION SERVICES**

**THIS SCHEDULE “B” – SUBSCRIPTION SERVICES (“Schedule”)** forms part of the Software as a Service Subscription Agreement dated effective \_\_\_\_\_, 20\_\_\_\_ between Partho Technologies Inc. (“Partho”) and The Corporation of the City of London (“**Client**”), as amended from time to time (“**Agreement**”). Capitalized terms used in this Schedule but not defined in this Schedule are used in the Agreement.

**Services**

Partho will configure, test and deliver the Software in accordance with the terms of Schedule D and the Agreement.

**Client Project Team Members**

The project team members assigned by the Client to manage the provision of the Services shall be:

<<Client to specify point person from client’s team who will interface with Partho Development team>>

**Term**

mobiINSPECT is offered as managed service with a term commitment.

The term of the Agreement (“Term”) shall commence on the Initial Term Start Date (identified below) and shall continue for the Initial Term Commitment (identified below) (“Initial Term”), subject to renewal.

Initial Term Commitment – Five (5) years (60 months)  
Initial Term Start Date – April 1, 2018  
Initial Term Expiration Date – March 30, 2023

**Fees**

The Client shall pay the fees described in the table below:

<u><b>Fees</b></u>	<u><b>Description/Amount</b></u>
One-Time Initial Setup Fee	\$49,500.00 based on 10 unique devices (“Base Number of Devices”)  <i>Note: Will not be charged again for renewal terms.</i>
One-Time Integration Professional Services Fee	\$40,500.00.  <i>Note: Will not be charged again for renewal terms</i>

Annual Device Fees	<p>Additional devices over the Base Number of Devices will be charged at \$150/year/device</p> <p>Note: Additional Device Fees will also be charged if the Client uses such devices without authorization. It shall be a material breach of the contract if a Client uses more than 3 additional devices over and above the agreed upon number of authorized devices without the consent of Partho.</p> <p>The entire annual Additional Device Fee will be charged for a device if such device uses the Software at any point during the year.</p>
Managed SaaS Annual Fees	<p>Per table “Table Of Managed SaaS Annual Fee” below</p> <p>Note: Partho reserves the right to increase the Managed SaaS Annual Fees for each renewal term. Fee increases will be made in consultation with the Chief Building Official of the Client to cover escalation in operational costs.</p> <p>Operational costs may also <i>decrease</i> as additional cities adopt the Software. This may result in decreased Managed SaaS Annual Fees for Renewal Terms.</p>
Professional Services including Additional Training	<p>Additional Professional Services may be charged at the hourly rate of \$175/hr.</p> <p>While initial training for employees using authorized devices is included, the Client may request additional training for new employees or refresher courses by submitting a Work Order.</p>

TABLE OF MANAGED SaaS ANNUAL FEES	
No of Cities	Operational cost/yr. per Client for up to 10 unique devices
1	\$21,467.00
2	\$15,293.50
3	\$13,235.67
4	\$12,206.75
5	\$11,589.40
6	\$11,177.83
7	\$10,883.86
8	\$10,663.38
9	\$10,491.89
10	\$10,354.70
11	\$10,242.45
12	\$10,193.50
13	\$10,152.08
14	\$10,116.57
15	\$10,085.80
16	\$10,058.88
17	\$10,035.12
18	\$10,014.00
19	\$9,995.11
20	\$9,978.10

4. Client Billing Information

Billing Department Name: The Corporation of the City of London, Development Compliance Services



Billing Department Address: 300 Dufferin Avenue London Ontario PO BOX 5035 N6A 4L9

Contact Name: George Kotsifas, Managing Director, Development and Compliance Services and  
Chief Building Official

Contract Phone number: 519-661-CITY (2489) Ext. 5027

Contact email: [gkotsifa@London.ca](mailto:gkotsifa@London.ca)

## **SCHEDULE “C” SUPPORT AND SLA**

**THIS SCHEDULE “C” – SUPPORT AND SLA (“Schedule”)** forms part of the Software as a Service Subscription Agreement dated effective \_\_\_\_\_, 20\_\_\_\_ between Partho Technologies Inc. (“Partho”) and The Corporation of the City of London (“**Client**”), as amended from time to time (“**Agreement**”). Capitalized terms used in this Schedule but not defined in this Schedule are used in the Agreement.

### **Maintenance and Paid Support**

#### **Maintenance Services**

During the Term, Partho Technologies will provide maintenance services for mobiINSPECT. The maintenance will include, but is not limited to, patchwork and upgrades for newer versions of supported mobile OS. The maintenance will not include maintenance or upgrades arising out of changes made to (a) unsupported mobile OS or third party systems by the Client; or (b) substantial changes to (or upgrades to newer versions of) the Amanda system.

The Client shall advise Partho of any upcoming changes to their systems. Partho will assess such changes and suggest and provide a quote for the Professional Services needed to support the Client’s system changes.

Regular maintenance services will be provided in off business hours – 5:30 pm to 8:00am EST. Partho Clients will be provided a one week email notice prior to any maintenance service. Partho reserves the right to provide maintenance on shorter notice in the event of critical updates that may impact the working/functioning of mobiINSPECT

#### **Paid Software Support**

Subject to the Client’s payment of support services, during the Term, Partho shall provide support to the Subscription Services during regular business hours from 8:00 am to 5:00 pm.

Support Services can be initiated through direct access to the Partho AMS (Application Management Support) ticketing system, or by calling in to the helpdesk during regular business hours.

The Partho AMS system provides the Client an easy to use and self-intuitive web based tool to report support issues. The standard of Support Services will be governed by the SLA described herein.

The Partho team will analyze and diagnose the reported issues to establish root cause. Partho will endeavor to fix any issues relating to the Software as described herein. If issues are identified as being caused by the Client systems (e.g. VPN Gate way continuity issues or AMANDA changes/defects), Partho will report such issues to the associated Client team. In order to maintain SLA standards, during diagnosis of reported issues, the Partho support team will require the affected Client team to be regularly responsive to requests.

In the event of nonpayment by the Client by the due date, Partho reserves the right to suspend maintenance and paid support service with an email in accordance with the terms of the Agreement.

#### **Limitations on Support**

Partho’s obligation to provide support is contingent upon proper use of the Software and full compliance with the Agreement. Moreover, Partho shall be under no obligation to provide maintenance and support should the maintenance and/or support be required due (i) to failure to operate the Software within any recommended system requirements provided with the Software; (ii) any modification or attempted modification of the Software by the Client or any third party; or (iii) the Client’s failure to implement Software changes or upgrades recommended by the Provider.

### **Support Issue Severity Levels, Response Times, Issue Resolution and Escalation**

**Severity 1:** The Production system / application is down, seriously impacted and there is no reasonable workaround currently.

Upon confirmation of receipt, Partho will begin continuous work on the issue, and an appropriate Client resource from the affected Client team must be available at any time to assist with problem determination.

Once the issue is reproducible or once Partho has identified the Software defect, Partho support will provide reasonable effort for workaround or solution within 24 hours.

**Severity 2:** The system or application is seriously affected. The issue is not critical and does not comply with the Severity 1 conditions. There is no workaround currently available or the workaround is cumbersome to use.

Partho will work during normal business hours, using reasonable effort to determine a workaround or solution within 5 Business Days, once the issue is reproducible.

**Severity 3:** The system or application is moderately affected. The issue is not critical and the system has not failed. The issue has been identified and does not hinder normal operation, or the situation may be temporarily circumvented using an available workaround.

Partho will work during normal business hours using reasonable effort to determine a workaround or solution within 10 Business Days, once the issue is reproducible.

**Severity 4:** Non-critical issues.

During normal business hours Partho will seek to provide a solution in future releases of the Service.

**Service Level Agreement (SLA)**

*Uptime.* “Uptime” means the aggregate percentage of hours in a calendar month during which Subscription Services is actually available for use by Client and reasonably operational and usable. “Downtime” is the amount of time during which Subscription Services is unavailable.

Uptime=100%-(Downtime [as defined in the Agreement] divided by the total number of hours in the relevant month, expressed as a percentage). If the Uptime during the month under consideration is less than 92.4%, Provider shall provide credits to the Customer as set out herein (“Credits”).

“Daily Fee” shall mean the annual fees paid by the Client for the Subscription Services divided by three hundred and sixty five (365).

Uptime	Rebate/Credit
92.40% or Greater Uptime	No Credits Provided
92.00% to 92.39% Uptime	Rebate equal to one (1) Daily Fee
91.00% to 91.99% Uptime	Rebate equal to two (2) Daily Fees
90.00% to 90.99% Uptime	Rebate equal to three (3) Daily Fees
89.99% or lower Uptime	Rebate equal to four (4) Daily Fees

*Sole Remedy.* In the event that Client is dissatisfied with the Uptime, Client’s sole remedies are (a) those listed in this Schedule; (b) termination in accordance with the terms of the License; or (c) if the Uptime falls below 92.4% in six (6) consecutive months or any six (6) months in a period of twelve (12) months, the Client may be permitted to terminate this Agreement without paying the early termination fees described in Section 4(e).

*Reporting Downtime.* Client must report any Downtime to Partho through Partho’s help desk. Client must provide the necessary information and co-operation required by Partho to enable Partho to determine the cause of the problems. A support ticket will be opened and Partho will subsequently investigate the reported Downtime.

*Eligibility for Credits.* Credits will only be applied to the account of Client when the Downtime was reported to Partho in accordance with this SLA, or if Partho was otherwise aware of the Downtime. Credits are calculated on a per year basis and are not cumulative. Credits shall be applied to the next annual invoice issued to Client. If there is no further invoice issued to Client, Partho will pay Client the amount equivalent to the Credits.

*Exceptions.* Partho shall not be responsible for any Downtime to the extent that such Downtime is the direct, normal and reasonable result from any of the following:

- (a) Subscription Services being modified or altered in any way by Client or at Client's request;
- (b) Delays or unavailability of the Subscription Services caused by the Client's action or inaction or due to the unavailability of the Amanda system or Client's VPN system;
- (c) Incomplete, inaccurate information provided by Client to Provider;
- (d) Any delay or failure in complying with any of Client's obligations under the Agreement;
- (e) Time taken during Planned Service Interruptions (to a maximum of 2 hours per month), as provided above;
- (f) Regulatory events; or
- (g) Any Force Majeure under the MSA, other than unavailability of communications or electrical service provided by a third party.

## SCHEDULE "D"

### STATEMENT OF WORK - 001

#### INSTALLATION AND CUSTOMIZATION OF SOFTWARE

For the installation and customization of the mobiINSPECT application, Partho Technologies shall:

- 1 Initiate a kick-off meeting with all stakeholders followed by the creation of a project plan that will detail activities to be undertaken by Partho and a schedule from inception to *Go-live* of the application for the Client. **Deliverable:** Project Plan
2. **Fit-Gap analysis:** The Partho team will setup meetings with the Client's Buildings Department business team and the Client's IT team to conduct a fit-gap analysis. The objective of this Fit-Gap Analysis will be to understand any specifics around the building inspections business process of the Client. A pre-requisite for the fit-gap analysis is that the Client should have available the necessary web services to integrate with the backend Amanda system. Client must make available relevant resources and subject matter experts for these meetings. **Deliverable:** Fit-Gap Analysis document
3. **Provisioning of the mobile application and middleware** including development of code, chargeable as Professional Services, to integrate with the backend Amanda system.
4. **Provisioning a VPN based hybrid cloud setup** for connecting to the backend Amanda system
5. **Conduct QA** cycles to test the functioning of the mobile application with the cloud based middleware and Amanda service backend. **Deliverable:** QA Completion Documentation
6. **Conduct UAT** with a subset of the users to ensure the application is working with their devices. Partho Technologies will conduct a UAT (user acceptance testing) in conjunction with Client's staff, to ensure that the provisioned users are able to use the application per specification. The roll out to the staff of the Client will be done once UAT is signed off. The criteria for sign off on UAT would be that there are no severity 1 defects and less than 3 severity 2 defects related to the custom development effort i.e. integration to the **AMANDA** system. No changes or updates will be entertained on other parts of the Application. **Deliverable:** UAT Completion Documentation.
7. **User training** on usage of the application. **Deliverable:** User Training documentation.
8. **Conduct Production readiness** and contingency plan along with the Client business and IT team.
9. **Release the enterprise app to the Mobile Application Center** for the respective platform(s) and provision access so provisioned users can download the mobile application.

## SCHEDULE "E"

### WORK ORDER FORM – mobiINSPECT New Feature/ Enhancements/Professional Services





*Approval*

<b>Decision:</b> <select>	<b>Approved by:</b>
	<b>Name:</b>
	<b>Title:</b> <b>Date:</b>
<b>Comments:</b>	

## **SCHEDULE “F” SECURITY POLICY**

Client data security is paramount in the mobiInspect application. As such, mobiInspect has been built with security at all levels to ensure sensitive data and privacy are protected. The mobiInspect application comprises of different layers starting from the client device where the mobile application runs to the cloud layer that hosts the integration adapters and business logic and finally, the data connection between the cloud and Client data center. Once the data reaches the Client’s VPN/client gateway/SSL endpoint, the security of the Client data center takes over. Partho ensures that sensitive data is protected in transit and at rest from mobile application device all the way to the point that it reaches the Client’s endpoint

Partho achieves the above stated objectives through:

1. Building security features at the application, cloud and communication layers
2. Monitoring the cloud traffic for the application to proactively thwart any suspicious activity
3. Building security awareness and practices in its DevOps processes
4. Responding to any potential threats in a timely manner

The following is a list of several security features and practices built into the solution:

1. Partho application architectural guideline is to avoid storing Client data on the client device unless it is necessary for functioning of a functional feature.
2. If sensitive client data is deemed necessary for storage on the client device, it is stored in an encrypted format with industry standard ciphers and algorithms
3. The communication between the client device running the app and the cloud layer is over SSL/TLS using encryption
4. Access to the resources within the integration layer hosted in the cloud, that the client application accesses to communicate with the backend system are protected through an OAuth2.0 layer.
5. Currently, only user access tokens are stored in the operational data store of the mobile application platform in the cloud. No client data from the backend system is stored in the cloud database. This may change in the future as the cloud layer is enhanced for reporting purposes
6. Any sensitive data that will be deemed important to be retained in the cloud database in the future will be encrypted with industry standard ciphers and algorithms
7. The user access tokens have a configurable time limit after which they expire. This is an important security feature to prevent malicious usage through session token theft. Once the user access token expires, the user is prompted to login again on the client device for renewal of the access token
8. The integration layer in the cloud is protected through Application Authentication. This means that the integration layer in the cloud checks each request that it receives from client application to ensure that the request came from a valid application i.e. mobiInspect. This protects the resource from any malicious attempt of access reverse through a reverse engineered application
9. Following best practices the Application binaries are minified and obfuscated to thwart reverse engineering attempts
10. Data sent from the cloud to the backend system with customer’s data center is sent over secure IPSec or SSL VPN tunnel or through SSL encryption over the internet. Further encryption for security at a message level may be applied as/if deemed necessary.

11. The cloud provider used by Partho to host the application integration layer and the client's data has the highest standard of security compliance i.e. ISO 270001, FedRamp, FIPS140-2 and compliance reports for the cloud can be provided on request
12. The cloud architecture uses cloud security best practices to host and run the application integration tier. Integration layer is secured through use of public and private subnets allowing traffic from one to other through whitelisting, security groups and network ACLS. Private subnets house the application integration layer with no direct access from or to the subnet
13. Access to administrative accounts and privileges therein are very tightly controlled and limited to select trusted individuals with long history with the company and thorough background checks
14. Access to all cloud accounts are secured through MFA (multi-factor authentication) for added security.
15. Security is paramount in on-going monitoring of the integration layer. Cloud Watch and cloud trail are used extensively to monitor any failed attempts of illegal access to the integration layer and/or to the cloud accounts
16. As an added security measure the mobile application client is only available for download over SSL through a securely hosted private enterprise application center in the cloud. Application is not hosted or available on public application center
17. The cloud tier of the application provides for administratively disabling access for any device connected to the cloud tier. If a client device is compromised, lost or stolen, the device's access can be turned off by Partho administrator on receiving request from the customer.

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	ANNUAL REPORT ON BUILDING PERMIT FEES MEETING ON MARCH 19, 2018

RECOMMENDATION
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That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the attached report on building permit fees collected and costs of administration and enforcement of the *Building Code Act* and regulations for the year 2017, **BE RECEIVED** for information purposes.

PREVIOUS REPORTS PERTINIENT TO THIS MATTER
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Planning and Environment Committee Report dated March 27, 2017.

BACKGROUND
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The *Building Code Act* and the regulations made thereunder (*Ontario's Building Code*) require that a report be prepared annually on building permit fees collected, and the costs incurred in the administration and enforcement of the *Building Code Act* and regulations. Specifically, Division C, Section 1.9.1.1., of the regulations state:

- (1) The report referred to in subsection 7(4) of the Act shall contain the following information in respect of fees authorized under clause 7(1)(c) of the Act:
  - (a) total fees collected in the 12-month period ending no earlier than three months before the release of the report,
  - (b) the direct and indirect costs of delivering services related to the administration and enforcement of the Act in the area of jurisdiction of the *principal authority* in the 12-month period referred to in Clause (a),
  - (c) a breakdown of the costs described in Clause (b) into at least the following categories:
    - (i) direct costs of administration and enforcement of the Act, including the review of applications for permits and inspection of *buildings*, and
    - (ii) indirect costs of administration and enforcement of the Act, including support and overhead costs, and
  - (d) if a reserve fund has been established for any purpose relating to the administration or enforcement of the Act, the amount of the fund at the end of the 12-month period referred to in Clause (a).
- (2) The *principal authority* shall give notice of the preparation of a report under subsection 7(4) of the Act to every person and organization that has requested that the *principal authority* provide the person or organization with such notice and has provided an address for the notice.

**Revenues Collected**

Building permit fees collected during 2017 totalled \$7,073,285. However, consistent with revenue recognition principles, governed by general accepted accounting principles (GAAP), Building fee revenue recognized by the City of London for 2017 equated to \$5,967,906.

As shown below, the net revenue of building permit fees for 2017 was;

Deferred Revenue from 2016	1,140,174
2017 Building Permit Fees	7,073,285
Deferred Revenues to 2018 [permits not issued in 2017]	(2,245,553)
<b>2017 NET REVENUE</b>	<b>5,967,906</b>

**Costs Incurred**

The total costs, both direct and indirect incurred during 2017 were \$5,774,002, as shown in the table below (these cost are not audited costs).

	<b>Costs (\$)</b>	<b>Person Years</b>
<b><u>DIRECT COSTS</u></b>		
Administration	335,253	2
Permit Issuance	1,386,548	14
Inspection	1,678,955	19
Zoning Review and Property Standards	263,782	4
Operational Support	543,538	9
Operating Expenses (supplies, equipment, etc.)	325,909	
<b>TOTAL DIRECT COSTS</b>	<b>4,533,985</b>	<b>48</b>
<b><u>INDIRECT COSTS</u></b>		
Corporate Management and Support	695,950	
Risk Management	186,368	
Life Safety and Grading Review	159,699	
Office Space	198,000	
<b>TOTAL INDIRECT COSTS</b>	<b>1,240,017</b>	
<b>TOTAL COSTS</b>	<b>5,774,002</b>	

**Net Financial Position**

At 2017 year end, the net revenue was \$5,967,906. By deducting the total direct and indirect costs of \$5,774,002 for administration and enforcement of the *Building Code Act* and the *Building Code*, would result in \$193,904 to be deposited to the Building Permit Stabilization Reserve.

Total Net Revenue	5,967,906
Total Cost of Enforcement	- 5,774,002
<b>YEAR END CONTRIBUTION (withdrawal if negative)</b>	<b>193,904</b>



**Building Permit Stabilization Reserve (BPSR)**

The issue of what constitutes an adequate reserve was discussed with the building industry as represented by the London Home Builders’ Association in 2006. Agreement was reached that the reserve should be approximately 40% of the year’s costs for the administration and enforcement of the *Building Code Act* and the *Building Code*. It was also agreed that when the reserve falls below 30% of the annual cost, a review would be undertaken with a view to increasing permit fees. Likewise, when the reserve exceeds 50% of the annual cost, a review would be undertaken with a view to decreasing permit fees.

The BPSR 2017 opening balance was \$2,360,059. Considering a deposit of \$193,904, the balance of this reserve will be \$2,553,963 which equates to 44.2% of annual operating costs.

Reserve Opening Balance	2,360,059
Year End Contribution (withdrawal if negative)	<u>193,904</u>
<b>2017 RESERVE CLOSING BALANCE</b>	<b>2,553,963</b>

**Building Permit Fees**

In 2012, a review was completed of the building permit fee structure in relation to volumes and effort, as well as a comparison of London fees in relation to other similar jurisdictions. Consequently, a new fee structure was adopted by Council effective November 1, 2012, this was consistent with the findings of the Building Control audit. This was the first increase in building permit fees since 2005 and the average increase was approximately 20%. The analysis undertaken during the Building By-law review in 2012 was based on a model of a 5 year cycle for permit fee review.

As indicated in the March 27, 2017 Annual Report, staff were to monitor and undertake an analysis of the current fee structure to determine if a fee increase is warranted. Staff will be presenting proposed changes to the Building By-law through a report to Committee later this year. As part of that report, staff will identify any changes to fees, where warranted.

**Conclusion**

In accordance with the legislation building permit revenues are to be used for the cost of administration and enforcement of the *Building Code Act*, accordingly, in 2017 there was a deposit to the Building Permit Stabilization Reserve (BPSR). The revised balance in the BPSR equates to 44.2% of annual operating costs, keeping the reserve at an adequate level as agreed upon with the industry.

Last year, staff committed to undertaking an analysis of the fee structure to determine if a fee increase is warranted to ensure adequate funding levels for the administration and enforcement of the *Building Code Act*. Staff will be reporting to Council later this year on potential amendments to the Building By-law and will address any fee changes, where warranted, at that time.

<b>PREPARED AND RECOMMENDED BY:</b>
<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Application By: Active Wellness Products Inc.  
50 Charterhouse Crescent

**Public Participation Meeting on: March 19, 2018**

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Active Wellness Products Inc. relating to the property located at 50 Charterhouse Crescent the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 27, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Light Industrial (LI1/LI3/LI7) Zone, **TO** a Light Industrial (LI1/LI2/LI3/LI7) Zone.

**Executive Summary**

**Summary of Request**

The requested amendment is to facilitate the use of a dairy processing facility for yogurt products.

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended action is to add the Light Industrial (LI2) Zone to permit “food, tobacco and beverage processing industries” in addition to the range of other light industrial uses.

**Rationale of Recommended Action**

1. The proposed reuse of the existing building is consistent with the Provincial Policy Statement 2014, and maintains the economic contributions of the light industrial employment lands;
2. The proposed broadening of the industrial uses is appropriate for the subject site and conforms to the permitted uses in the Light Industrial designation and Light Industrial Place Type;
3. The recommended amendment will ensure the continued operation and viability of the light industrial node for current and future uses; and
4. The dairy processing facility has demonstrated there will be no adverse impacts produced that would affect nearby sensitive uses through a compatibility assessment and Odour Evaluation Letter.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is an existing developed property with two separate buildings located on Charterhouse Crescent. The building fronting the street is not proposed to change, and the rear building which is currently used as a powder coating business is the subject of the application and proposed for adaptive reuse. The site is located within an existing Light Industrial node where light industrial uses are most predominant. Some sensitive uses such as a place of worship and residential uses are located within the general vicinity. Conversely, some heavy industrial uses can be found within the surrounding area as well.



Figure 1: Subject Site – Rear Building

#### 1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Light Industrial (LI)
- The London Plan Place Type – Light Industrial (LI)
- Existing Zoning – Light Industrial (LI1/LI3/LI7) Zone

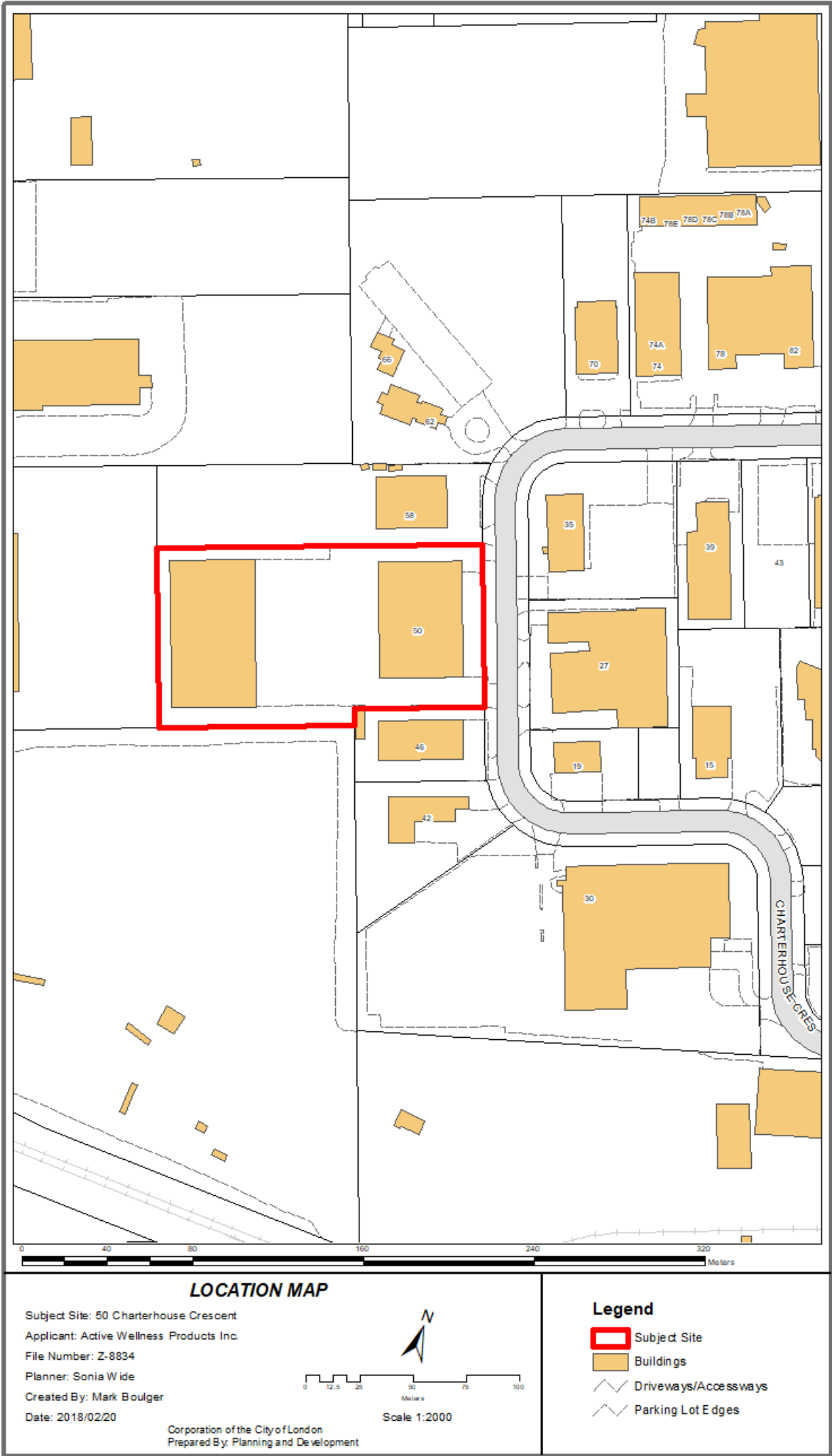
#### 1.3 Site Characteristics

- Current Land Use – light industrial
- Frontage – 76m (249 feet)
- Depth – 162m (531 feet)
- Area – 1.233ha (3 acres)
- Shape – Rectangular

#### 1.4 Surrounding Land Uses

- North – Light Industrial – Auto Body/Hindu Cultural Centre
- East – Light Industrial – Moose Lodge/Custom Millwork/Anti-Rust Coating
- South – Powder Coating/Retail
- West – Light Industrial – Motorsports Sales/Automotive/Tool & Dye/Banquet Hall

1.5      Location Map



## 2.0 Description of Proposal

### 2.1 Development Proposal

The proposal is for an adaptive reuse of the existing (rear) building for the processing of milk into yogurt, as part of the food, tobacco and beverage processing industry use. The front building located along Charterhouse Crescent is not proposed to change and is currently used for an automotive repair facility (GTG Automotive) and a Security Screen business (Armoured Guard).

### 2.2 Detailed Description of Operation

The specific industry requested is to produce a drinkable yogurt product. An Odour Evaluation Letter was submitted by RWDI which assessed in detail the process and impacts associated with the yogurt production. The following are the general steps that are similar for all yogurt products manufacturing: 1) milk receiving, 2) cooling/holding, 3) pasteurization, 4) homogenization, 5) cream separation, 6) inoculation with starter culture, 7) incubation/ fermentation, 8) packing, and 9) cold storing.

The yogurt production will operate within enclosed storage containers located within the building, with the exception of the pasteurization stage where water vapour is evaporated. The process will convert 1L of milk into 1L of yogurt within hermetically sealed tanks and pipes. Minimal waste will be produced from the manufacturing process, primarily involving periodic cleaning of the storage tanks. The Evaluation letter concluded there “are no likely sources of odour emissions at any point in the process” and that “there would be no significant sources of emissions associated with the process” (p.4 & 6, RWDI: Odour Evaluation Letter).

## 3.0 Relevant Background

### 3.1 Planning History

The industrial subdivision M62 was registered in 1979, and the site developed shortly after in the early 1980’s through building permits and site plan from 1985, 1988 and 1990. The rear building on the existing lot was most recently used for a powder coating business.



Figure 2: Subject Site – Rear Building Photo

### 3.2 Requested Amendment

The requested amendment was to add the Light Industrial (LI2) Zone to the existing Light industrial (LI1/LI3/LI7) Zones, to specially allow for the food, tobacco and beverage processing industry use.

### 3.3 Community Engagement

At the time of the preparation of this report, no community comments were received for this application.



3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement encourages healthy, liveable and safe communities, that are sustained by accommodating an appropriate range and mix of employment uses, including industrial and commercial to meet long-term needs (1.1.3). The subject site is located within an existing light industrial node which contributes to the City’s economy and employment sector. Employment areas should be planned, protected and preserved for current and future uses to support projected needs (1.3.2.1). The proposed use maintains the industrial nature of the area and enhances the viability of the industrial node overall.

D-6 Guidelines: Compatibility Between Industrial Facilities and Sensitive Uses

The D-6 Guidelines were created by the Ministry of the Environment in 1995 in accordance with the Environmental Protection Act, and are intended to prevent or minimize land use issues due to the encroachment of sensitive land uses and industrial uses on one another. The industrial lands are in proximity to nearby sensitive uses, and the proposed zoning amendment has been reviewed in accordance with the D-6 guidelines.

Official Plan

The site is within the Light Industrial designation, which is intended for industries which have a limited impact on the surrounding environment and are frequently small in scale. Light industrial uses can normally be located in closer proximity to other land uses without significant conflicts (7.4). Within existing industrial areas such as the Charterhouse Crescent industrial node, opportunities should be provided for the introduction of new industries that are compatible with existing and surrounding land uses (7.1.5.ii)

The London Plan

Industrial Place Types represent a critical part of our City Structure – where one-third of Londoners work and where many of the goods and services we produce as a city are designed, manufactured, processed, assembled and then transported to the world (1107). The Light Industrial Place Type is where industries generating more minimal planning impacts will be permitted (1110).

**4.0 Key Issues and Considerations**

**4.1 Proposed Use**

Section 1.3 of the PPS contains the Employment policies, which promote economic development and competitiveness by providing an appropriate mix and range of employment uses (1.3.1a). The adaptive reuse of the site will allow for an alternative light industrial use within an industrial node. The PPS promotes opportunities for a diversified economic base, including maintaining a range of economic activities and ancillary uses which take into account the needs of existing and future businesses (1.3.1 b)). The proposed dairy processing facility maintains 50 Charterhouse Crescent for current and future employment uses.

The site is designated Light Industrial in the 1989 Official Plan and a Light Industrial Place Type in The London Plan. The main permitted uses within the Light Industrial designation and place type include industrial uses that involve assembling, fabricating, manufacturing, processing and/or repair activities. The proposed yogurt processing facility is a permitted light industrial use that involves food processing on an industrial scale.

Light Industrial uses are further characterised as uses located within enclosed buildings, that require a limited amount of outdoor storage, and are unlikely to cause adverse effects with respect to air, noise, odour or water pollution (7.3.1). The proposed use will occur within an existing building and will have no associated outdoor storage. There are no anticipated adverse effects associated with the dairy processing as supported by the justification report and Odour Evaluation Letter and detailed further through the

compatibility section of this report.

## 4.2 Operation Criteria

Permitted uses in the Light Industrial designation shall comply with Ministry of the Environment guidelines and standards regarding the emission of noise, vibration, and air contaminants such as dust, smoke, fumes and odours; water quality, including the quality of waste water discharge and run-off; waste control and disposal; and additional requirements as set out in the Official Plan and in the City of London's Waste Discharge By-law (7.3.3.i). The proposed dairy processing facility is not expected to cause adverse effects regarding emissions or operations, and will be required to comply with the standards and guidelines of the Ministry of the Environment and the City's Waste Discharge By-law.

## 4.3 Compatibility

The PPS provides direction to avoid development and land use patterns which may cause environmental or public health and safety concerns (PPS 1.1.1 c)). The nature of the proposed dairy processing facility was assessed for the potential nuisance impact on nearby sensitive uses and will not result in any adverse impacts to public health and safety.

One objective of the Official Plan is to provide opportunities within existing industrial areas for the introduction of new industries that are compatible with existing and surrounding land uses (7.1.5 ii). The London Plan further requires that the Province's *D-series Guidelines* are to be implemented to ensure that industrial uses and existing and planned sensitive land uses are not located inappropriately close to one another, and have been assessed as follows (1138):

### D-6 Guidelines: Compatibility Between Industrial Facilities and Sensitive Land Uses

The D-6 Guidelines are intended to prevent or minimize the encroachment of industrial land uses on sensitive land uses and vice versa. These guidelines recognize the compatibility issue that may arise from various adverse effects created by industrial operations on sensitive uses (1.1).

Sensitive uses are characterized as any building or associated amenity areas which is not directly associated with industrial use. Examples of sensitive uses include dwellings, schools, senior citizen homes, day care facilities, hospitals and churches (places of worship). There are various sensitive uses within the general area, with the closest being a place of worship located in the Hindu Cultural Centre at 62 Charterhouse Crescent.

Industrial uses are categorized by their potential to produce point source or fugitive emissions such as noise, vibration, odour and dust (1.2.2). There are three industrial facility classifications with class I being the least impactful, and class III the most impactful. The proposed dairy processing facility is a class I facility that is characterized as a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions (2.0).

For a class I facility, there is a potential area of influence of 70m which is a standard area applied where adverse effects may be felt. The minimum buffer to be provided is 20m to ensure some separation distance to the nearest sensitive use. The place of worship is located 38m from the subject site, which is the nearest sensitive use. The proposed yogurt processing is not anticipated to have adverse impacts on the place of worship, nor introduce any new nuisances that do not already exist.

## 4.4 Form and Scale of Development

The PPS requires that settlement areas are to be the focus of growth and development, and that their vitality and regeneration shall be promoted (PPS 1.1.3.1). The subject site is located within an existing settlement area and industrial node and will repurpose an existing building for the new industrial use. The PPS further requires that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (PPS 1.1.3.2 a)

1 & 2). The adaptive reuse allows the efficient utilization of the existing site which has full municipal services currently available.

The Zoning By-law may specify maximum building heights and site coverage so that the scale of new industrial development will have a minimal impact on any non-industrial uses in the surrounding area (7.3.6). The proposed use of the site will reuse the existing floor space in the rear building, and will have no changes to the site layout or function. All zone regulations including parking and landscaped open space have been met.

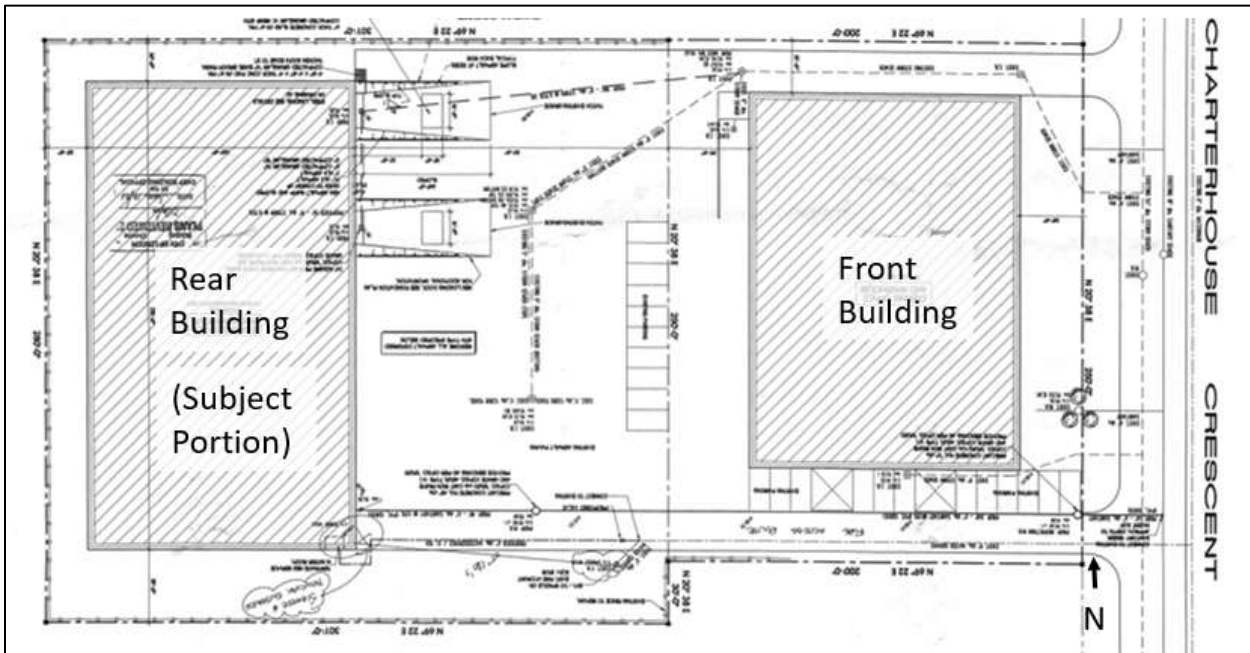


Figure 2: Conceptual Site Plan

4.5 Area and Site Design

The development of light industrial areas will be subject to the following area and site design considerations (7.3.5):

*i) Buffering: The Zoning and Site Plan Control By-laws may specify higher standards for setbacks, the location of parking and loading areas, signage, landscaping, and screening of outside storage areas along major entryways to the City and adjacent to residential areas.*

The adaptive reuse will occur within the existing building and no change is proposed for the site layout. The building has existing setbacks, parking, signage, landscaping, loading and screening measures that are appropriate to support the new use.

*iii) Visual Compatibility: Separation, buffering, and landscaping may be required to provide visual compatibility among adjacent land uses.*

The adjacent uses to the subject site are light industrial in nature considered to be complementary and compatible land uses. There are no additional requirements for enhanced landscaping, separation or buffering to transition from more to less intensive uses for the abutting properties.

*ii) Traffic: Industrial traffic should be directed away from, and not through, residential areas.*

The industrial node is located on a local road (Charterhouse Crescent) that services this industrial subdivision with direct access to the arterial Clarke Road. There are no traffic implications of industrial truck movement on nearby sensitive uses or the surrounding residential area.

*iv) Limited Access: The number of access points from Light Industrial sites to arterial or primary collector roads should be limited to minimize disruption to traffic flows.*

There are two access points for vehicular traffic from Charterhouse Crescent which is appropriate for the size and function of the site with 2 separate buildings. There are no concerns with maintaining the existing driveways.

More information and detail is available in Appendix B and C of this report.

**5.0 Zoning By-law**

The proposal is to add the Light Industrial (LI2) Zone to the existing Light Industrial (LI1/LI3/I7) Zone variation. The site meets all regulations for the current zone and the new use within the existing building will not require any changes to the regulations.

**6.0 Conclusion**

The proposed yogurt processing facility is consistent with the Provincial Policy Statement, 2014, and conforms with the Light Industrial policies of the 1989 Official Plan and The London Plan. The reuse of the existing building provides for the continued operation of a light industrial use, and enhances the viability of the light industrial node. The yogurt processing facility use has demonstrated no adverse impacts will be created which is an appropriate use in proximity to nearby sensitive uses.

<b>Prepared by:</b>	<b>Sonia Wise</b> <b>Planner II, Current Planning</b>
<b>Submitted by:</b>	<b>Michael Tomazincic, MCIP, RPP</b> <b>Manager, Current Planning</b>
<b>Recommended by:</b>	<b>John Fleming, MCIP, RPP</b> <b>Managing Director, Planning and City Planner</b>

March 9, 2018  
/sw

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**Appendix A**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
(2018)

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 50  
Charterhouse Crescent.

WHEREAS Active Wellness Products Inc. has applied to rezone an area of  
land located at 50 Charterhouse Crescent, as shown on the map attached to this by-law,  
as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to  
lands located at 50 Charterhouse Crescent, as shown on the attached map  
comprising part of Key Map No. A109 from a Light Industrial (LI1/LI3/LI7) Zone to a  
Light Industrial (LI1/LI2/LI3/LI7) Zone.

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

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

PASSED in Open Council on March 27, 2018

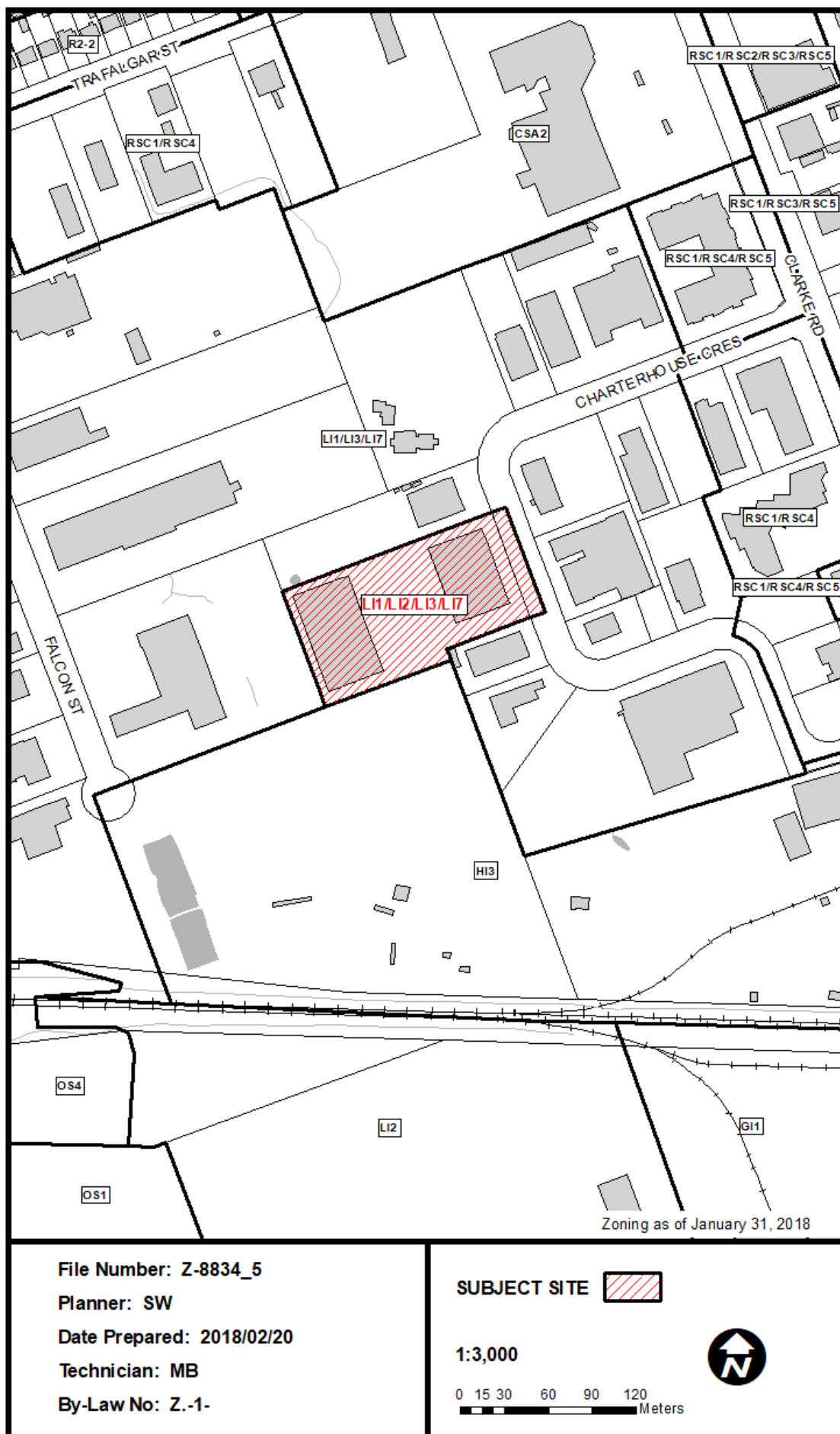
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018



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



**Appendix B – Public Engagement**

**Community Engagement**

**Public liaison:** On October 18, 2017, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 19, 2017. A “Planning Application” sign was also posted on the site.

0 replies were received

**Nature of Liaison:** Possible change to Zoning By-law Z.-1 from a Light Industrial (LI1/LI3/LI7) Zone which permits a broad range of light industrial uses, secondary permitted uses and automotive related uses, to a Light Industrial (LI1/LI2/LI3/LI7) Zone which permits the existing range of light industrial uses, and adds dry cleaning and laundry plants, food, tobacco and beverage processing industry uses excluding meat packaging, leather and fur processing excluding tanning, repair and rental establishments, service and repair establishments, service trades and textile processing industries

**Responses:** No responses were received

**Agency/Departmental Comments**

UTRCA: Nov 9, 2018 – Email excerpt

No Objections

Development Services – Engineering: November 9, 2018

The City of London’s Environmental and Engineering Services Department has not identified any concerns with respect to the aforementioned Zoning By-Law amendment application.

London Hydro: October 24, 2017 – Memo excerpt

No objection

**Appendix C – Policy Context**

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

1.1.1 – avoid public health and safety concerns

1.1.3 – range and mix of employment uses

1.1.3.1 – revitalize and regenerate settlement areas

1.1.3.2 – efficiently use infrastructure and public service facilities

1.3.2.1 – protect and preserve employment areas

D-6 Guidelines: Compatibility Between Industrial Facilities and Sensitive Uses

1.1 - Objective

1.2.2 – Industrial Land uses

2.0 – definitions

4.1.1 – Influence Area Concept

4.3 – Recommended Minimum Separation Distance

Official Plan

7.4 – Light Industrial Designation

7.1.5 – compatible industries within existing industrial areas

7.3.1 – main permitted uses unlikely to cause adverse impacts

7.3.3 – Operation Criteria

7.3.6 – Scale of Development

7.3.5 – Area and Site Design Criteria

London Plan

1107 – Industrial place types are critical to our City Structure

1110 – Light Industrial place type includes industries with minimal impacts

1138 – D-series guidelines will be implemented to ensure compatibility

Z.-1 Zoning By-law

Chapter 4: General Provisions

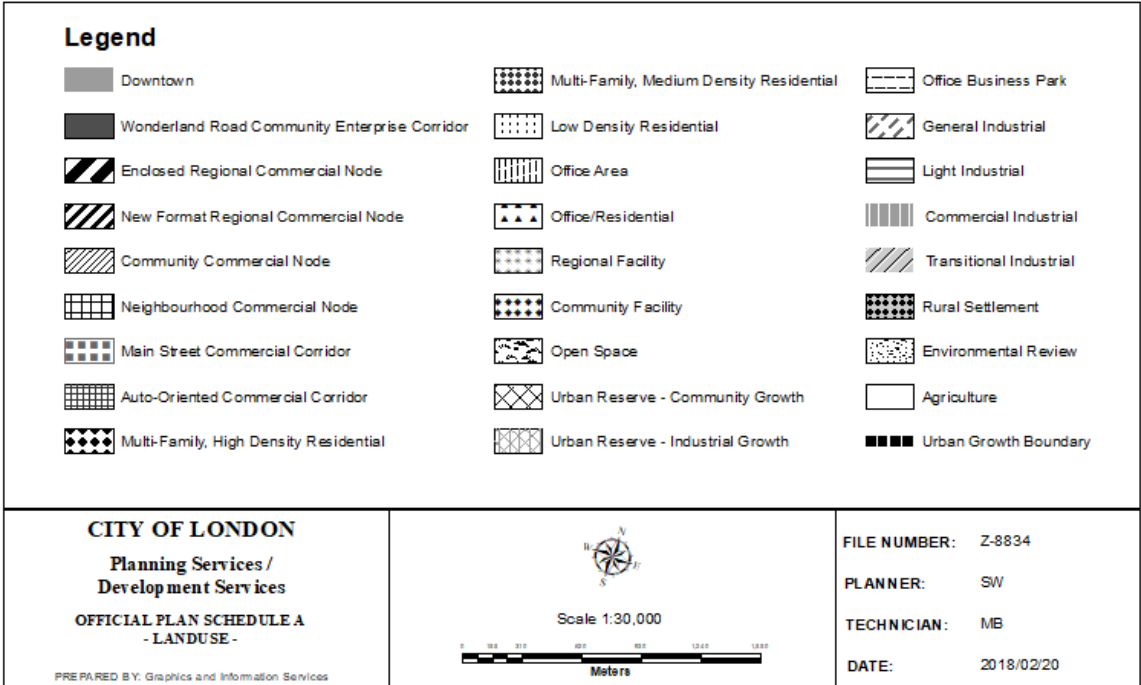
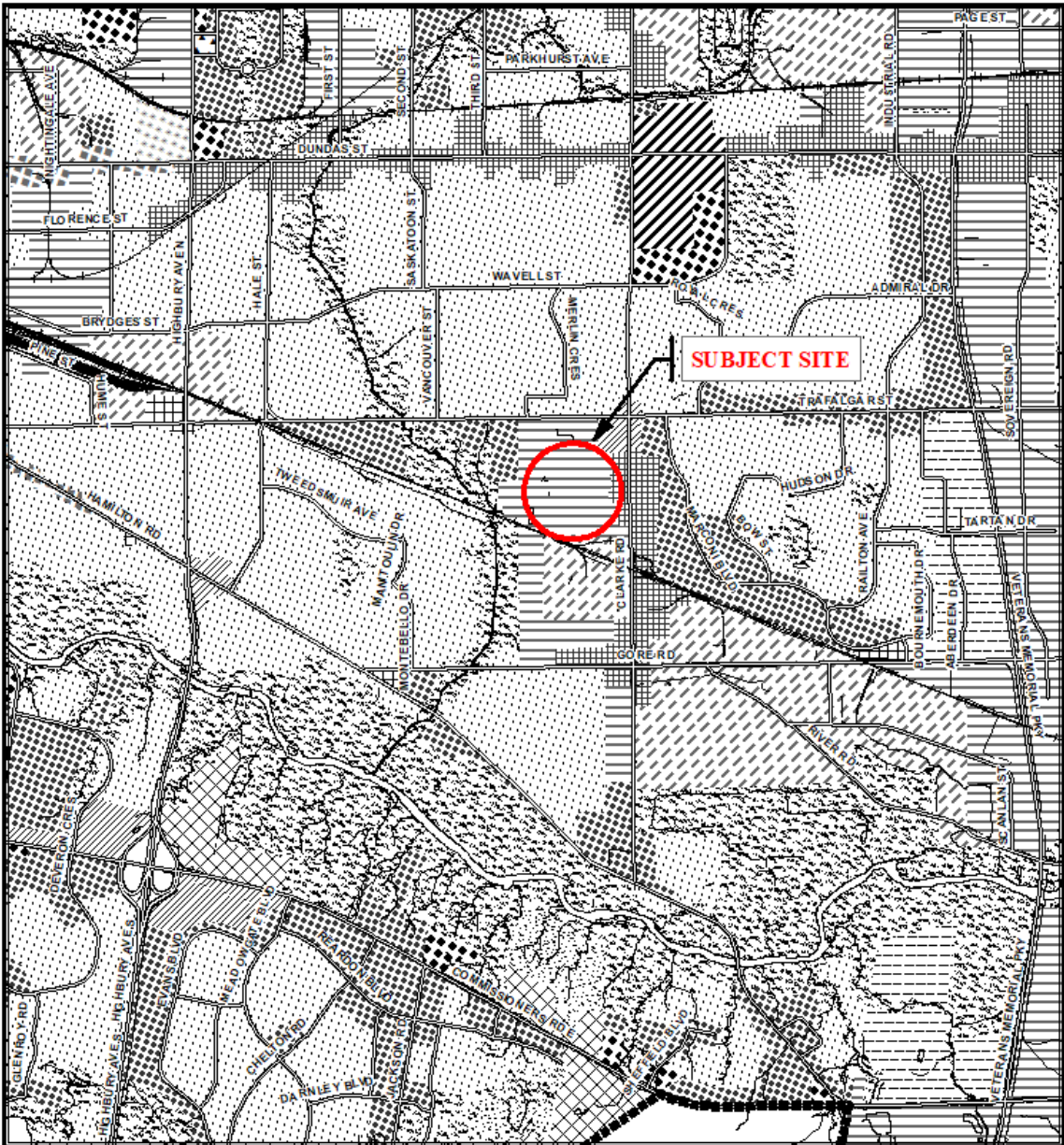
Chapter 40: Light Industrial

City of London Waste Discharge By-law (WM-16) January 2018

Appendix D – Relevant Background

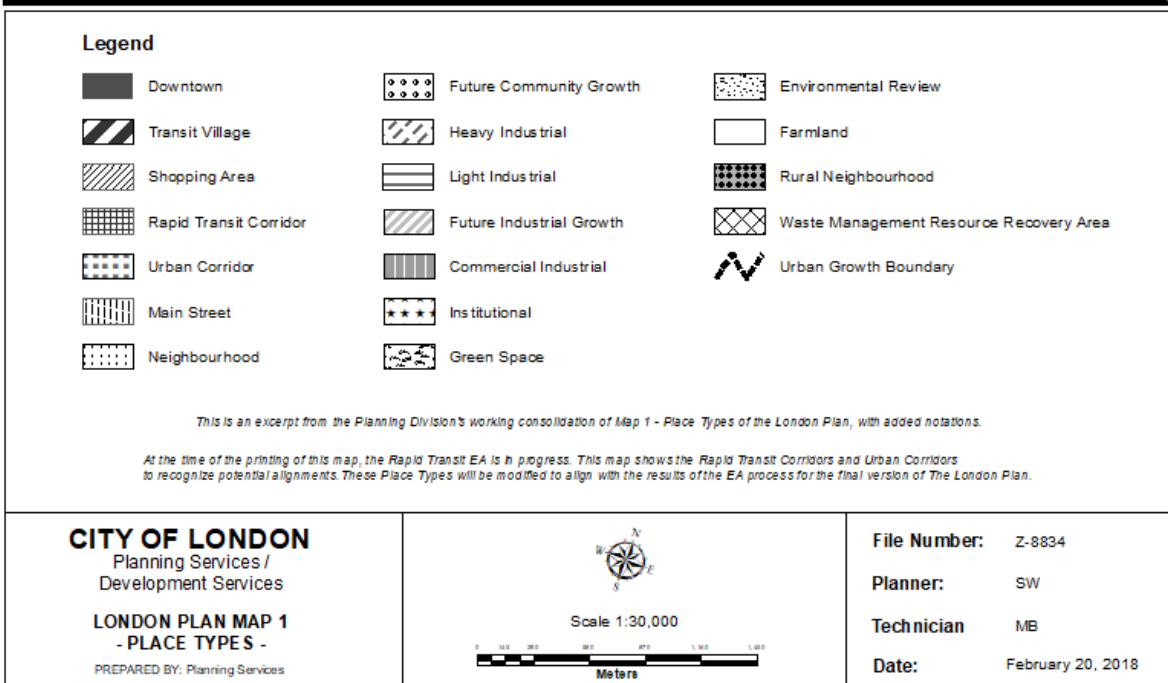
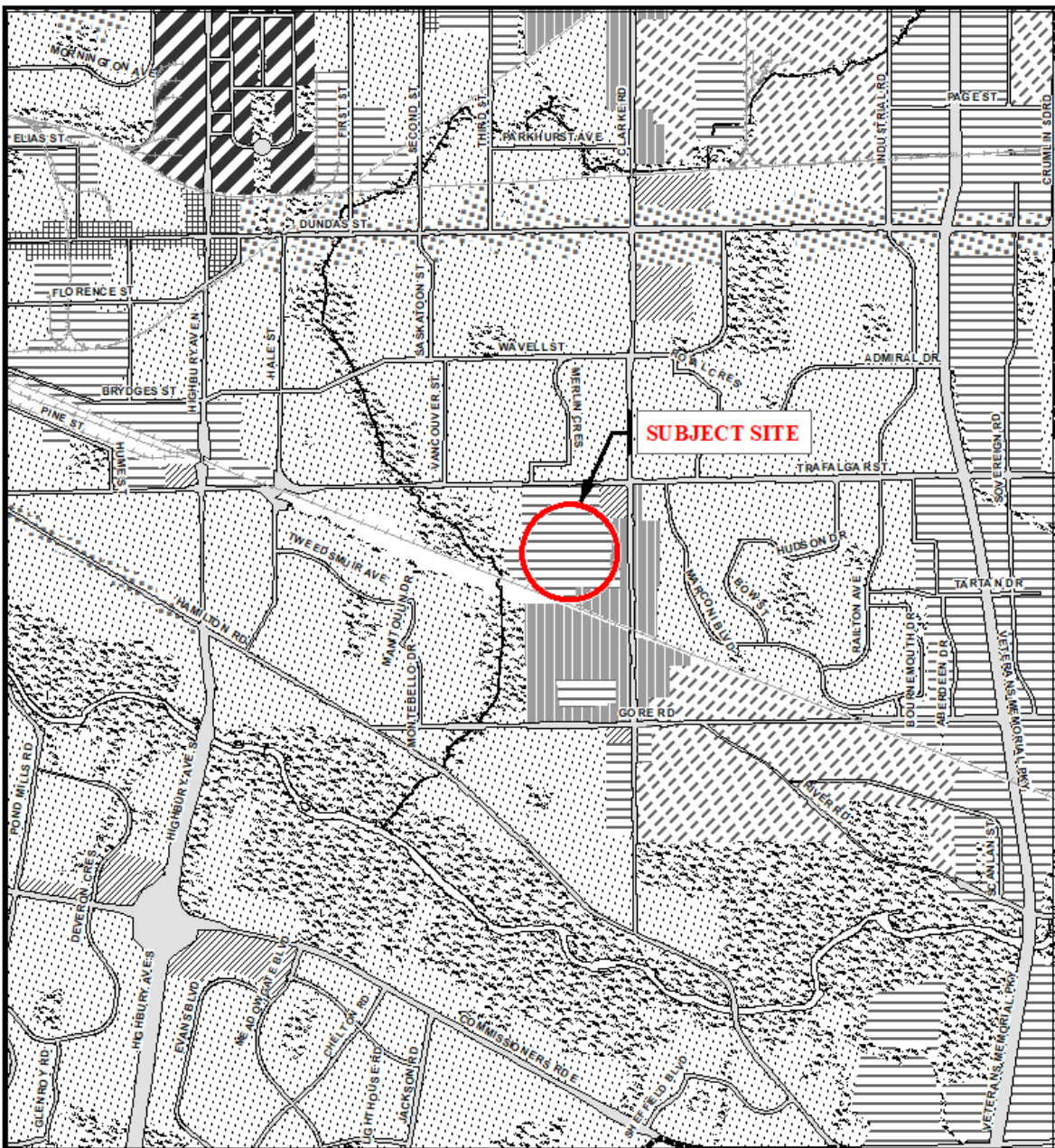




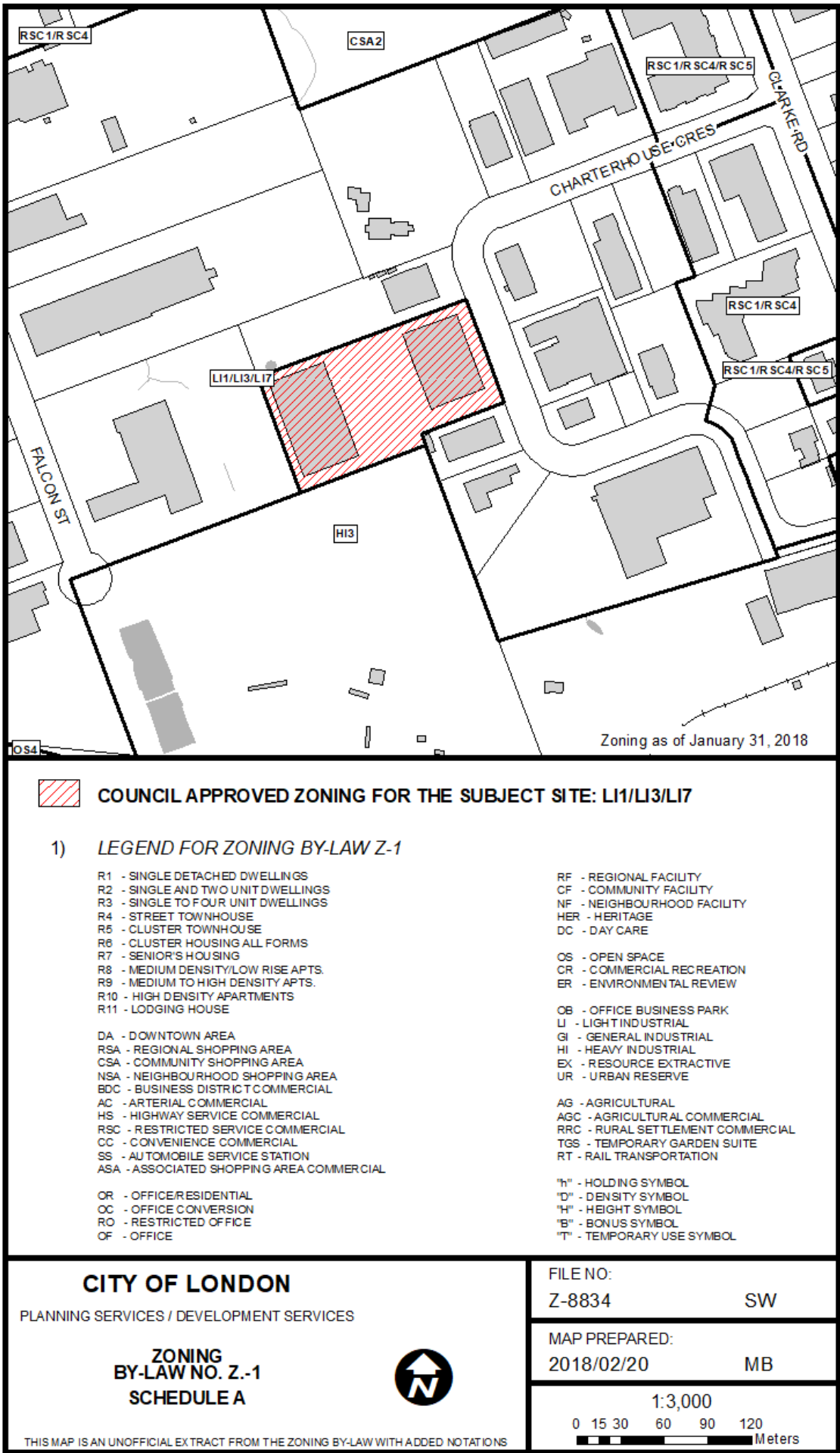


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Project Location: E:\Planning\Projects\p\_officialplan\workconsolid00\excerpts LondonPlan\EXCERPT Map1 PlaceTypes b&w 8x14.mxd



**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Application By: London Health Science Centre  
825 Commissioners Road East  
**Public Participation Meeting on:** March 19, 2018

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of London Health Science Centre relating to the property located at 825 Commissioners Road East, the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting March 27, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property FROM a Regional Facility (RF) Zone, TO a Holding Regional Facility Special Provision (h-( \* )\*h-(\*\*)\*RF(\_)) Zone;

**Executive Summary**

**Summary of Request**

The requested amendment is to permit an increased range of uses on the subject site through a special provision. The use of holding provisions will ensure that water servicing concerns are addressed by the owner prior to any new development occurring. The holding provisions will also restrict uses that are considered too intense for the current water servicing on the site and cannot be implemented until the water servicing issues are addressed by the owner. To limit the intensity of the permitted interim uses on the site the permitted interim uses will be restricted to the three smallest structures (Bruce, Huron and Perth Pavilions) that exist on the property and are not permitted in the Wellington Pavilion Building or by way of construction of new structures.

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended amendment is to increase the range of permitted uses on the subject site in order to accommodate ReForest London and the Thames Talbot Land Trust who are seeking to create an Environment and Sustainability Centre for London called the Westminster Ponds Centre.

**Rationale of Recommended Action**

1. The recommended amendment is consistent with the PPS 2014.
2. The recommended amendment is consistent with the Regional Facilities policies of the Official Plan and Institutional Place Type policies.
3. The recommended amendment provides flexibility for the site to accommodate an appropriate range of uses to implement the future Westminster Ponds Centre.
4. The recommended amendment will facilitate the severance of this site from the larger LHSC parcel.

**Analysis**

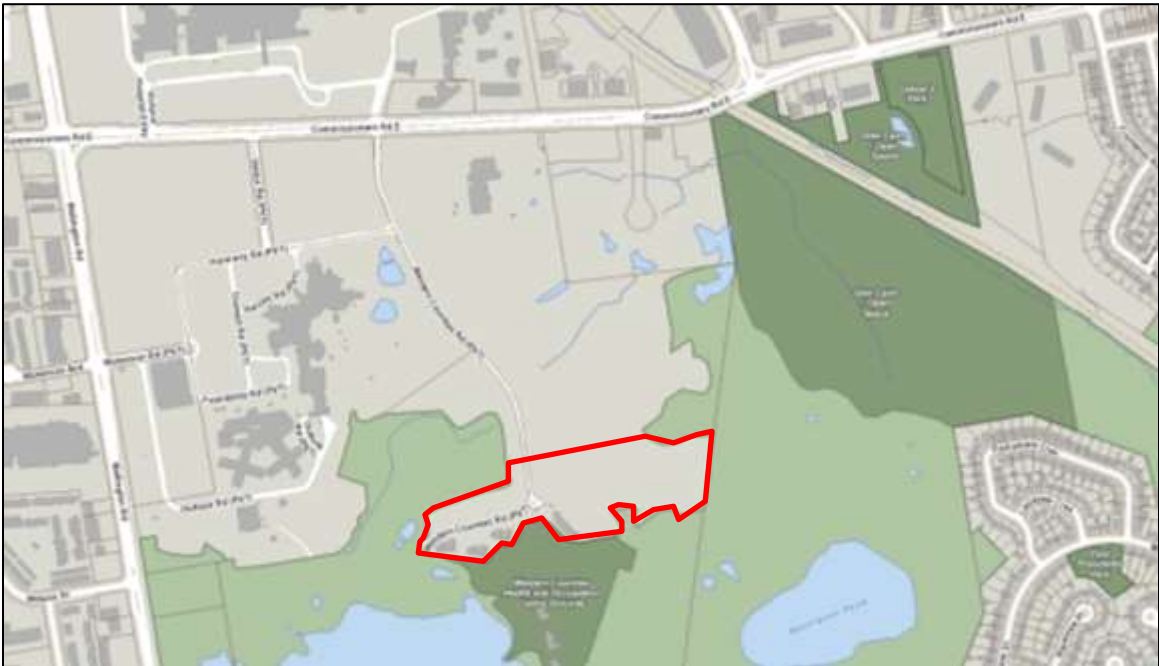
**1.0 Site at a Glance**

**1.1 Property Description**

The subject site is currently part of a much larger parcel of land owned by London Health Science Centre which functions as the Parkwood Institute. The recommended rezoning is specific to the section of the property which will be severed to create a separate property in the future. The proposed parcel is located in the south part of the property, just north of the Westminster Ponds and is irregular in shape as it follows the natural features of the surrounding woods. These lands include 4 buildings, 3 of which



are in use. Currently Reforest London uses one of the structures and the others are used for educational/recreational uses.



Cultural Heritage

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Regional Facility
- The London Plan Place Type – Institutional
- Existing Zoning – Regional Facility Zone

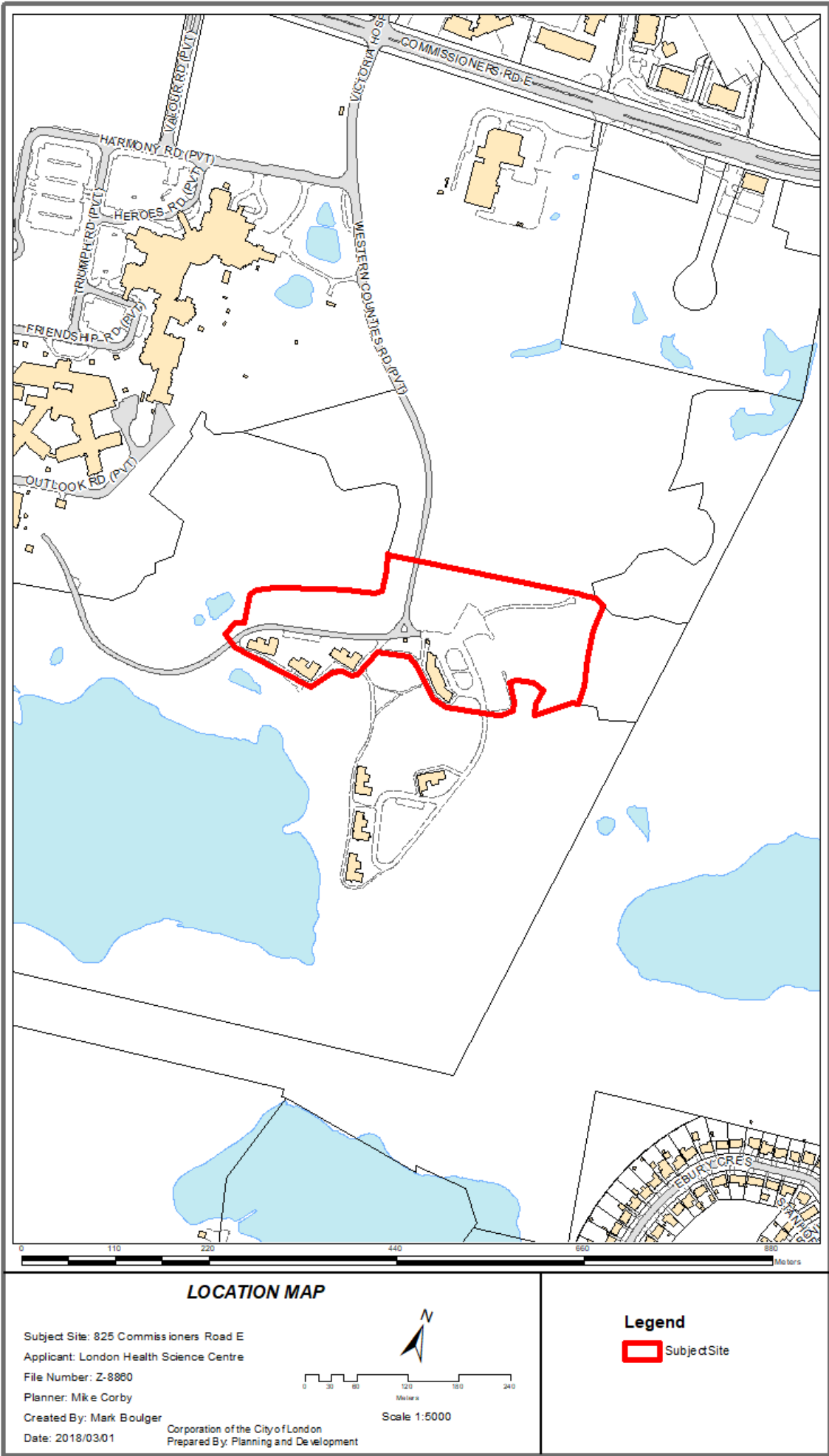
1.3 Site Characteristics

- Current Land Use –Charitable Office Space and accessory uses
- Frontage – 0 metres (0 feet))
- Depth – Irregular
- Area – 6.025 hectares
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Regional Facility (Victoria Hospital)
- East – Open Space
- South – Westminster Ponds
- West – Parkwood Institute

1.5      Location Map





**2.0 Description of Proposal**

**2.1 Development Proposal**

The recommended rezoning will result in no new physical developments on the site. The recommended amendment will increase the range of permitted uses to include additional passive recreational type uses and uses in association with the future Westminster Ponds Centre. The intent of the Westminster Ponds Centre is to reuse the existing buildings and parking configuration on site.

**3.0 Relevant Background**

**3.1 Planning History**

The subject site is part of the Western Counties Health and Occupational Centre Grounds. These lands were formerly used by the Department of Veterans Affairs as a rehabilitation centre for returning World War II veterans. Over time its uses evolved to include a treatment centre for tuberculosis, a long term care facility for severely wounded and psychologically affected veterans and, by the time of its closure in the 1980s, a facility for domiciliary care of veterans (Official Plan, 13.5.5). Only 4 buildings remain on the subject site. These buildings are formally known as the Wellington Pavilion which is the largest structure on the site, the Perth Pavilion, Huron Pavilion and Bruce Pavilion which are all the same size and shape.

On May 28, 2013 City Staff recommended to add the Western Counties Health and Occupational Centre Grounds as a Listed Cultural Heritage Landscape and to adopt the Western Counties Health and Occupational Centre Cultural Heritage Plan in the Official Plan. The item was approved as Official Plan Policy 13.5.5. (Listed Cultural Heritage Landscapes (i)) and on March 2, 2016 Council added the property to the Inventory of Heritage Resources.

**3.2 Requested Amendment**

The requested amendment would permit an increased range of uses on the site to support the services provided by ReForest London and Thames Talbot Land Trust who have partnered to create an Environment and Sustainability Centre for London called the Westminster Ponds Centre. This requires a Zoning By-law amendment to add a special provision to the existing Regional Facility zone on the site which would provide for the following additional uses: Institutional uses; Office of a charitable non-profit organization and associated uses; Conservation lands; Conservation works; Cultivation of land for agricultural/horticultural purposes; Recreational buildings associated with conservation lands and public parks; Managed forest; Community centres; Recreational buildings; Sports fields; Playground; Passive recreation uses which include hiking trails and multi-use pathways; Private schools; Recreational buildings; Supervised residences; Greenhouses; as well as the following uses that may be permitted in association with an institutional use: Ancillary residential and/or hostels and accommodations, Offices; Eat-in restaurants or cafeterias; Wellness Centre, Retail Store and Outdoor Farmers.

**3.3 Community Engagement (see more detail in Appendix B)**

Through the circulation process no community concerns were raised. City Staff also had limited concerns with the proposed development however water servicing concerns were raised but have been addressed through the recommended holding provisions.

**3.4 Policy Context (see more detail in Appendix C)**

**Provincial Policy Statement 2014**

The Provincial Policy Statement promotes healthy and active communities by promoting the full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources. The PPS also encourages municipalities to minimize negative impacts on conservation reserves, and protected areas (1.5 Public Spaces, Recreation, Parks, Trails and Open Space).

The PPS protects natural features and areas for the long term while encouraging diversity and connectivity of natural features. The long-term ecological function and

biodiversity of natural heritage systems should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. (2.1 Natural Heritage, 2.1.1, 2.1.2). Significant built heritage resources and significant cultural heritage landscapes shall also be conserved. (2.6 Cultural Heritage and Archaeology, 2.6.1)

### **Official Plan**

The subject site is located on lands designated as Regional Facilities which promotes the orderly development and distribution of institutional type facilities and to minimize any impacts that these facilities may have on adjacent land uses (6.2.1. Functional Categories of Regional and Community Facilities).

The Regional Facilities designation is primarily intended to provide for large institutional type facilities which service a regional function. Such uses include health care, correctional, educational, religious, military and major recreational and cultural facilities. Regional Facilities generally are limited in number, have service areas which extend beyond municipal boundaries, and attract large numbers of people on a regular basis. These facilities, by reason of their size, normally comprise major employment and activity centres in the City.

Section 6.2.2 (Permitted Uses) identifies that Regional Facilities designations main use will be institutional type uses which may be supported by a range of permitted secondary uses. The range of permitted uses include hospitals; universities; community colleges; major recreational facilities; cultural facilities; large religious institutions; military establishments; and correctional or detention centres. Uses permitted in the Community Facilities designation will also be permitted in the Regional Facilities designation. These uses health clinics and supervised residences. Community facilities which are allowed in the residential designations, such as community centres; day care centres; churches; elementary and secondary schools; branch libraries; fire stations; and police stations and similar public uses are also permitted in the Community Facilities designation.

Section 6.2.3 (Associated Secondary Uses) provides a limited range of secondary uses which are functionally associated with, or intended to serve, the needs of the main facility in a Regional or Community Facilities designation, and which do not detract from the development or function of the area, may be permitted. Regional Facilities are permitted associated secondary uses which include small convenience retail stores, such as variety stores and gift shops; personal service uses; financial institutions; and eat-in restaurants or cafeterias. Residential uses, apartment hotels and offices which are associated with the Regional Facility are also permitted.

The Official Plan identifies the subject site as a Cultural Heritage Landscape (13.5.5) that will be conserved under the policies of Section 13.5. of this Plan. As previously stated above, the subject site was the former Western Counties Health and Occupational Centre Grounds which is known today as the London Health Sciences Lands. The Western Counties Health and Occupational Centre Grounds refers to the former use of this site by the Department of Veterans Affairs as a rehabilitation centre for returning World War II veterans, one of only seven such sites in Canada. Prior to the rehabilitation use, the site was noted for its natural heritage features with respect to both its kettle ponds and forest.

### **The London Plan**

The subject site falls under the Institutional Place Type of the London Plan. This place type acknowledges that Institutional uses will continue to grow and change over the life of this Plan and it is expected that some will evolve into a complex mix of research, education, health care, office, residential, retail, and service uses over time (1082).

The London Plan seeks to provide for flexibility and allow for change and evolution over time to help create the context for new mixes of uses that may be advantageous to institutions to help realize the vision for Institutional Place Types (1084).

The London Plan identifies that a wide range of institutional uses may be permitted. Accessory uses that are related to the use of these lands for institutional purposes may be permitted, including such things as: dormitories and residences, residential uses,

offices, laboratories, services, and, where appropriate, light industrial uses that are compatible within their institutional context and the surrounding neighbourhood and a limited amount of retail space may be permitted (1085)

**4.0 Key Issues and Considerations**

Through the circulation process no community concerns were raised. City Staff also had limited concerns with the proposed development however as water servicing concerns have been addressed through the proposed holding provisions.

**4.1 Issue and Consideration # 1 – Water Servicing and Limiting Permitted Uses**

The PPS identifies that municipal services are the preferred method of servicing for all forms of development within a settlement area to ensure human health and the natural environment are protected. In the absence of appropriate servicing, the PPS provides a hierarchy of how servicing should be provided for developments. (1.6.6 Sewage, Water and Stormwater). In the case of the subject site municipal servicing is provided however the subject site is serviced by a long oversized water main from Commissioners Road East. Due to the length and size of the pipe, the existing water servicing does not provide an adequate water supply for firefighting for the existing pavilions and does not meet current City Standards. Both, water pressure and flow are currently below the minimum limits required by the Ontario Building Code. Therefore the requested range of uses could create potential risks from a water quality and fire suppression standpoint.

It is recognized that a large percentage of the requested uses are passive in nature and many of the uses are related to outdoor uses, have limited impacts on the water system or are already permitted on the site. In order to facilitate the proposed rezoning Staff and the applicant have worked together to identify and recommend a range of less intense uses in the interim while the more intense uses would be restricted through a holding provision until such time as the water servicing deficiencies are addressed. A holding provision was also applied for and is being recommended to ensure no new physical development occurs and precludes the use of the largest building on the site (Wellington Pavilion) as the existing water servicing cannot support the intensity of uses that could be accommodated. The holding provisions will read as follows.

h-(\* )

*Purpose: To ensure that development occurs in a safe manner, no new structures shall be erected, or the use of the Wellington Pavilion Building be permitted until it is demonstrated to the City Engineer that the on-site water servicing meets current City standards, prior to the removal of the "h-(\* )" symbol.*

h-(\*\* )

*Purpose: To ensure that adequate provision of municipal water services, the "h-(\*\* )" symbol shall not be deleted until it is demonstrated to the City Engineer that the on-site water servicing meets current City standards, prior to the removal of the "h-(\*\* )" symbol.*

*Permitted Interim Uses: Conservation lands, Conservation works, Cultivation of land for agricultural/horticultural purposes, Greenhouses, Institutional uses, Managed forest, Office of a charitable non-profit organization and associated uses, Offices in association with an institutional use, Outdoor farmers market, Playground, Passive recreational uses which include hiking trails and multi-use pathways, Private Schools, Recreational Buildings, Recreational buildings in association with conservation lands and public parks, Sports fields without structures, Wellness Centre.*

4.2 Issue and Consideration # 2 – Permitted Uses

*Provincial Policy Statement, 2014 (PPS)*

As previously mentioned the subject site is part of a larger cultural heritage landscape. These natural landscapes are strongly protected and promoted by the PPS which seeks to provide healthy and active communities by promoting the full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources (1.5.1 b,d). The goal of the Westminster Ponds Centre [“WPC”] is to create an Environment and Sustainability Centre for London which would directly implement the policies of the PPS given that the intent is to conserve the existing cultural heritage resources on the property and use and protect the surrounding natural setting for passive recreational uses, provide educational opportunities and implement trails and linkages throughout the natural landscape while paying respect to the site’s history of nature appreciation and health care.

*Official Plan*

Regional Facilities are intended to provide for the orderly development and distribution of institutional type facilities and to minimize any impacts that these facilities may have on adjacent land uses. The primary use within these designations is large institutional type facilities which service a regional function. Such uses include health care, correctional, educational, religious, and major recreational and cultural facilities. The proposed WPC is intended to be a collection of the above-mentioned uses as health care, education, recreational and cultural facilities will all play an integral role in the services to be provided. The intent is that this range of uses will provide services that will attract groups and individuals on a regular basis both within the City of London and the region. No additional impacts on the surrounding lands natural features are anticipated as a result of the future severance of the site and recommended zoning amendment. The site is internal to the existing property and no new buildings are being permitted through the recommended amendment.

Due to the nature of institutional uses being recommended, associated secondary uses are also permitted. These uses are functionally associated with, or intended to serve, the needs of the main WPC facility and do not detract from the development or function of the area identified in Section 3.4. The recommended amendment provides a range of associated secondary uses which are considered in keeping with the policies of the Regional Facilities Associated Secondary Uses. The full range of uses to be implemented by the proposed zoning are identified below. Those uses that are considered associated secondary uses are those listed below “in association with an institutional use”.

- i) Institutional uses
- ii) Recreational Buildings
- iii) Private Schools
- iv) Supervised Residents
- v) Ancillary residential and/or hostels and accommodations, in association with an Institutional use
- vi) Conservation lands
- vii) Conservation works
- viii) Cultivation of land for agricultural/horticultural purposes
- ix) Community Centres
- x) Greenhouses in association with an Institutional use
- xi) Managed forest
- xii) Office of a charitable non-profit organization and associated uses
- xiii) Offices in association with an institutional use
- xiv) Outdoor farmers market
- xv) Playground
- xvi) Passive recreational uses which include hiking trails and multi-use pathways
- xvii) Recreational buildings in association with conservation lands and public parks

- xviii) Restaurant in association with an Institutional use
- xix) Retail Store in association with an Institutional use
- xx) Sports fields without structures
- xxi) Wellness Centre in association with an Institutional use

## *The London Plan*

Similar to the existing Regional Facilities policies, The London Plans Institutional Place Type acknowledges that Institutional uses will change over time and that these uses will evolve into mix of research, education, health care, office, residential, retail, and service uses. The proposed amendments are a reflection of how an Institutional use can evolve over time and the recommended amendment will provide flexibility through a mix of unique uses. As identified in section 3.4, the range of uses recommended for the subject site is consistent with the range of permitted uses identified in the London Plan. The proposed amendment is considered in keeping with the policies of the London Plan.

#### 4.3 Issue and Consideration # 3 – Requested Special Provisions

Once severed, the subject site will no longer have frontage onto a City owned right-of-way. As a result, a special provision is required for a 0 metre lot frontage. Also to provide clarity on the potential scale and intensity of future uses a height restriction of 12 metres is being recommended as the current zoning currently permits a height of 40 metres. Finally a special provision to recognize the size of the site was requested and recommended by Staff. This will help ensure that no future severance of the lands can be undertaken. Therefore a special provision for a minimum lot area of 5 ha has been recommended.

More information and detail is available in Appendix B and C of this report.

## 5.0 Conclusion

The recommended amendment to increase the range of uses through a special provision with holding provisions to ensure that water servicing concerns are addressed is considered appropriate as it is consistent with the PPS 2014, the Regional Facilities policies of the Official Plan and the Institutional Place Type policies of The London Plan. The recommended amendment provides flexibility for the site to accommodate an appropriate range of uses to implement the future Westminster Ponds Centre.

<b>Prepared by:</b>	<b>Mike Corby, MCIP, RPP</b> <b>Current Planning</b>
<b>Submitted by:</b>	<b>Michael Tomazincic, MCIP, RPP</b> <b>Manager, Current Planning</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP</b> <b>Managing Director, Planning and City Planner</b>

March 12, 2018  
MC/mc



Appendix A

Bill No. (number to be inserted by Clerk's Office)  
(2018)

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 825  
Commissioners Road East.

WHEREAS London Health Science Centre has applied to rezone an area  
of land located at 825 Commissioners Road East, as shown on the map attached to this  
by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to  
lands located at 825 Commissioners Road East, as shown on the attached map  
comprising part of Key Map No. A.112, from a Regional Facility (RF) Zone to a  
Holding Regional Facility Special Provision (h-( \* )\*h-(\*\*)\*RF(\_)) Zone.
- 2) Section Number 3.8 of the Holding "h" Zone is amended by adding the following  
Holding Provision's:

3.8) h-( \* )

*Purpose: To ensure that development occurs in a safe manner, no new  
structures shall be erected, or the use of the Wellington Pavilion Building  
be permitted until it is demonstrated to the City Engineer that the on-site  
water servicing meets current City standards, prior to the removal of the  
"h-( \* )" symbol.*

3.8) h-(\*\*)

*Purpose: To ensure that adequate provision of municipal water services,  
the "h-(\*\*)" symbol shall not be deleted until it is demonstrated to the City  
Engineer that the on-site water servicing meets current City standards,  
prior to the removal of the "h-(\*\*)" symbol.*

*Permitted Interim Uses: Conservation lands, Conservation works,  
Cultivation of land for agricultural/horticultural purposes, Greenhouses,  
Institutional uses, Managed forest, Office of a charitable non-profit  
organization and associated uses, Offices in association with an  
institutional use, Outdoor farmers market, Playground, Passive  
recreational uses which include hiking trails and multi-use pathways,  
Private Schools, Recreational Buildings, Recreational buildings in  
association with conservation lands and public parks, Sports fields without  
structures, Wellness Centre.*

- 3) Section Number 31.4 of the Regional Facility (RF) Zone is amended by adding the  
following Special Provision:

) RF( ) 825 Commissioners Road East

a) Permitted Uses

- i) Institutional uses
- ii) Recreational Buildings
- iii) Private Schools
- iv) Supervised Residents

- v) Ancillary residential and/or hostels and accommodations, in association with an Institutional use
  - vi) Conservation lands
  - vii) Conservation works
  - viii) Cultivation of land for agricultural/horticultural purposes
  - ix) Community Centres
  - x) Greenhouses
  - xi) Managed forest
  - xii) Office of a charitable non-profit organization and associated uses
  - xiii) Offices in association with an institutional use
  - xiv) Outdoor farmers market
  - xv) Playground
  - xvi) Passive recreational uses which include hiking trails and multi-use pathways
  - xvii) Recreational buildings in association with conservation lands and public parks
  - xviii) Restaurant in association with an Institutional use
  - xix) Retail Store in association with an Institutional use
  - xx) Sports fields without structures
  - xxi) Wellness Centre in association with an Institutional use
- b) Regulation[s]
- |      |                        |                          |
|------|------------------------|--------------------------|
| i)   | Lot Frontage (minimum) | 0 metres (0 feet)        |
| ii)  | Height (maximum)       | 12 metre (39.4 feet)     |
| iii) | Lot Area (minimum)     | 5 hectares (12.35 acres) |

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

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

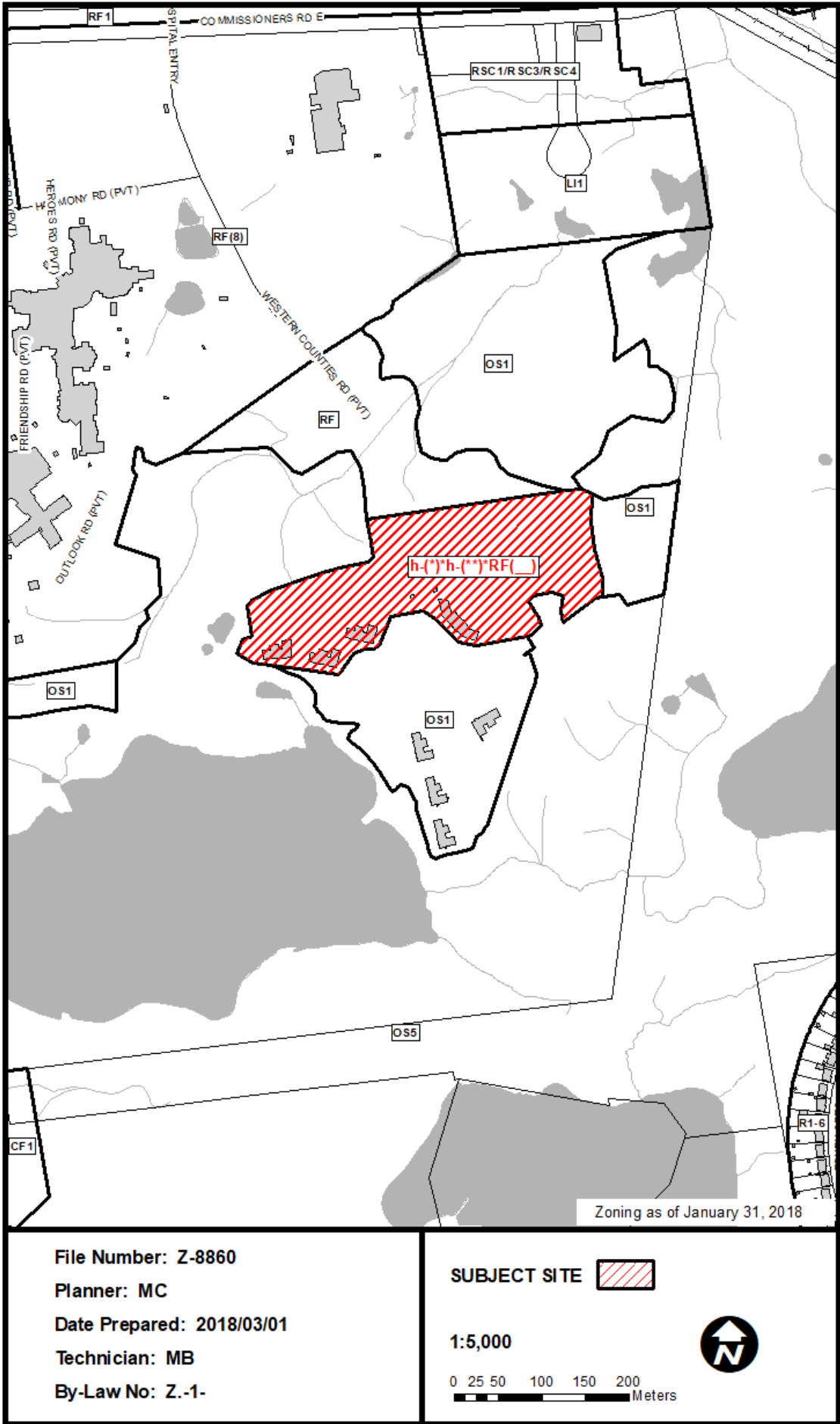
PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

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



Appendix B – Public Engagement

Community Engagement

**Public liaison:** On December 13, 2017, Notice of Application was sent to 198 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 14, 2017. A “Planning Application” sign was also posted on the site.

2 replies were received

**Nature of Liaison:** The purpose and effect of this zoning change is to permit an increased range of uses to support the services provided by ReForest London and Thames Talbot Land Trust who have partnered to create an Environment and Sustainability Centre for London called the Westminster Ponds Centre.

Change Zoning By-law Z.-1 from a Regional Facility (RF) Zone which regulates large institutional type facilities which serve a regional function, to a Holding Regional Facility Special Provision (h-( )\*RF( )) Zone to permit Institutional uses; Office of a charitable non-profit organization and associated uses; Conservation lands; Conservation works; Cultivation of land for agricultural/horticultural purposes; Recreational buildings associated with conservation lands and public parks; Managed forest; Community centres; Recreational buildings; Sports fields; Playground; Passive recreation uses which include hiking trails and multi-use pathways; Private schools; Recreational buildings; Supervised residences; as well as the following uses that may be permitted in association with an institutional use: Ancillary residential and/or hostels and accommodations, Offices; Eat-in restaurants or cafeterias; Medical/dental; Retail Store and Outdoor Farmers as additional uses. A holding provision is also being recommended to ensure that the adequate provision of municipal water services is available to service any new buildings on the site.

**Responses:** No concerns were raised by the public through the circulation process.

Telephone	Written
	Mahzan Dalawir 860 Commissioners Rd. E London ON, N6C 5Y8
	Analee J.M. Ferreira on behalf of Margaret Ross 845, 865, and 875 Commissioners Road East, London On



**Agency/Departmental Comments**

Development Services – February 7, 2018

Transportation

No comments for the re-zoning application.

The following items are to be considered during the consent application approval stage:

- A road widening dedication of 18.0m from centre line is required along Commissioners Road East.
- Easements for access will be required.

SWED

No comments for the re-zoning application.

The following items are to be considered during the consent application approval stage:

- There is no municipal storm sewer to service 888, 894, 900, 918, 930, and 944 Western Counties Road.

WADE

No comments for the re-zoning application.

The following items are to be considered during the consent application approval stage:

- The existing sanitary easement agreements will need to be updated to reflect the new parcel.

Additional comments may be provided upon future review of the site

Water Engineering Division – February 7, 2018

Since it is our understanding that the holding provisions will be applied and will have the effect of reducing potential intensification of the site, Water Engineering does not object to the proposed rezoning. The performance and maintenance of the existing private water pipes that service this property are solely the responsibility of the owner of the site and the City of London makes no claim to their condition or performance.

In order to lift the holding provision the owner will have to demonstrate to the City that their servicing meets current City standards. It is possible that a new service and connection will need to be made to an existing City high level watermain on Wellington Road to achieve this.

UTRCA – January 11, 2018

The subject lands are regulated by the UTRCA and the necessary Section 28 permit must be obtained prior to any site alteration or development being undertaken within the regulated area. Based on the circulated information, there does not appear to be any new development or site alteration proposed on the site and therefore, the UTRCA has no objections to this application.

## Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

### **PPS**

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

2.1 Natural Heritage (2.1.1, 2.1.2)

2.6 Cultural Heritage and Archaeology (2.6.1)

### **Official Plan**

6.2.1. Functional Categories of Regional and Community Facilities

6.2.2 (Permitted Uses)

Section 6.2.3 (Associated Secondary Uses)

Cultural Heritage Landscape (13.5.5)

### **London Plan**

Institutional

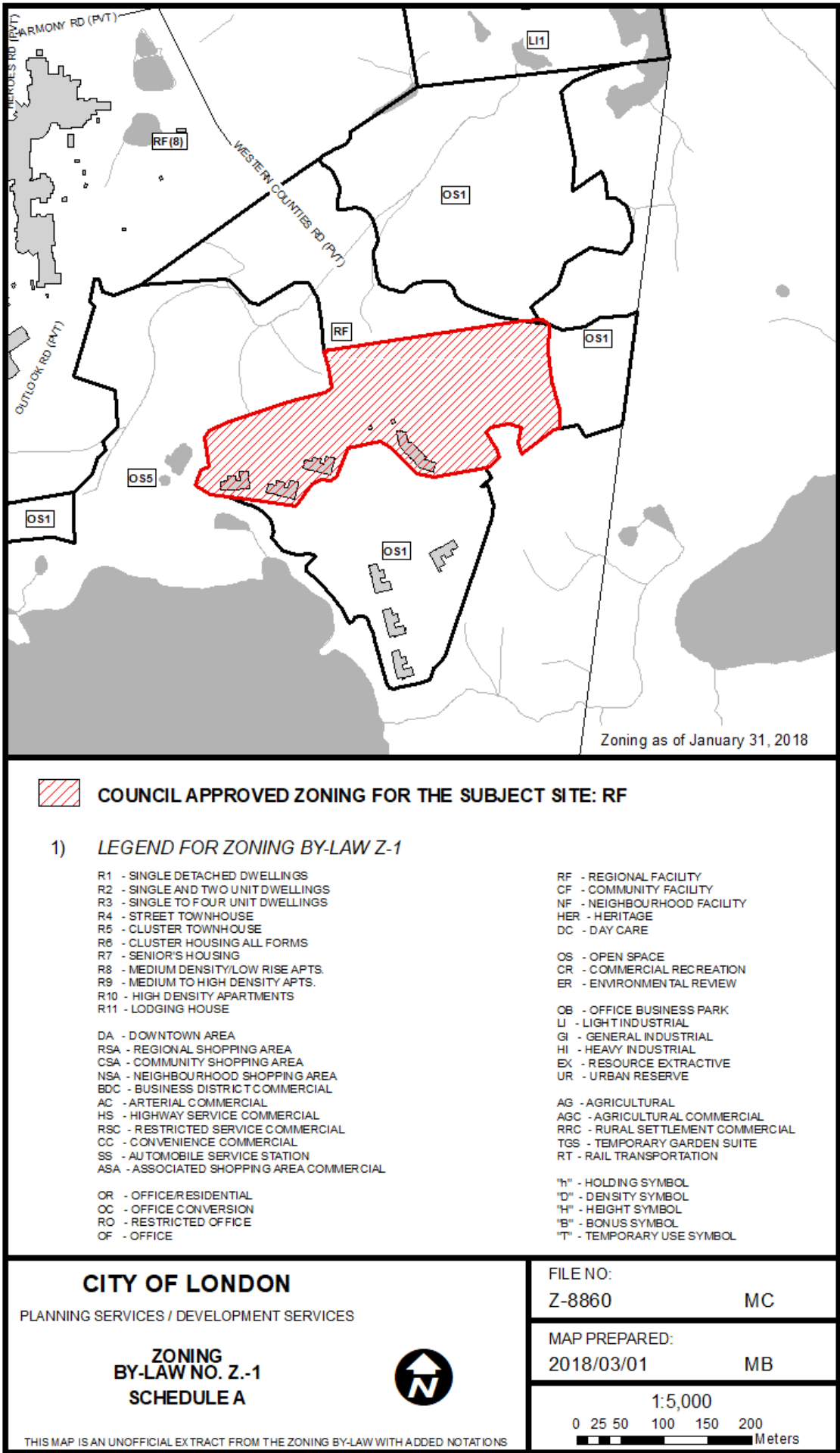
Role within City Structure – 1082

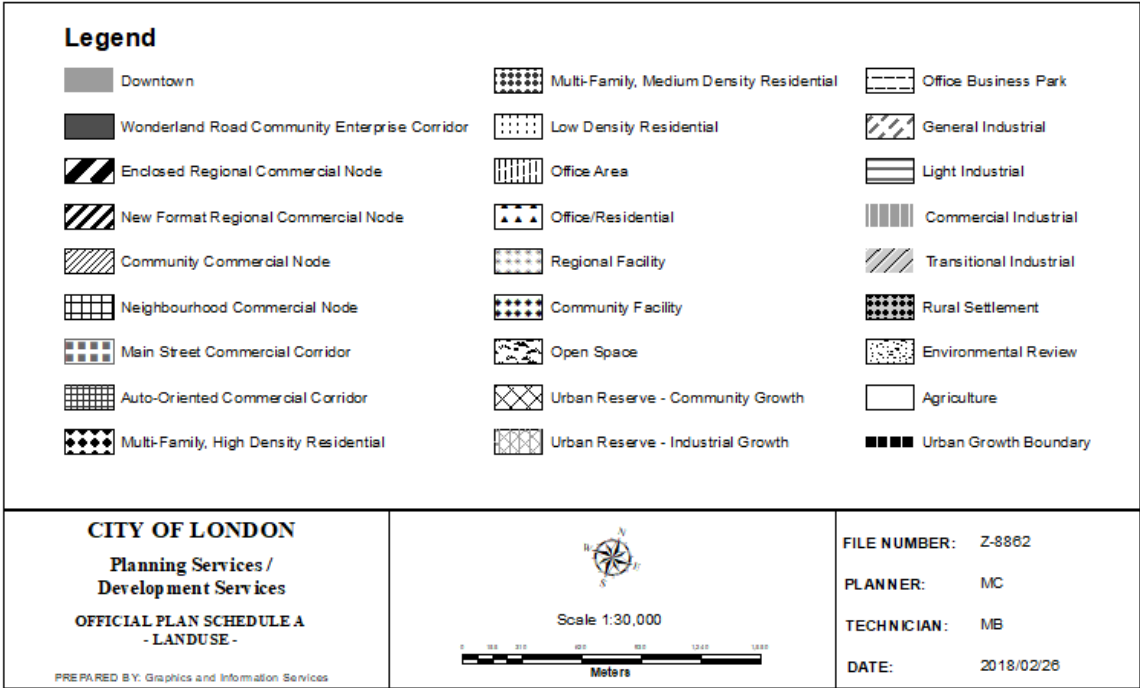
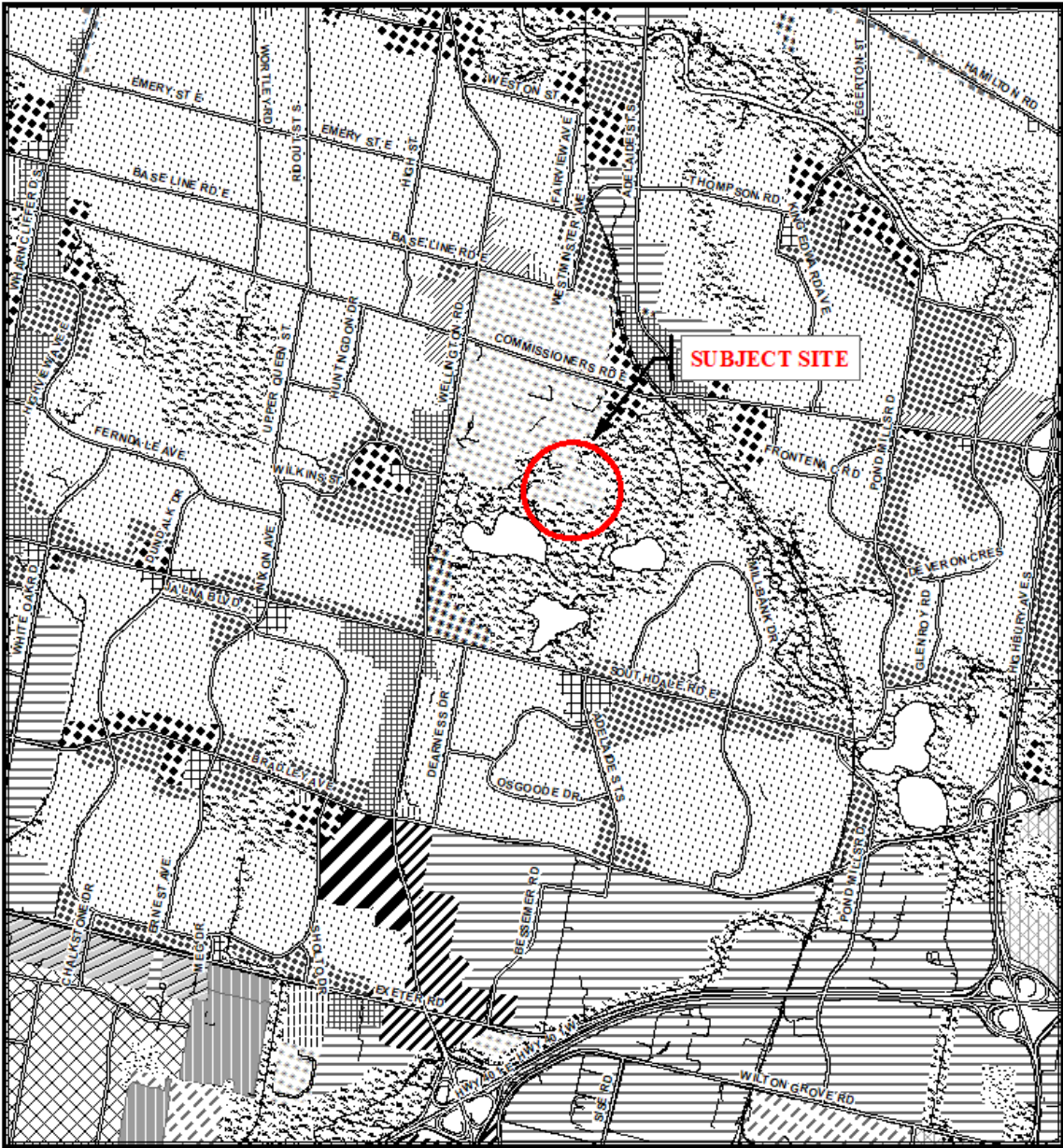
Vision – 1084

Permitted Uses – 1085

Appendix D – Relevant Background

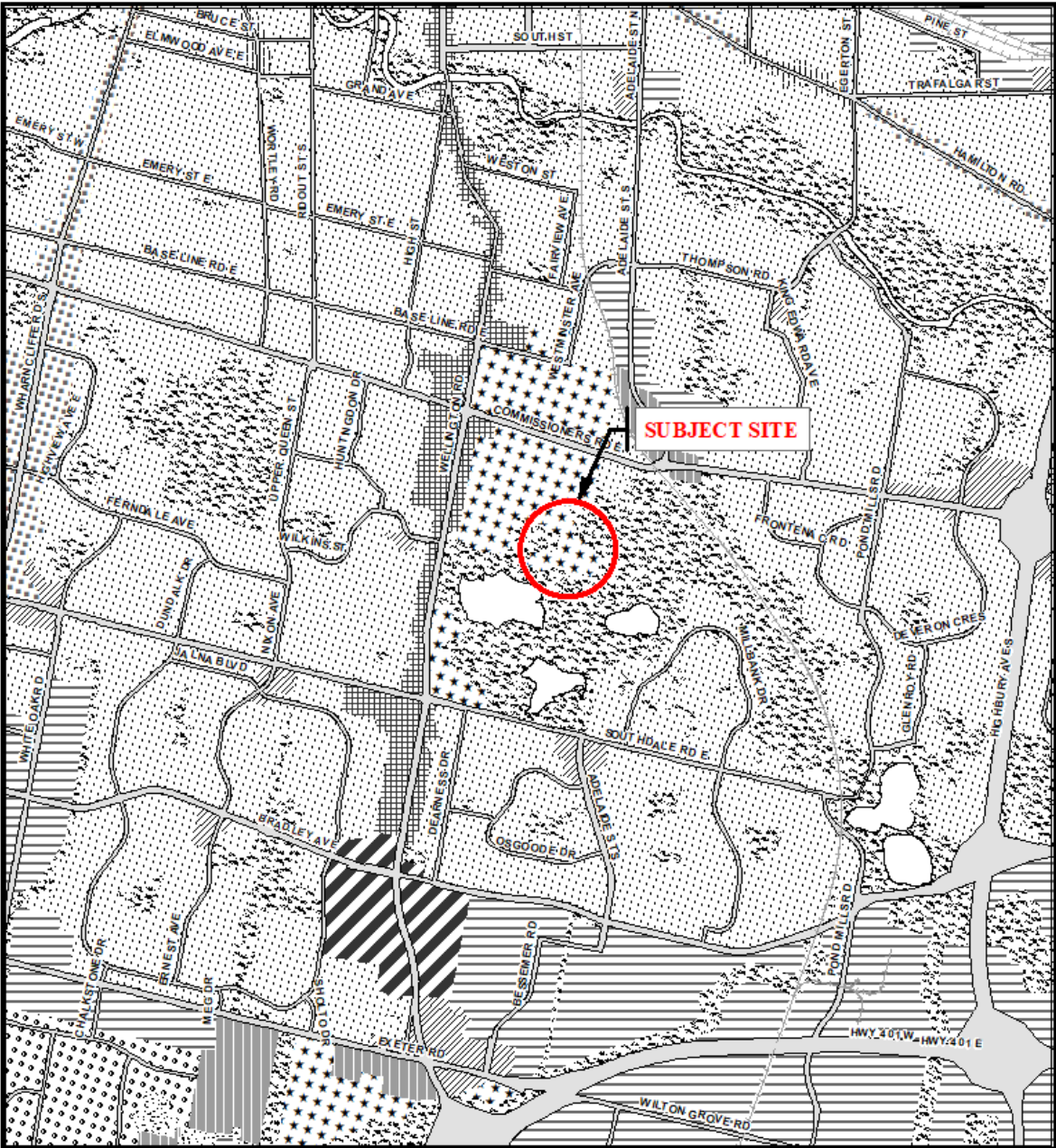
Additional Maps





PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consolid00\excerpts\mod\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd





**Legend**

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

<p><b>CITY OF LONDON</b> Planning Services / Development Services</p> <p><b>LONDON PLAN MAP 1</b> <b>- PLACE TYPES -</b></p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>File Number:</b> Z-8860</p> <p><b>Planner:</b> MC</p> <p><b>Technician:</b> MB</p> <p><b>Date:</b> March 1, 2018</p>
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**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Application By: Dave Tennant Urban Concepts  
1176, 1200 and 1230 Hyde Park Road  
**Public Participation Meeting on: March 19, 2018**

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Dave Tennant Urban Concepts relating to the property located at 1176, 1200 and 1230 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 26, 2018 to amend the Official Plan by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas ;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future Council meeting, to amend The London Plan by changing the Place Type for a portion of the lands **FROM** Green Space, **TO** Neighbourhoods; by **ADDING** a policy to Specific Policies for the Neighbourhoods Place Type; by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan **AND** that three readings of the by-law enacting The London Plan amendments **BE WITHHELD** until such time as The London Plan is in force and effect.

**Executive Summary**

**Summary of Request**

The applicant requested an amendment to the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Areas) to permit the development of a low-rise to mid-rise mixed-use neighbourhood on the subject lands.

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended action is to amend the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Area), and to amend The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type and to add a policy to Specific Policies for the Neighbourhoods Place Type to permit the development of a mixed-use neighbourhood on the subject lands.

At this time it is not recommended that the Open Space designation in the 1989 Official Plan that applies to a portion of the subject lands be changed. The recommended specific area policy to be added to the 1989 Official Plan is sufficient to permit residential development on the Open Space lands until The London Plan comes into force and effect. Since The London Plan will be the 20-year plan going forward, it is recommend that for reasons of clarity the subject lands within the Green Space Place Type (formerly Open Space designation) be changed to the Neighbourhoods Place Type, as the Green Space Place Type is generally intended for parklands or lands intended to remain in a natural state, not where development is expected to occur.

**Rationale of Recommended Action**

1. The recommended amendments are consistent with the 2014 Provincial Policy Statement, which encourages a range and mix of land uses and densities to support intensification and achieve efficient development patterns.
2. The recommended amendment to the 1989 Official Plan meets one of the necessary criterion for a specific policy area, and would augment standard policies to permit the proposed development concept which more accurately

reflects Council’s vision and intent for the subject lands as expressed in The London Plan.

- 3. The proposed development concept is generally consistent with the range of uses, intensity and form of development contemplated for the subject lands in The London Plan (prior to the construction of a new public street through the subject lands). The recommended amendment to The London Plan maintains the general intent of The London Plan.
- 4. The recommended amendment to The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type would continue to permit a Stormwater Management Facility as previously intended, but would also provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of the 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the west side of Hyde Park Road between the CN and CP railway corridors, just north of the intersection of Hyde Park Road and Sarnia Road. The subject lands are comprised of three (3) separate parcels known municipally as 1176, 1200 and 1230 Hyde Park Road. 1176 Hyde Park Road is approximately 1.59 hectares (3.92 acres) in size and is the westerly-most portion of the subject lands; 1200 Hyde Park Road is approximately 2.29 hectares (5.65 acres) in size and is the central portion of the subject lands; and 1230 Hyde Park Road is approximately 5.79 hectares (14.3 acres) in size and is the easterly-most portion of the subject lands, located immediately adjacent to Hyde Park Road. In total, the subject lands comprise an area of approximately 9.67 hectares (23.9 acres).

A 15 m wide City-owned corridor bisects the subject lands, separating 1176 Hyde Park Road from 1200 and 1230 Hyde Park Road. 1200 and 1230 Hyde Park Road are contiguous parcels. The City-owned corridor connects to the London-Hyde Park Rotary Link (public pathway corridor) located to the north of the subject lands, and is generally orientated north-south (through the subject lands), before running east parallel to the CN railway corridor and the southerly limits of the subject lands to Hyde Park Road. A sanitary sewer trunk easement is located along the westerly limits of 1230 Hyde Park Road (formerly a CN branch line). The subject lands are currently used for agricultural crop production and contain no buildings.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Open Space (1176 Hyde Park Rd.) & Auto-Oriented Commercial Corridor (1200 & 1230 Hyde Park Rd.)
- The London Plan Place Type – Green Space (1176 Hyde Park Rd.), Neighbourhoods (1200 & 1230 Hyde Park Rd.) & Shopping Area (1230 Hyde Park Rd.)
- Existing Zoning – Open Space (OS1) Zone (1176 Hyde Park Road) & Holding Restricted Service Commercial Special Provision (h•RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(5)/RSC6(4)) Zones (1200 & 1230 Hyde Park Road)

1.3 Site Characteristics

- Current Land Use – Vacant, used for crop production
- Frontage – approximately 265 metres (along Hyde Park Road)
- Depth – approximately 475 metres (total depth all parcels)
- Area – approximately 9.67 hectares (total all parcels)
- Shape – Irregular

1.4 Surrounding Land Uses

- North –Building Supply Outlet & CP Railway Corridor



- East – Automobile Sales & Service Establishment, Automobile Rental Establishment, Restaurant, Retail, Commercial Recreational Establishment, & Day Care Center
- South – Builder’s Yard & CN Railway Corridor
- West – Stanton Drain & Kelly Stanton Environmentally Significant Area – North

1.5 Location Map





## 2.0 Description of Proposal

### 2.1 Development Proposal

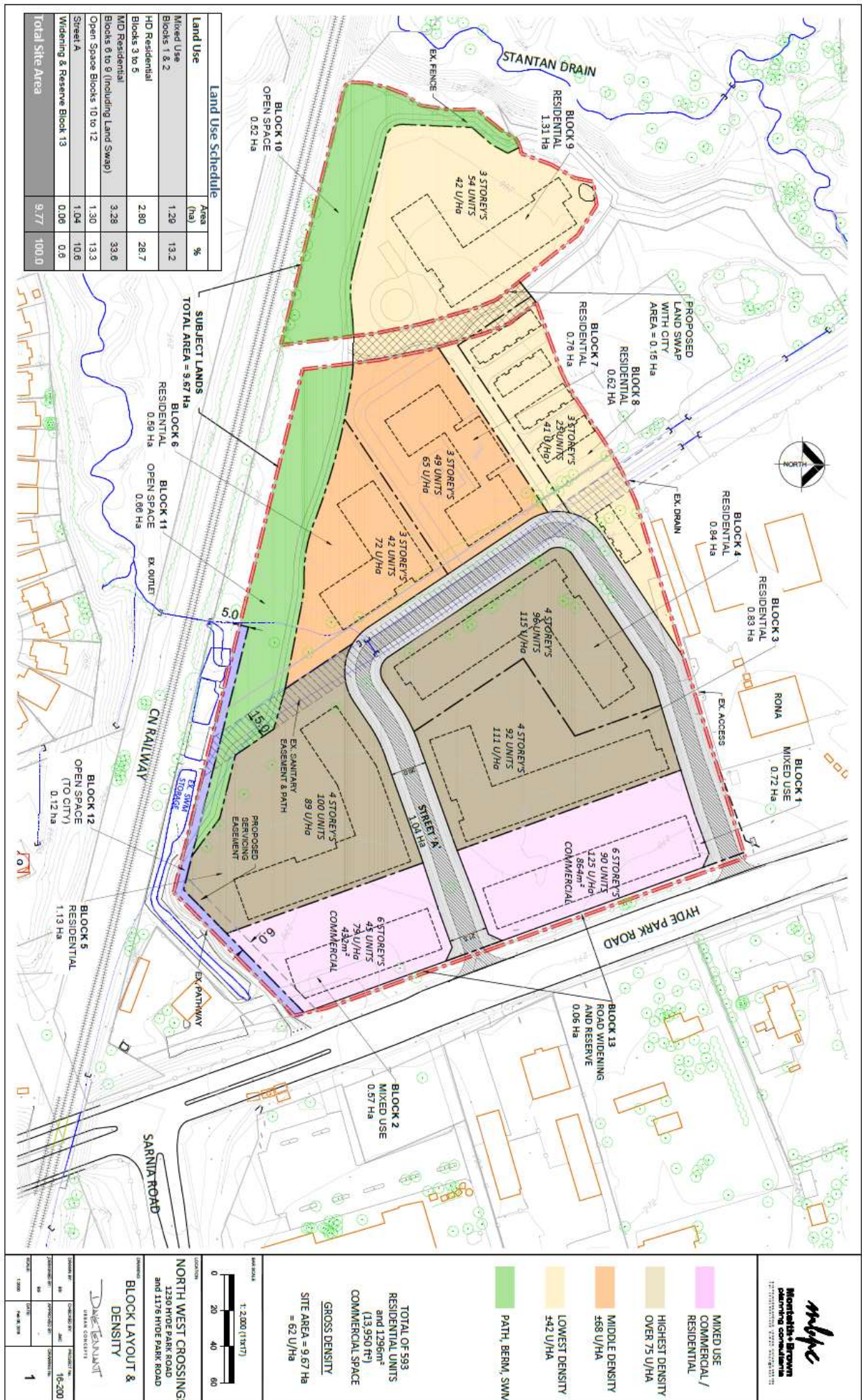
The purpose of the requested amendments is to facilitate the development of a mixed-use neighbourhood on the subject lands based on a development concept provided by the applicant (See Figure 1 and 2). The development concept proposes to divide the subject lands into several development blocks, exchange the current City-owned corridor with other open space lands, and relocate and reconfigure open space lands which will provide for, and accommodate, a noise berm, SWM storage, and a realigned public pathway corridor. A new u-shaped public street is proposed to loop through the subject lands intersecting with Hyde Park Road at the northerly property limit shared with 1282 Hyde Park (Moffatt & Powell RONA) and mid-way along the Hyde Park Road frontage. The proposed buildings would have a low-rise to mid-rise profile, with the buildings generally increasing in height the closer the buildings are located to Hyde Park Road. The following buildings are proposed, but may be revised through future development approval applications:

- Two (2) mixed-use buildings up to 6-storeys in height, located adjacent to Hyde Park Road for a depth of no more than 100 metres from the widened Hyde Park Road right-of-way;
- Three (3) apartment buildings up to 4-storeys in height located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the proposed new public street and south of the southerly limit of the proposed new public street;
- Three (3) apartment buildings up to 3-storeys in height located west of the westerly limit of the proposed new public street; and
- Twenty-five (25) townhouses up to 2-storeys in height, located north of the northerly limit of the proposed new public street.

A total of 593 residential units and approximately 1,296 sq. m (13,950 sq. ft.) of commercial space is proposed, resulting in a gross density 63 uph calculated based on the total site area.



Figure 1: Development Concept, Massing Model



*Figure 2: Development Concept*



## 3.0 Revelant Background

### 3.1 Planning History

The subject lands are part of the former London Township that was annexed to the City of London in 1993. As recommended as part of “Vision London” the subject lands were designated Restricted Service Commercial east of the former CN branch line (presently the location of sanitary sewer easement through the property) and Light Industrial west of the former CN branch line. The former CN branch line was purchased by the City of London with the intent of being re-purposed for a north-south public pathway corridor and would be later be involved in a land exchange between Northwest Crossing (London) Limited (the owner of the subject lands), Nauvoo Investments Limited (the owner of 1282 Hyde Park Road) and the City of London.

In 2000 Council adopted the Hyde Park Community Plan and approved Official Plan Amendment No. 193. Through the Hyde Park Community Plan process it was recommended that the Restricted Service Commercial destination, a precursor to the current Auto-Oriented Commercial Corridor (“AOCC”) designation, be maintained in the area between the CN and CP rail corridors to recognize the existing uses and provide for infill commercial development that would be similar in nature. The Light Industrial designation was also maintained for lands west of the CN branch line. Subsequently, the land use designations that applied to the subject lands did not change through the Hyde Park Community Plan process. The Hyde Park Community Plan was adopted subject to the acceptance of several background studies including a Stormwater Management Plan, Sanitary Sewer Servicing Report and completion of the Hyde Park Trunk Sanitary Sewer Municipal Class Environmental Assessment.

In 2003 Council accepted the Hyde Park Community Storm Drainage and Stormwater Management Municipal Class Environmental Assessment. The preferred servicing solution included Stormwater Management Facility No. 6 (“SWMF6”) as the sixth component of an overall preferred servicing solution with the intent to improve water quality and minimize erosion and flooding conditions for the Hyde Park Community Plan. SWMF6 was proposed to be located on the western portion of the subject lands.

Also in 2003, as a possible basis for a resolution to an outstanding appeal before the Ontario Municipal Board regarding an earlier 2001 Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision application, Northwest Crossings (London) Limited and Nauvoo Investments Limited submitted an Official Plan Amendment, Zoning By-law Amendment and revised Plan of Subdivision for all lands west of Hyde Park Road bound by the CN and CP railway corridors. Council resolved to redesignate the subject lands west of the former CN branch line from Light Industrial (in place since Vision London) to Restricted Services Commercial; and rezoned the subejct lands Holding Restricted Service Commercial Special Provision (h•RSC1(13)/RSC2 (9)/RSC3(11)/RSC4 (8)/RSC5(5)/RSC6(4)) Zone and Open Space (OS1) Zone. The OS1 Zone was intended to provide for SWMF6. The draft approved Plan of Subdivision (File No. 39T-01507) proposed to divide the subject lands into seven (7) service commercial blocks, and various SWM blocks/open space blocks to be accessed by a public cul-de-sac.

As part of the revised draft Plan of Subdivision process, Northwest Crossings (London) Limited and Nauvoo Investments Limited acquired the former CN branch line from the City, and dedicated to the City the current 15-metre wide City-owned corridor that bisects the subject lands. Northwest Crossing (London) Limited also provided the City with the lands west of the Stanton Drain (between the CN railway corridor and CP railway corridor) as an ecological land donation (currently known as the Kelly Stanton Environmentally Sensitive Area (“ESA”) - North). The approval of the draft Plan of Subdivision has since lapsed.

In 2009 Council approved Official Plan Amendment No. 438 implementing the recommendations of the 2006 Official Plan Review, which included a City-wide Commercial Policy Review. The Restricted Service Commercial designation that applied to the subject lands was replaced with the AOCC designation.

### 3.2 Requested Amendment

The applicant has requested an amendment to the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Area) to permit the development of a low-rise to mid-rise mixed-use neighbourhood on the subject lands based on the development concept described in Section 2.1.

The applicant has chosen to submit the Official Plan Amendment application in advance of the Zoning By-law Amendment application and the Plan of Subdivision application, which are also required to permit the proposed development concept. The Zoning By-law Amendment and the Plan of Subdivision applications require the completion of several technical studies which may limit or restrict the extent to which certain portions of the subject lands can be developed. However, there is no risk in advancing the Official Plan Amendment application at this time since development cannot occur until such time as the technical studies are complete and the subject lands are successfully rezoned.

Through pre-application consultation with City staff, it was recommended that the subject lands develop through a Plan of Subdivision and that the development concept include a new public street for the purposes of improved pedestrian, cycling and vehicular connectivity through the subject lands. However, the creation of a new public street (based on its classification) has the potential to limit the range of uses and intensity of development that may be permitted within the Neighbourhoods Place Type that applies to the interior portion of the subject lands in The London Plan. The types of land uses and intensity of development contemplated in the Neighbourhoods Place Type is dependent on the street classification on which a property has frontage.

The proposed development concept would have been permitted had Hyde Park Road (classified as a major street) remained the only street-frontage. The creation of a new public street, expected to be classified as a minor street, provides benefits to the organization for the site, but results in a reduction in the range of land uses and intensity of development permitted in The London Plan. The intent of the recommended Specific Policy to the Neighbourhoods Place Type is to continue to permit the range of uses and intensity of development that would have been permitted fronting onto a Civic Boulevard prior to the creation of a new public street through the subject lands. In consultation with the applicant, Planning Services staff agreed to bring forward an amendment to The London Plan with the third reading of the amending by-law to be withheld until such time as The London Plan is in force and effect. For reasons of clarity, because the Green Space Place Type is generally intended for parkland or to remain in a natural state, Planning Services staff are also recommending the subject lands within the Green Space Place Type that had been previously anticipated to accommodate SWMF6 be changed to the Neighbourhoods Place Type.

### 3.3 Community Engagement (see more detail in Appendix B)

Notice of Application was sent to property owners in the surrounding area on October 4, 2017, and published in the Public Notices and Bidding Opportunities section of The Londoner on October 5, 2017. The notice advised of a possible amendment to the 1989 Official Plan to add a Specific Policy to Chapter 10 (Policies for Specific Areas) to permit the development of a low-rise to mid-rise mixed use neighbourhood on the subject lands. Notice of Revised Application was sent to property owners in the surrounding area on February 14, 2018, and published in the Public Notices and Bidding Opportunities section of The Londoner on February 15, 2018. The revised notice advised of an updated development concept with the greatest building heights proposed along Hyde Park Road, the potential amendment to the 1989 Official Plan, and a possible amendment to The London Plan to add a specific policy area to the Neighbourhoods Place Type. A possible change from the Green Space Place Type to the Neighbourhoods Place Type in The London Plan was advertised in the Notice of the Public Participation Meeting sent to property owners in the surrounding area on February 28, 2018, and published in the Public Notices and Bidding Opportunities section of The Londoner on February 29, 2018.

Two (2) replies were received from the public as part of the community engagement process. A landowner upstream of the subject lands expressed interest in the elimination of SWMF6 on the subject lands and how that may impact planned SWM facilities upstream. The elimination of SWMF6 is incidental, but not a direct result of this application. The operator of the building supply outlet (Moffatt & Powell RONA) located adjacent to the subject lands at 1282 Hyde Park expressed concerns about the

compatibility of the proposed development (particularly new residential development) in close proximity to their existing business. The issue of compatibility with regard to the existing building supply outlet is discussed in Section 4.4 of this report.

### **3.4 Policy Context (see more detail in Appendix D)**

#### **3.4.1 Provincial Policy Statement, 2014 (PPS)**

The 2014 Provincial Policy Statement (“PPS”) provides broad policy direction on matters of Provincial interest related to land use planning and development. The PPS does not assign specific land use designations to properties.

The PPS directs settlement areas to be the focus of growth and development and encourages a diversity of land uses and densities within settlement areas to support intensification and efficient use of land and resources, planned or available infrastructure, and public service facilities. The PPS encourages development which supports active transportation and is transit supportive.

#### **3.4.2 1989 Official Plan**

The 1989 Official Plan contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS. The 1989 Official Plan assigns specific land use designations to properties, and the policies associated with those land use designation provide for a general range of uses, and form and intensity of development that may be permitted.

The easterly-most portion and the central portion of the subject lands (1230 and 1200 Hyde Park Road respectively) are designated AOCC on Schedule “A” – Land Use to the 1989 Official Plan. The westerly-most portion of the subject lands, west of the City-owned corridor (1176 Hyde Park Road) is designated Open Space on Schedule “A” – Land Use to the 1989 Official Plan.

Lands designated AOCC are typically found along major streets and are intended for a broad range of commercial uses, which because of their built form, access or exposure requirements, and/or nuisance impacts, have limited opportunity to locate elsewhere. Lands designated Open Space are intended to be maintained as park space or in a natural state. In the case of the westerly-most portion of the subject lands the Open Space designation was to provide for a SWM facility.

#### **3.4.3 The London Plan**

The London Plan is the new Official Plan for the City of London and has been adopted by Council and approved by the Ministry with modifications, but at the time of writing this report was not yet in force and effect due to appeals to the Ontario Municipal Board. The London Plan establishes a new policy direction for land use planning and development in London which emphasizes growing “inward and upward”.

The subject lands fronting onto Hyde Park Road for a depth of approximately 100 metres west of the Hyde Park Road right-of way (1230 Hyde Park Road) is located within the Shopping Area Place Type on Map 1 – Place Types to The London Plan. The central portion of the subject lands at a depth greater than 100 metres from the Hyde Park right-of-way to the City-owned corridor (1200 and 1230 Hyde Park Road) is within the Neighbourhoods Place Type. The westerly-most portion of the subject lands, west of the City-owned corridor (1176 Hyde Park Road) is within the Green Space Place Type.

Shopping Areas in The London Plan are intended for a wide range of retail, service, business, and other uses within walking distance of neighbourhoods. Over time Shopping Areas are to become less auto-oriented and become more pedestrian, cycling and transit-oriented and may re-format to become mixed-use areas which would also include residential uses. Neighbourhoods are intended to provide for a diversity of housing types and densities and provide housing opportunities for all residents of the City. Green Space is intended as a system of public parks, recreational areas, and private open spaces. The Green Space Place Type is a carry-over from the existing Official Plan which had intended to provide for a SWM facility on the subject lands.

## 4.0 Key Issues and Considerations

### 4.1 Specific Policy Areas

To permit the proposed development concept, the applicant has requested specific area policies be added to the 1989 Official Plan to augment the standard policies that would otherwise apply. Planning Services staff have considered the appropriateness of this request.

Chapter 10 – “Policies for Specific Areas” in the 1989 Official Plan allows Council to consider policies for specific areas when it is in the interest of Council to maintain the existing land use designation while allowing for a site specific change in land use (Policy 10.1.1 ii)). Although, the subject lands could develop according to the AOCC designation that currently applies to the subject lands, and notwithstanding the Open Space designation intended to accommodate a SWM facility on the subject lands, Planning Services staff are recommending specific area policies be added to the 1989 Official Plan and to The London Plan to augment the standard policy direction and allow for the proposed development of a mixed-use neighbourhood which better achieves Council’s contemporary vision or intent for the subject lands as expressed in The London Plan.

In The London Plan, the subject lands fronting onto Hyde Park Road for a depth of approximately 100 metres are located within the Shopping Area Place Type. This Place Type contemplates both the use and intensity of development proposed by the applicant for the subject lands. In particular, mixed-use buildings are encouraged in the Shopping Area Place Type, and the proposed building heights are within the maximum 6-storey height contemplated for the Shopping Area Place Type through bonus zoning (Policy 877\_ 2. and Policy 878\_ 2.).

The Neighbourhoods Place Type applied to the central portion of the subject lands contemplates residential land uses. The proposed low-rise to mid-rise apartment buildings and townhouses are compatible with the mid-rise, mixed-use, buildings planned along Hyde Park Road in The London Plan, and will provide a gradual transition in height down from Hyde Park Road generally in keeping with the policy framework for the Neighbourhoods Place Type. Within the Neighbourhoods Place Type the range of uses and the intensity of development that may be allowed on a property is dependent on the classification of the street on which the property has frontage. Properties fronting on a higher-order street may allow for a broader range of uses and more intense forms of development than properties fronting onto a lower-order street.

Land uses and intensities in the form of stacked townhouse, triplexes, fourplexes and low-rise apartments up to 4-storeys in height, are contemplated in Neighbourhoods Place Type by virtue of the site’s location fronting onto a Civic Boulevard. The creation of a new Neighbourhood Street through the subject lands necessitates the need for an amendment to The London Plan, by way of Specific Policies for the Neighbourhoods Place Type, to retain the potential for the above-noted uses. This is due to the policies which permit a narrower range of uses and lower heights for sites that front Neighbourhood Streets in the Neighbourhoods Place Type.

The recommended amendment to add to the Specific Policies for the Neighbourhoods Place Type will allow the subject lands to develop as would have been permitted prior to the creation of a new Neighbourhood Street through the subject lands, which maintains the general intent of The London Plan.

### 4.2 Use, Intensity, Form

The proposed change in land uses must be appropriate for the subject lands and surrounding context in terms of use, intensity and form.

#### 4.2.1 Use

##### **Provincial Policy Statement, 2014 (PPS)**

The PPS directs settlement areas to be the focus of growth and development, and promotes land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2). Consistent with the

PPS, the recommended amendments will permit a development concept which includes both commercial and residential uses contributing to the mix of land uses in the area. The proposed development concept will also provide for a range of housing options, including townhouse uses and apartment building uses, to meet a broad range of housing needs. The compatibility of the proposed residential uses with existing restricted service commercial uses in the area between the CN and CP railway corridors on either side of Hyde Park Road is discussed below in detail in Section 4.4.

### **1989 Official Plan**

The AOCC designation that applies to the subject lands is primarily intend for commercial uses which cater to the needs of the traveling public; service commercial uses that generate significant amounts of traffic and draw customers from a wide area; and/or light industrial uses with associated retail, wholesale, or service functions that require large amounts of open or enclosed display or storage areas (Policy 4.4.2.4). However, the vision for the subject lands, and the broader area generally located on either side of Hyde Park Road between the CN and CP railway corridors, has evolved over time. The recommended amendments would allow for the propose development of a mixed-use neighbourhood which better achieves the land use vision for the subject lands as expressed in The London Plan.

### **The London Plan**

Within the Shopping Area Place Type a broad range of retail, service commercial, office and residential uses are contemplated. Mixed-use buildings are encouraged. Uses with large amounts of open or enclosed display or storage areas and/or emitting noise, vibration or dust will not be permitted; and uses that are not compatible with residential and/or retail uses will also not be permitted (Policy 877\_ 1.-3.). The policy direction in The London Plan is clearly transitioning away from some of the restricted service commercial land uses permitted by the current zoning of the subject lands and adjacent properties. Consistent with The London Plan the proposed development concept provides a mix of both commercial and residential land uses within mixed-use buildings.

Within the Neighbourhoods Place Type the broadest range of residential land uses are contemplated where there is frontage on a Civic Boulevard; this includes the potential for low-rise apartments and stacked townhouses. While the creation of a new public street through the subject lands is preferred for the purposes of pedestrian, cycling and vehicular connectivity, it will have the unintended effect of also reducing the potential range of primary permitted uses for the central portion of the subject lands within the Neighbourhoods Place Type as explained in Section 4.1. Within the Neighbourhoods Place Type where there is frontage on a Neighbourhood Street the potential range of primary permitted uses is limited to single-detached, semi-detached, and duplex dwellings, and townhouses. The purpose of the recommended Specific Policy to the Neighbourhoods Place Type is to continue to permit the range of primary permitted uses that would have be permitted fronting onto a Civic Boulevard prior to the creation of a new local street through the subject lands. The recommended amendments will therefore, maintain the general intent of The London Plan.

### **4.2.2 Intensity**

#### **Provincial Policy Statement, 2014 (PPS)**

The PPS directs land use patterns within settlement areas to be based on densities and a mix of uses that efficiently use land and resources (Policy 1.1.3.2. a) 1.). Consistent with the PPS, the proposed development of a mixed-use neighbourhood will achieve land use densities and a mix of land uses that provide for a more compact urban form and more efficient use of land and resources.

### **1989 Official Plan**

Planning Services staff have considered whether the intensity of the proposed development fits with the surrounding context. The surrounding context includes established and developing residential neighbourhoods located within the Low-Density Residential (“LDR”) designation or Multi-Family, Medium Density Residential (“MFMDR”). Residential intensification up to a maximum of 75 uph is contemplated in the LDR designation and development will not exceed 75 uph in the MFMDR designation (Policies 3.2.3.2 and 3.3.3 ii).

Based on the total site area the proposed development will have a gross maximum density of 63 uph, which achieves an intensity of development that is appropriate for the



suburban context and compatible with existing and developing residential neighbourhoods. However, density is not proposed to be uniformly distributed over the subject lands and the future division of the subject lands into smaller, separate development blocks through a Plan of Subdivision may result in certain blocks having more or less than 75 uph. Planning Services staff are however supportive the potential variation in density over the subject lands, which would provide for different types of residential uses and forms, provide for a transition in heights across the subject lands, and overall provide for a more dynamic and interesting neighbourhood in proximity to an evolving mainstreet north of the subject lands.

### **The London Plan**

The London Plan places an emphasis on growing “inward and upward”. The London Plan encourages more intense and efficient use of the Shopping Area Place Type (Policy 878\_1.). The proposed development provides a mix of both residential and commercial land uses that would increase the activity on site, particularly outside of traditional hours of business for commercial uses. The mixing of commercial and residential land uses is also a more intense and efficient use of land and resources.

The Shopping Area Place Type contemplates building heights up to 4-storeys in height, with the potential for 6-storeys in height through the approval of a Bonus Zone (Policy 878\_2.) The proposed development conforms to the building heights contemplated for the Shopping Area Place Type.

The Neighbourhoods Place Type also contemplates building heights up to a maximum of 4-storeys, with the potential for a maximum of 6-storeys through the approval of a Bonus Zone, where there is frontage on a Civic Boulevard (Table 11). The creation of a new public street through the subject lands would have the effect of limiting the intensity of development to a maximum of 2.5-storeys in height where there is frontage on a Neighbourhood Street. The purpose of the recommended Specific Policy to the Neighbourhoods Place Type is to continue to permit the intensity of development that would have been permitted fronting onto a Civic Boulevard prior to the creation of a new public street through the subject lands. The proposed development generally conforms to the intensity of development contemplated for the subject lands in The London Plan.

### **4.2.3 Form**

#### **Provincial Policy Statement, 2014 (PPS)**

Within Settlement Areas, which are intended to be the focus of growth and development, the PPS encourages development which has a compact urban form. The compact form will contribute to the efficient use of land, infrastructure and public service facilities (Policy 1.1.3.6). The PPS requires planning authorities to promote economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities (Policy 1.3.1).

The proposed development of a mixed-use neighbourhood on the subject lands is consistent with the PPS and is a more compact, transit-supportive form of development than what is likely to occur under the current Restricted Service Commercial zoning.

#### **1989 Official Plan**

The 1989 Official Plan encourages an urban form with more intensive residential and commercial development focused along sections of major transportation corridors, such as Hyde Park Road, and in designated nodes to support public transit (Policy 2.2.1 v)). The proposed development is consistent with the urban form described above and the mid-rise, mixed-use buildings, are an appropriate form adjacent to Hyde Park Road.

### **The London Plan**

The London Plan supports compact forms of development in planning and managing for growth (Policy 7\_, Policy 66\_, and Policy 77\_). The London Plan encourages transit oriented development forms (Policy 60\_ 6.)

As contemplated in The London Plan, the proposed mixed-use neighbourhood is a more compact, transit-supportive form of development than the form of development likely to develop under the current Restricted Service Commercial zoning. The proposed development maintains a low-rise to mid-rise profile, which is appropriate within the suburban context and compatible with existing and developing residential

neighbourhoods in the area. The proposed mixed-use development adjacent to Hyde Park Road also provides a more desirable pedestrian friendly, transit-supportive connection between the existing residential neighbourhoods and mainstreet to the north and the existing residential neighbourhoods to the south than the auto-oriented uses permitted under the current Restricted Service Commercial zoning.

#### **4.3 Protection of Natural Hazards & Natural Heritage Features**

Planning Services staff have considered whether it would be appropriate to apply a change in land use that would contemplate and potentially provide for development on a portion of the subject lands adjacent to natural hazards and natural heritage features in the absence of technical studies.

Previously intended for SWMF6, the westerly-most parcel comprising the subject lands (1176 Hyde Park Road) was designated Open Space in the 1989 Official Plan (Green Space Place Type in The London Plan) and zoned Open Space (OS1) to implement the lapsed Plan of Subdivision and provide for a SWM facility. 1176 Hyde Park Road does not contain any natural hazards or natural heritage features, but is located adjacent to the Stanton Drain and lands west of the Stanton Drain that are recognized as being an Environmentally Significant Area. 1176 Hyde Park Road is within the Upper Thames River Conservation Authority ("UTRCA") regulated area, and the UTRCA was subsequently circulated on this application.

In a letter dated October 24, 2017 the UTRCA indicated that they have no objections to the Official Plan Amendment application with respect to 1200 & 1230 Hyde Park Road. However, with respect to 1176 Hyde Park Road, the UTRCA indicated a preference that certain technical studies (e.g. Geotechnical Study, Environmental Impact Study, and Hydrogeological Study) be completed in advance of a possible land use change and suggested that the matter be deferred for 1176 Hyde Park Road.

Notwithstanding this initial suggestion by the UTRCA that the matter be deferred for 1176 Hyde Park Road, Planning Services staff are of the opinion that there is no immediate impact associated with proceeding with the Official Plan Amendment application for the whole of the subject lands, including 1176 Hyde Park Road, since development cannot occur until such time as the lands are also rezoned to permit development. The current Open Space (OS1) Zone that applies to 1176 Hyde Park Road permits only parks, golf courses, conservation lands and conservation works for flood and erosion control. Additionally, it is not uncommon for lands zoned OS1 to be located within residentially designated areas especially when they are intended to provide for SWM facilities

Planning Services staff have included specific direction in the recommended amendments to the 1989 Official Plan and The London Plan to ensure that the concerns of the UTRCA are addressed and that through the subsequent Zoning By-law Amendment application, a Geotechnical Study, Environmental Impact Study, and Hydrogeological Study will demonstrate that the natural hazards and natural features and their functions will not be negatively impacted by the proposed land uses or form of development. Planning Services staff have also recommended that the Green Space Place Type (formerly Open Space designation) be changed to the Neighbourhoods Place Type in The London Plan for reasons of clarity since the Green Space Place Type is generally intended for parklands or where lands are to remain in a natural state, not where development is expected to occur. However, should the above-noted technical studies find that a portion of the lands provide an ecological function, Planning Service staff would undertake a City-initiated Official Plan Amendment to change the impacted lands back to the Green Space Place Type concurrently with a future Zoning By-law Amendment application.

Given the assurance provided by Planning Services staff that the existing zoning and the recommended specific area policies will continue to protect the natural hazard and natural heritage features and their functions, the UTRCA in a second letter dated February 28, 2018 has indicated the UTRCA will not object to the Official Plan Amendment application proceeding for 1176 Hyde Park Road.

#### **4.4 Compatibility between Industrial Facilities & Sensitive Land Uses**

The proposed development of residential land uses on the subject lands may result in compatibility issues with the light industrial land uses for which adjacent lands are

already zoned.

Through the community engagement process the operator of the building supply outlet (Moffatt & Powell RONA) located north of the subject lands at 1282 Hyde Park raised concerns about noise and dust impacts from their normal business operation and associated truck traffic, and the potential compatibility issue the proposed development for the subject land presents. The Moffatt & Powell RONA lands, and other lands in the immediate vicinity of the subject lands, are zoned Restricted Service Commercial (RSC5), which specifically permits light industrial land uses with associated retail, wholesale, or service functions.

*D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Uses* were released by the Ministry of the Environment and Climate Change (formerly the Ministry of the Environment) in 1995 in accordance with the Environmental Protection Act. These guidelines are intended to be applied in the land use planning process to prevent or minimize land use conflict due to the encroachment of sensitive land uses and/or industrial uses on one another.

Planning Services staff have included specific direction in the recommended amendments to the 1989 Official Plan and The London Plan to ensure that the *D-6 Guidelines* are addressed prior to sensitive residential land uses being developed on the subject lands. It should be noted that it is not atypical for sites located near to facilities producing nuisance impacts such as noise, odour, dust etc. that mitigative measures (eg. double glazing, air conditioning, air/ventilation carbon-based filters) are incorporated into the design of new sensitive land uses to address issues of compatibility. As the proposed residential development cannot actually occur until such time as the subject lands are rezoned to permit residential uses, Planning Services staff are of the opinion that there is no risk associated with considering the *D-6 Guidelines* at the time of the Zoning By-Law Amendment application along with other technical studies. It should also be noted that the uses proposed by the applicant are consistent with the intent of The London Plan which identifies the subject lands as well as the abutting Moffatt & Powell RONA site as Shopping Area Place Type abutting Hyde Park Road and Neighbourhoods Place Type in the interior.

#### **4.5 Nuisance Impacts from Railway Corridor**

The proximity of railway operations to the subject lands may create nuisance impacts – primarily noise and vibration. There are potential compatibility issues associated with locating new development (particularly new residential development) in proximity to railway corridors.

The PPS directs that new development proposed adjacent to existing or planned transportation and infrastructure corridors be compatible with, and support, the long-term purpose of the corridor, and be designed to mitigate adverse impacts on and from the corridor (Policy 1.6.8.3). In particular with regards to rail facilities, the PPS directs that the long-term operation and economic role of rail facilities will be protected; and that rail facilities and sensitive land uses are to be appropriately design, buffered and/or separated from each other (Policy 1.2.6.1 and Policy 1.6.9.1 (a) and (b)).

Consistent with the PPS, the 1989 Official Plan directs that development of sensitive land uses in close proximity to rail corridors shall have regard for potential impacts from noise, vibration and/or safety concerns; and that development be controlled to reduce potential adverse impacts and appropriate attenuation measures provided through planning and development approval processes (Policy 18.2.15 iv) and Policy 19.9.5).

The London Plan values the importance of rail corridors in connecting London and the surrounding region (Policy 103\_ and Policy 110\_). The London Plan directs that freight and rail services, which are important to the growth of the industrial sector, are to be protected to achieve the vision of a prosperous London (Policy 1113\_ 12.). Policy regarding sensitive land uses in close proximity to rail corridors have been carried-over from the 1989 Official Plan and included in The London Plan (Policy 1766\_). The London Plan directs that where new sensitive land uses may be exposed to noise, and/or vibration and negatively impacted, and/or where there are safety concerns, attenuation measures will be incorporated into the development (Policies 1770\_, 1771\_ and 1772\_).

Planning Services staff have included specific direction in the recommended amendments to the 1989 Official Plan and The London Plan to ensure that consistent with the PPS, and in conformity with the 1989 Official Plan and The London Plan, compatibility issues associated with the development of new sensitive land uses in proximity to railway corridors is addressed through subsequent Zoning By-law Amendment and Plan of Subdivision approval processes prior to development occurring.

Based on 2013 *Guidelines for New Development in Proximity to Railway Operations* prepared by the Railway Association of Canada and the Federation of Canadian Municipalities, the subject lands are within the potential noise area of influence for both the CP and the CN railway corridors, and within the potential vibration area of influence for the CN railway corridor (*the subject lands are outside the potential vibration area of influence for the CP railway corridor*).

To address compatibility issues and mitigate potential nuisance impacts associated with the CN railway corridor, the development concepts for the subject lands envisions reconfigured open space lands which are linear in shape and would be located immediately adjacent to the CN railway corridor. The reconfigured open space lands would consist of a noise berm, SWM storage, and the realignment of the City's public pathway corridor. 1282 Hyde Park Road (Moffatt & Powell RONA) separates the CP railway corridor from the subject lands. The development concept relies the separation distance provided by the Moffatt and Powell RONA lands to address compatibility issues and mitigate potential nuisance impacts associated with the CP railway corridor.

The proposed development will be required to comply with provincial guidelines for acceptable levels of noise and vibration as well as address concerns over safety and provide mitigation measures, as part of the subsequent Zoning By-law Amendment and Plan of Subdivision applications.

## 5.0 Conclusion

The recommended amendments to the 1989 Official Plan and to The London Plan to facilitate the development of a mixed-use neighbourhood on the subject lands are consistent with the 2014 Provincial Policy Statement. The 2014 Provincial Policy Statement encourages a diversity of land uses and densities, as is provided by the proposed development concept, to achieve efficient development patterns.

Chapter 10 - "*Policies for Specific Areas*" are intended to be applied where the application of existing policies would not accurately reflect the intent of Council. Notwithstanding the existing AOCC and Open Space designations, the recommended amendment to add a specific policy to Chapter 10 to permit the proposed development concept better achieves Council's vision, and intent for the subject lands as expressed in The London Plan. The proposed development concept is generally in keeping with the types of uses and intensity of development contemplated for the subject lands in The London Plan. The recommended amendment to add to the Specific Policies for the Neighbourhoods Place Type will allow the subject lands to develop as would have been permitted prior to the creation of a new local street through the subject lands, which maintains the general intent of The London Plan.

The recommended amendment to The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type would continue to permit a Stormwater Management Facility as previously intended, but would also provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule 'B' Municipal Class Environmental Assessment.





**Appendix A**

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.-1284-  
A by-law to amend the Official Plan for  
the City of London, 1989 relating to 1176,  
1200, and 1230 Hyde Park Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the  
City of London Planning Area – 1989, as contained in the text attached hereto and forming  
part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on March 26, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 26, 2018  
Second Reading – March 26, 2018  
Third Reading – March 26, 2018

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to add a policy to Section 10.1.3 – “Policies for Specific Areas” to the Official Plan for the City of London to facilitate the development of a mixed-use neighbourhood on the subject lands.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 1176, 1200, and 1230 Hyde Park Road in the City of London.

**C. BASIS OF THE AMENDMENT**

Chapter 10 – “Policies for Specific Areas” of the Official Plan allows Council to consider policies for specific areas where one of four criteria apply. One of these criteria is “the change in land uses is site-specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use” (Section 10.1.1. ii)).

The recommended amendment will permit mixed-use development having a low-rise to mid-rise profile. The mixed use development will consist of mixed-use buildings up to 6-storeys in height fronting onto Hyde Park Road that include commercial uses on the ground floor together with residential uses; and townhouses, stacked townhouses, triplexes, fourplexes, and apartment buildings up to 4-storeys in height fronting onto a new public street. The recommended amendment would augment the Auto-Oriented Commercial Corridor and Open Space policies that would otherwise apply to the subject lands, to permit land uses and an intensity of development that more accurately reflects Council’s vision and intent for the subject lands as expressed in The London Plan. The recommended amendment is generally consistent with the range of uses and intensity of development contemplated for the subject lands in The London Plan.

The subject lands located west of the City-owned corridor (that bisects the subject lands) are within the Open Space designation of the Official Plan for the City of London, 1989, and were intended to provide for a stormwater management facility (“SWMF6”) consistent with the recommendations contained within the 2002 Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment (“EA”). The recommended amendment would continue to permit SWMF6, as well as, provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

**D. THE AMENDMENT**

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – “Policies for Specific Areas” of the Official Plan for the City of London is amended by adding the following:

1176, 1200, 1230 Hyde Park Road

In the Open Space designation townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings up to 3-storeys in height may be permitted. Development shall not be permitted in the Open Space designation unless through a

Zoning By-law Amendment an Environmental Impact Study, Geotechnical Report and Hydrogeological Assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA

In the Auto-Orientated Commercial Corridor designation located no more than 100 metres west of the widened Hyde Park Road right-of-way, mixed-use buildings up to 6-storeys in height which consist of retail and service-oriented commercial use and small-scale office uses on the ground floor together with residential use may be permitted through the Bonus Zoning.

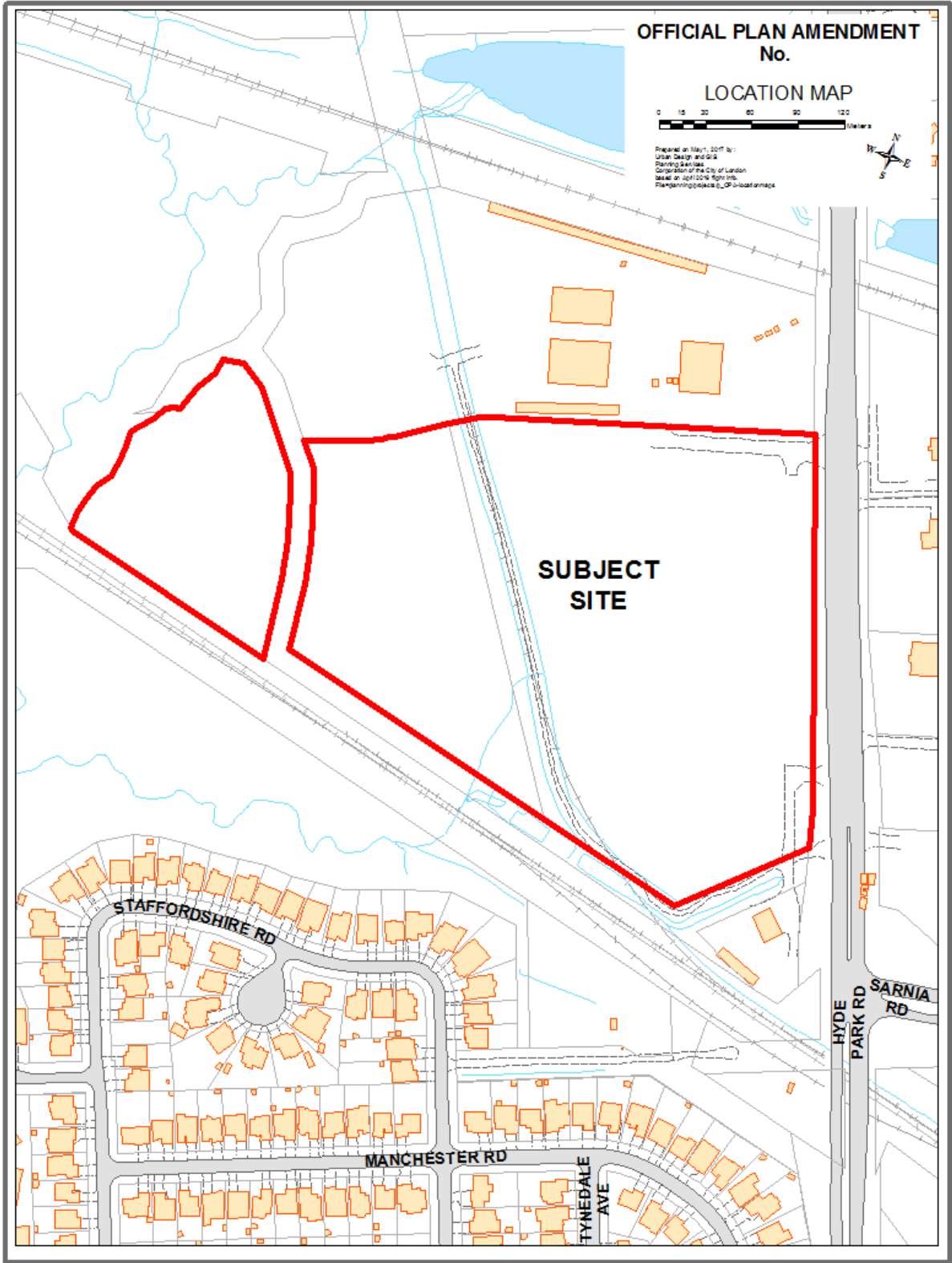
In the Auto-Oriented Commercial Corridor designation located greater than 100 metres west of the widened Hyde Park Road right-of-way, and east of the westerly limit of the new public street, and south of the southerly limit of the new public street, townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings may be permitted up to 4-storeys in height.

In the Auto-Oriented Commercial Corridor designation located west of the westerly limit of the new public street and north of the northerly limit of the new public street townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings may be permitted up to 3-storeys in height.

Development in all designations shall not be permitted unless through a Zoning By-law Amendment and Plan of Subdivision:

- i) A Noise and Vibration Study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London;
- i) A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London; and
- ii) A new public street is created west of Hyde Park Road.

A gross maximum density of 75 unit per hectare will be permitted calculated using the total site area.



Appendix B

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.-\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 1176,  
1200, 1230 Hyde Park Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –



**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

1. To change the Place Type of certain lands described herein from Green Space Place Type to Neighbourhoods Place Type on Schedule “A”, Map 1 – Place Type, to The London Plan for the City of London.
2. To add new policies to the Specific Policies for the Neighbourhoods Place Type and to add certain lands described herein to Map 7 – Specific Policy Areas, to The London Plan for the City of London.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 1176, 1200, and 1230 Hyde Park Road in the City of London.

**C. BASIS OF THE AMENDMENT**

The recommended amendment will permit mixed-use development having a low-rise to mid-rise profile. The mixed use development will consist of mixed-use buildings with commercial at grade that may be up to 6-storeys in height fronting onto Hyde Park Road; and townhouses, stacked townhouses, triplexes, fourplexes, and apartment buildings that may be up to 4-storeys in height fronting onto a new public street constructed on the site west of Hyde Park Road.

Notwithstanding the Neighbourhoods Place Type policies to the contrary, stacked townhouses, triplexes, fourplexes and low-rise apartments up to 4-storeys in height will be permitted within the Neighbourhoods Place Type fronting onto a Neighbourhood Street. The above noted uses and building heights are consistent with the types of uses and intensity of development permitted in the Neighbourhoods Place Type where fronting onto a Civic Boulevard. The creation of a new street through the subject site is preferred for the purposes of pedestrian, cycling and vehicular connectivity, but would have the unintentional effect of limiting the range of uses and intensity of development that would otherwise be permitted; thereby, necessitating the need for a special policy to maintain the range of uses and intensity of development.

The Green Space Place Type was intended to provide for a stormwater management facility (“SWMF6”) consistent with the recommendations contained within the 2002 Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment (“EA”). The recommended amendment would continue to permit SWMF6, as well as, provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

**D. THE AMENDMENT**

The London Plan for the City of London is hereby amended as follows:

*The London Plan* is hereby amended as follows:

1. Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of lands located at 1176 Hyde Park Road in the City of London, as indicated on “Schedule 1” attached hereto from the Green Space Place Type to the Neighbourhoods Place Type.
2. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding the following:

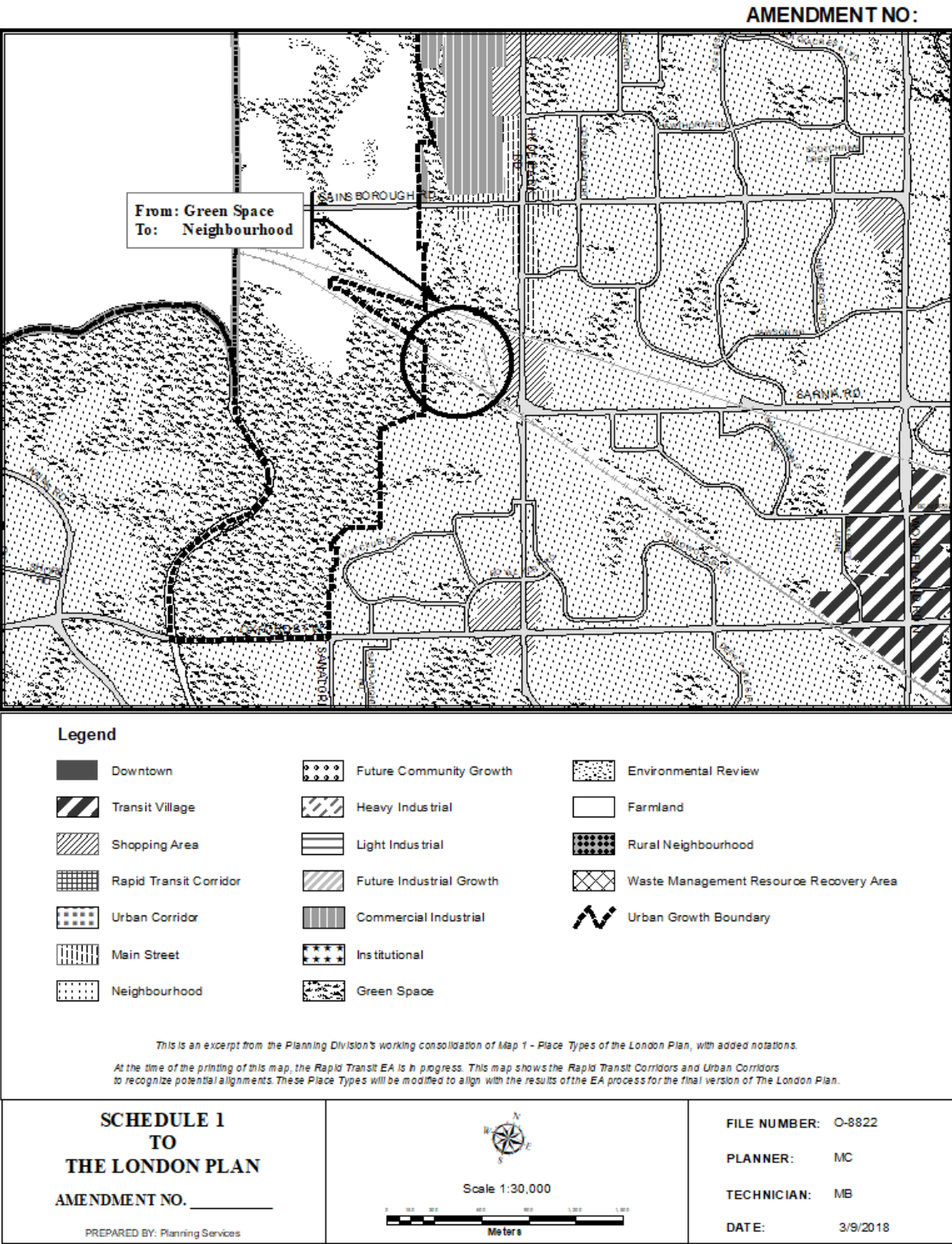
1176, 1200 and 1230 Hyde Park Road

( )\_ In the Neighbourhoods Place Type located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the new public street and south of the southerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 4-storeys in height.

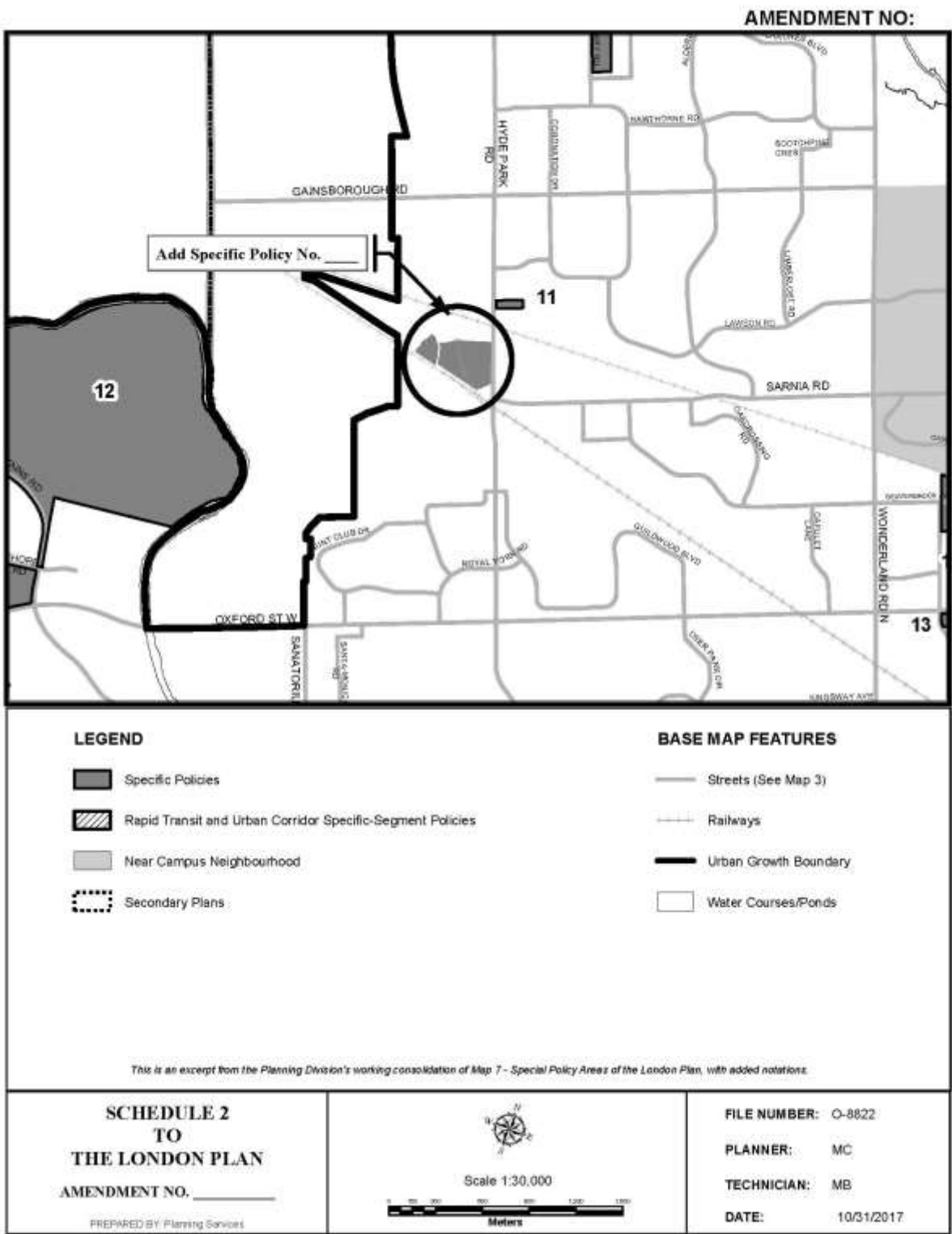
In the Neighbourhoods Place Type located west of the westerly limit of the new public street, and north of the northerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 3-storeys in height.

Development shall not be permitted in the Neighbourhoods Place Type unless through a Zoning By-law Amendment and/or Plan of Subdivision:

- i) An Environmental Impact Study, Geotechnical Report and Hydrogeological Assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA;
  - ii) A Noise and Vibration Study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London;
  - iii) A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London; and
  - iv) A new public street is created west of Hyde Park Road.
3. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1176, 1200 and 1230 Hyde Park Road in the City of London, as indicated on “Schedule 2”



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Document Path: E:\Planning\Projects\lg\_officialplan\work\consolid00\amendments\_LondonPlan\O-8822\O-8822\_AMENDMENT\_Map7\_SpecialPolicyAreas\_b&w\_8x11.mxd

Appendix C – Public Engagement

Community Engagement

**Public liaison:** On October 4, 2017, Notice of Application was sent to 35 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 5, 2017. A “Planning Application” sign was also posted on the site. On February 14, 2018, Notice of Revised Application was sent to 35 property owners in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 15, 2018.

2 responses were received.

**Nature of Liaison:** The purpose and effect of this amendment is to permit the development of a low-rise to mid-rise mixed-use neighbourhood. Possible amendment to the Official Plan to add a Specific Policy to Chapter 10 (Policies for Specific Areas) and to The London Plan to change the Green Space Place Type that applies to a portion of the site to the Neighbourhoods Place Type and to add a Specific Policy to the Neighbourhoods Place Type to allow mixed-use buildings up to 6-storeys in height fronting onto Hyde Park Road and townhouses, stacked-townhouses and apartment buildings up to 4-storeys in height fronting onto a future local street to the west.

**Responses:** The concerns expressed about the requested amendments related to the potential change and/or elimination of the planned SWM facility on the subject lands and potential impact on planned upstream SWM facilities; the compatibility of the proposed development (particularly new residential development) in close proximity to existing business that may cause potential nuisance impacts for sensitive land uses; and that the proposed land uses and form of development will not negatively impact adjacent natural hazards and natural heritage features and their functions.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Janis Kempinski 1217 Gainsborough Road London, ON, N6H 5K7	Janis Kempinski 1217 Gainsborough Road London, ON, N6H 5K7
	Nancy Powel Quinn (Moffatt & Powell RONA) 1282 Hyde Park Road London, ON, N6H 5K5



**File: O-8822**  
**Planner: M. Campbell**

**From:** Janis Kempinska [REDACTED]  
**Sent:** Monday, November 06, 2017 9:51 AM  
**To:** Campbell, Melissa <mecampbell@london.ca>  
**Subject:** O-8822 1176, 1200 & 1230 Hyde Park Road

Good Morning Ms. Campbell

**O-8822 1176, 1200 & 1230 Hyde Park Road**

Thank you for your information by phone on the above Planning Application.

We have concerns regarding the provisions for SWM management for this site and the potential changes for elimination or redesign of SWM # 6. This may impact our property at 1217 Gainsborough Road.

Although our property is located upstream from the subject property, with the revisions to the SWM system in the area currently taking place, suggesting the elimination of SWM #6, we wish to monitor how these changes and this planning application in particular may impact our property.

We would like to be kept informed of planning decisions regarding this file as it goes forward.

Regards

Janis & Adam Kempinski



Nancy Powell Quinn  
President

25-Oct-17

To Melissa Campbell, Planner, City of London Planning Services

REFERENCE: Notice of Application – 1176, 1200 & 1230 Hyde Park Rd. (Ward 8) – O-8822

Dear Ms. Campbell,

In response to the application put forward to the Municipal Council for the City of London considering an amendment to the City's Official Plan to change the designated property type located at **1176, 1200 & 1230 Hyde Park Road in Ward 8** from Auto-Oriented Commercial Corridor and Open Space to add a special policy to allow for mixed-use and residential buildings.

Moffatt & Powell Ltd., is an operational lumber, building materials yard and retail business located at the neighboring property of 1282 Hyde Park Road and chose to locate here over 20 years ago due to the fact that the lands discussed in the application are planned for commercial and open space uses.

There are many elements involved in our business that makes us successful, the largest component being distribution of lumber and building materials (LBM) to contractors, home builders and do it yourselfers. To do this well, we are a seven day a week operation. We receive shipments of heavy trucks containing LBM products up to six days a week, many transports arriving and parking overnight until they can be unloaded the following day. We build our own loads for new house construction and renovation projects and ship out millions of board feet of material annually on our fleet of heavy trucks, which need safety checks and use of forklifts, including back up sensors in equipment. During peak construction season (March – November), the truck and forklift activities begin as early as 5am and continue as late as 11pm, with the use of exterior lighting. This work is accomplished using heavy equipment, such as forklifts and delivery vehicles, which creates a dusty and noisy environment.

Page 2/2

We feel that by changing the Official Plan to include a special policy allowing residential lands, it will negatively impact our day to day business operations due to increased vehicular traffic making it more difficult to access Hyde Park Road safely, as well as create an uncomfortable environment for residents.

Serious considerations must be made if there is a change in the Official Plan to adopt a residential intensification special policy. Such as, i) widening the future local street to accommodate heavy transport traffic, ii) Sound attenuation fencing and landscaping, iii) A traffic study to consider impact on increased volume of vehicular traffic that will be accessing Hyde Park Road from future local street and how to move the increased volume of traffic safely on and off Hyde Park Road.

Given that we serve new home construction business in and around London, I understand the growing demand for new residential units within the City of London that are on an accessible to public transit and commercial services. In fact, we supply many of our customers' products and services required to construct residential units, such as those described in the above amendment request. To that end, the goal of this letter is that considerable effort be made in advance of any change to explore and understand the many variables at play that will impact the well-being, safety and productivity of London business and residents.

Respectfully,

Nancy Powell Quinn  
President  
Moffatt & Powell RONA  
1282 Hyde Park Road  
London, ON N6H 5K5

cc: Councillor Paul Hubert – Ward 8



## Agency/Departmental Comments



February 28, 2018

City of London – Planning Services  
P.O. Box 5035  
London, Ontario N6A 4L9

Attention: Melissa Campbell (sent via e-mail)

Dear Ms. Campbell:

**Re: File No. O-8822 – REVISED Application to Amend the Official Plan**  
**Applicant: Dave Tennant Urban Concepts**  
**1176, 1200 & 1230 Hyde Park Road, London, Ontario**

Further to our comments dated October 24, 2017, the Upper Thames River Conservation Authority (UTRCA) has reviewed this revised application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

### **PROPOSAL**

The applicant is proposing mixed-use buildings as well as townhouses, stacked-townhouses and apartment buildings on the subject lands. As indicated in the notice, this application is considered to be residential intensification for lands which were previously intended to be used for a stormwater management facility.

Under the existing Official Plan, City planning staff have advised that the lands would continue to be designated Open Space with special provisions to permit residential development subject to satisfying various provisions including a zoning by-law amendment and the satisfactory completion of supporting studies (geotechnical study, environmental impact study, hydrogeological study).

Under the London Plan, the Green Space Place Type lands are to be re-designated to the Neighbourhoods Place Type again subject to various provisions.

### **CONSERVATION AUTHORITIES ACT**

As shown on the enclosed mapping, 1176 Hyde Park Road is regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Regulation Limit is comprised of a riverine erosion hazard associated with the Stanton Drain. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written

1424 Clarke Road, London, Ont. N5V 5B9 • Phone: 519.451.2800 • Fax: 519.451.1188 • Email: [info@thamesriver.on.ca](mailto:info@thamesriver.on.ca) [www.thamesriver.on.ca](http://www.thamesriver.on.ca)



UTRCA Comments  
File No. O-8822 - REVISED

approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

**UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)**

The UTRCA's Environmental Planning Policy Manual is available online at:  
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

The policies which are applicable to the subject lands include:

**3.2.2 General Natural Hazard Policies**

These policies direct new development and site alteration away from hazard lands. Any development which is permitted in hazard lands must provide appropriate floodproofing measures, protection works and safe or dry access during times of flooding, erosion and other emergencies. Furthermore, no new hazards are to be created and existing hazards should not be aggravated.

**3.2.4 Riverine Erosion Hazard Policies**

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

At a pre-consultation meeting held on February 8, 2017, the UTRCA advised City planning staff and the applicant regarding the technical studies that would be required to establish the development limit for 1176 Hyde Park Road. They include a geotechnical study, an environmental impact study and a hydrogeological study. The purpose of these studies would be to establish the limits of the natural hazard and natural heritage lands and to determine appropriate buffers to protect the features and their functions. These lands would be protected with the appropriate open space designation and open space zoning – either OS4 or OS5. To date these studies have not been received by the Conservation Authority.

**DRINKING WATER SOURCE PROTECTION**

**Clean Water Act**

The *Clean Water Act* (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. We wish to advise that the subject lands are identified as being within a vulnerable area. Mapping which shows these areas is available at:

[http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

**Provincial Policy Statement (PPS, 2014)**

**Section 2.2.1** requires that: "*Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alteration to:*



UTRCA Comments  
File No. O-8822 - REVISED

1. protect all municipal drinking water supplies and designated vulnerable areas; and
2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions."

**Section 2.2.2** requires that "Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored."

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

Policies in the *Approved Source Protection Plan* may prohibit or restrict activities identified as posing a significant threat to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The *Approved Source Protection Plan* is available at:

<http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/>

#### **RECOMMENDATION**

The UTRCA has no objections to this application with respect to 1200 & 1230 Hyde Park Road.

With respect to 1176 Hyde Park Road which is regulated by the UTRCA, our preference would be that the necessary technical studies (geotechnical study, environmental impact study, hydrogeological study) be completed in advance of the lands being redesignated from the Green Space Place Type to the Neighbourhoods Place Type such that the natural hazard and natural heritage features are identified and their functions are protected. We had previously commented that in our opinion, the application was premature and had requested a deferral of the matter.

City planning staff have advised that specific policies will be included in the proposed Open Space and Neighbourhoods Place Type designation whereby development will not be allowed to occur on the subject lands unless through a zoning by-law amendment and a plan of subdivision. This approval process will be subject to the completion of the necessary technical studies to the satisfaction of the City and the UTRCA.

The UTRCA has reviewed the Draft Official Amendments that were provided by City planning staff and we request the following changes to the text.

With respect to the amendment under the existing Official Plan whereby special policies would be added to the Open Space designation, please revise Section D. The Amendment as follows:

*In the Open Space designation townhouses, stacked townhouse, triplexes, fourplexes and apartment buildings may be permitted. Development shall not be permitted in the Open Space designation unless through a Zoning By-law Amendment an Environmental Impact Study, Geotechnical Report **and Hydrogeological Assessment** have demonstrated that the permitted land uses and form of development **will not have a negative impact on the adjacent natural heritage and natural hazard features and their functions** to the satisfaction of the City of London and the UTRCA.*

With respect to the amendment under the London Plan whereby the Green Space Place Type lands are to be re-designated to the Neighbourhoods Place Type subject to various provisions, please revise Section D. - The Amendment as follows:

UTRCA Comments  
File No. O-8822 - REVISED

*In Neighbourhoods Place Type, stacked townhouse, triplexes, fourplexes and low-rise apartments up to 4-storeys in height will be permitted fronting onto a Neighbourhood Street. Development shall not be permitted in the Neighbourhoods Place Type unless through a Zoning By-law Amendment and Plan of Subdivision:*

- i) *an Environmental Impact Study, Geotechnical Report **and Hydrogeological Assessment** have demonstrated that the permitted land uses and form of development **will not have a negative impact on the adjacent natural heritage and natural hazard features and their functions** to the satisfaction of the City of London and the UTRCA.*

Furthermore, if the technical studies demonstrate that the lands which are going to be designated to the Neighbourhoods Place Type should have remained Green Space Place Type, planning staff have advised that they would undertake a City initiated Official Plan Amendment to redesignate the impacted lands back to the Green Space Place Type. Accordingly, these lands would also be zoned with the appropriate Open Space zone either OS4 and OS5 rather than OS1.

Lastly, at the pre-consultation meeting for the subject lands, it was indicated that a City pathway is proposed to be located on/in vicinity of the subject lands. In accordance with UTRCA policy, any proposed pathway shall be located outside of the natural hazard lands which includes the 6 metre erosion access allowance.

Given the assurances provided by City Planning Staff that the special provisions in the proposed Official Plan Amendments for the subject lands will continue to protect the natural hazard and natural heritage features and their functions, the Conservation Authority will not object to this application.

We respectfully request that a copy of the Planning Report be forwarded to the UTRCA once it has been finalized.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

- c.c. Sent via email -  
Applicant – Dave Tennant Urban Concepts  
UTRCA – Tracy Annett, Manager of Environmental Planning & Regulations, Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



"Inspiring a Healthy Environment"



October 24, 2017

City of London – Planning Services  
P.O. Box 5035  
London, Ontario N6A 4L9

Attention: Melissa Campbell (sent via e-mail)

Dear Ms. Campbell:

Re: File No. O-8822 – Application to Amend the Official Plan  
Applicant: Dave Tennant Urban Concepts  
1176, 1200 & 1230 Hyde Park Road, London, Ontario

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

#### **PROPOSAL**

The applicant is proposing a low to mid-rise, mixed use development on the subject lands.

#### **CONSERVATION AUTHORITIES ACT**

As shown on the enclosed mapping, 1176 Hyde Park Road is regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Regulation Limit is comprised of a riverine erosion hazard associated with the Stanton Drain. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

#### **UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)**

The UTRCA's Environmental Planning Policy Manual is available online at:  
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

The policies which are applicable to the subject lands include:



UTRCA Comments  
File No. O-8822

### **3.2.2 General Natural Hazard Policies**

These policies direct new development and site alteration away from hazard lands. Any development which is permitted in hazard lands must provide appropriate floodproofing measures, protection works and safe or dry access during times of flooding, erosion and other emergencies. Furthermore, no new hazards are to be created and existing hazards should not be aggravated.

### **3.2.4 Riverine Erosion Hazard Policies**

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

On February 8, 2017, the UTRCA participated in a pre-consultation meeting for a development proposed on the subject lands. In our comments to the City on the Initial Proposal Report (dated February 10, 2017), we noted that the westerly portion of the site 1176 Hyde Park Road (block 7) was proposed to be re-designated from OS to medium density residential. The Conservation Authority had requested that it be clarified in the IPR that the natural hazard lands, the natural heritage lands and the associated buffer would be confirmed through a geotechnical study and an Environmental Impact Study (EIS) and would continue to be designated (and zoned) Open Space. To date the Conservation Authority has not received the necessary studies to support this request to amend the Official Plan as it relates to 1176 Hyde Park Road.

## **DRINKING WATER SOURCE PROTECTION**

### **Clean Water Act**

The *Clean Water Act* (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. We wish to advise that the subject lands are identified as being within a vulnerable area. Mapping which shows these areas is available at:

[http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

### **Provincial Policy Statement (PPS, 2014)**

**Section 2.2.1** requires that: "*Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alteration to:*

- 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
- 2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions."*

**Section 2.2.2** requires that "*Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored."*

2

UTRCA Comments  
File No. O-8822

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

Policies in the *Approved Source Protection Plan* may prohibit or restrict activities identified as posing a *significant threat* to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The *Approved Source Protection Plan* is available at:

<http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/>

#### **RECOMMENDATION**

The UTRCA has no objections to this application with respect to 1200 & 1230 Hyde Park Road. However, as indicated, 1176 Hyde Park Road is regulated by the UTRCA and we are awaiting a geotechnical study and an EIS including a water balance analysis to confirm the limits of the natural hazard and natural heritage lands, the appropriate buffers and thereby the Open Space lands. Given that the necessary studies have yet to be submitted, reviewed and accepted by the UTRCA, we are of the opinion that redesignating the lands known municipally as 1176 Hyde Park Road is premature and we recommend that the application be deferred.

#### **MUNICIPAL PLAN REVIEW FEE**

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of Planning Act applications. Our fee for this review is \$200.00 and will be invoiced under separate cover.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

c.c. Sent via email  
Applicant – Dave Tennant Urban Concepts  
UTRCA – Mark Snowsell - Land Use Regulations Officer



**File: O-8822**  
**Planner: M. Campbell**

**From:** Raymond Beshro <Raymond.Beshro@cn.ca>  
**Sent:** Friday, December 01, 2017 11:21 AM  
**To:** Campbell, Melissa  
**Subject:** O-8822 1176 - 1230 Hyde Park Road OP amendment to mixed use  
**Attachments:** PML.pdf

Hi Melissa,

Thank you for circulating CN on this application. You'll find attached CN's criteria for sensitive uses in proximity to a main railway line.

Considering the site's proximity to a CP corridor as well, CP's feedback should be obtained as well.

Please keep us apprised of the City's decision and conditions.

Regards,



CN Community Planning and Development  
Raymond Beshro – OUQ, MCIP  
Urban planning consultant – Consultant en urbanisme



**Railway Properties**

1 Administration Rd  
Concord, ON L4K 1B9  
Telephone: 514-399-7627  
Fax: 514-399-4296

**PRINCIPAL MAIN LINE REQUIREMENTS**

- A. Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
  - B. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
  - C. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz,  $\pm 3$  dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
  - D. The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
  - E. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
  - F. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
  - G. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
  - H. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
  - I. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
- 

***March 6, 2018 & October 17, 2017: Transportation Planning & Design Division***

- No concern with the proposed Zoning By-law Amendment
- Detailed transportation comments provided through the subdivision IPR process will need to be addressed as part of the subdivision application process.
- A Transportation Impact Assessment was identified through the subdivision IRED process and shall be scoped with City Staff prior to undertaking;
- A road widening dedication of 18.0 metres from centre line is required on Hyde Park Road.

***March 1, 2018 & October 27, 2017: Environmental and Engineering Services Department***

- No concerns with the proposed Zoning By-law Amendment

**February 27, 2018 & October 24, 2017: Wastewater & Drainage (“WADE”) Division**

- No objection to permit the development of a low to mid-rise mixed-use neighbourhood.
- The overall residential density of the subject lands is proposed to be 75 uph as stated in the Planning Justification Report. The density is not exceed the allocated capacity that was considered in the Initial Proposal Review (“IPR”).
- The following will be required for a Final Proposal Review for Plan of Subdivision:
  - Clarity of the population breakdown for each block, particular the mixed-use blocks
  - A servicing strategy which uses existing PDC stubs and avoids the need to service lands through easements or joint use maintenance agreements
  - Sewers placed in standard locations (or in the case of the road which is parallel to the sanitary sewer, centre the road over the sewer).

**October 5, 2017: London Hydro**

- No objection with the proposed amendment.

## **Appendix C – Policy Context**

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

### **Provincial Policy Statment**

1.1.3.2 – *Settlement Areas*  
1.1.3.6 – *Settlement Areas*  
1.2.6.1 – *Land Use Compatibility*  
1.3.1 – *Employment*  
1.6.8.3 – *Transportation and Infrastructure Corridors*  
1.6.9.1 (a) and (b) – *Airports, Rail and Marine Facilities*

### **1989 Official Plan**

2.2.1 v) – *Official Plan Vision Statement*  
3.2.3.2 – *Residnetial Intensification, Density and Form*  
3.3.3 – *Multi-Family Medium Density Residential, Scale of Development*  
4.4.2.4 – *Auto-Oriented Commercial Corridor, Permitted Uses*  
10.1.1 ii) – *Policies for Specific Areas, Criteria*  
18.2.15 iv) – *Rail Policies, Residnetial Development Adjacnet ot Rail Corridors*  
19.9.5 – *Implementation, Noise, Vibration and Safety*

### **The London Plan**

Table 11 – *Range of Permitted Heights in Neighbourhoods Place Type*  
Table 10 – *Range of Permitted Uses in Neighbourhoods Place Type*  
7\_ – *Our Challenge, Planning for Change and our Challenges Ahead, Managing the Costs of Growth*  
60\_ 6. – *Our Strategy, Direction #6*  
66\_ – *Our City, Planning for Growth and Change*  
77\_ – *Our City, City Structure Plan, Urban Growth Boundary*  
103\_ – *Our City, The Mobility Framework, Rail Network and Airport*  
110\_ – *Our City, The Mobility Framework, Regional Mobility Connections*  
877\_ 1. - 3. – *Shopping Area, Permitted Uses*  
878\_ 1. - 2. – *Shopping Area, Intensity*  
1113\_ 12. – *Industrial, How Will We Realize Our Vision*  
1766\_ – *Noise, Vibration and Safety, Sensitive Land Uses Near Noise Generators*

**File: O-8822**  
**Planner: M. Campbell**

1770\_ – *Noise, Vibration and Safety, Additional Noise Policies*  
1771\_ – *Noise, Vibration and Safety, Additional Vibration Policies*  
1772\_ – *Noise, Vibration and Safety, Additional Rail and Pipeline Safety Policies*

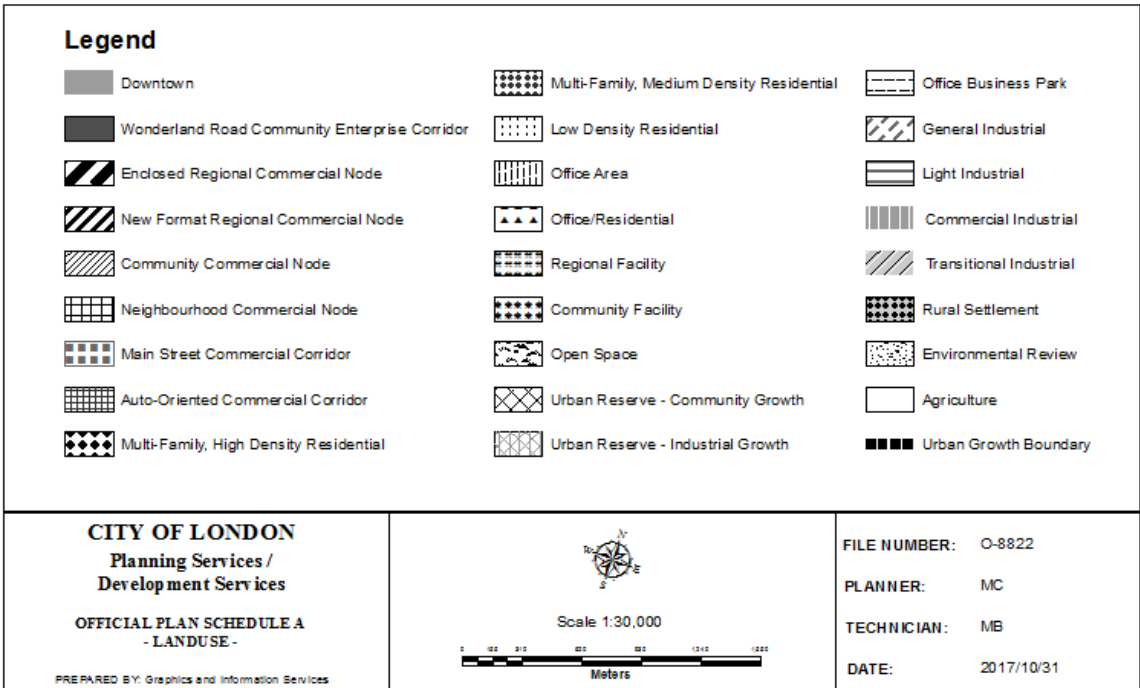
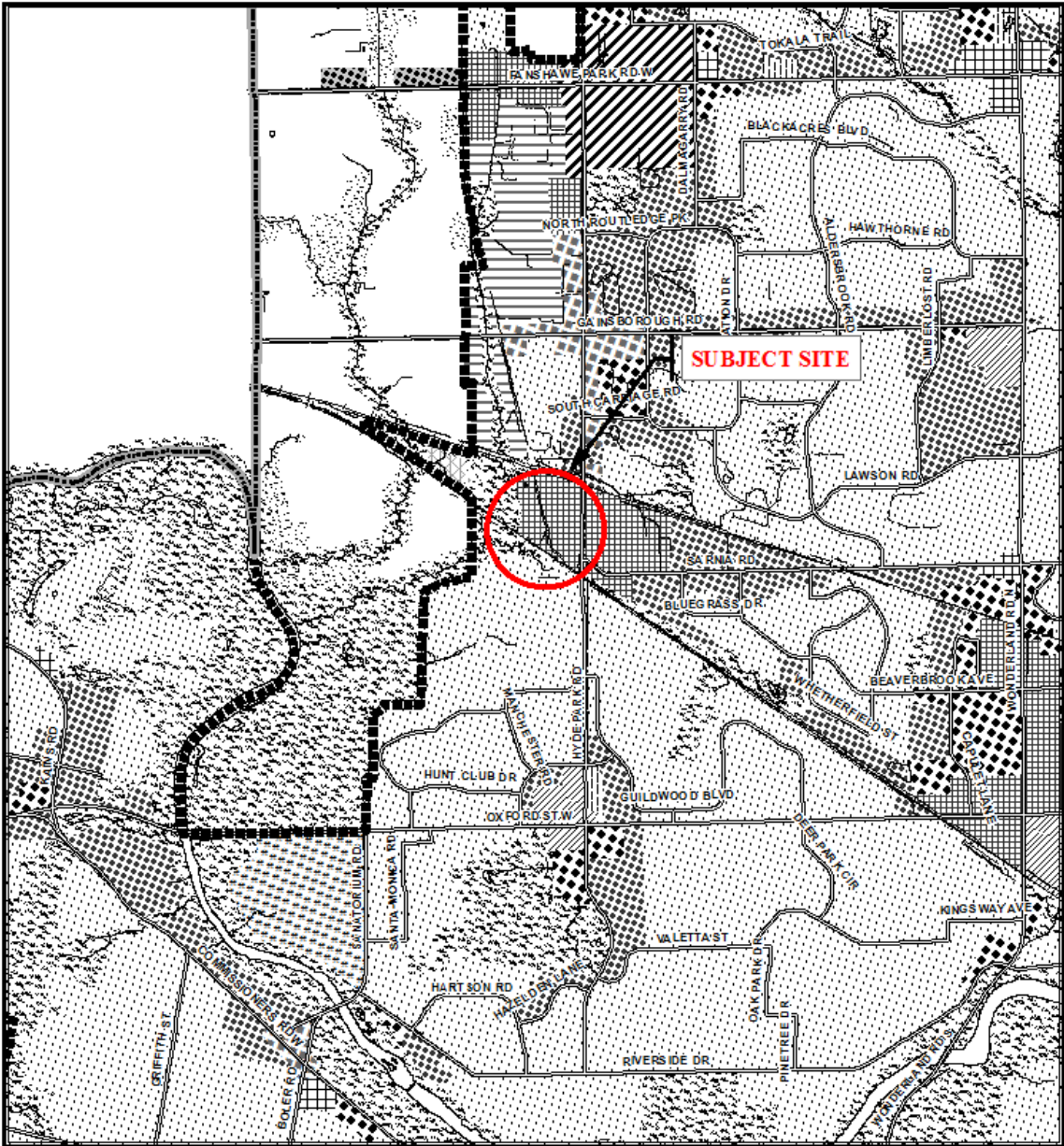
**Hyde Park Community Plan**

**D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Uses (1995)**

**Guidelines for New Development in Proximity to Railway Operations (2013)**

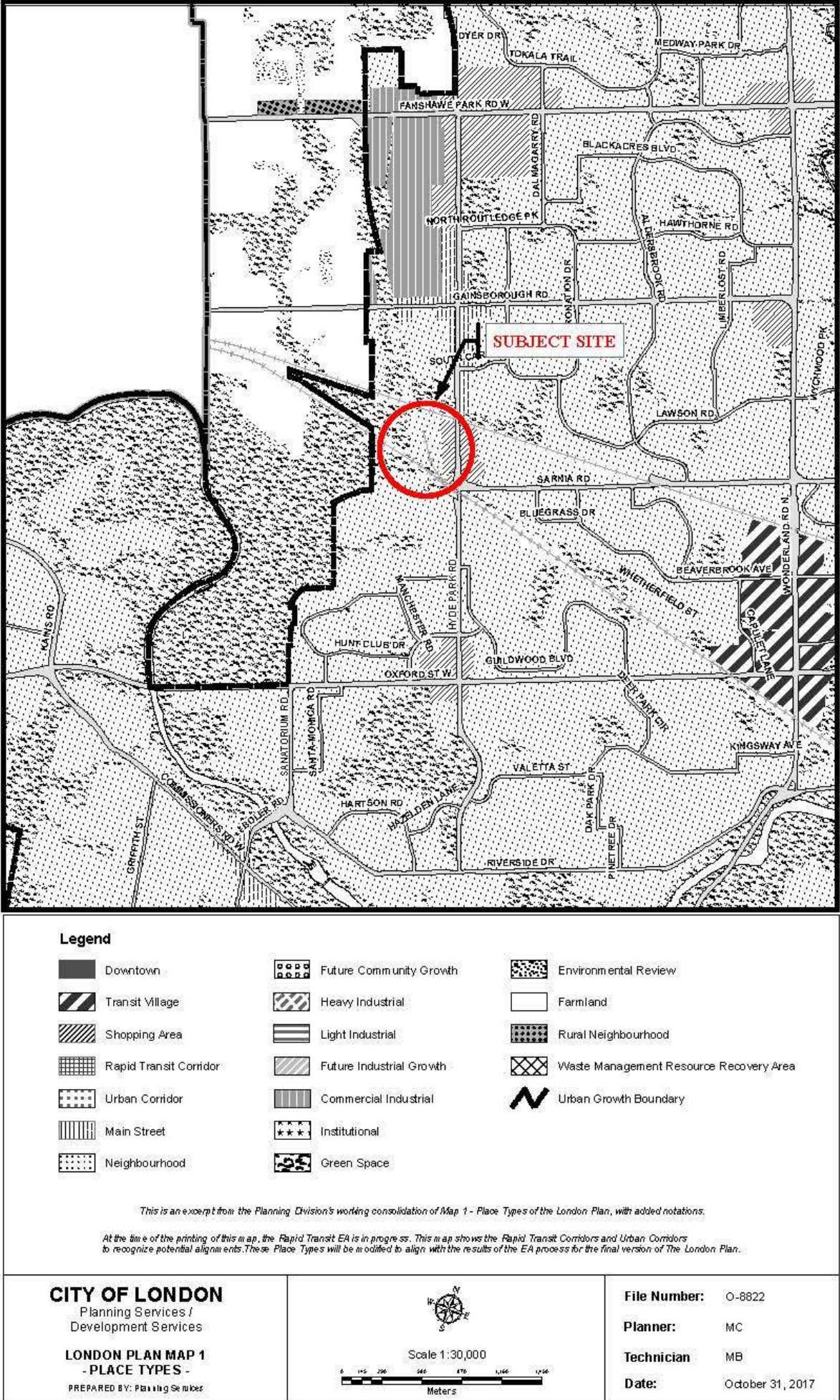
Appendix D – Relevant Background

Additional Maps

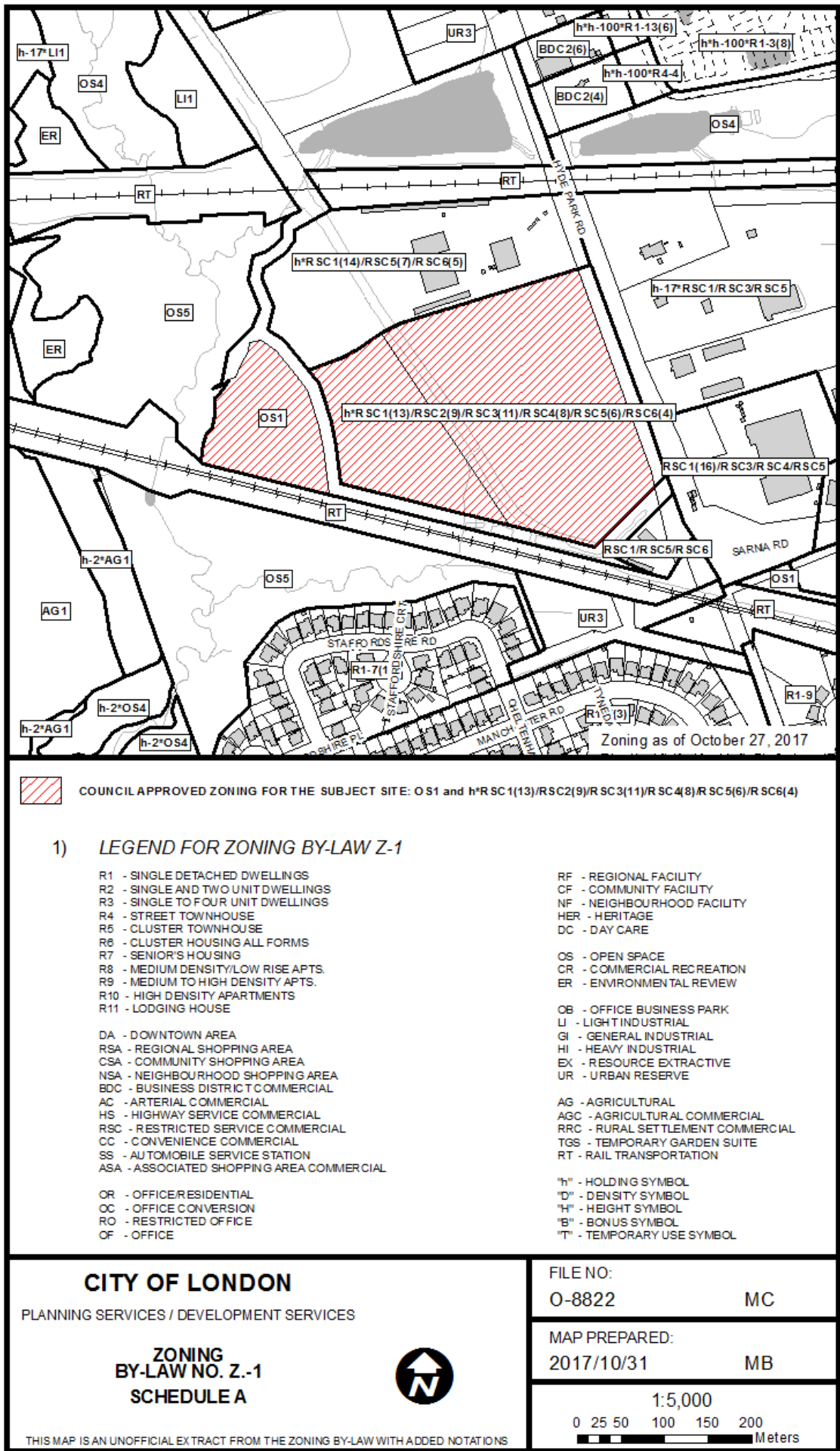


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## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Application By: Dave Tennant Urban Concepts  
1176, 1200 and 1230 Hyde Park Road  
**Public Participation Meeting on: March 19, 2018**

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Dave Tennant Urban Concepts relating to the property located at 1176, 1200 and 1230 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to amend the Official Plan by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas ;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future Council meeting, to amend The London Plan by changing the Place Type for a portion of the lands **FROM** Green Space, **TO** Neighbourhoods; by **ADDING** a policy to Specific Policies for the Neighbourhoods Place Type; by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan **AND** that three readings of the by-law enacting The London Plan amendments **BE WITHHELD** until such time as The London Plan is in force and effect.

## Executive Summary

### Summary of Request

The applicant requested an amendment to the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Areas) to permit the development of a low-rise to mid-rise mixed-use neighbourhood on the subject lands.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Area), and to amend The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type and to add a policy to Specific Policies for the Neighbourhoods Place Type to permit the development of a mixed-use neighbourhood on the subject lands.

At this time it is not recommended that the Open Space designation in the 1989 Official Plan that applies to a portion of the subject lands be changed. The recommended specific area policy to be added to the 1989 Official Plan is sufficient to permit residential development on the Open Space lands until The London Plan comes into force and effect. Since The London Plan will be the 20-year plan going forward, it is recommend that for reasons of clarity the subject lands within the Green Space Place Type (formerly Open Space designation) be changed to the Neighbourhoods Place Type, as the Green Space Place Type is generally intended for parklands or lands intended to remain in a natural state, not where development is expected to occur.

### Rationale of Recommended Action

1. The recommended amendments are consistent with the 2014 Provincial Policy Statement, which encourages a range and mix of land uses and densities to support intensification and achieve efficient development patterns.
2. The recommended amendment to the 1989 Official Plan meets one of the necessary criterion for a specific policy area, and would augment standard policies to permit the proposed development concept which more accurately

**Appendix A**

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.-1284-  
A by-law to amend the Official Plan for  
the City of London, 1989 relating to 1176,  
1200, and 1230 Hyde Park Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the  
City of London Planning Area – 1989, as contained in the text attached hereto and forming  
part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to add a policy to Section 10.1.3 – “Policies for Specific Areas” to the Official Plan for the City of London to facilitate the development of a mixed-use neighbourhood on the subject lands.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 1176, 1200, and 1230 Hyde Park Road in the City of London.

**C. BASIS OF THE AMENDMENT**

Chapter 10 – “Policies for Specific Areas” of the Official Plan allows Council to consider policies for specific areas where one of four criteria apply. One of these criteria is “the change in land uses is site-specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use” (Section 10.1.1. ii)).

The recommended amendment will permit mixed-use development having a low-rise to mid-rise profile. The mixed use development will consist of mixed-use buildings up to 6-storeys in height fronting onto Hyde Park Road that include commercial uses on the ground floor together with residential uses; and townhouses, stacked townhouses, triplexes, fourplexes, and apartment buildings up to 4-storeys in height fronting onto a new public street. The recommended amendment would augment the Auto-Oriented Commercial Corridor and Open Space policies that would otherwise apply to the subject lands, to permit land uses and an intensity of development that more accurately reflects Council’s vision and intent for the subject lands as expressed in The London Plan. The recommended amendment is generally consistent with the range of uses and intensity of development contemplated for the subject lands in The London Plan.

The subject lands located west of the City-owned corridor (that bisects the subject lands) are within the Open Space designation of the Official Plan for the City of London, 1989, and were intended to provide for a stormwater management facility (“SWMF6”) consistent with the recommendations contained within the 2002 Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment (“EA”). The recommended amendment would continue to permit SWMF6, as well as, provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

**D. THE AMENDMENT**

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – “Policies for Specific Areas” of the Official Plan for the City of London is amended by adding the following:

1176, 1200, 1230 Hyde Park Road

In the Open Space designation townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings up to 3-storeys in height may be permitted. Development shall not be permitted in the Open Space designation unless through a



Zoning By-law Amendment an Environmental Impact Study, Geotechnical Report and Hydrogeological Assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA

In the Auto-Orientated Commercial Corridor designation located no more than 100 metres west of the widened Hyde Park Road right-of-way, mixed-use buildings up to 6-storeys in height which consist of retail and service-oriented commercial use and small-scale office uses on the ground floor together with residential use may be permitted through the Bonus Zoning.

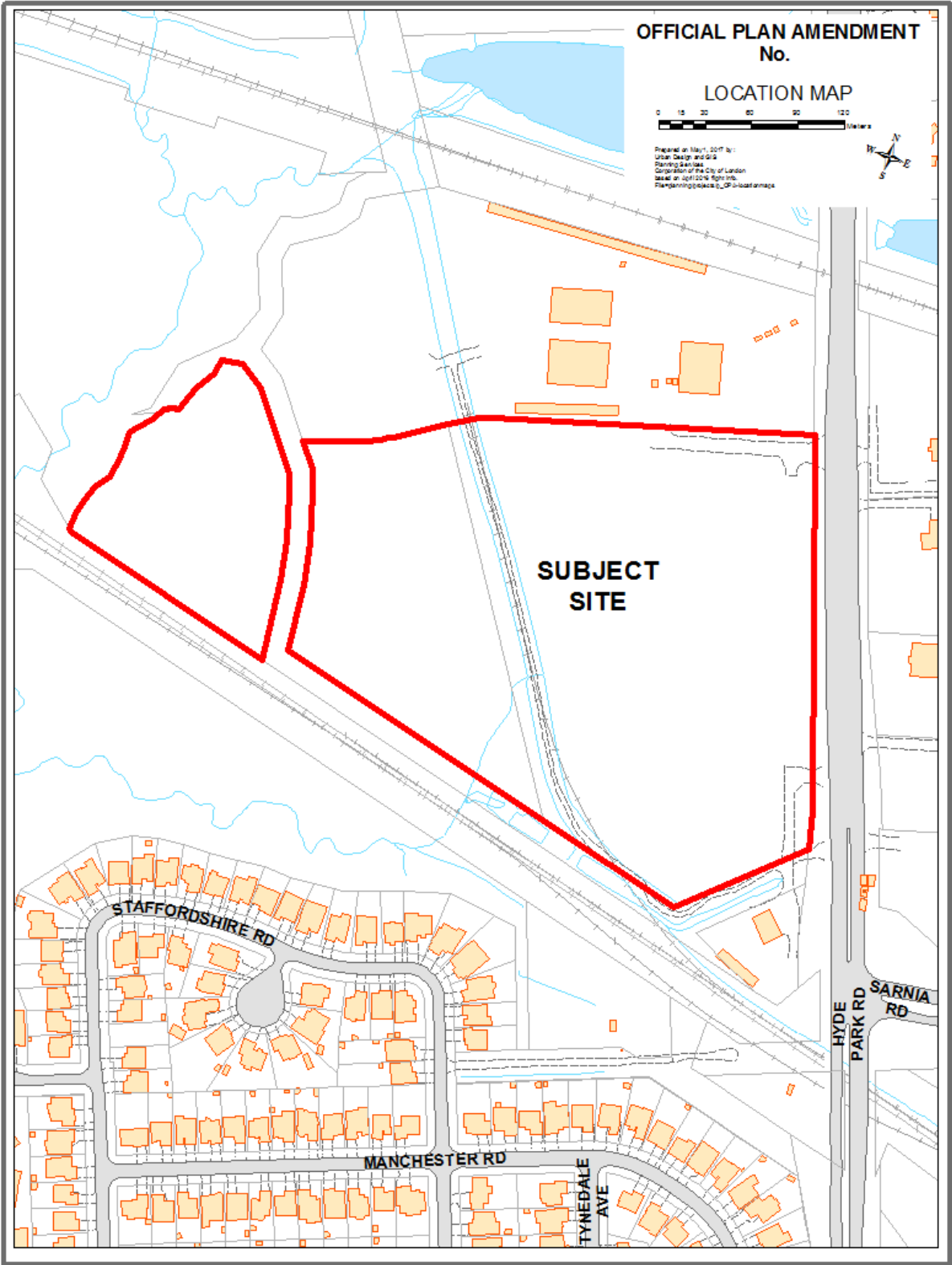
In the Auto-Oriented Commercial Corridor designation located greater than 100 metres west of the widened Hyde Park Road right-of-way, and east of the westerly limit of the new public street, and south of the southerly limit of the new public street, townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings may be permitted up to 4-storeys in height.

In the Auto-Oriented Commercial Corridor designation located west of the westerly limit of the new public street and north of the northerly limit of the new public street townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings may be permitted up to 3-storeys in height.

Development in all designations shall not be permitted unless through a Zoning By-law Amendment and Plan of Subdivision:

- i) A Noise and Vibration Study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London;
- i) A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London; and
- ii) A new public street is created west of Hyde Park Road.

A gross maximum density of 75 unit per hectare will be permitted calculated using the total site area.



Appendix B

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.-\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 1176,  
1200, 1230 Hyde Park Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

1. To change the Place Type of certain lands described herein from Green Space Place Type to Neighbourhoods Place Type on Schedule “A”, Map 1 – Place Type, to The London Plan for the City of London.
2. To add new policies to the Specific Policies for the Neighbourhoods Place Type and to add certain lands described herein to Map 7 – Specific Policy Areas, to The London Plan for the City of London.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 1176, 1200, and 1230 Hyde Park Road in the City of London.

**C. BASIS OF THE AMENDMENT**

The recommended amendment will permit mixed-use development having a low-rise to mid-rise profile. The mixed use development will consist of mixed-use buildings with commercial at grade that may be up to 6-storeys in height fronting onto Hyde Park Road; and townhouses, stacked townhouses, triplexes, fourplexes, and apartment buildings that may be up to 4-storeys in height fronting onto a new public street constructed on the site west of Hyde Park Road.

Notwithstanding the Neighbourhoods Place Type policies to the contrary, stacked townhouses, triplexes, fourplexes and low-rise apartments up to 4-storeys in height will be permitted within the Neighbourhoods Place Type fronting onto a Neighbourhood Street. The above noted uses and building heights are consistent with the types of uses and intensity of development permitted in the Neighbourhoods Place Type where fronting onto a Civic Boulevard. The creation of a new street through the subject site is preferred for the purposes of pedestrian, cycling and vehicular connectivity, but would have the unintentional effect of limiting the range of uses and intensity of development that would otherwise be permitted; thereby, necessitating the need for a special policy to maintain the range of uses and intensity of development.

The Green Space Place Type was intended to provide for a stormwater management facility (“SWMF6”) consistent with the recommendations contained within the 2002 Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment (“EA”). The recommended amendment would continue to permit SWMF6, as well as, provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

**D. THE AMENDMENT**

The London Plan for the City of London is hereby amended as follows:

*The London Plan* is hereby amended as follows:

1. Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of lands located at 1176 Hyde Park Road in the City of London, as indicated on “Schedule 1” attached hereto from the Green Space Place Type to the Neighbourhoods Place Type.
2. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding the following:

1176, 1200 and 1230 Hyde Park Road

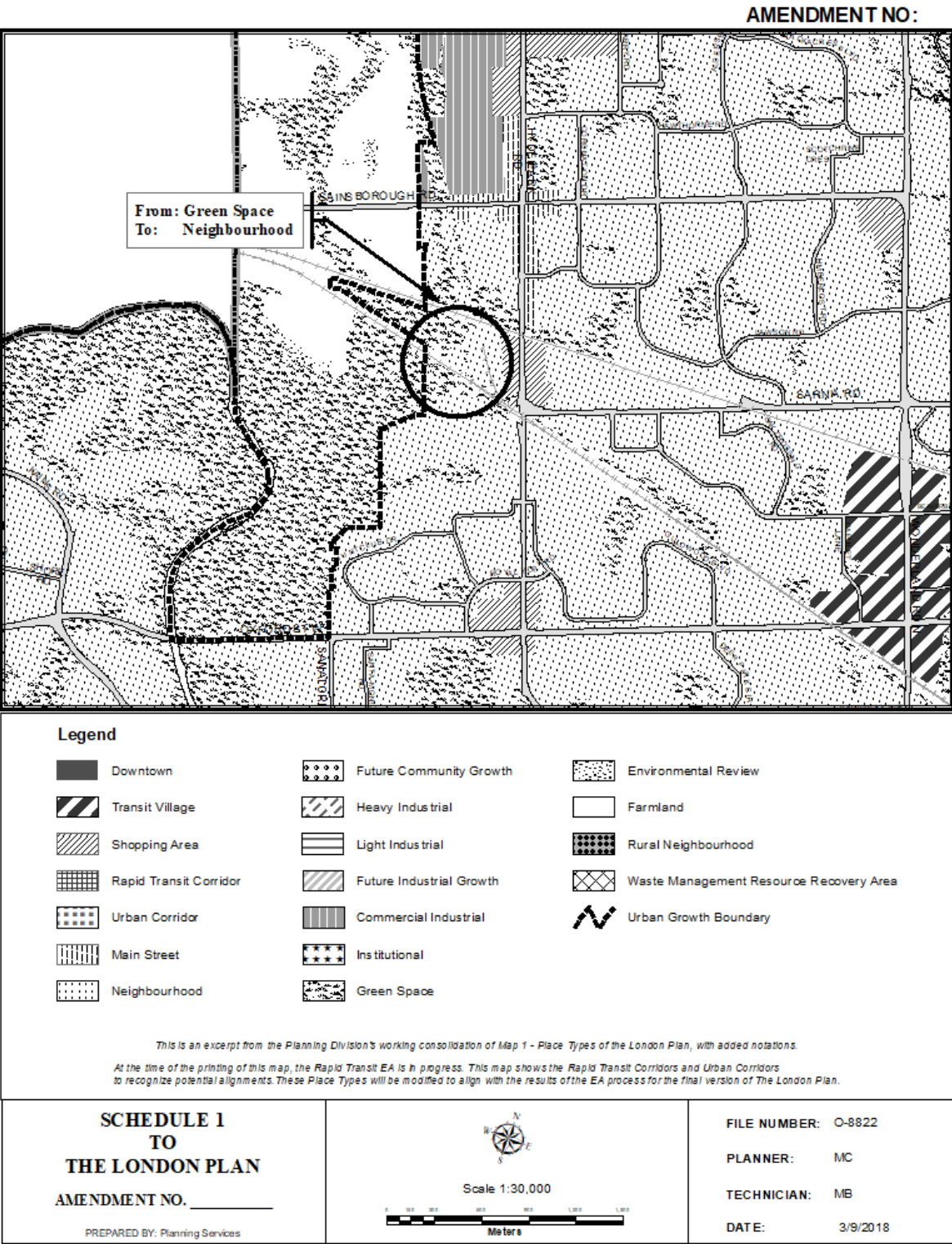
( )\_ In the Neighbourhoods Place Type located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the new public street and south of the southerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 4-storeys in height.

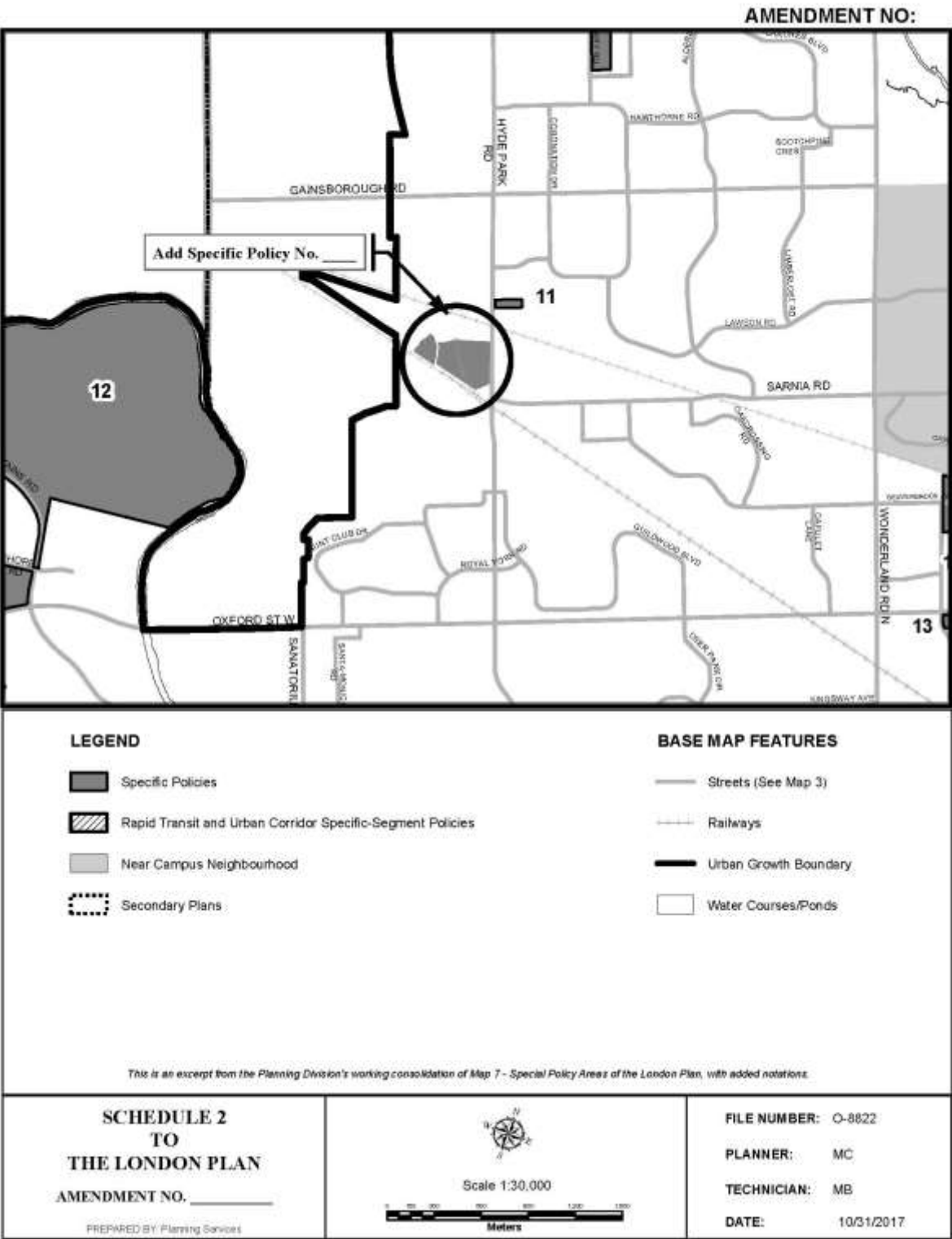
In the Neighbourhoods Place Type located west of the westerly limit of the new public street, and north of the northerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 3-storeys in height.

Development shall not be permitted in the Neighbourhoods Place Type unless through a Zoning By-law Amendment and/or Plan of Subdivision:

- i) An Environmental Impact Study, Geotechnical Report and Hydrogeological Assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA;
  - ii) A Noise and Vibration Study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London;
  - iii) A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London; and
  - iv) A new public street is created west of Hyde Park Road.
3. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1176, 1200 and 1230 Hyde Park Road in the City of London, as indicated on “Schedule 2”







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## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Application By: The Corporation of the City of London  
Wonderland Road Community Enterprise Corridor  
**Public Participation Meeting on:** March 19, 2018

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Corporation of the City of London relating to the Wonderland Road Community Enterprise Corridor land use designation within the Southwest Area Secondary Plan, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to amend the Southwest Area Secondary Plan **TO DELETE** policy 20.5.6.1.v) a), which requires that commercial development within a portion of the Wonderland Road Community Enterprise Corridor designation south of Bradley Avenue not exceed 100,000 square metres in gross floor area.

## Executive Summary

### Summary of Recommended Amendment

The recommended amendment is to delete the maximum commercial floor area in the Wonderland Road Community Enterprise Corridor designation, and is intended to address an issue that has been identified with the existing policy framework, where the commercial cap is inhibiting development along the corridor in a way that would be consistent with the secondary plan or good planning.

### Purpose and Effect of Recommended Action

The purpose and effect of this recommended amendment is to eliminate the maximum commercial gross floor area requirement for commercial uses from the Wonderland Road Community Enterprise Corridor (WRCEC) land use designation in the Southwest Area Secondary Plan. This is achieved by deleting policy 20.5.6.1.v) a) in its entirety. Deleting the commercial cap will:

- Allow development along Wonderland Road South in accordance with the planned vision for the Corridor,
- Remove a policy that forces inefficient, discontinuous development patterns that precludes development on desirable commercial sites,
- Ensure the WRCEC policies are achieving their intended effect of allowing a fair, equitable, and reasonable distribution of commercial floor area, and
- Allow the market to determine appropriate locations for commercial development within commercially designated areas, while not negatively impacting other commercial sites in South London.

### Rationale of Recommended Action

The amendment is recommended as it

- Is consistent with the Provincial Policy Statement (2014)
- Conforms to the vision and intent of the Southwest Area Secondary Plan
- Will facilitate contiguous development along Wonderland Road South that meets the intent of the Wonderland Road Community Enterprise Corridor designation.

Analysis

1.0 Corridor at a Glance

1.1 Property Description

The Wonderland Road Community Enterprise Corridor (WRCEC) land use designation applies to lands on either side of Wonderland Road South between Southdale Road West at the north and Hamlyn Street to the south. The designation includes lands spanning approximately 2.6 km along Wonderland Road South and has an area of 143 ha.

Existing uses in the corridor are varied. The portion from Southdale Road West to Bradley Avenue is fully built and includes primarily large format commercial uses.

Immediately south of Bradley Avenue on both the east and west sides of Wonderland Road South are vacant sites that have not been allocated any commercial floor area, however there is an active Official Plan and Zoning By-law amendment application to increase the commercial cap for these properties.

Further south on the west side of Wonderland Road South is the large commercial block controlled by York Developments that has received site plan approval for commercial development. To date most of this area is not built.

On the east side of Wonderland Road South across from the York Development site, is a variety of light industrial uses. There are existing retail stores in the northeast and southwest corners of Wonderland Road South and Wharncliffe Road, and portions of the corridor south of Exeter Road are undeveloped.

Lands located on the east side of Wonderland Road between Wharncliffe Road and Exeter Road are also subject to an active Official Plan and Zoning By-law amendment application to increase the commercial cap.

An application was made by Southside Group to amend the Official Plan and Zoning By-law (OZ-8590). It proposes to increase the commercial cap by 18,700m<sup>2</sup> for the properties located at 3244, 3263, and 3274 Wonderland Road South. Another application was made by Westbury International to amend the Official Plan (O-8543). It proposes to increase the commercial cap by 8,548m<sup>2</sup> for the property located at 3680 Wonderland Road South, to add to its existing zoning that permits 4,700m<sup>2</sup> of commercial floor area. This would result in a permitted commercial floor area of 13,248m<sup>2</sup> on that site. Westbury also submitted a Zoning By-law amendment application (Z-8712) to increase the commercial floor area, to be considered concurrently with the Official Plan amendment application.

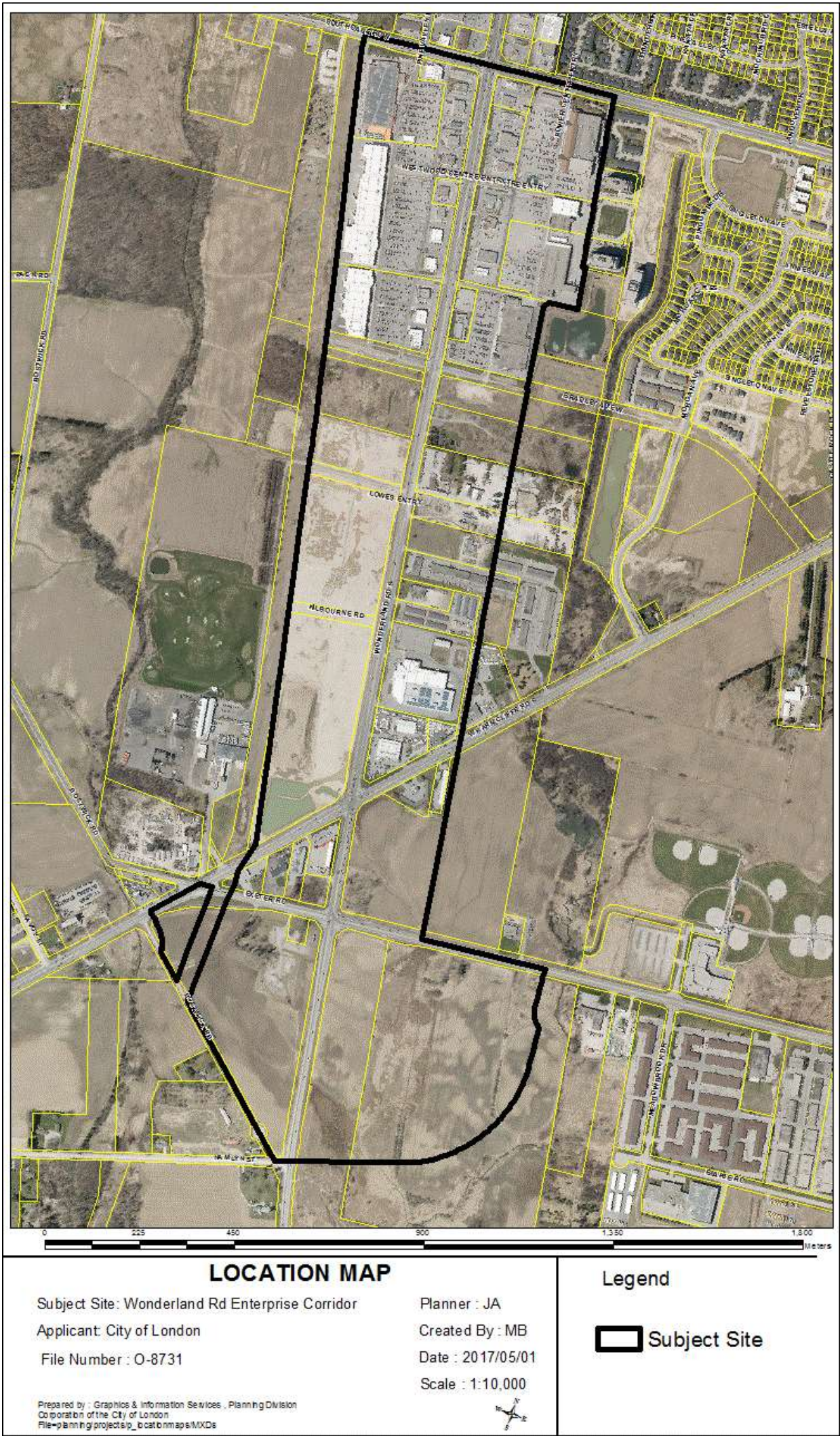
Both the Southside Group and Westbury International applications were appealed for non-decision within the statutory timeframe by the applicants following Council’s decision on June 13, 2017 to refer the recommended change to the commercial cap back to staff for further review.

1.2 Current Planning Information

- Official Plan Designation – Wonderland Road Community Enterprise Corridor
- The London Plan Place Type – Shopping Area
- Existing Zoning – Various Zones

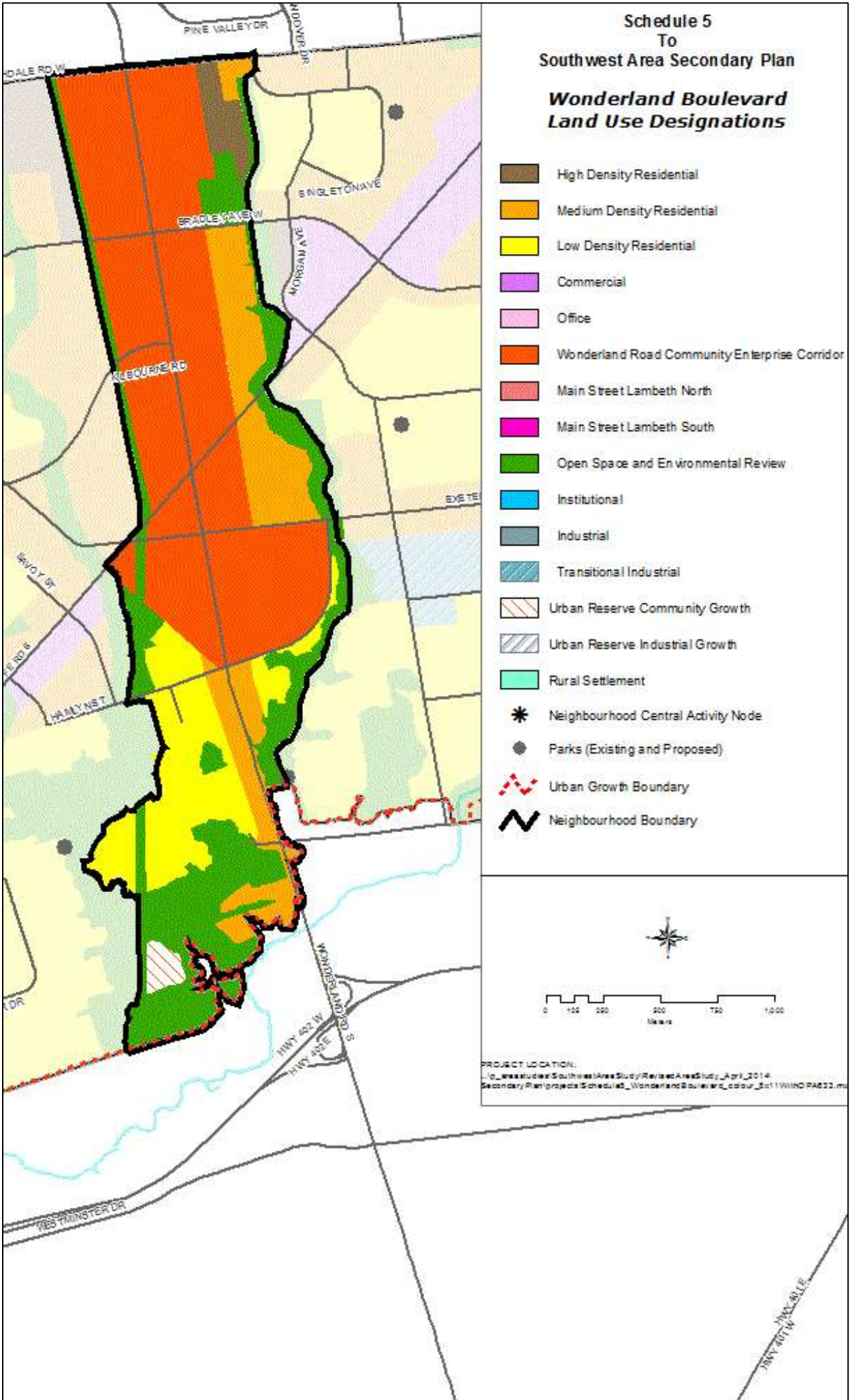


1.3 Location Map

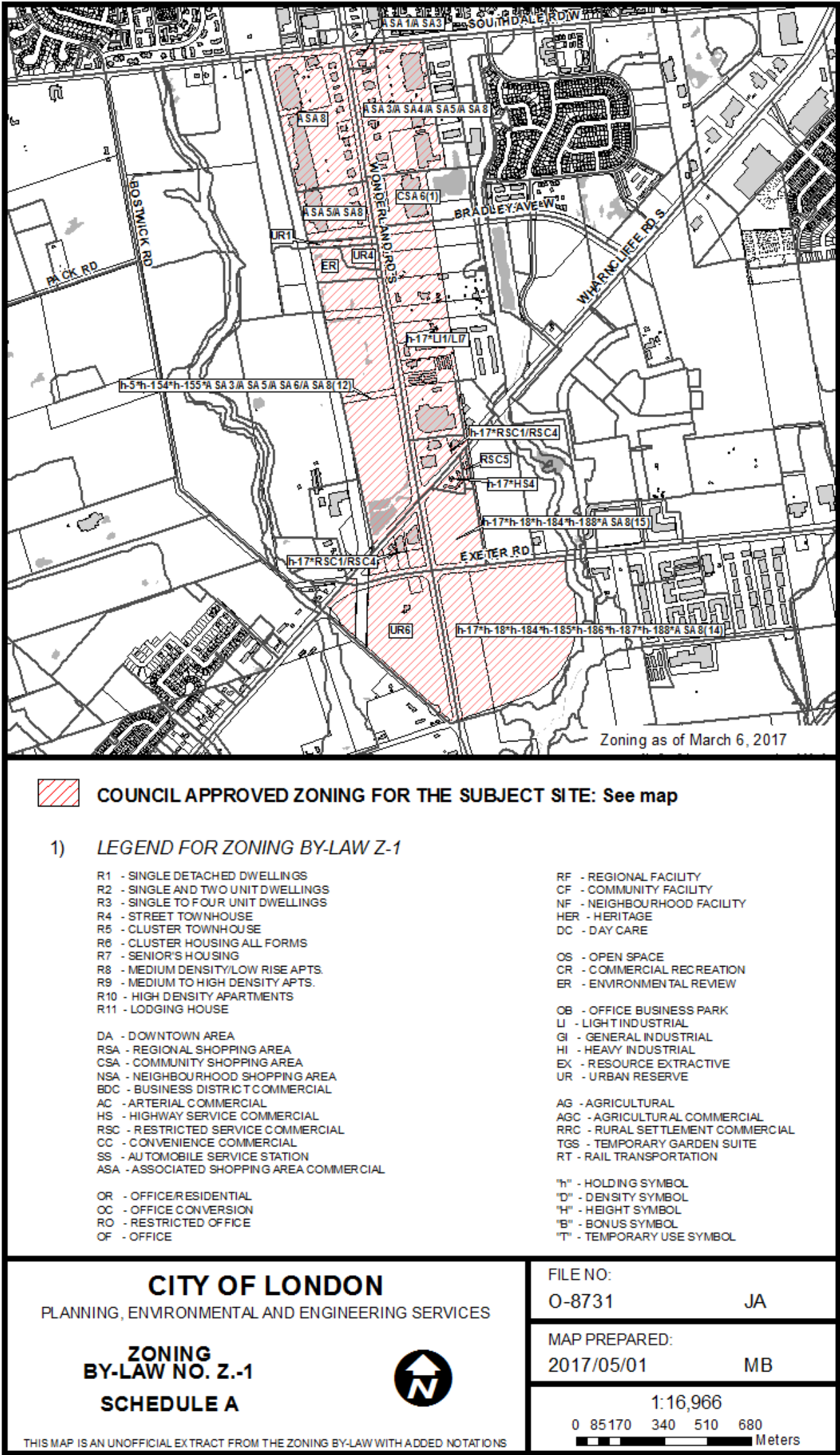




1.4 Official Plan Map



1.5 Zoning Map



## 2.0 Revelant Background

### 2.1 Planning History

The Wonderland Road Community Enterprise Corridor was established when the Southwest Area Secondary Plan was approved by the Ontario Municipal Board in 2014. This designation was amended by City Council on June 13, 2017 following a review that was initiated by the City after two separate applications were received for site specific increases to the maximum floor area of 100,000m<sup>2</sup> for commercial uses within the WRCEC designation. Instead of approaching changes to the cap in an ad-hoc or incremental manner, staff determined that a comprehensive review of the WRCEC policies was the best approach. Kircher Research Associates Ltd. was retained to complete a retail market study to determine effectiveness of the commercial cap. That study recommended removal of the cap.

The recommended amendment that was considered on June 13, 2017 included four key changes to the policies, including:

1. Removing the maximum commercial floor area;
2. Reducing maximum and minimum permitted residential intensity;
3. Reducing the maximum office floor area per building; and
4. Re-formatting the policies to be structured by use, intensity, and form.

City Council approved changes 2, 3, and 4; but referred the first part of the recommended amendment back to staff for further consideration. The resolution included that:

*The Civic Administration BE DIRECTED to report back to the Planning and Environment Committee with recommendations to allow for an orderly and efficient development pattern in Wonderland Road Community Enterprise Corridor, including the potential of increasing or eliminating the cap on permitted commercial floor area in the corridor*

After receiving this direction, and in order to provide additional information with regards to the effectiveness of the commercial cap and possible implications of its removal, the City retained Coriolis Consulting Corp. to undertake a separate, independent review of the South London context and commercial policies in SWAP. Directions given to the consultant were to evaluate the impact of removing the cap on existing and planned retail and service space in the City of London and identify strategies to mitigate any potential impacts.

The report from Coriolis Consulting Corp. recommends that the commercial cap be removed. This is discussed in the Key Issues portion of this report, and the consultant's report is included in Appendix C.

### 2.2 Community Engagement

When the removal of the commercial cap was first proposed in 2017, notice was given by publishing a notice in the Londoner public notifications section and through a mailout to all property owners inside or within 120 metres of the WRCEC designation. Responses were received from several commercial landowners in the area opposing the staff recommendation to remove the cap. The arguments presented focused on the potential negative impacts of commercial over-development.

At the Planning & Environment Committee meeting on June 6, 2017 a presentation was given by Mimi Ward of Ward Land Economics Inc. on behalf of York Developments. Ms. Ward gave her opinion that there is no justification to remove the cap, and removal of the cap could result in impacts on other existing and planned commercial areas. A presentation was also given by Michelle Doornbosh of Zelinka Priamo Ltd. on behalf of Southside Group Inc. Ms. Doornbosh supported the staff recommendation to delete the commercial cap.



Following receipt of the report from Coriolis Consulting Corp. This file was opened to amend the Southwest Area Secondary Plan by deleting the commercial cap. Notice of this application was again given in The Londoner on February 1, 2018 and through a mailout sent to property owners inside the WRCEC designation and within 120 metres.

Responses were received from James Harbell on behalf of York Developments and from Bob Webber of Unit 36, 211 Pine Valley Drive. Mr. Harbell's comments included copies of previous letters provided for application O-8731. Mr. Webber's comments indicated his opinion that policies dictate the order of development and that the market should determine where development occurs.

**2.3 Policy Context**

All decisions on planning matters in Ontario shall be consistent with the Provincial Policy Statement (PPS, 2014). The PPS directs development to support healthy, liveable, and safe communities by including such things as efficient development and land use patterns, an appropriate mix and range of uses, protection of the natural environment, and minimizing land consumption and servicing costs.

The subject property is within the Southwest Area Secondary Plan (SWAP). The Secondary Plan policies provide direction for future development in the corridor and supersede the policies of the 1989 Official Plan or The London Plan.

The Wonderland Road Community Enterprise Corridor (WRCEC) land use designation in SWAP was intended to be flexible in terms of land use with a greater emphasis put on the design of new development. The long term vision is for this area to develop into a mixed-use, urban neighbourhood despite its suburban context. At present, however, large format commercial uses are permitted and have been the predominant form of development. The policies seek to ensure that this form of development does not prejudice future development opportunities that include mixed-use and more intense, urban built forms.

**3.0 Key Issues and Considerations**

The recommended amendment to delete the cap on commercial floor area has been considered in terms of its impacts on development patterns along Wonderland Road South as well as its impact on the retail market in London. A report prepared by Coriolis Consulting Corp. was prepared to consider the retail market effects of removing the cap and is included in Appendix C.

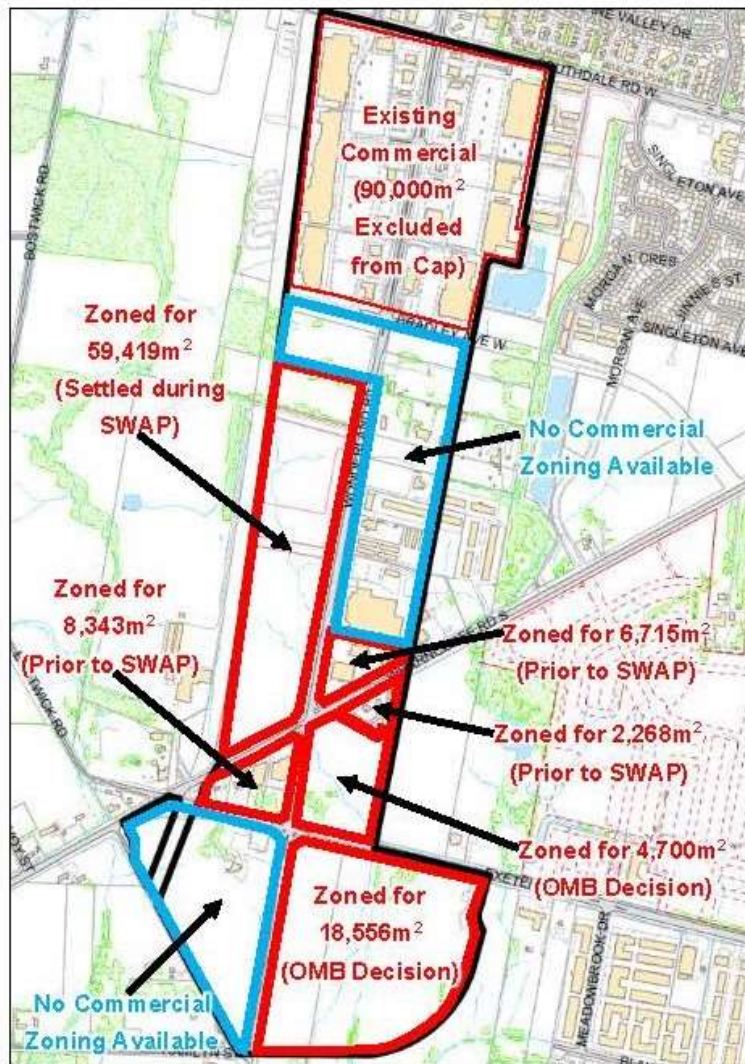
**3.1 Development Patterns Along Wonderland Road**

When the maximum commercial floor space cap of 100,000m<sup>2</sup> was approved by the OMB in 2014, 80% of the available commercial floor area had already been distributed through existing development and zoning, and the remaining 20% was soon allocated to two other parcels through a subsequent OMB hearing. The current allocation of the commercial zoning is shown in the figure below.

The effect of this distribution of commercial zoning is that sites currently with commercial zoning can develop immediately but those that were not assigned commercial zoning through the OMB process must wait until market conditions support non-commercial uses on the corridor. There is no planning rationale to distinguish between sites that were allocated commercial floor area and those that did not other than those who have commercial allocation submitted their requests for commercial zoning earlier in the process. Once the full 100,000m<sup>2</sup> had been allocated, the opportunity was lost for any other sites to be zoned for commercial development. There is no inherent difference between sites along the corridor from a land use perspective, and commercial development should not be dictated by a planning instrument that was never intended to impact the location of commercial development.

Because at this time there is only market demand for commercial uses, the result has been a pattern of leap-frog or discontinuous development where sites that are

contiguous to existing development, and therefore desirable development sites from a planning and market perspective, are not developable but sites located further afield that may be less desirable but have been zoned for commercial uses will develop first.



In the report prepared for file O-8731 (June 6, 2017 PEC meeting) three main concerns were identified with the current commercial cap situation. These are:

- it precludes sites in the Corridor from developing in accordance with the Corridor's planned vision,
- It forces inefficient leap-frog development patterns by creating a situation that precludes development on desirable commercial sites, and
- It is not achieving the intended effect of the WRCEC policies, which is to allow a fair, equitable, and reasonable distribution of commercial floor area.

Each of these planning concerns are summarized below.

- 1) The Cap precludes development in accordance with the planned vision for the Corridor.

The long-term vision for the WRCEC designation includes mixed use, urban forms of development along Wonderland Road South, creating a pedestrian-oriented environment despite its suburban context. This form of development requires a commercial component to provide that mix of uses and ensure an active street environment. We recognize that there has not been demand for mixed use development on the corridor to date, however under the current policies this form of development would be precluded in perpetuity should the market conditions change.

The PPS includes that "long term prosperity should be supported by... maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets" (PPS



Policy 1.7.1.c. Given the role of Wonderland Road South in the Southwest Area Secondary Plan to function as a “gateway into the city” and to be the “centrepiece of the Wonderland Boulevard Neighbourhood” (SWAP policy 20.5.6.i)), it is therefore consistent with the PPS to enhance the public realm along this corridor and encourage that a contiguous street wall be developed with the possibility of mixed use development. The cap prevents this from happening and should be removed.

- 2) The Cap forces inefficient, leap-frog development patterns that precludes development on desirable commercial sites.

Contiguous development is a principle of good planning that is essential for the efficient use of resources like roads, infrastructure, and services. Contiguous development is also necessary to achieve a quality built form that is walkable and vibrant. Even if individual sites are well designed and contribute to achieving the vision for the corridor, if there are large gaps between developments it will be difficult for that vision to be realized. Walkability requires both pedestrian infrastructure and destinations in close proximity. Pedestrians are unlikely to cross a large gap between developed sites, which reinforces the culture of car-only mobility. Development should be required to contribute to an orderly development progression and be designed to enhance the pedestrian experience in order to comply with the SWAP vision for this corridor. Any policy that prohibits this must be reconsidered and alternate approaches should be implemented to achieve the vision.

The Provincial Policy Statement (PPS) also requires efficient development patterns as part of its policy to build strong and healthy communities. It states that “Healthy, liveable and safe communities are sustained by ... promoting efficient development and land use patterns that sustain the financial well-being of the Province and municipalities over the long term” (Section 1.1.1.a). The PPS goes on to state that “New development taking place in designated growth areas should occur adjacent to the existing built up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities” (Section 1.1.3.6).

Given that there is existing commercial development north of Bradley Avenue, it is not consistent with the PPS to include policies that would prevent the corridor from achieving a mix of uses that result in contiguous development patterns south of Bradley Avenue.

In addition, when future market conditions support other forms of development and the gaps may fill in, the most likely land use will be residential. Although the vision for WRCEC is mixed use development with residential uses above commercial, such development will not be permitted as the cap would prohibit any commercial component. The resulting form of development will be large single-use blocks of either commercial or residential development.

- 3) The Cap is not achieving its intended effect of the WRCEC policies, which is to allow a fair, equitable, and reasonable distribution of commercial floor area.

The Ontario Municipal Board decision on the Southwest Area Secondary Plan included that an equitable distribution of commercial development is desirable and would result from the current policies. The decision states:

*No single landowner within the EC (enterprise corridor) will use the entire commercial cap and presumably therefore, there will be a fair distribution of resources based on market and not restrictions in planning instruments.*

*And lastly, by having the EC (enterprise corridor) extend to Hamlyn Street while maintaining the 100,000 sq m of gross floor area, mixed use development as contemplated by the Plan, will, in my view, be a logical consequence. Simply put, the permitted amount of commercial space will be spread over a wider area and, consequently, there will be room for as of*

*right development of other complementary uses, thereby resulting in a mix of uses throughout the corridor. (Paragraphs 49-50)*

The decision did not materialize as intended, as from the moment the decision was rendered more than 80% of the available commercial gross floor area was already allocated, including 60% of the total 100,000m<sup>2</sup> that went to a single land holding (3313-3405 Wonderland Road South). The result of the cap is that market forces do not determine where commercial development occurs along the corridor. Rather it is the allocation of commercial zoning that existed prior to the approval of SWAP or was approved by the OMB which determines location of commercial development.

This is inconsistent with the decision of the OMB to allow a “fair distribution of resources based on market and not restrictions in planning instruments.” Removing the cap would not take away land use permissions from the sites that have commercial zoning already, but would allow normal market forces and good planning principles to dictate the order of commercial development within commercially designated areas.

### **3.2 Retail Market Analysis**

The section above describes the planning concerns with the commercial cap as it relates to the development patterns along Wonderland Road South. In addition to these planning concerns, the decision to remove the cap should also consider the potential impacts on the broader commercial market.

Council passed a resolution on June 13, 2017 that included direction to staff to “report back to the Planning and Environment Committee with recommendations to allow for an orderly and efficient development pattern in Wonderland Road Community Enterprise Corridor, including the potential of increasing or eliminating the cap on permitted commercial floor area in the corridor.” To provide this information Coriolis Consulting Corp. was retained to review the potential impacts of removing or increasing the cap on the commercial and retail markets. Their report is attached as Appendix C.

The Coriolis report includes an analysis of the demand for commercial space in the local and regional serving retail uses, including forecasted growth in demand until 2047. This was compared to the current capacity for such retail space and the capacity with the commercial cap removed. Coriolis found that the current capacity in South London for commercial floor area is 176,300m<sup>2</sup>, and removing the cap increases the capacity to 312,700m<sup>2</sup>. The demand for region servicing commercial uses by the year 2047 is forecasted at 167,100m<sup>2</sup>. Because in both cases the capacity is higher than the demand, the cap is not the determining factor for how much commercial development will be built, as the market will limit commercial development. Therefore, the primary effect of the commercial cap is that it determines the location of commercial development on the corridor but not the amount. Based on this finding, Coriolis has recommended that the City remove the commercial floor area cap from the WRCEC designation, which would allow the market to determine the location of commercial development rather than this particular planning instrument.

The Wonderland Road South corridor is a hub for region-serving commercial uses in South London. The existing policy that forces these uses to locate in other parts of the city or disrupts the agglomeration effect of region-serving commercial uses is not desirable from a planning or market perspective. Eliminating the cap would allow region-serving retail uses to locate on the corridor in the best locations, and would allow for other forms of development in the parts of the corridor that are less desirable for commercial uses.

The recommendation in the Coriolis report validates the findings of a previous market analysis completed for the City by Kircher Research Associates that was presented to the Planning and Environment Committee on June 6, 2017. The Kircher report also recommended the removal of the commercial cap.

Coriolis notes that because of the corridor’s large size, there is not enough demand for a contiguous commercial development over its entire area. However, if the cap is removed this demand could locate on vacant sites adjacent to existing commercial developments. This would allow for development of residential or other uses envisioned in the Southwest Area Secondary Plan on portions of the Corridor south of Exeter Road. The previous amendment to the WRCEC policies, approved in June, 2017, would permit residential and mixed-use development that is 2 to 4 storeys in height.

**4.0 Conclusion**

This amendment was initiated by the City to address concerns with the development patterns along Wonderland Road South, where some properties are zoned for commercial uses and may develop, while others that have not been allocated commercial zoning are left undevelopable until the market shifts to include demand for non-commercial uses.

The recommended amendment proposes to delete policy 20.5.6.1.v) a) from the Southwest Area Secondary Plan, which would eliminate the maximum floor area for commercial uses in the Wonderland Road Community Enterprise Corridor land use designation. The recommended amendment will:

- Allow development along Wonderland Road in accordance with the planned vision for the Corridor.
- Remove a policy that forces inefficient, discontinuous development patterns that precludes development on desirable commercial sites.
- Ensure the WRCEC policies are achieving their intended effect of allowing a fair, equitable, and reasonable distribution of commercial floor area.
- Allow the market to determine appropriate locations for commercial development within commercially designated areas, while not negatively impacting other commercial sites in South London.

The recommended amendment is consistent with the PPS and will contribute to a more efficient and cost-effective development pattern along the Wonderland Corridor and conforms to the vision and intent for the Wonderland Road Community Enterprise Corridor, which is established in the Southwest Area Secondary Plan.

<b>Prepared by:</b>	<b>Justin Adema, MCIP, RPP</b> <b>Planner II, Long Range Planning &amp; Research</b>
<b>Submitted by:</b>	<b>Michael Tomazincic, MCIP, RPP</b> <b>Manager, Current Planning</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP</b> <b>Managing Director, Planning and City Planner</b>

## Appendix A – By-law for Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.-1284-  
A by-law to amend the Southwest Area  
Secondary Plan, 2012 relating to  
Wonderland Road Community  
Enterprise Corridor designation.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Southwest Area Secondary Plan– 2012, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the Southwest Area Secondary Plan by removing the maximum floor area for commercial uses in the Wonderland Road Community Enterprise Corridor designation.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located within the Wonderland Road Community Enterprise Corridor designation in the Southwest Area Secondary Plan.

C. BASIS OF THE AMENDMENT

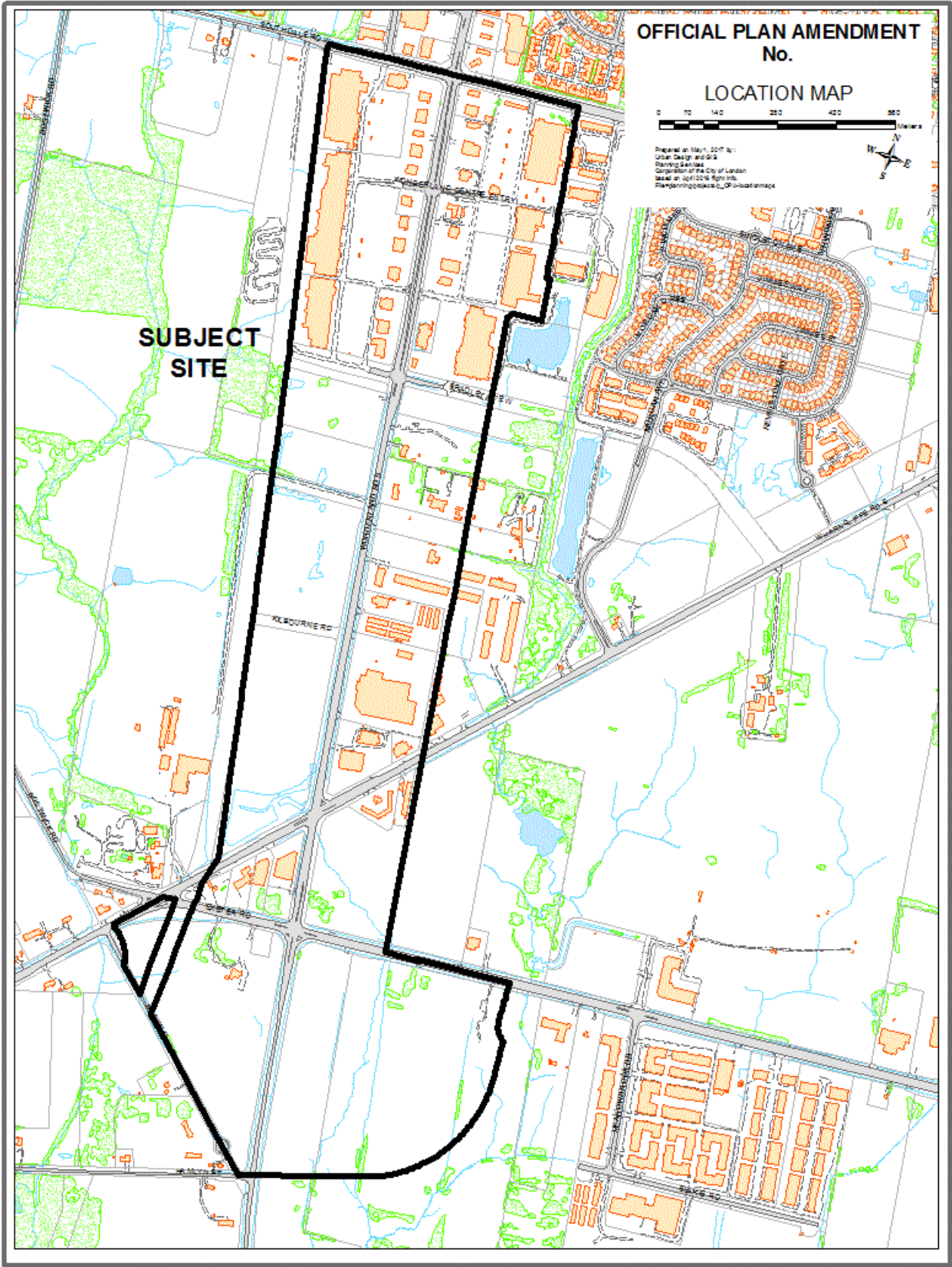
The amendment is intended to encourage contiguous development on the Wonderland Road corridor, allow for future development that is in line with the Plan's vision for Wonderland Road, and ensure the Wonderland Road Community Enterprise Corridor policies are achieving their intended effect of allowing a fair, equitable, and reasonable distribution of commercial floor area

D. THE AMENDMENT

The Southwest Area Secondary Plan is hereby amended as follows:

1. Delete policy 20.5.6.1.v) a) in its entirety.
2. Renumber policies 20.5.6.1.v) b)-e) to 20.5.6.1.v) a)-d).





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On February 1, 2018, Notice of Application was sent to 176 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 1, 2018.

Two replies were received.

**Nature of Liaison:** The purpose and effect of the possible Official Plan amendment is to consider policies to allow for an orderly and efficient development pattern in Wonderland Road Community Enterprise Corridor, including the potential of increasing or eliminating the cap on permitted commercial floor area in the corridor. The possible amendment includes DELETING policy 20.5.6.1. v) a) of the Southwest Area Secondary Plan, which states “Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 square metres gross floor area. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012.”

### Responses to Public Liaison Letter and Publication in “The Londoner”

The two responses that were received raised separate concerns.

A response from James Harbell on behalf of York Developments included a letter from Ward Economics outlining concerns with regards to the market impact of removing the commercial cap.

A response from Bob Webber of 221 Pine Valley Drive, Unit 36 indicated his opinion that the market should determine what properties develop at what time.

### Agency/Departmental Comments

#### London Hydro

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment.

#### Development and Compliance Services

- Engineering has no concerns related to the above noted re-zoning. Please note that we did not receive comments from Transportation.

#### Upper Thames River Conservation Authority

- While the UTRCA has no concerns regarding this application, there are lands within the Wonderland Road Community Enterprise Corridor that are regulated by the UTRCA and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within the regulated area.

**Appendix C – Wonderland Road Community Enterprise Corridor –  
Report by Coriolis Consulting Corp. February, 2018**

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# Impact of Removing the Retail Development Cap in the Wonderland Road Community Enterprise Corridor (WRCEC), London Ontario

**Final Report**  
**February 2018**

**Prepared for:**  
City of London

**By:**  
**coriolis**   
CONSULTING CORP.

# Table of Contents

<b>1.0</b>	<b>Introduction.....</b>	<b>1</b>
1.1	Background and Objectives .....	3
1.2	Approach .....	4
1.3	Professional Disclaimer .....	4
<b>2.0</b>	<b>Key Assumptions and Sources of Information Used in the Report .....</b>	<b>6</b>
2.1	Key Assumptions .....	6
2.2	Previous Reports .....	6
<b>3.0</b>	<b>Geographic Areas Referred to in the Report.....</b>	<b>7</b>
3.1	Enterprise Corridor .....	7
3.2	Study Area.....	7
3.3	Trade Areas.....	7
3.3.1	Primary Trade Area.....	8
3.3.2	Secondary Trade Area.....	8
<b>4.0</b>	<b>Trade Area Population Forecasts.....</b>	<b>9</b>
4.1	Primary Trade Area .....	9
4.1.1	Historic Population Trends in Primary Trade Area .....	9
4.1.2	Residential Development Capacity.....	9
4.1.3	Historic Housing Share by Type in Primary Trade Area.....	11
4.1.4	Projected Housing Development in the Primary Trade Area.....	11
4.1.5	Projected Population in Primary Trade Area .....	13
4.2	Secondary Trade Area .....	13
4.2.1	Historic Population Trends in Secondary Trade Area .....	14
4.2.2	Projected Population in Secondary Trade Area .....	14
<b>5.0</b>	<b>Existing Retail and Service Conditions in the Study Area.....</b>	<b>15</b>
5.1	Official Plan Commercial Land Use Designations in Study Area.....	15
5.3	The London Plan .....	17
5.4	Region Serving Retail .....	18
5.4.1	Existing Region Serving Retail .....	18



5.4.2	Summary of Regional Nodes .....	19
5.4.3	Regional Retail Existing Conditions .....	21
<b>5.5</b>	<b>Local Serving Retail .....</b>	<b>23</b>
5.5.1	Existing Local Serving Retail Nodes .....	23
5.5.2	Existing Conditions .....	24
<b>5.6</b>	<b>Total Existing Supply .....</b>	<b>25</b>
<b>6.0</b>	<b>Potential Capacity for Retail and Service Space in the Study Area .....</b>	<b>26</b>
6.1	Approved Projects .....	26
6.2	Applications .....	28
6.3	Designated .....	28
6.4	Expansion Potential at Existing Projects .....	29
6.5	Total Potential Retail Capacity .....	29
<b>7.0</b>	<b>Potential Retail and Service Space Demand in the Study Area .....</b>	<b>31</b>
7.1	Approach .....	31
7.2	Indicators of Supportable Retail and Service Floorspace Per Capita .....	31
7.2.1	Existing Floorspace Per Capita in City of London .....	31
7.2.2	Floorspace Per Capita Based on Expenditure Analysis .....	32
7.2.3	Floorspace Per Capita in Canadian Cities .....	34
<b>7.3</b>	<b>Factors Affecting Future Supportable Floorspace per Capita in the Study Area .....</b>	<b>35</b>
7.3.1	Trends .....	35
7.3.2	E-Commerce .....	37
7.3.3	New Stores .....	37
7.3.4	Implications .....	37
<b>7.4</b>	<b>Floorspace Per Trade Area Resident Used in the Analysis .....</b>	<b>38</b>
7.4.1	Primary Trade Area .....	38
7.4.2	Secondary Trade Area .....	39
7.4.3	Inflow .....	39
7.4.4	Summary .....	40
<b>7.5</b>	<b>Demand Forecast for Retail and Service Space in Study Area .....</b>	<b>40</b>
<b>7.6</b>	<b>Demand at Regional and Local Retail Locations .....</b>	<b>41</b>
<b>8.0</b>	<b>Comparison of Local Retail and Service Demand and Supply .....</b>	<b>42</b>

8.1	Total Local Demand and Supply .....	42
8.2	Summary .....	44
<b>9.0</b>	<b>Comparison of Region Serving Retail Demand and Supply .....</b>	<b>45</b>
9.1	Total Regional Demand and Supply .....	45
9.2	Demand and Supply Comparison with Cap in Place .....	46
9.2.1	Implications .....	47
9.3	Demand and Supply Comparison with Cap Removed .....	48
9.3.1	Implications .....	49
<b>10.0</b>	<b>Conclusions .....</b>	<b>50</b>
10.1	Demand and Capacity .....	50
10.2	Impact of Removing the Cap .....	50
10.3	Local Oriented Retail.....	52
10.4	Recommendations .....	52
<b>1.0</b>	<b>Appendix - City of London Population and Housing Forecasts .....</b>	<b>53</b>
1.1	Population and Households .....	53
1.1.1	Historic Population and Household Trends .....	53
1.1.2	Available Population and Household Forecasts .....	54
1.1.3	Population and Housing Growth Outlook .....	55
1.2	Housing Development.....	55
1.2.1	Available Housing Development Forecast.....	55
1.2.2	Housing Outlook .....	56
<b>2.0</b>	<b>Appendix - London Region Population and Housing Forecasts .....</b>	<b>57</b>
2.1	Historic Population Growth Trends .....	57
2.2	Available Population Forecasts .....	57
2.3	Population Growth Outlook.....	58
<b>3.0</b>	<b>Appendix - Detailed Regional Supply Information.....</b>	<b>59</b>
<b>4.0</b>	<b>Appendix - Potential Retail Expansion at Existing Sites.....</b>	<b>60</b>

## Executive Summary

The Wonderland Road Community Enterprise Corridor (Enterprise Corridor) was established by the City of London in 2014 as part of the Southwest Area Plan (SWAP). As part of the Plan, a 100,000 square metre gross floor area (GFA) cap on retail space was put in place in the Corridor to enable some of the Corridor lands to be developed for other uses. Since the SWAP was adopted, all of the retail space permitted under the cap has been allocated. Of the 100,000 square metres of retail development permitted under the cap, 34,414 square metres has been built and 65,586 square metres of potential capacity remains.

Across South London, there is capacity for an additional 255,000 square metres of retail GFA if the cap remains in place and an additional 390,000 square metres of retail GFA if the cap is removed. Given the substantial potential for retail development outside the Corridor, the cap may not be serving a useful purpose. Retail development is occurring outside of the Enterprise Corridor despite its intent to act as a major commercial node. At the same time, some of the site-specific zoning allocated under the cap remains undeveloped and a discontinuous development pattern is emerging in the Corridor.

To understand the impact of removing the cap, we estimate demand and capacity for retail and service space in the study area over the next 30 years. We estimate capacity for retail development in the study area in two scenarios, with the cap in place and with the cap removed. Comparing demand with the two capacity scenarios allows us to understand the impact of removing the cap.

Our retail demand forecast for the study area is separated into demand for local serving retail space and demand for region serving retail space. Our forecast indicates there will be demand for about 167,100 square metres of region serving space and demand for 102,700 square metres of local serving space in South London between 2017 and 2047. Because the Enterprise Corridor is a region serving node, our focus is on demand for region serving retail and service space.

Our review of retail capacity indicates there is potential for about 176,300 square metres of region serving retail GFA with the cap in place. Removing the cap increases region serving retail capacity to about 312,700 square metres.

Removing the cap increases retail capacity but doesn't increase demand so the major impact of removing the cap is to alter the geographic distribution of development over the next 30 years.

Our analysis shows that removing the cap allows the development of sites which are best suited for regional retail development from a market and planning perspective and allows a contiguous development pattern in the Enterprise Corridor. Removing the retail cap will also allow the full development of sites designated for retail development. This is especially important since mixed use development is not yet economically viable in the Enterprise Corridor

We do not anticipate removing the cap will impact vacancy in the short term. There is currently 176,300 square metres of region serving retail capacity in South London with the cap in place which represents 30 years of supply. This means there could be a potential oversupply of region serving retail development in the short term regardless of whether the cap is in place.

We do not anticipate that removing the cap will impact the distribution of local oriented retail and service space. While there is some local oriented retail space at region serving locations, this is limited to demand from residents living nearby. Local oriented retail and service space will primarily locate in neighbourhood shopping centres in growing residential communities.

Removing the cap creates about 136,400 square metres of excess region serving retail capacity which is not needed between 2017 and 2047. This postpones a viable development option for sites designated for retail development which are less suited for region serving retail over the next 30 years.

However, there are more strategic measures that could be considered to avoid excess capacity than a cap on retail development. One strategy is to designate lands for other uses which are not required to meet retail demand between 2017 and 2047 and are appropriate to redesignate from a planning and market perspective.

## 1.0 Introduction

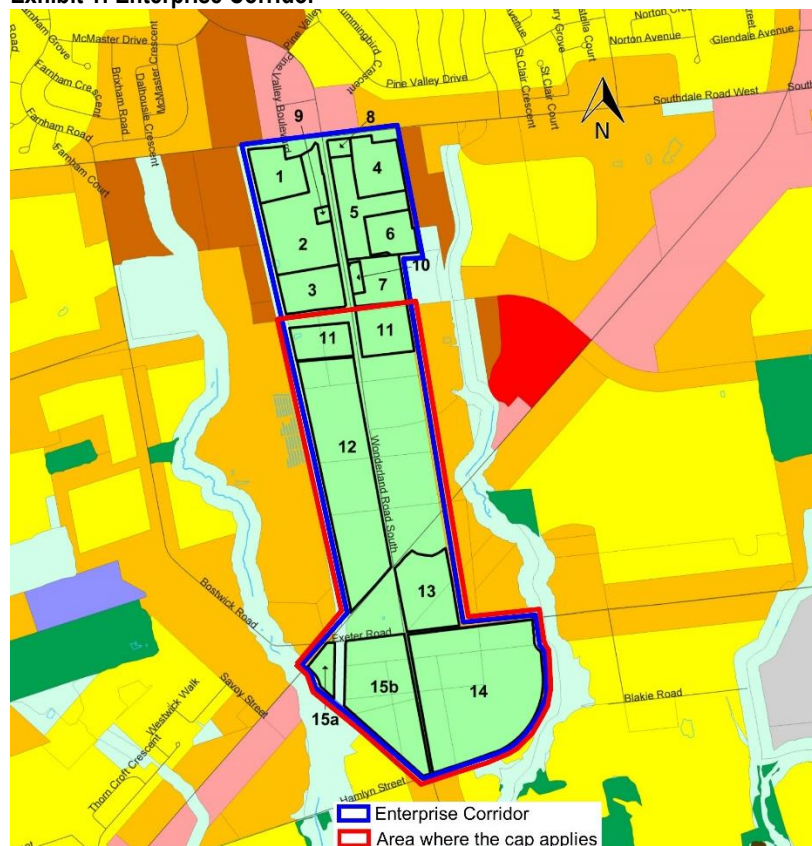
### 1.1 Background and Objectives

The Wonderland Road Community Enterprise Corridor (Enterprise Corridor) was established by the City of London in 2014 as part of the Southwest Area Plan (SWAP). As part of the Plan, a 100,000 square metre gross floor area (GFA) cap on retail space was put in place in the Corridor to enable some of the Corridor lands to be developed for other uses. Since the SWAP was adopted, all of the retail space permitted under the cap has been allocated to sites in the following table.

Developer/Owner	Approved Retail Space (SM GFA)	Built Retail Space (SM GFA)	Map Reference Number (Exhibit 1)
Existing Development	17,325	17,325	-
York Developments	59,419	17,089	12
Westbury	4,700	-	13
Greenhills	18,556	-	14
<b>Total</b>	<b>100,000</b>	<b>34,414</b>	<b>-</b>

There is 65,586 square metres of potential capacity remaining under the cap which has been allocated but not yet built. The retail cap does not apply to lands in the Enterprise Corridor north of Bradley Avenue.

**Exhibit 1: Enterprise Corridor**



Source: Coriolis Consulting Corp.



Across South London, there is capacity for an additional 255,000 square metres of retail space if the cap remains in place and an additional 390,000 square metres of retail space if the cap is removed. Given the substantial potential for retail development outside the Corridor, the cap may not be serving a useful purpose. Retail development is occurring in other parts of South London despite the intent for the Enterprise Corridor to act as a major commercial node. At the same time, some of the site-specific zoning allocated under the cap remains undeveloped and a discontinuous development pattern is emerging in the Corridor.

The City of London commissioned Coriolis Consulting Corp. to evaluate the impact of removing the cap on existing and planned retail and service space in the City of London and identify strategies to mitigate any potential impact.

## **1.2 Approach**

We use the following approach to the analysis:

1. We define a study area for the analysis. This is the geographic area where development patterns will be impacted if the cap is removed.
2. We define a primary and secondary trade area for the study area. This allows us to estimate total retail and service demand in the study area.
3. We forecast demand for retail and service floorspace in the study area between 2017 and 2047. This is based on the existing and projected population in the trade area to 2047 and the share of total supportable retail and service floorspace captured in the study area. We separate this forecast into demand for 'local serving' and 'region serving' retail floorspace.
4. We review factors which could have an impact on supportable floorspace, including growth in retail expenditures and e-commerce.
5. We summarize the existing inventory of local and region serving retail floorspace in the study area including type of retail, vacancy, anchor tenants, quality of existing space and approximate age of development.
6. We estimate the potential future capacity for local and region serving retail floorspace in the study area in two scenarios: 1) assuming the cap remains in place and 2) assuming the cap is removed. This includes approved projects, proposed projects, and development potential on lands designated for retail development.
7. We compare projected retail and service demand in the study area with potential capacity in the study area under the two scenarios for both local and region serving retail. We identify possible locations and sequences of retail development under both scenarios based on the advantages and disadvantages of available retail development sites.
8. We describe the impacts of removing the cap.

## **1.3 Professional Disclaimer**

This document may contain estimates and forecasts of future growth and urban development prospects, estimates of the financial performance of possible future urban development projects, opinions regarding the likelihood of approval of development projects, and recommendations regarding development strategy or

municipal policy. All such estimates, forecasts, opinions, and recommendations are based in part on forecasts and assumptions regarding population change, economic growth, policy, market conditions, development costs and other variables. The assumptions, estimates, forecasts, opinions, and recommendations are based on interpreting past trends, gauging current conditions, and making judgments about the future. As with all judgments concerning future trends and events, however, there is uncertainty and risk that conditions change or unanticipated circumstances occur such that actual events turn out differently than as anticipated in this document, which is intended to be used as a reasonable indicator of potential outcomes rather than as a precise prediction of future events.

Nothing contained in this report, express or implied, shall confer rights or remedies upon, or create any contractual relationship with, or cause of action in favor of, any third party relying upon this document.

In no event shall Coriolis Consulting Corp. be liable to the City of London or any third party for any indirect, incidental, special, or consequential damages whatsoever, including lost revenues or profits.

## 2.0 Key Assumptions and Sources of Information Used in the Report

### 2.1 Key Assumptions

1. Automobile sales and related spending are excluded from the analysis in this report. Businesses in this category account for a very high share of total retail spending (in every city), but occupy a small share of total retail space. By excluding spending at automobile dealers and related businesses, our analysis provides a better indication of supportable retail space.
2. Supportable retail space is referenced in terms of gross floor area (GFA) in square metres in the introduction and conclusion and gross leasable area (GLA) in square feet in the body of the report. The City uses gross floor area in square metres for zoning purposes, but most market information is expressed in terms of gross leasable area in square feet, so we translate any space expressed in GFA to GLA for our analysis. This is done at an efficiency ratio of 90% which is based on industry standards and market evidence in South London.
3. 'Retail floorspace' referenced in this report includes all grade level commercial space which is occupied by retail and/or service uses.

### 2.2 Previous Reports

In this report, we refer to previous retail market studies completed for the City of London, including:

1. *Retail Market Demand Analysis for the Southwest Area Plan (SWAP), City of London, Ontario 2016 – 2031* prepared by Kircher Research Associates Limited and published November 2016. In particular, the inventory estimates provided in our report are based on the detailed retail inventory provided by the Kircher Report up to October 2016.
2. *Retail Market Study, Wonderland Road and Bradley Avenue, London Ontario* prepared by urbanMetrics and published February 2016.
3. *City of London Population, Housing and Employment Growth Forecast, 2016 to 2044* prepared by Watson and Associates and published November 2017.

## 3.0 Geographic Areas Referred to in the Report

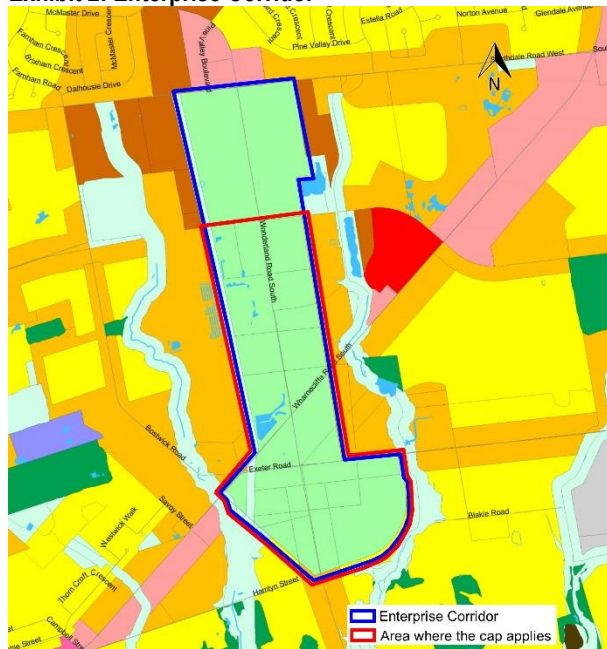
### 3.1 Enterprise Corridor

The Wonderland Road Community Enterprise Corridor (Enterprise Corridor) is shown in Exhibit 2. The 100,000 square metre GFA retail cap applies to the area South of Bradley Avenue, outlined in red in the Exhibit.

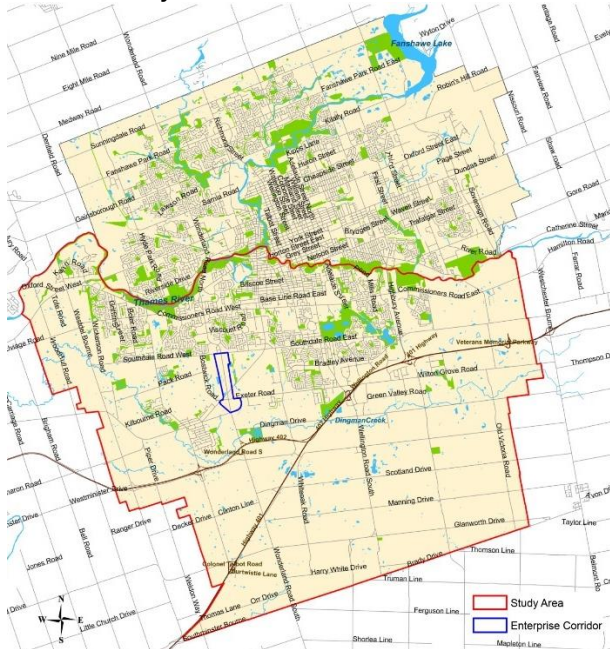
### 3.2 Study Area

The study area for the analysis includes all of South London, the portion of the City of London south of the Thames. This is the geographic area where the majority of retail expenditure for the Enterprise Corridor is derived and it is where the impact on existing and planned retail and service space will be experienced if the cap is removed. The study area was defined based on several factors, including the existing retail and service hierarchy in the City, the location of major arterials and the location of geographic features (Thames River). It is also the study area for the Enterprise Corridor used by Kircher Research Associates in the 2016 report *Retail Market Demand Analysis for the Southwest Area Plan* (Kircher Report).

**Exhibit 2: Enterprise Corridor**



**Exhibit 3: Study Area**



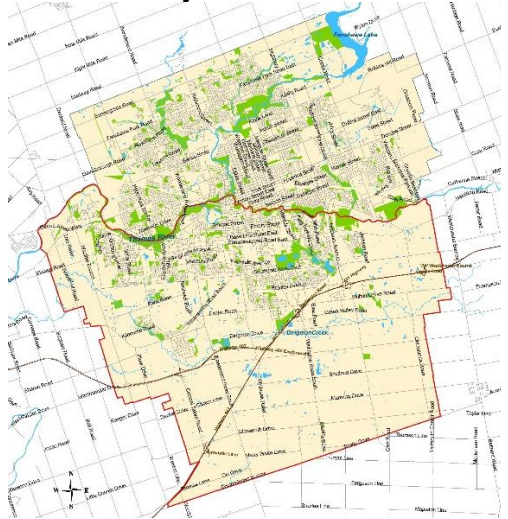
### 3.3 Trade Areas

We define a primary and secondary trade area for South London which is the geographic area where the majority of retail expenditure in the study area is derived. The primary trade area is where 70% to 90% of expenditures are derived and the secondary trade area is where a further 10% to 20% of expenditures are derived. The remaining demand is accounted for as inflow, which comes from tourists, visitors and workers from outside the area.

### 3.3.1 Primary Trade Area

The primary trade area is the source of the majority of retail expenditures in the study area (Exhibit 4). Due to the size of the study area, the existing retail hierarchy in the City and the geographic separation between North and South London, we estimate the majority of retail expenditures in South London would occur from residents living in South London.

**Exhibit 4: Primary Trade Area**



Source: Coriolis Consulting Corp.

**Exhibit 5: Secondary Trade Area**



### 3.3.2 Secondary Trade Area

The secondary trade area is the source of most of the remaining retail expenditures in the study area (Exhibit 5). We identified the secondary trade area based on our review of the regional retail supply in the surrounding Counties of Elgin, Oxford and Middlesex. South London is easily accessible by highway and is the closest regional retail destination to the areas identified in Exhibit 5.



## 4.0 Trade Area Population Forecasts

We forecast population in the trade area in this section as retail demand is primarily driven by population growth in the trade area.

To forecast population growth in the primary trade area, we considered the following:

- Historic annual population growth in the primary trade area.
- The share of City-wide population growth that has historically gone to the primary trade area.
- The projected City-wide housing forecast from 2017 to 2047 (see Appendix 1 for detailed population and housing forecasts for the City of London).
- Residential development trends in the primary trade area and the share of housing development by type that has historically gone to the primary trade area.
- The City of London vacant land inventory by community and the capacity for residential development in the primary trade area.

To forecast population growth in the secondary trade area, we considered the following:

- Historic population growth in Elgin, Oxford and Middlesex County and the share of population growth that has historically gone to the secondary trade area.
- The projected population of the Counties (see Appendix 2 for detailed population forecasts for the Counties).

### 4.1 Primary Trade Area

#### 4.1.1 Historic Population Trends in Primary Trade Area

Between 2001 and 2016, South London captured about 31% of London's population growth. The share of population growth captured in South London fluctuated widely from 15% between 2006 and 2011 to 42% between 2011 and 2016 as the rate of housing development in the SWAP increased.

**Exhibit 6: Historic Population Growth in the City of London and South London – 2001 to 2016**

	2001	2006	2011	2016	Average Growth 2001 - 2006	Average Growth 2006 - 2011	Average Growth 2011 - 2016	Average Growth 2001 - 2016
City of London Population	351,000	366,500	377,400	394,300	3,100	2,180	3,380	2,887
South London Population	146,900	151,600	153,200	160,300	940	320	1,420	893
South London Share	-	-	-	-	30%	15%	42%	31%

Source: Statistics Canada, CMHC, Kircher Report

#### 4.1.2 Residential Development Capacity

Residential development capacity will influence the share of population growth which will occur in the primary trade area so we review total capacity by unit type in North and South London.

Total capacity by unit type within the Urban Growth Boundary in North and South London is summarized in Exhibit 7 based on the vacant land inventory provided by the City of London. The vacant land inventory includes future capacity in registered and draft approved subdivision and condominium plans and potential

development on vacant lands which are designated for residential development in the Official Plan. Once a building permit is approved for a project, it is removed from the vacant land inventory.

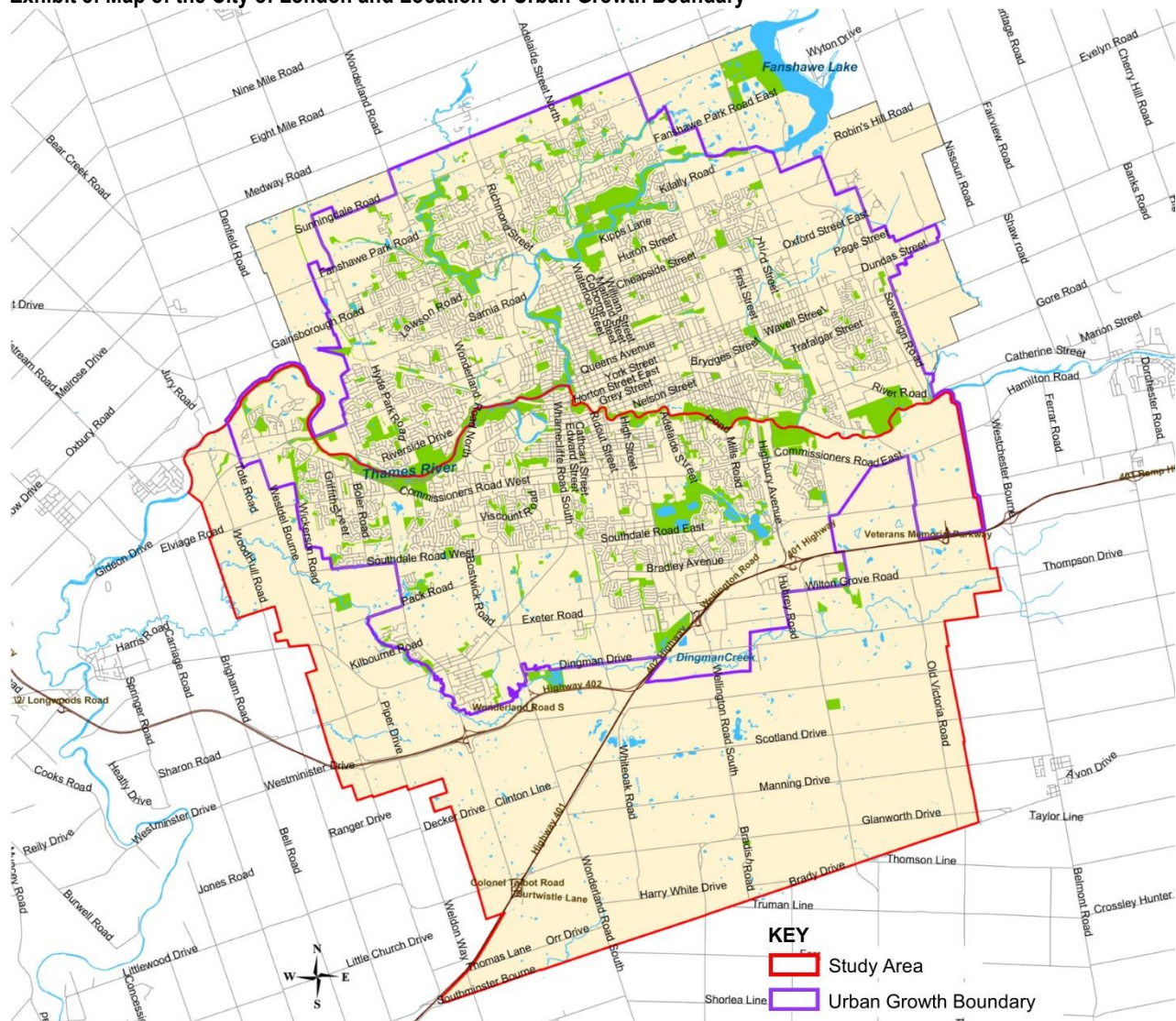
North and South London each have capacity for about 35,000 units within the Urban Growth Boundary. However, South London has greater capacity for low and medium density development, which will increase the population share captured in South London given the higher average persons per household in these housing types.

**Exhibit 7: Capacity by Unit Type in North and South London**

	South London	North London	Total	South London Share	North London Share	Total Share
Low Density Units	11,707	8,153	19,860	60%	40%	100%
Medium Density Units	15,207	13,289	28,496	53%	47%	100%
High Density Units	8,837	13,650	22,487	39%	51%	100%
<b>Total</b>	<b>35,751</b>	<b>35,092</b>	<b>70,843</b>	-	-	-

Source: City of London Vacant Land Inventory

**Exhibit 8: Map of the City of London and Location of Urban Growth Boundary**



Source: Coriolis Consulting Corp.

### 4.1.3 Historic Housing Share by Type in Primary Trade Area

We review historic housing starts by type in North and South London to project future housing development by type in South London.

Historic housing starts by type in South and North London are summarized in Exhibit 9 and 10.

**Exhibit 9: Historic South London Housing Starts by Type – 2011 to 2017**

	2011	2012	2013	2014	2015	2016	2017*	Average 2011 - 2017
Single Detached Units	354	337	249	221	172	304	421	298
Semi-Detached/Row Units	106	105	60	146	124	176	269	143
Apartment Units	18	433	203	82	371	80	240	206
<b>Total</b>	<b>478</b>	<b>875</b>	<b>512</b>	<b>449</b>	<b>667</b>	<b>560</b>	<b>930</b>	<b>646</b>

Source: CMHC \*YTD to November 2017

Between 2011 and 2017, there were an average of 646 housing starts per year in South London and 1,335 housing starts per year in North London.

**Exhibit 10: Historic North London Housing Starts by Type – 2011 to 2017**

	2011	2012	2013	2014	2015	2016	2017*	Average 2011 - 2017
Single Detached Units	508	566	538	539	501	660	623	569
Semi-Detached/Row Units	79	76	222	228	276	144	378	203
Apartment Units	365	356	502	379	224	1087	985	564
<b>Total</b>	<b>952</b>	<b>998</b>	<b>1262</b>	<b>1146</b>	<b>1001</b>	<b>1891</b>	<b>1986</b>	<b>1335</b>

Source: CMHC \*YTD to November 2017

Between 2011 and 2017, South London captured 34% of single detached unit development, 41% of semi-detached unit development and 27% of apartment unit development. North London captured 66% of single detached unit development, 59% of semi-detached unit development and 73% of apartment unit development.

Overall, North London captured 67% of housing development between 2011 and 2017 while South London captured 33% of housing development (Exhibit 11).

**Exhibit 11: Average Annual Share Captured by Area – 2011 to 2017**

	Single Detached Units	Semi-Detached/Row Units	Apartment Units	Total Units
South London Share	34%	41%	27%	33%
North London Share	66%	59%	73%	67%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Coriolis Consulting Corp.

### 4.1.4 Projected Housing Development in the Primary Trade Area

Based on historic housing development trends by type in North and South London, capacity by unit type and the projected City-wide housing forecast from 2017 to 2047 (Appendix 1) we project housing development by unit type in South London.

Going forward, we would expect South London to capture a larger share of population growth than it has historically as there is greater capacity for residential development in South London.

### Single Family Dwellings

- Since 2011, South London has captured about 34% of single family dwelling demand, ranging from 172 to 421 housing starts per year, or an average of 298 units per year between 2011 and 2017.
- North London has captured 66% of single family dwelling demand, or an average of 569 units per year.
- However, South London has greater capacity for single family development going forward. South London can accommodate 60% of future single family development within the Urban Growth Boundary.
- Total single family development projected in our forecast exceeds the capacity within the Urban Growth Boundary. However, the land supply in the City of London outside of the Urban Growth Boundary is also predominantly in the South.<sup>1</sup> Based on this, we think it is conservative to assume that the South will continue to capture about 60% of single family housing development if the Urban Growth Boundary is expanded.
- We expect the share of single family development captured in South London will increase from a 40% share between 2017 and 2022 to an 80% share between 2042 and 2047, averaging 60% of single family development over the period.

### Medium Density Units

- Since 2011, South London has captured 41% of semi-detached dwelling demand, ranging from 60 to 269 housing starts per year, or an average of 143 units per year between 2011 and 2017.
- North London has captured 59% of semi-detached dwelling demand, or an average of 203 units per year.
- There are no capacity constraints on medium density unit development in either North or South London. However, South London has 53% of the remaining capacity for medium density development. We anticipate the share of semi-detached dwellings captured in the South will gradually increase from a share of 40% between 2017 and 2022 to a share of 50% between 2042 and 2047.

### High Density Units

- Since 2011, North London has captured the bulk of high density development (73%). Given the location of the Downtown core in North London, along with the capacity for high density development, we anticipate North London will continue to capture about 70% of high density development in the City of London going forward.

Exhibits 12 and 13 summarize our projected housing development by type in South and North London between 2017 and 2047.

**Exhibit 12: Projected Housing Development by Type in South London – 2017 to 2047**

	2017 - 2022	2022 - 2027	2027 - 2032	2032 - 2037	2037 - 2042	2042 - 2047	2017 - 2047
Single Detached Units	2,240	2,600	2,700	3,150	2,640	2,800	16,130
Semi-Detached/Row Units	1,070	1,080	1,080	1,180	1,470	1,250	7,130
Apartment Units	1,010	960	980	980	960	1,270	6,160
Total	4,320	4,640	4,760	5,310	5,070	5,320	29,420

Source: Coriolis Consulting Corp.

<sup>1</sup> Based on *City of London Population, Housing and Employment Growth Forecast, 2016 to 2044* housing forecast prepared by Watson and Associates (November 2017).



**Exhibit 13: Projected Housing Development by Type in North London – 2017 to 2047**

	2017 - 2022	2022 - 2027	2027 - 2032	2032 - 2037	2037 - 2042	2042 - 2047	2017 - 2047
Single Detached Units	3,400	2,600	1,800	1,400	700	700	10,600
Semi-Detached/Row Units	1,530	1,420	1,320	1,320	1,530	1,250	8,370
Apartment Units	2,490	2,340	2,420	2,420	2,340	3,130	15,140
Total	7,420	6,360	5,540	5,140	4,570	5,080	34,110

Source: Coriolis Consulting Corp.

### 4.1.5 Projected Population in Primary Trade Area

Our population forecast for the primary trade area is summarized in Exhibit 14. This is calculated using our housing forecast for South London and applying estimated persons per unit by housing type.

Based on this forecast, we estimate South London will capture 52% of City-wide population growth between 2017 and 2047. This is projected to increase from 38% of City-wide population growth between 2017 and 2022 to 65% of City-wide population growth between 2042 and 2047.

**Exhibit 14: Projected South London Population – 2017 to 2047**

	2017	2022	2027	2032	2037	2042	2047	2017 to 2047
City of London	398,000	417,100	438,400	458,100	476,000	492,400	509,100	111,100
South London (PTA) Population Growth	163,500	170,700	179,200	188,700	199,300	210,400	221,300	57,800
Average Growth per Period		7,200	8,500	9,500	10,600	11,100	10,900	9,633
Share of Total Population Growth		38%	40%	48%	59%	68%	65%	52%

Source: Coriolis Consulting Corp.

Between 2001 and 2016, South London captured 30% of City-wide population growth. Between 2011 and 2016, South London captured 42% of City-wide population growth, so the forecast aligns with trends for South London to capture an increasing share of City-wide growth.

## 4.2 Secondary Trade Area

The secondary trade area is outlined in Exhibit 15 and includes portions of the Counties of Elgin, Oxford and Middlesex.

**Exhibit 15: Secondary Trade Area**

Source: Coriolis Consulting Corp.



## 4.2.1 Historic Population Trends in Secondary Trade Area

Exhibit 16 summarizes growth in the secondary trade area from 2001 to 2016. Population in the secondary trade area increased from 123,700 in 2001 to 135,800 in 2016, or by a total of about 800 residents per year (an average annual growth rate of 0.63%).

**Exhibit 16: Historic Secondary Trade Area Population**

	2001	2006	2011	2016	Avg. Annual Growth % 2001 to 2016
Secondary Trade Area Population	123,700	129,300	133,700	135,800	0.63%

Source: PCensus, Statistics Canada, includes London CMA undercount so figures are rounded

The secondary trade area accounted for 48% of the population in the surrounding Counties in 2006, increasing to 49% in 2011 and 48% in 2016.

**Exhibit 17: Historic Secondary Trade Area Share of Population in Surrounding Counties**

	2006	2011	2016
Population of Elgin, Middlesex and Oxford Counties <sup>2</sup>	269,300	273,900	285,100
Secondary Trade Area Population	129,300	133,700	135,800
Secondary Trade Area Population Share	48%	49%	48%

Source: Coriolis Consulting Corp.

## 4.2.2 Projected Population in Secondary Trade Area

Our population forecast for Elgin, Oxford and Middlesex County and the share captured in the secondary trade area is summarized in Exhibit 18. Detailed population forecasts for the Counties are based on Ministry of Finance forecasts to 2041 and are summarized in Appendix 2.

We anticipate the secondary trade area share of total population in the surrounding Counties will increase from 48% in 2017 to 49% in 2047.

**Exhibit 18: Projected Secondary Trade Area Population Growth**

	2017	2022	2027	2032	2037	2042	2047	Avg. Annual % 2017 to 2047
Population of Elgin, Middlesex & Oxford Counties	287,500	302,200	306,300	315,200	326,400	335,500	342,800	0.59%
Secondary Trade Area Share	48%	48%	48%	48%	49%	49%	49%	
Secondary Trade Area Population	136,600	143,500	147,000	151,300	159,900	164,400	167,100	0.67%

Source: Coriolis Consulting Corp.

We estimate population in the secondary trade area will increase from 136,600 in 2017 to 167,100 in 2047, or by a total of about 1,000 residents per year (an average annual growth rate of 0.67%). This is slightly faster than the surrounding Counties as a whole (an average annual growth rate of 0.59%).

<sup>2</sup> Ministry of Finance Spring 2017 historical population estimates for the Counties of Elgin, Middlesex and Oxford less the population of the City of London. Includes population of three First Nations Reserves.

## 5.0 Existing Retail and Service Conditions in the Study Area

Retail and service space in the study area can be divided into two general categories:

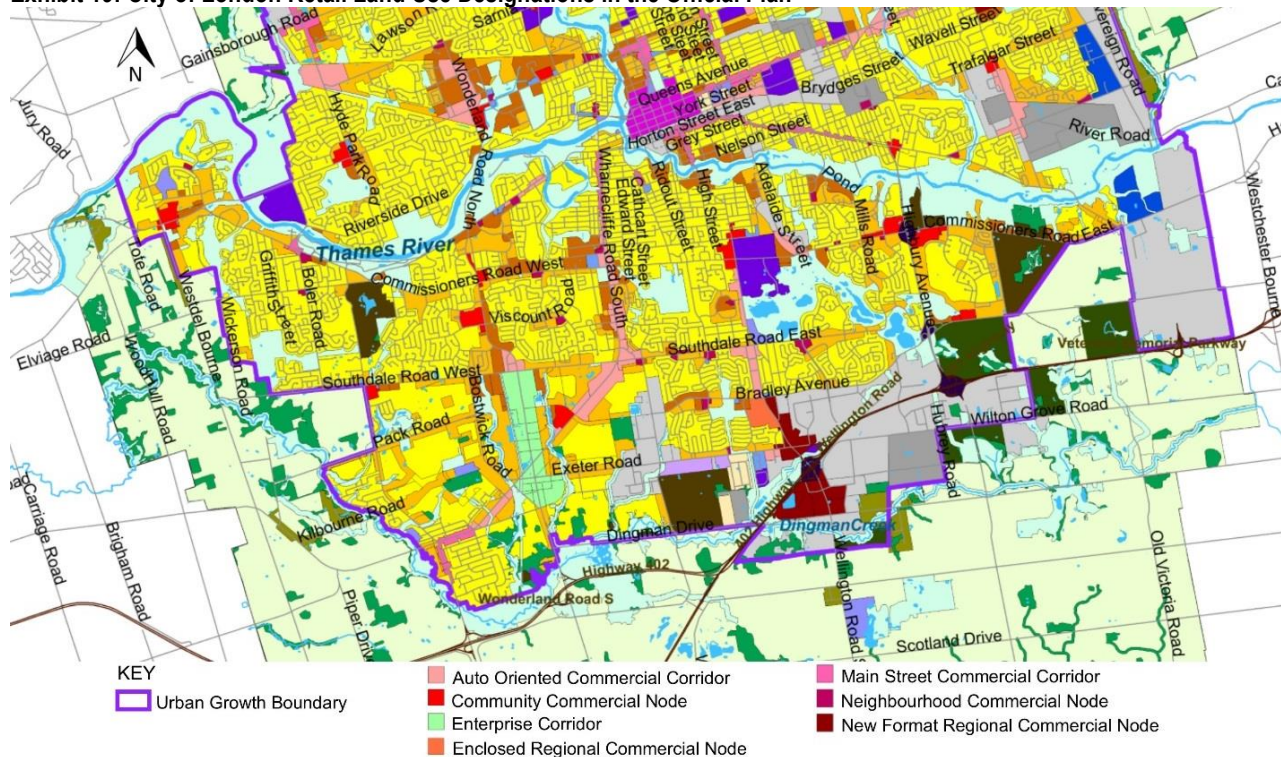
- *Local serving* retail and service space. Local oriented retail and service space in suburban trade areas tends to locate along neighbourhood commercial streets and in small retail plazas or community-oriented shopping malls. Examples of tenants include grocery stores, specialty food stores, cafes, some types of restaurants, pharmacies, drycleaners, convenience stores, liquor stores, and hair salons - businesses that meet the day-to-day shopping needs of the immediate local communities. Therefore, the demand for this type of retail and service space is directly related to the number of people living in the surrounding neighbourhoods.
- *Region serving* and specialty retail and service space. Regional oriented and specialty retail space tends to locate in downtown-type locations as well as in major suburban commercial nodes and in concentrations of large format retail stores on major arterial roads. Examples of tenants typically include clothing and department stores, furniture stores, home décor and building supply stores, pet supplies stores, antique stores, and large format stores including supermarkets that draw customers from a wide sub-regional trade area. Growth opportunities for region-serving retail and service space are related more to population growth in the broader regional trade area and the availability of sites in the local trade area that are attractive for regional or specialty retail businesses, rather than changes in the local trade area population. Primary trade areas for regional oriented businesses range from a radius of 8 – 40km, depending on population densities, and are often comprised of 100,000 people or more.<sup>3</sup>

In addition to local serving retail, a segment of the office market is comprised of businesses that provide services to local residents, such as medical offices, dental offices, realtors, insurance agencies, financial/services businesses, and notaries or local law firms. These types of businesses tend to locate in neighbourhood or community retail areas that offer convenient access to residents of the local trade area. We refer to this as local serving office space, and a portion of this demand will be captured in local serving retail destinations.

### 5.1 Official Plan Commercial Land Use Designations in Study Area

We reviewed commercial land use designations in the City of London Official Plan to understand the existing retail hierarchy in the study area. Commercial land uses in the Official Plan have been designated to ensure 'the orderly development and distribution of commercial uses' consistent with the objectives of the Official Plan and are separated into nodes and corridors. Commercial land use designations in South London are shown in Exhibit 19.

<sup>3</sup> ISCS Shopping Centre Classifications and Characteristics

**Exhibit 19: City of London Retail Land Use Designations in the Official Plan**


Source: Coriolis Consulting Corp. City of London Official Plan

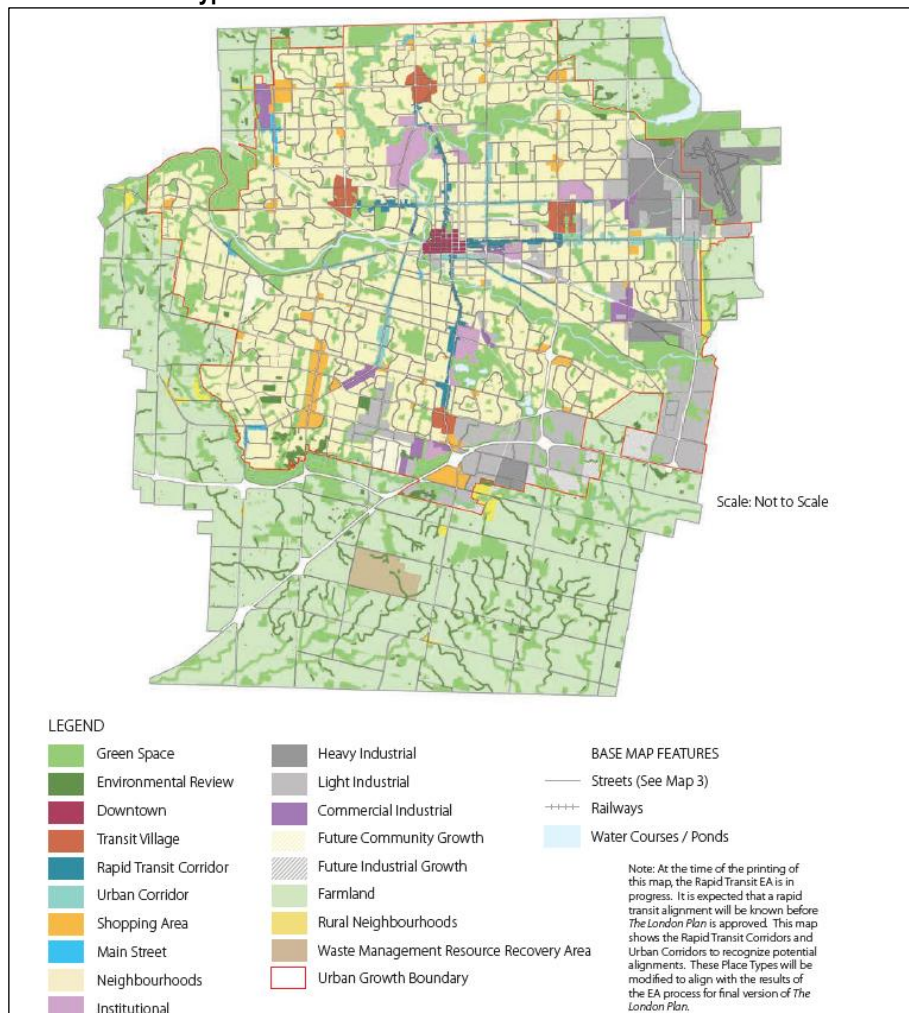
Designations in the City of London Official Plan can be separated into primarily region serving, primarily local serving or both. These include:

Designation	General Category
Auto-Oriented Commercial Corridor	Region and local serving
Community Commercial Node	Local serving
Enterprise Corridor	Region serving
Enclosed Regional Commercial Node	Region serving
Main Street Commercial Corridor	Region and local serving
Neighbourhood Commercial Node	Local serving
New Format Regional Commercial Node	Region serving

### 5.3 The London Plan

The London Plan is the new Official Plan for the City of London. The plan was adopted by council on June 23, 2016 and approved by the province on December 28, 2016 but is currently under appeal. When approved, The London Plan is anticipated to guide planning and development in the City of London for the next 20 years.

**Exhibit 20: Place Types in The London Plan**



Source: The London Plan

The London Plan groups retail functions by place type as shown in Exhibit 20.

The addition of the Transit Village place type is a key component of the Plan. Transit Villages are intended to accommodate high-density mixed-use urban neighbourhoods connected by rapid transit to the Downtown through Rapid Transit Corridors.

The Neighbourhoods place type will also be more flexible in allowing local oriented retail and service development at the intersection of Urban Thoroughfares and Civic Boulevards.

Designations in the South West Area Plan or any other secondary plan will take precedence over The London Plan.



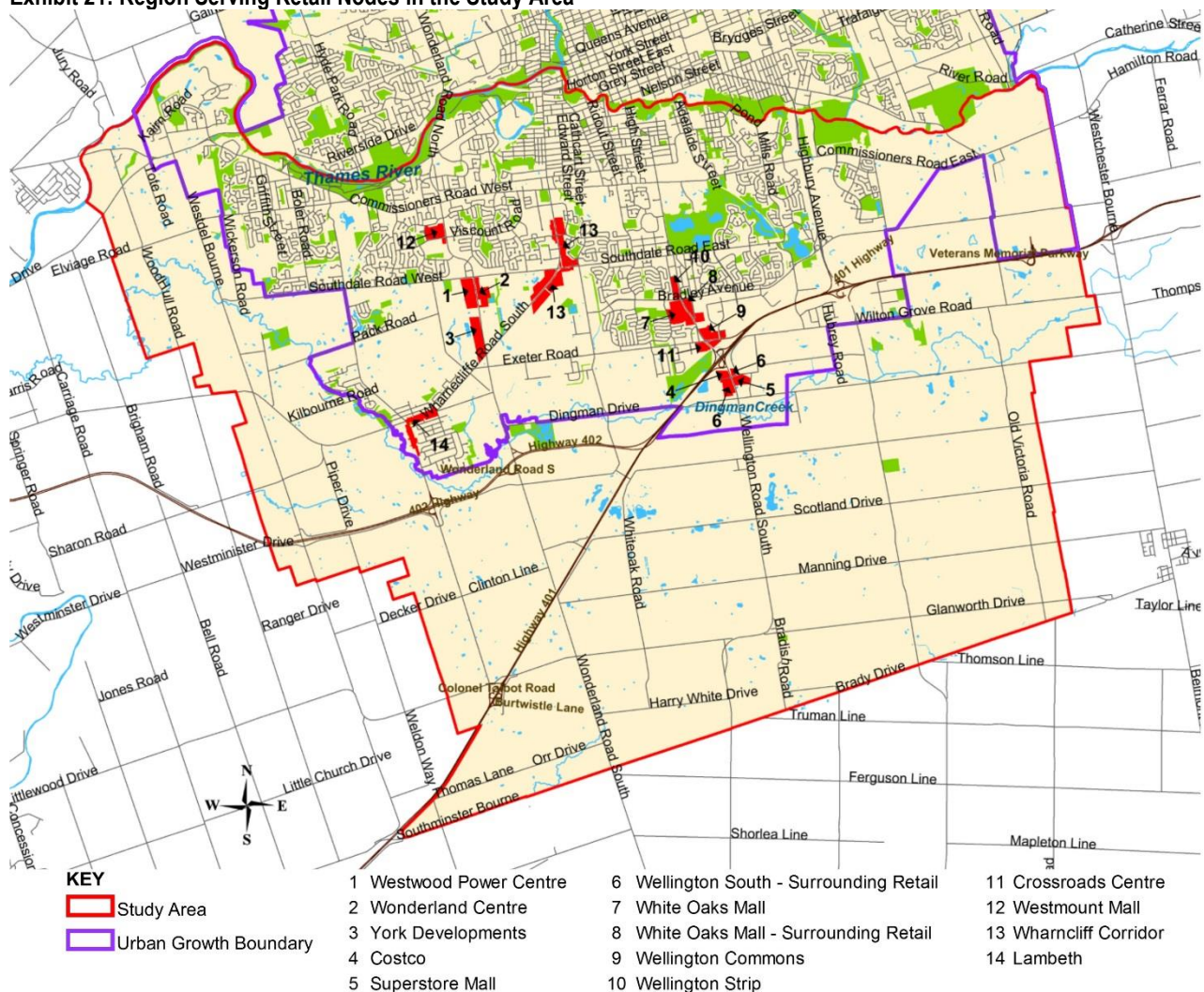
## 5.4 Region Serving Retail

### 5.4.1 Existing Region Serving Retail

There is an estimated 3,800,579 square feet of region serving retail and service floorspace in the study area.<sup>4</sup>

- The location of major region serving retail destinations is summarized in Exhibit 21. These locations can be grouped into six nodes which are summarized in Section 5.4.2.
- Region serving destinations in the study area typically include some local serving space. There is 930,852 square feet of local serving retail space at region serving locations (20% of total floorspace)<sup>5</sup> in the study area.
- Details regarding type of retail, vacancy, size of node and anchor tenants are summarized in Exhibit 21.

**Exhibit 21: Region Serving Retail Nodes in the Study Area**



Source: Coriolis Consulting Corp.

<sup>4</sup> As of October 2017.

<sup>5</sup> Total region and local serving floorspace at region serving locations is 4,731,431 square feet (Exhibit 22).



## 5.4.2 Summary of Regional Nodes

A summary of each retail node is outlined below with details provided in Exhibit 21:

- **The Enterprise Corridor** (Locations 1 to 3): The Westwood Power Centre and Wonderland Centre are located in the Enterprise Corridor and are the most recently built region serving retail destinations in South London. Both destinations are in centralized locations with a good tenant mix and very low vacancy. The Westwood Power Centre includes popular 'discount department store retailers' including Winners, Marshalls, and Home Sense, and an Ikea Pick Up Point which is currently the only Ikea outlet in London. There is a wide range of anchor tenants and a mix of regional and local oriented retail at the two locations.
- **Wellington South** (Locations 4 to 6): Wellington South includes the Costco, Superstore Mall and surrounding pad retail and has service, auto repair and wholesale home furnishings uses. The Superstore Mall has high vacancy and is underutilised, and is operating without its anchor tenant, Superstore. Retail surrounding the Costco and Mall is also underutilised, with an adjacent strip mall occupied by a large fitness centre and a Value Village.
- **Wellington Strip** (Locations 7 to 12): The Wellington Strip includes several retail locations along Wellington Road between Southdale Road and Exeter Road. There are different regional formats along this corridor, including large strip plazas (Montgomery Gate, Century Centre and Wellington Southdale Plaza), an enclosed mall (White Oaks), factory outlets (Crossroads Centre and Wellington Commons), and stand alone big box retailers. Successful retail destinations include Century Centre and White Oaks, which have low vacancy, high quality design and a good mix of tenants. Crossroads Centre and Wellington Southdale Plaza are less successful, with high vacancy, underutilised space, temporary signage and a lower quality mix of tenants. Wellington Commons is moderately successful with a good mix of name brand tenants but some vacancy and temporary signage.
- **Westmount Shopping Centre** (Location 13): Westmount Shopping Centre is one of the older regional retail destinations in London. It is an enclosed mall and has struggled with losing tenants and high vacancy since the early 2000's. The operators have converted the second floor to office space. The shopping centre lost its major grocery store anchor (Metro) in 2012 and will soon lose a second anchor, (Sears) which filed for bankruptcy in 2017.
- **Wharnccliffe Corridor** (Location 14): Wharnccliffe Corridor includes large big box retailers and auto dealerships from Wonderland Road to Ferndale Road. Non-auto related retailers are predominantly focused on home furnishing, building and outdoor home supply and appliance uses. The corridor offers both national and regional tenants including Leon's, Tepperman's, The Brick, TSC, Bad Boy, Rocking Chair Furniture, Goeman's Appliance, London Flooring Canadian, Wharnccliffe Home Hardware, Sears and Lazy Boy. There is low vacancy along the corridor and a good mix of tenants.
- **Lambeth** (Location 15): Lambeth includes some regional home furnishing and appliance businesses, similar to the Wharnccliffe Corridor node. There are also some building and outdoor home supply stores in the area.

**Other** – There are other regional retail locations distributed throughout the study area. This includes the retail showroom portion of industrial users primarily located in industrial areas along Dingman Drive, such as Olympia Tile and Stone, Cardinal Cabinetry, JW Table and Chair, Burlington and Griffith Flooring. There are also some regional users along Commissioners Road West. Also included is regional space located at

Summerside Shopping Centre which was formerly occupied by Rona and at Pond Mills Square which was formerly occupied by Zellers. Both locations are now vacant.

Exhibit 22 summarizes details about regional retail locations in the study area. Further details can be found in Appendix 3.

#### Exhibit 22: Existing Region Serving Retail Nodes

Map	Node	Centre	Centre Type	Vacancy	Area SF	Region Serving SF	Local Serving SF	Anchor Tenants	Quality of Location
1	Enterprise Corridor	Westwood Power Centre	Regional Power Centre	Low	501,800	424,400	77,400	Toys R Us, Babies R Us, Home Depot, Winners, Linen Chest, Marshalls	Recently built, well designed, modern, branded retail pads, good circulation, ample parking
2		Wonderland Centre	Regional Power Centre	Low	458,600	265,200	193,400	Staples, LCBO, Loblaws, Michaels, Ikea Pick Up Point	New Power Centre, well designed, modern, branded retail pads, good circulation, ample parking
3		Lowe's	Regional Power Centre	Low	141,081	141,081	0	Lowe's	New Power Centre, only Lowe's has been developed to date
4	Wellington South	Costco	Regional Power Centre	Low	136,900	136,900	0	Costco	Older enclosed building
5		Superstore Mall	Large Strip Mall	High	261,300	211,300	50,000	Hockey World, McDonalds, Subway, Drive Test London	Older regional mall, anchor tenant (formerly Superstore) is vacant, three large retail outlets are vacant, temporary signage on existing tenants
6		Surrounding Retail	Pad Retail & Strip Malls	Low	162,700	76,500	86,200	Carpet One, Sleep Factory, Value Village, Wellington Fitness, Trek Bicycle Store	Older pad retail, mix of medium and lower quality tenants, underutilised
7	Wellington Strip	White Oaks Mall	Regional Enclosed Shopping Centre	Low	698,500	628,650	69,850	Hudson's Bay, Walmart, Sport Chek, Dollarama	High quality, recently renovated, good mix of tenants, minimal vacancy
8		White Oaks Mall - Surrounding Retail	Strip Mall and Pad Retail	Medium	216,800	183,800	33,000	Best Buy, Marks Work Warehouse, Canadian Tire, Jack Astors	Older strip mall, dated design, mix of medium and lower quality tenants
9		Wellington Commons	Factory Outlet Centre	Low	136,100	122,500	13,600	Home Outfitters, Sketchers, Additionelle	Medium quality, slightly dated, diverse tenants
10		Montgomery Gate & Century Centre	Strip Mall	Low	164,592	82,300	82,300	Chapters, Earls, Farmboy, The Beer Store, MEC	High quality, newer construction and higher quality tenants, mix of local and regional, some new pads

11		Wellington Southdale Plaza	Strip Mall and Pad Retail	Medium	87,000	33,000	54,000	Cinemark, Dollarama, Moxie's Grill, 2001 Audio	Older strip mall, dated design, mix of medium and low quality tenants, theatre appears underutilised
12		Crossroads Centre	Factory Outlet Centre	High	190,000	190,000	0	Winners, Big and Tall, Penningtons, Car Parts, Home Accent Plus	Older regional mall with high vacancy and lower tenant quality, several large retail outlets are vacant, signage on existing tenants is temporary
13	Westmount Mall	Westmount Mall	Enclosed Mall	High	437,500	307,900	129,600	Sears, Cineplex	Older enclosed mall, second floor is almost entirely used as office space, underutilised or vacant retail spaces
14	Wharnccliffe Corridor	Wharnccliffe and Southdale	Big Box	Low	432,400	432,400	0	Leon's, Tepperman's, The Brick, TSC, Bad Boy, Rocking Chair Furniture, Sears, Lazy Boy, Factory Shoe	Auto-oriented, large pad big box retailers, discontinuous development
15	Lambeth	Lambeth	Big Box	Low	192,800	51,300	141,500	Copp's Buildwall, Sacwall Flooring Centre	
16	Other	Other Regional	Retail/ Showroom	Medium	513,471	513,471	0	Winroc HI supplies, Simpson Furniture and Flooring, Olympia Tile and Stone, Cardinal Cabinetry, JW Table and Chair, Burlington and Griffith Flooring, Mattress Depot, NAPA	
					4,731,431	3,800,579	930,852		

### 5.4.3 Regional Retail Existing Conditions

We estimate regional vacancy in South London is around 10%, which is high but not unusual for a large and growing trade area. However, vacancy is concentrated in specific locations, with some locations having close to 0% vacancy and others having 20% to 50% vacancy. These high vacancy locations include Superstore Mall, Crossroads Centre, Westmount Mall and two locations which are not on the list of regional destinations, Pond Mills Square and Summerside Shopping Centre. Other locations have a moderate amount of vacancy and some underutilisation of space. (Wellington Southdale Plaza and Wellington Commons). Some locations remain successful in the face of increasing competition and new types of retail formats, including White Oaks Mall and Century Centre. These locations have recently invested money into renovations to update facilities.

Retail destinations in the factory outlet format such as Crossroads Centre and Wellington Commons appear to be struggling with high vacancy, tenant turnover, and underutilised space. The introduction of discount department store retailers in the Enterprise Corridor may have contributed to this given the similar format and tenant mix. Large strip malls along Wellington Road are successful in some cases (Century Centre) and less successful in others (Wellington Southdale Plaza).

Summerside Shopping Centre and Pond Mills Square are local oriented retail locations but have notable region oriented vacant space. These vacancies are not necessarily due to lack of market demand.

There was a period of time when Summerside Shopping Centre was the focus of interest from regional tenants and developers. Tenants interested in the area included a Wal-Mart (215,000 square feet) a large Loblaws (178,000 square feet), and a Rona which tenanted a large stand-alone building at the Summerside Shopping Centre. However, the area is designated *Community Shopping Area* and is not a strong candidate for a regional development. The Loblaws and Wal-Mart were never built, and the site occupied by Rona is now vacant.

Pond Mills Square once operated as an enclosed mall, but has been converted to a neighbourhood shopping centre anchored by a No Frills grocery store. Some retail space within the mall has been converted to office space and pad retail formerly tenanted by Zellers has been vacant for several years. High vacancy at Pond Mills Square is representative of trends across Canada which has seen enclosed suburban community shopping centres decline in popularity. The high occupancy costs associated with common area maintenance is not affordable to many neighbourhood scale businesses. In addition, businesses in enclosed malls are often not visible to passing customers and many neighbourhood scale businesses prefer to locate at grade level strip malls.

In addition, some of the key types of anchor businesses (i.e. Zellers, Wal-Mart) that used to locate at a community shopping centre now elect to focus stores in regional shopping areas.

It is unlikely regional tenants would be attracted to these locations going forward.

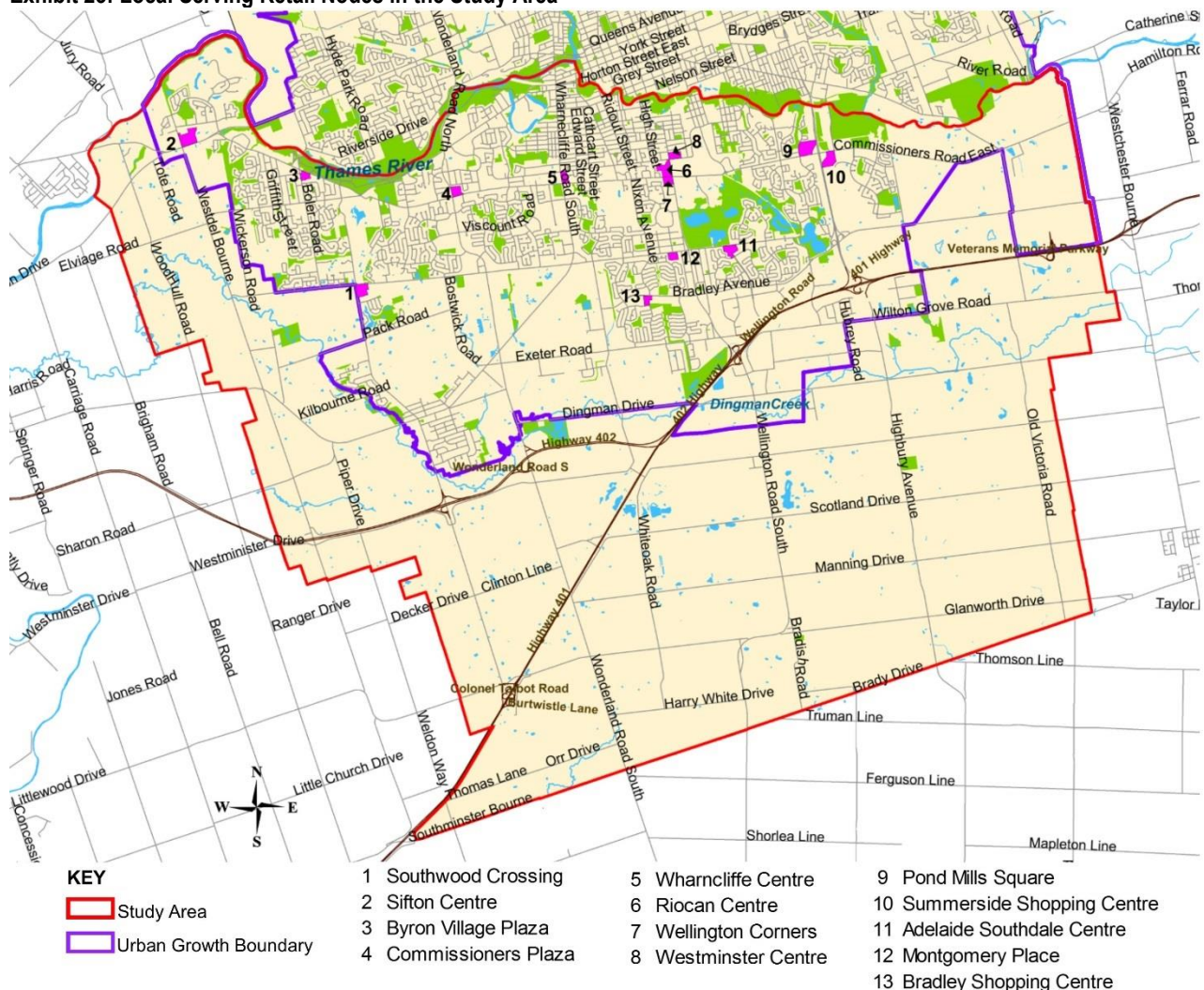
## 5.5 Local Serving Retail

### 5.5.1 Existing Local Serving Retail Nodes

There is an estimated 3,907,527 square feet of local serving retail and service floorspace in the study area.<sup>6</sup>

- Local serving retail space in neighbourhood centres is shown in Exhibit 23. There is a total of 1,116,069 square feet of retail at these locations.
- Local serving retail at region serving locations totals 930,852 square feet (see Section 5.4).
- There is an additional 1,860,606 square feet of local serving retail and service space distributed across the study area. This is concentrated along main commercial corridors, including Commissioners Road, Wellington Road and Wonderland Road north of Southdale Road West.

**Exhibit 23: Local Serving Retail Nodes in the Study Area**



Source: Coriolis Consulting Corp

<sup>6</sup> As of October 2017.



**Exhibit 24: Existing Local Serving Retail Nodes**

Map	Centre	Designation	Area SF (GLA)	Tenants	Vacancy	Quality of Location
1	Southwood Crossing	CCN	132,600	Shoppers, Good Life Fitness, No Frills	Low	High - newly built, high quality construction, good tenant mix
2	Sifton Centre	CCN	20,006	Currently leasing	n/a	High - newly built, ground floor retail in mixed use building
3	Byron Village Plaza	NFCN	81,000	Metro, LCBO, Shopper's Drug Mart	Low	Medium - older building, good tenant mix
4	Commissioner's Plaza	CCN	101,400	Food Basics	Low	Medium - older building, good tenant mix
5	Wharnccliffe Centre	AOCC	59,700	No Frills	Low	Medium - older building, good tenant mix
6	Riocan Centre	CCN	129,400	Metro, Dollarama	Low	High - newly built, high quality construction, good tenant mix
7	Wellington Corners	CCN	83,100	FreshCo, Shoppers Drug Mart	Low	High - newly built, high quality construction, good tenant mix
8	Westminster Plaza	CCN	92,586	Staples	Low	Medium - older buildings, poor tenant mix
9	Pond Mills Square	CCN	153,400	Food Basics	High	Low - older buildings, poor design and poor tenant mix
10	Summerside Shopping Centre	CCN	36,877	Swiss Chalet, Bank of Montreal	High	Medium - newly built, poor tenant mix
11	Adelaide Southdale Centre	NCN	66,300	Food Basics	Low	Medium - older building, good tenant mix
12	Montgomery Place	AOCC	104,000	Giant Tiger, No Frills	Medium	Medium - older building, good tenant mix
13	Bradley Shopping Centre	NCN	55,700	No Frills	Low	Medium - older building, good tenant mix
	Sub-total		1,116,069			

Source: Coriolis Consulting Corp., Kircher Report

Exhibit 25 summarizes the total amount of local serving retail and service floorspace in the study area. There is some local serving office space included in the total.

**Exhibit 25: Local Serving Retail Floorspace in Study Area**

	Total Floorspace
Neighbourhood Commercial Centres	1,116,069
Local Serving Retail at Region Serving Locations	930,852
Other Local Serving Retail and Service Floorspace	1,860,606
<b>Total</b>	<b>3,907,527</b>

Source: Coriolis Consulting Corp., Kircher Report

## 5.5.2 Existing Conditions

We estimate local serving retail vacancy is about 10%. This is distributed more evenly throughout the study area than it is at region serving locations. However, local serving retail areas with high vacancy include strip malls along Commissioners Road to the west of Pond Mills Square and strip malls near the intersection of Wellington Road and Southdale Road East.

## 5.6 Total Existing Supply

Exhibit 26 summarizes existing region and local serving retail floorspace in the study area. There is a total of 7,708,106 square feet of retail space in the study area, including 3,800,579 square feet of region serving floorspace and 3,907,527 square feet of local serving floorspace.

**Exhibit 26: Existing Total Regional and Local Serving Retail Floorspace in Study Area**

	Regional	Local	Total
Nodes	3,287,108	1,116,069	4,403,177
Other	513,471	2,791,458	3,304,929
<b>Total</b>	<b>3,800,579</b>	<b>3,907,527</b>	<b>7,708,106</b>

Source: Coriolis Consulting Corp., Kircher Report

Exhibit 27 summarizes occupied region and local serving retail floorspace in the study area. At 10% vacancy, we estimate there is a total of 3,420,521 square feet of occupied region serving floorspace and 3,516,774 square feet of local serving floorspace.

**Exhibit 27: Estimated Occupied Regional and Local Retail Floorspace in Study Area**

	Regional	Local	Total
Total Floorspace	3,800,579	3,907,527	7,708,106
Other	10%	10%	10%
Vacant Floorspace	380,057	390,752	770,809
<b>Occupied Floorspace</b>	<b>3,420,521</b>	<b>3,516,774</b>	<b>6,937,296</b>

Source: Coriolis Consulting Corp., Kircher Report

## 6.0 Potential Capacity for Retail and Service Space in the Study Area

The section summarizes potential retail supply and capacity in the study area including:

1. Approved site plan projects.<sup>7</sup>
2. Approved rezonings.
3. Pending applications.
4. Vacant designated land.
5. Potential expansions at existing sites.

We use the inventory provided in the Kircher Report, updated with changes to the retail inventory since the report was published in October 2016.

### 6.1 Approved Projects

Exhibit 28 summarizes site plans with a retail component approved in the study area since the Kircher Report was published. Projects include the retail portion of mixed use developments, restaurant and service space, and region serving retail space. In total, there is 81,650 square feet of retail space in approved site plans, of which 33,341 square feet is region serving and 48,309 square feet is local serving. Only one site plan is located in the Enterprise Corridor at 3405 Wonderland Road.

**Exhibit 28: Approved Site Plans in Study Area**

Site Plan Number	Address	Application Date	Description	Area (SF)
SPA16-102	4333 Colonel Talbot Rd	24/11/2016	Addition of two new storage buildings to existing retail	20,575
SPA17-041	1295 Riverbend Rd	25/05/2017	Office, retail and commercial development	30,278
SPA17-006	623 Wellington Rd	31/01/2017	Auto service shop	5,339
SPA17-020	4166 Scotland Drive	27/03/2017	Farm equipment sales and service	12,766
SPA17-070	3405 Wonderland Rd	02/08/2017	Tim Hortons	2,831
SPA17-080	2140 Kains Rd	17/08/2017	Retail, medical, dental, personal service, restaurant	9,860
<b>Total</b>				<b>81,650</b>

Source: City of London

Exhibit 29 summarizes projects with approved rezonings in the study area. Three of these rezonings are located in the Enterprise Corridor and one is in located in Wellington South. The location of each rezoning is shown in Exhibits 30 and 31.

**Exhibit 29: Approved Rezoning in Study Area**

Map	Address	Designation	Developer	Parcel Size (SF)	Proposed GFA (SF)	Estimated GLA (SF)	Built GLA (SF)	Remaining GLA (SF)	Proposed Coverage
12*	3313 - 3405 Wonderland Rd.	Enterprise	York Developments	2,148,180	639,580	575,622	165,550	410,072	27.64%
13	3680 Wonderland Rd.	Enterprise	Westbury	1,511,598	50,590	45,531		45,531	3.35%
14	51 - 99 Exeter Rd.	Enterprise	Greenhills	2,391,733	199,843	179,858		179,858	8.36%
16	3130 - 3260 Dingman Dr.	NFRCN	Pen Equity	3,514,184	828,820	745,938	136,900	609,038	23.58%
					<b>1,531,930</b>	<b>1,378,736</b>		<b>1,244,499</b>	

Source: City of London \*Site plan shows remaining permitted area after construction of Lowe's and other projects past site plan stage.

<sup>7</sup> Building permits which have been approved since the October 2016 Kircher Retail Market Study was published are included in the existing supply inventory.

The development at Site 12 excludes the Lowe's (141,081 sf) which has already been constructed and three other retail stores (24,469 sf) which have approved building permits or site plans.

Site 13 and 14 include site-specific rezonings allocated under the cap.

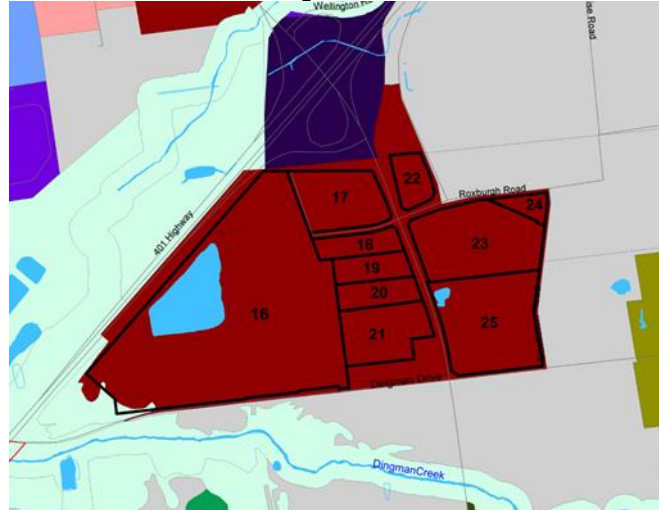
The development at Site 16 located at 3130/3260 Dingman Drive includes the Ikea (236,805 sf) and a new Costco (150,694 sf), which will be redeveloped from the existing Costco (136,900 sf). The net new retail which is approved on site is 609,038 square feet.

There is 1,244,499 square feet of retail potential in approved rezonings, all of which is region serving.

**Exhibit 30: Parcels in Enterprise Corridor**

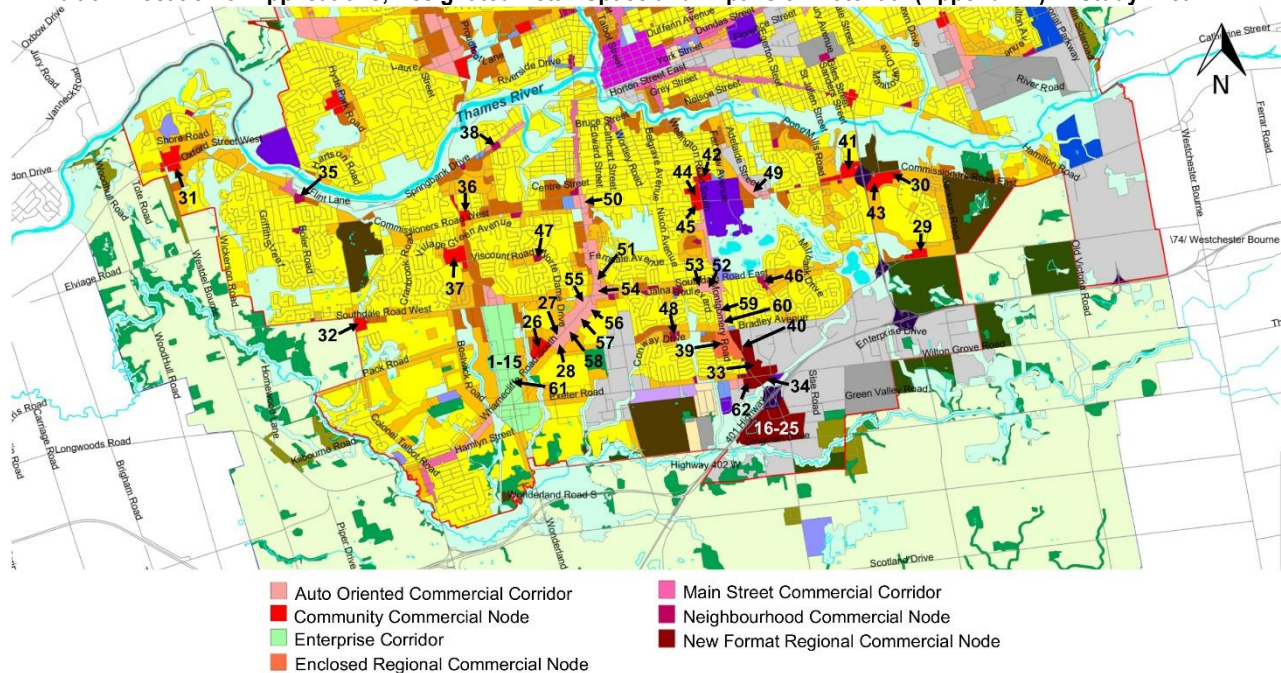


**Exhibit 31: Parcels in Wellington South**



Source: Coriolis Consulting Corp.

**Exhibit 32: Location of Applications, Designated Retail Space and Expansion Potential (Appendix 4) in Study Area**



Source: City of London Official Plan

## 6.2 Applications

Applications 11 and 13 are for retail development within the Enterprise Corridor and are not currently permitted under the cap. Application 31 is for local oriented retail in the River Bend community.

The location of each application is shown in Exhibits 30 to 32.

**Exhibit 33: Pending Applications in Study Area**

Map	Status	Address	Designation	Developer	Permitted Under Cap	Parcel Size (SF)	Proposed GFA (SF)	Estimated GLA (SF)	Proposed Coverage
11	Application Received – Not Permitted Under Cap	3234 - 3274 Wonderland Rd	Enterprise	Southside Construction Management Ltd	No	872,931	224,444	202,000	25.7%
13	Application Received – Portion of application not permitted under cap	3680 Wonderland Road	Enterprise	Westbury	No	2,391,733	102,233	92,010	6.09%
31	Application Received/ Pending	1826 Oxford St W	CCN	Sifton - Riverbend South	Yes	467,619	135,117	121,605	26.01%
							<b>461,794</b>	<b>415,615</b>	

Source: City of London

There is 415,615 square feet of retail space in pending applications. This includes 294,010 square feet at region serving locations and 121,605 square feet at local serving locations.

## 6.3 Designated

Vacant sites which do not have applications and are designated for retail development are summarized in Exhibit 34. Sites 13, 14, 15 are located within the Enterprise Corridor. Site 25 is located in the Wellington South commercial node. Sites 26 to 28 are located along the Wharncliffe Corridor. A portion of Site 26 was recently rezoned to allow for development of a seniors housing facility. Site 29 and 30 are located in community commercial nodes. The location of each site is shown in Exhibits 30 to 32.

**Exhibit 34: Vacant Designated Retail in Study Area**

Map	Status	Address	Designation	Permitted Under Cap	Parcel (SF)	Potential GFA (SF)	Potential GLA (SF)
13	Remaining Site	3680 Wonderland Road	Enterprise	No	2,391,733	300,656	270,590
14	Remaining Site	51 - 99 Exeter Road	Enterprise	No	3,514,184	517,678	465,910
15	Designated - No Application	17 Exeter Road	Enterprise	No	1,077,230	323,169	290,852
25	Designated - No Application	4441 Wellington Road South	NFRCN	Yes	907,803	272,341	245,107
26	Designated - No Application	3480 Morgan Avenue	CCN	Yes	880,487	264,146	237,731
27	Designated - No Application	146 Exeter Road	AOCC	Yes	463,091	138,927	125,035
28	Designated - No Application	1265 - 1229 Wharncliffe Rd	AOCC	Yes	210,035	63,011	56,710
29	Designated - No Application	1690 Bradley Avenue	CCN	Yes	692,355	207,707	186,936
30	Designated - No Application	1335 Commissioner's Rd E	CCN	Yes	600,112	180,034	162,030
						<b>2,267,669</b>	<b>2,040,901</b>

Source: City of London

There is 2,040,901 square feet of retail space on vacant designated sites. This includes 1,454,203 square feet in region serving locations and 586,698 square feet in local serving locations.



## 6.4 Expansion Potential at Existing Projects

There is 978,618 square feet of expansion potential at existing retail locations which have less than 30% site coverage.<sup>8</sup> This includes 651,322 square feet at region serving sites and 327,296 square feet at local serving sites. Details regarding expansion potential at each site are shown in Appendix 4.

We do not include expansion potential in our long term development scenarios contained in Section 8 and 9. There are no applications to expand these sites and expanding the existing amount of retail on a site can negatively impact the existing businesses at the property by reducing available parking, impacting the visibility of tenants or by requiring businesses to close during renovations. We would expect property owners to expand their existing retail buildings if vacancy rates were very low in a given area. However, vacancy in South London is relatively high so we would expect any supply generated through expansions at existing retail projects to be minor. However, excluding this capacity means we may have underestimated the total capacity for additional retail space.

## 6.5 Total Potential Retail Capacity

Exhibit 35 summarizes the existing supply and potential capacity for region and local serving retail floorspace in the study area. This includes approved, pending and designated capacity inside and outside the Enterprise Corridor. Floorspace permitted under the cap includes the existing 830,681 square feet in the Enterprise Corridor and the 638,292 square feet in approved applications. The remaining potential floorspace in the Enterprise Corridor (highlighted) is not permitted under the cap.

There is additional retail potential totalling 3,782,663 square feet in the study area. Of this, 20% (753,780 square feet) is potential local serving floorspace and 80% (3,028,884 square feet) is potential region serving floorspace.

**Exhibit 35: Existing Retail Supply and Potential Capacity for Regional and Local Retail Space in Study Area**

	Regional	Local	Total
<b><u>Existing Retail Supply</u></b>			
Enterprise Corridor	830,681	270,800	1,101,481
Outside Enterprise Corridor	2,969,898	3,636,727	6,606,625
<b>Existing Built</b>	<b>3,800,579</b>	<b>3,907,527</b>	<b>7,708,106</b>
<b><u>Additional Retail Capacity</u></b>			
<b>Approved Applications</b>	<b>1,280,671</b>	<b>45,477</b>	<b>1,326,148</b>
Enterprise Corridor	638,292	45,477	683,769
Outside Enterprise Corridor	642,379	-	642,379
<b>Pending Applications</b>	<b>294,010</b>	<b>121,605</b>	<b>415,615</b>
<b>Enterprise Corridor</b>	<b>294,010</b>	-	-
Outside Enterprise Corridor	-	121,605	-
<b>Designated</b>	<b>1,454,203</b>	<b>586,698</b>	<b>2,040,901</b>
<b>Enterprise Corridor</b>	<b>1,027,352</b>	-	-
Outside Enterprise Corridor	426,851	586,698	-
<b>Additional Retail Potential</b>	<b>3,028,884</b>	<b>753,780</b>	<b>3,782,663</b>

Source: Coriolis Consulting Corp.

<sup>8</sup> Typical site coverage permitted for commercial areas is 30%.

Exhibit 36 shows total retail capacity in the Enterprise Corridor and study area with and without the cap in place. There is potential for 2.5 million square feet with the cap in place and 3.8 million square feet with the cap removed (GLA). There is an additional 1.3 million square feet of retail floorspace potential if the cap is removed.

**Exhibit 36: Total Additional Capacity for Regional and Local Retail Space in Study Area**

	<b>Total Enterprise Corridor Additional Capacity</b>	<b>Total Study Area Additional Capacity</b>
<i>Total Capacity with Cap in Place</i>	683,769	2,461,302
<i>Total Capacity with Cap Removed</i>	2,005,131	3,782,664
<b>Difference</b>	<b>1,321,362</b>	<b>1,321,362</b>

Source: Coriolis Consulting Corp.

## 7.0 Potential Retail and Service Space Demand in the Study Area

### 7.1 Approach

To project retail and service floorspace demand in the study area, we:

1. Estimate the supportable retail and service space per capita of residents in the trade area. This is based on:
  - The actual amount of total retail and service floorspace per capita in South London.
  - The estimated supportable floorspace per capita based on retail and service expenditures per capita.
  - The actual amount of total retail and service floorspace per capita in Canadian Census Metropolitan Areas (CMA's) for which we have data.
  - Factors affecting the supportable floorspace per capita including e-commerce spending and the introduction of new store categories.
2. Estimate the share of supportable retail and service space per capita in the primary and secondary trade area which is likely to be captured in the study area.
3. Apply the floorspace per capita captured in the study area to the existing and projected population in the primary and secondary trade area.
4. Estimate inflow spending.

### 7.2 Indicators of Supportable Retail and Service Floorspace Per Capita

#### 7.2.1 Existing Floorspace Per Capita in City of London

To estimate actual floorspace per capita in the study area, we use our detailed inventory of retail floorspace in South London and the 2017 population for South London. We separate our inventory into region serving and local serving floorspace which allows us to calculate existing region and local serving floorspace per capita.

**Exhibit 37: Existing Floorspace per Capita in Study Area**

	Total Floorspace (SF)	Occupied Floorspace (SF)	Population (2017)	Occupied Floorspace Per Study Area Resident (SF)
Regional	3,800,579	3,420,522	163,500	20.9
Local	3,907,527	3,516,774	163,500	21.5
Total	7,708,106	6,937,296	163,500	42.4

Source: Coriolis Consulting Corp.

Exhibit 37 indicates there is 20.9 square feet of region serving space per capita and 21.5 square feet of local serving space per capita in the study area, for a total of 42.4 square feet. This includes floorspace supported by residents of the primary trade area, secondary trade area, and inflow retail spending.

## 7.2.2 Floorspace Per Capita Based on Expenditure Analysis

We estimated the total amount of supportable retail and service space per capita based on retail and service spending per capita (Ontario data) to help gauge the amount of retail and service floorspace per capita that would be expected based on total spending by trade area residents.

Based on the most recent 12 months of retail expenditure data available from Statistics Canada<sup>9</sup> and available information about spending on services, we estimate that, on average, each resident of the trade area<sup>10</sup> spends about \$9,710 per year on retail merchandise (excluding automobiles, service stations and related goods<sup>11</sup>). This includes per capita annual expenditures of:

- \$520 at Furniture and Home Furnishing Stores.
- \$520 at Electronics and Appliance Stores.
- \$920 at Building Material and Garden Equipment Stores.
- \$3,080 at Food and Beverage Stores.
- \$1,230 at Health and Personal Care Stores.
- \$990 at Clothing and Clothing Accessory Stores.
- \$515 at Sporting Goods, Hobby, Book and Music Stores.
- \$2,480 at General Merchandise Stores.
- \$450 at Miscellaneous Store Retailers.

In addition to retail expenditures, residents spend at least \$2,310 per year on services that occupy grade level commercial space (e.g., restaurants, bars, salons, cafes, spas, drycleaning etc.). Therefore, total retail and service spending by trade area residents was about \$12,020 per capita from October 2016 to September 2017.

Exhibit 38 calculates supportable retail and service space per resident by dividing total expenditures per resident by the estimated sales per square foot at stores in each retail category.

Average sales per square foot differs by retail category. Most retail and service businesses typically achieve sales in the \$250 to \$600 per square foot per year range (sales at new stores can be much higher while older stores or marginal locations usually generate lower sales). However, for some specialty stores, average sales per square foot is higher. We have used sales per square foot assumptions near the upper end of the range that is typical for each category so our estimated supportable square foot per resident is conservative.<sup>12</sup>

<sup>9</sup> Most recent retail expenditure available from October 2016 to September 2017.

<sup>10</sup> We did not adjust per capita expenditure despite trade area residents having a lower than average median household income than the Ontario average due to the inelasticity of retail demand.

<sup>11</sup> Automobile sales and related spending is excluded from this analysis because businesses in this category account for a very higher share of total retail spending (in every city), but occupy an extremely small share of total retail space. This analysis examines the amount of retail floorspace that is supportable based on resident spending. By excluding retail spending at automobile dealers and related businesses, our analysis provides a better indication of supportable retail space.

<sup>12</sup> Where possible we used sales per square foot estimates used in the Kircher report.

**Exhibit 38: Supportable Retail Space per Capita**

	Annual Ontario Retail Expenditure (000's)	Annual Per Capita Expenditure 2016 - 2017	Sales PSF	Supportable Retail Space Per Capita (SF)
Furniture and home furnishings stores	\$7,213,221			
Furniture stores	\$4,446,231	\$320	\$300	1.1
Home furnishings stores	\$2,766,992	\$200	\$250	0.8
Electronics and appliance stores	\$7,326,539	\$520	\$400	1.3
Building material and garden equipment stores	\$12,830,991	\$920	\$325	2.8
Food and beverage stores	\$42,966,479			
Supermarkets and other grocery stores	\$28,629,220	\$2,050	\$550	3.7
Convenience stores	\$2,495,854	\$180	\$275	0.7
Specialty food stores	\$2,920,555	\$210	\$275	0.8
Beer, wine and liquor stores	\$8,920,848	\$640	\$1,000	0.6
Health and personal care stores	\$17,134,574	\$1,230	\$600	2.1
Clothing and clothing accessories stores	\$13,833,659			
Clothing stores	\$10,420,824	\$750	\$300	2.5
Shoe stores	\$1,861,151	\$130	\$300	0.4
Jewellery, luggage and leather goods stores	\$1,551,682	\$110	\$400	0.3
Sporting goods, hobby, book and music stores	\$4,278,938	\$310	\$300	1.0
General merchandise stores	\$24,482,511	\$1,750	\$200	8.8
Miscellaneous store retailers	\$5,491,877	\$390	\$300	1.3
<b>Total</b>		<b>\$9,710</b>		<b>28.1</b>

\*Annual expenditure data from October 2016 to September 2017

Applying typical sales per square foot to the annual retail expenditures per capita by category, indicates that the average resident supports 28.1 square feet of retail space per capita (plus automobile related space). We estimate 17.1 square feet of this space is region serving and 11.0 square feet is local serving.

Supportable service space is local serving and includes restaurants, bars, medical services, dental services and other personal services. Exhibit 39 shows average sales per square foot applied to annual expenditures for services. This indicates that the average resident supports 8.3 square feet of service space.

**Exhibit 39: Supportable Service Space per Capita**

	Annual Household Expenditure*	Annual Per Capita Expenditure 2016 - 2017	Sales PSF	Supportable Service Space Per Capita (SF)
<b>Total</b>	\$5,317	\$2,188	\$300	8.3

\*Based on City of London Average Household Size of 2.4

Exhibit 40 shows the estimated supportable retail and service space per capita for local and region oriented space. Based on expenditure data, we estimate that each resident of the trade area supports 19.3 square feet of local serving space and about 17.1 square feet of region serving space. This excludes local oriented office space.

**Exhibit 40: Retail and Service Space Supported per Capita in the Trade Area**

	Supportable Regional Space Per Capita (SF)	Supportable Local Space Per Capita (SF)	Total Supportable Space per Capita (SF)
Total Retail Space per Capita	17.1	11.0	28.1
Total Service Space per Capita	-	8.3	8.3
Total Supportable Retail and Service Space per Capita	17.1	19.3	36.4

Source: Coriolis Consulting Corp.

The study area will capture a large share of the supportable space per capita from primary trade area residents and a smaller share of the supportable space per capita from secondary trade area residents.



## 7.2.3 Floorspace Per Capita in Canadian Cities

### Retail and Service Space

In addition to our detailed inventory of retail and service space in the study area, we have detailed inventory of the total amount of retail and service space in other Canadian Cities.

There is about 44 to 45 square feet of retail and service space per capita in the CMAs of Vancouver and Edmonton. The overall space per capita in these cities can be divided between major regional shopping locations and local/neighbourhood shopping locations as shown in Exhibit 41.

**Exhibit 41: Retail Floorspace per Capita by Type of Space in Canadian Cities**

	Vancouver CMA	Edmonton
Local-oriented Retail and Service Space Per Capita	20 sf	21 sf
Regional, Subregional, Specialized Retail and Service Space per Capita	24 sf	24 sf
Total Retail and Service Space per Capita	44 sf	45 sf

Source: Coriolis Consulting Corp.

### Local Oriented Office

In addition to local oriented retail businesses, some local oriented office space locates in community and neighbourhood commercial areas. This includes businesses that provide services to local residents, such as medical and dental offices, realtors, insurance agencies, financial services businesses, and notaries or local law firms.

The scale of office demand from these local oriented users is dependent on local population growth. Based on information that we have collected from communities, there is typically about 8 square feet of local oriented office space per resident. Only a portion of this is captured in community and neighbourhood commercial areas.

## 7.3 Factors Affecting Future Supportable Floorspace per Capita in the Study Area

In this section, we review factors affecting supportable floorspace per capita to project future supportable floorspace per capita in the trade area.

### 7.3.1 Trends

Exhibit 42 summarizes historic trends in retail expenditures per capita in Ontario between 2004 and 2016. The total increase in expenditures before adjusting for inflation is shown in the final column. Over this period, retail expenditures increased from \$10,405 per capita to \$14,470 per capita, or 39%.<sup>13</sup>

**Exhibit 42: Trends in Retail Expenditures Per Capita in Ontario**

	Actual Expenditures													% Increase in Expenditures (not adjusted)
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
<b>Total Retail Expenditures</b>	<b>\$10,405</b>	<b>10,786</b>	<b>11,104</b>	<b>11,437</b>	<b>11,775</b>	<b>11,395</b>	<b>11,898</b>	<b>12,203</b>	<b>12,286</b>	<b>12,492</b>	<b>13,092</b>	<b>13,698</b>	<b>\$14,470</b>	<b>39%</b>
<b>Furniture and home furnishings stores</b>	<b>\$415</b>	<b>\$412</b>	<b>\$437</b>	<b>\$461</b>	<b>\$454</b>	<b>\$417</b>	<b>\$432</b>	<b>\$424</b>	<b>\$418</b>	<b>\$413</b>	<b>\$427</b>	<b>\$460</b>	<b>\$484</b>	<b>17%</b>
<i>Furniture stores</i>	<i>\$252</i>	<i>\$252</i>	<i>\$267</i>	<i>\$278</i>	<i>\$286</i>	<i>\$272</i>	<i>\$274</i>	<i>\$262</i>	<i>\$257</i>	<i>\$258</i>	<i>\$266</i>	<i>\$281</i>	<i>\$299</i>	<i>19%</i>
<i>Home furnishings stores</i>	<i>\$163</i>	<i>\$160</i>	<i>\$170</i>	<i>\$183</i>	<i>\$168</i>	<i>\$145</i>	<i>\$158</i>	<i>\$162</i>	<i>\$161</i>	<i>\$155</i>	<i>\$161</i>	<i>\$179</i>	<i>\$185</i>	<i>14%</i>
<b>Electronics and appliance stores</b>	<b>\$349</b>	<b>\$365</b>	<b>\$383</b>	<b>\$412</b>	<b>\$438</b>	<b>\$429</b>	<b>\$456</b>	<b>\$469</b>	<b>\$447</b>	<b>\$429</b>	<b>\$451</b>	<b>\$456</b>	<b>\$476</b>	<b>36%</b>
<b>Building material and garden equipment and supplies dealers</b>	<b>\$600</b>	<b>\$635</b>	<b>\$665</b>	<b>\$689</b>	<b>\$706</b>	<b>\$732</b>	<b>\$757</b>	<b>\$725</b>	<b>\$696</b>	<b>\$728</b>	<b>\$748</b>	<b>\$793</b>	<b>\$820</b>	<b>37%</b>
<b>Food and beverage stores</b>	<b>\$2,384</b>	<b>\$2,440</b>	<b>\$2,452</b>	<b>\$2,526</b>	<b>\$2,657</b>	<b>\$2,740</b>	<b>\$2,778</b>	<b>\$2,773</b>	<b>\$2,817</b>	<b>\$2,832</b>	<b>\$2,874</b>	<b>\$2,975</b>	<b>\$3,032</b>	<b>27%</b>
<i>Supermarkets and other grocery (except convenience) stores</i>	<i>\$1,677</i>	<i>\$1,724</i>	<i>\$1,720</i>	<i>\$1,751</i>	<i>\$1,864</i>	<i>\$1,942</i>	<i>\$1,953</i>	<i>\$1,936</i>	<i>\$1,957</i>	<i>\$1,945</i>	<i>\$1,945</i>	<i>\$2,005</i>	<i>\$2,028</i>	<i>21%</i>
<i>Convenience stores</i>	<i>\$124</i>	<i>\$127</i>	<i>\$130</i>	<i>\$139</i>	<i>\$139</i>	<i>\$140</i>	<i>\$147</i>	<i>\$139</i>	<i>\$146</i>	<i>\$151</i>	<i>\$169</i>	<i>\$180</i>	<i>\$190</i>	<i>53%</i>
<i>Specialty food stores</i>	<i>\$91</i>	<i>\$93</i>	<i>\$101</i>	<i>\$117</i>	<i>\$126</i>	<i>\$132</i>	<i>\$135</i>	<i>\$143</i>	<i>\$151</i>	<i>\$164</i>	<i>\$180</i>	<i>\$189</i>	<i>\$191</i>	<i>109%</i>
<i>Beer, wine and liquor stores</i>	<i>\$492</i>	<i>\$496</i>	<i>\$500</i>	<i>\$519</i>	<i>\$527</i>	<i>\$525</i>	<i>\$543</i>	<i>\$554</i>	<i>\$564</i>	<i>\$572</i>	<i>\$580</i>	<i>\$601</i>	<i>\$622</i>	<i>27%</i>
<b>Health and personal care stores</b>	<b>\$739</b>	<b>\$769</b>	<b>\$826</b>	<b>\$868</b>	<b>\$891</b>	<b>\$895</b>	<b>\$933</b>	<b>\$968</b>	<b>\$955</b>	<b>\$973</b>	<b>\$1,012</b>	<b>\$1,041</b>	<b>\$1,159</b>	<b>57%</b>
<b>Clothing and clothing accessories stores</b>	<b>\$683</b>	<b>\$690</b>	<b>\$730</b>	<b>\$750</b>	<b>\$741</b>	<b>\$703</b>	<b>\$752</b>	<b>\$779</b>	<b>\$774</b>	<b>\$785</b>	<b>\$812</b>	<b>\$883</b>	<b>\$931</b>	<b>36%</b>
<i>Clothing stores</i>	<i>\$525</i>	<i>\$526</i>	<i>\$556</i>	<i>\$576</i>	<i>\$571</i>	<i>\$542</i>	<i>\$585</i>	<i>\$601</i>	<i>\$599</i>	<i>\$613</i>	<i>\$633</i>	<i>\$678</i>	<i>\$705</i>	<i>34%</i>
<i>Shoe stores</i>	<i>\$84</i>	<i>\$87</i>	<i>\$91</i>	<i>\$91</i>	<i>\$87</i>	<i>\$84</i>	<i>\$87</i>	<i>\$91</i>	<i>\$87</i>	<i>\$89</i>	<i>\$95</i>	<i>\$110</i>	<i>\$127</i>	<i>51%</i>
<i>Jewellery, luggage and leather goods stores</i>	<i>\$75</i>	<i>\$77</i>	<i>\$83</i>	<i>\$83</i>	<i>\$83</i>	<i>\$77</i>	<i>\$80</i>	<i>\$87</i>	<i>\$87</i>	<i>\$83</i>	<i>\$85</i>	<i>\$94</i>	<i>\$99</i>	<i>32%</i>
<b>Sporting goods, hobby, book and music stores</b>	<b>\$264</b>	<b>\$265</b>	<b>\$268</b>	<b>\$279</b>	<b>\$278</b>	<b>\$286</b>	<b>\$285</b>	<b>\$288</b>	<b>\$283</b>	<b>\$271</b>	<b>\$278</b>	<b>\$286</b>	<b>\$287</b>	<b>9%</b>
<b>General merchandise stores</b>	<b>\$1,362</b>	<b>\$1,389</b>	<b>\$1,438</b>	<b>\$1,448</b>	<b>\$1,492</b>	<b>\$1,489</b>	<b>\$1,567</b>	<b>\$1,611</b>	<b>\$1,634</b>	<b>\$1,655</b>	<b>\$1,727</b>	<b>\$1,733</b>	<b>\$1,695</b>	<b>24%</b>
<b>Miscellaneous store retailers</b>	<b>\$278</b>	<b>\$277</b>	<b>\$286</b>	<b>\$300</b>	<b>\$310</b>	<b>\$310</b>	<b>\$300</b>	<b>\$281</b>	<b>\$295</b>	<b>\$313</b>	<b>\$323</b>	<b>\$346</b>	<b>\$385</b>	<b>38%</b>

Source: Statistics Canada

Exhibit 43 summarizes historic in-store retail expenditure trends in Ontario between 2004 and 2016 after adjusting for inflation in consumer goods and services.<sup>14</sup> Overall, total in-store retail expenditure per person increased 13% between 2004 and 2016 after adjusting for inflation.

Categories which experienced a moderate increase in retail spending between 2004 and 2016 after adjusting for inflation include:

- General Merchandise Stores (2%);
- Beer, Wine and Liquor Store (3%);
- Jewelry Stores (8%);
- Clothing Stores (10%);
- Electronic and Appliance Stores (11%);
- Building Material and Garden Equipment (11%);
- Miscellaneous Store (13%)

<sup>13</sup> This includes automobile related expenditures.

<sup>14</sup> 23% CPI inflation between 2004 and 2016. Statistics Canada.

Categories which experienced a large increase in retail spending after adjusting for inflation include:

- Shoe Stores (23%);
- Convenience Stores (25%);
- Health and Personal Care Stores (28%);
- Specialty Food Stores (71%);

Categories which experienced a decline in retail spending after adjusting for inflation include:

- Supermarkets and Other Grocery Stores (-1%);
- Furniture Stores (-3%);
- Home Furnishings Stores (-7%);
- Sporting goods, hobby, book and music stores (-11%)

**Exhibit 43: Trends in Retail Expenditures in Stores Per Capita in Ontario – Inflation Adjusted**

	2004	2016	Real % Increase in Expenditures
Total Retail Expenditures	\$10,405	\$11,799	13%
<b>Furniture and home furnishings stores</b>	<b>\$415</b>	<b>\$395</b>	<b>-5%</b>
<i>Furniture stores</i>	\$252	\$244	-3%
<i>Home furnishings stores</i>	\$163	\$151	-7%
<b>Electronics and appliance stores</b>	<b>\$349</b>	<b>\$388</b>	<b>11%</b>
<b>Building material and Garden Equipment</b>	<b>\$600</b>	<b>\$668</b>	<b>11%</b>
<b>Food and beverage stores</b>	<b>\$2,384</b>	<b>\$2,472</b>	<b>4%</b>
<i>Supermarkets and Other Grocery</i>	\$1,677	\$1,654	-1%
<i>Convenience stores</i>	\$124	\$155	25%
<i>Specialty food stores</i>	\$91	\$156	71%
<i>Beer, wine and liquor stores</i>	\$492	\$507	3%
<b>Health and personal care stores</b>	<b>\$739</b>	<b>\$945</b>	<b>28%</b>
<b>Clothing and clothing accessories stores</b>	<b>\$683</b>	<b>\$759</b>	<b>11%</b>
<i>Clothing stores</i>	\$525	\$575	10%
<i>Shoe stores</i>	\$84	\$103	23%
<i>Jewellery, luggage and leather goods stores</i>	\$75	\$80	8%
<b>Sporting goods, hobby, book and music stores</b>	<b>\$264</b>	<b>\$234</b>	<b>-11%</b>
<b>General merchandise stores</b>	<b>\$1,362</b>	<b>\$1,382</b>	<b>2%</b>
<b>Miscellaneous store retailers</b>	<b>\$278</b>	<b>\$314</b>	<b>13%</b>

Source: Statistics Canada

Since supportable retail floorspace is a product of in-store retail expenditure, changes in expenditure will change the supportable floorspace per capita in a region. Different categories have different sales per square foot targets, so changes in expenditures will impact supportable floorspace differently depending on the category. For example, a \$1 million increase in retail expenditure in 'Beer, Wine and Liquor Stores' (\$1,000 per square foot sales target) will increase supportable floorspace less than a \$1 million increase in 'Furniture and Home Furnishings Stores' (\$300 per square foot sales target).

Referring to Exhibit 43, decreased spending within the 'Sporting Goods, Hobby, Book and Music Store', 'Furniture and Home Furnishings Stores' and 'Supermarket and Other Grocery' categories amounted to a decline of 0.3 square foot of supportable floorspace per capita between 2004 and 2016. Increased spending in other categories translated into an increase of 2.3 square feet of supportable floorspace per capita over the same period. The net impact on supportable floorspace over the 12 year period is an increase of 2.0

square feet which is supportable per resident, or an average increase of about 0.15 square feet per resident per year between 2004 and 2016.

### 7.3.2 E-Commerce

Exhibit 44 summarizes e-commerce sales as a share of total retail spending in 2016 and 2017. Statistics Canada began collecting monthly e-commerce expenditure data at the beginning of 2016 and data is available to September 2017, so we compare January to September expenditures for both years.<sup>15</sup>

In 2016, January to September e-commerce sales comprised 1.89% of total retail spending, or \$7.6 billion. In 2017, January to September e-commerce sales comprised 2.45% of total retail spending or \$10.6 billion. While e-commerce spending increased between 2016 and 2017, it continues to account for a small share of retail spending.

**Exhibit 44: E-Commerce Spending in Canada - 2016 - 2017**

	2016			2017		
	Total Retail Spending (000)	Retail E-Commerce Sales (000)	Retail E-Commerce as a share of Total	Total Retail Spending (000)	Retail E-Commerce Sales (000)	Retail E-Commerce as a share of total
Jan to Sept	403,884,108	7,621,575	1.89%	432,115,621	10,594,610	2.45%

Source: Statistics Canada

### 7.3.3 New Stores

There are some large retailers which do not exist in smaller markets, such as Ikea, Costco and department stores such as Hudson's Bay or Nordstrom. These stores have a large regional trade area and do not enter a market until a certain population threshold or expenditure potential is reached. The City of London has a large population so it already includes most of the existing roster of regional tenants. However, Ikea has one of the larger trade areas of any regional retailer, typically requiring about 1 million residents to enter a market. For example, there are two Ikeas in Metro Vancouver for about 2.5 million residents and one Ikea in Calgary for about 1.3 million residents. At 350,000 square feet per Ikea in Vancouver, this translates to 0.28 square feet per capita. The Ikea in Calgary which is 308,000 square feet translates into 0.24 square feet per capita.

To date, the City of London has only an Ikea Pick Up Point. As a result, the supportable floorspace for an Ikea store is currently exported to other markets or captured at this Pick Up Point. However, Ikea has an approved rezoning for a 236,805 square foot store at 3160/3620 Dingman Drive. Since the regional trade area is approaching 720,000 residents (including the City of London and Counties of Elgin, Oxford and Middlesex), the Ikea translates into about 0.3 square feet per capita of Ikea trade area resident. Once the Ikea finishes construction in 2019, we anticipate the study area will capture an additional 0.3 square feet per capita which was previously exported or captured through online sales.

### 7.3.4 Implications

Our review of historic trends shows supportable floorspace per capita increased by an average of about 0.15 square feet per year between 2004 to 2016 (2.0 square feet total over the period).

<sup>15</sup> Included in the retail e-commerce statistics are the e-sales of the regular store portion and the e-sales of the non-store portion.

Statistics Canada did not track growth in e-commerce expenditures over this entire period, but we know online spending reached a total of \$10.6 billion by 2017. However, over the period only one category experienced a notable decrease in expenditures, the '*Sporting Goods, Hobby, Book and Music Store*' category. This is to be expected given the impact digital technology has had on the music and book industries. However, the impact on supportable retail and service space per capita for this category was small, decreasing only 0.1 square foot per capita overall since 2004 (this roughly translates to a reduction of about 10% of all floorspace in this category).

So while e-commerce spending is increasing, it continues to comprise a small share of total retail expenditures and has not materially reduced supportable floorspace per capita, even in industries it has 'disrupted'. The net impact of increased retail expenditures per capita outweighed the impact of e-commerce.

The small share e-commerce accounts for of total retail expenditures and historically small impact on supportable floorspace it has had to date points to continued demand for physical retail and service space. To account for the fact that e-commerce has been growing at a rapid rate, we have not factored in any increase in supportable floorspace per capita over the forecast period, but we do not see a reduction in supportable floorspace per capita over the forecast period.

## **7.4 Floorspace Per Trade Area Resident Used in the Analysis**

Total supportable floorspace per trade area resident is 36.4 square feet as summarized in Section 7.2.1. We reviewed factors which could impact supportable floorspace in the future, including e-commerce and retail expenditures trends. There are downward and upward influences on supportable space so we do not factor in a change in supportable space over the forecast period.

In this section, we estimate the share of primary and secondary trade area supportable floorspace which will be captured in the study area. Based on new stores entering the study area (Ikea), we also factor in an increase in supportable floorspace in the study area over the forecast period.

### **7.4.1 Primary Trade Area**

Not all floorspace supportable by primary trade area residents will be captured in the study area. We estimate about 90% of primary trade area demand for region serving space will stay in the study area and 100% of primary trade area demand for local serving space will stay in the study area.

Based on our expenditure analysis, residents of the trade area support about 19.3 square feet of local serving space per capita. However, there is about 21.5 square feet of occupied local serving retail space per capita in the study area as of 2017. We assume the difference of 2.2 square feet, is occupied by local serving office tenants, such as medical and dental offices, realtors, insurance agencies, financial service businesses, and notaries or local law firms. We include this supportable office space into our demand forecast.

Exhibit 45 summarizes the share of primary trade area retail demand which is likely to stay in the study area and office demand captured in neighbourhood commercial areas.



**Exhibit 45: Primary Trade Area Supportable Space**

	Supportable Space per Capita	Primary Trade Area Demand Captured in Study Area	Supportable Space in the Study Area
Region Serving Space	17.1	~90%	15.5
Local Serving Space	19.3	100%	19.3
Local Serving Office Space	8.0	~30%	2.2
<b>Total Space Per Capita</b>	<b>36.4</b>	<b>100%</b>	<b>34.8</b>

Source: Coriolis Consulting Corp.

Each resident of the primary trade area supports 15.5 square feet of region serving retail space and 19.3 square feet of local serving retail space in the study area. We anticipate an additional 2.2 square feet of local serving office space will locate at neighbourhood commercial areas going forward.

We estimate supportable region serving space will increase to 15.8 square feet per capita with the addition of Ikea in 2019.

## 7.4.2 Secondary Trade Area

Exhibit 46 summarizes the amount of supportable retail space per capita in the secondary trade area which is likely to be captured in the study area. We do not anticipate the study area will capture any of the local serving space as this will be captured in local communities. Based on our review of the existing roster of region serving retail destinations in the secondary trade area, we think the study area will capture about 25% of supportable secondary trade area region serving space.

**Exhibit 46: Secondary Trade Area Supportable Space Captured in Study Area**

	Supportable Space per Capita	Secondary Trade Area Demand Captured in Study Area	Supportable Space in the Study Area
Region Serving Space	17.1	~25%	4.5
Local Serving Space	19.3	0%	0
<b>Total Space Per Capita</b>	<b>36.4</b>		<b>4.5</b>

Source: Coriolis Consulting Corp.

## 7.4.3 Inflow

There is about 20.9 square feet of occupied region serving retail per capita in the study area as of 2017. Demand for region serving space from the primary and secondary trade areas accounts for 19.4 square feet per capita. We assume the remaining 1.5 square feet per capita is due to inflow which translates to an additional 10% of supportable space in the study area. We expect inflow to increase to 15% with the introduction of Ikea to the study area in 2022.<sup>16</sup> This will increase supportable region serving space per study area resident to 22.1 square feet (up from 20.9 sf).

<sup>16</sup> This is in addition to the 0.3 sf per trade area resident increase due to the introduction of Ikea to the study area.

## 7.4.4 Summary

Total supportable floorspace per study area resident is summarized below (which we use in our forecast). We ensured supportable floorspace closely matched existing occupied floorspace in the study area in 2017.

	Supportable Regional Space Per Capita	Supportable Local Space Per Capita	Total Supportable Space Per Capita
Primary Trade Area	15.5	21.5	37
Secondary Trade Area*	4.5	-	4.5
Inflow	1.5	-	1.5
<b>Total</b>	<b>20.9</b>	<b>21.5</b>	<b>42.4</b>

\* 4.5 sf per secondary trade area resident but 3.9 sf per study area resident

Based on Section 7.2.3, large Canadian cities for which we have data support between 44 and 45 square feet of retail floorspace per capita. South London supports 42.4 square feet of retail floorspace per capita which is to be expected given the smaller population of the City of London and existing roster of regional stores. This is anticipated to increase to 43.6 square feet per capita with the addition of Ikea, bringing the City of London closer to the supportable space per capita of larger regional markets.

## 7.5 Demand Forecast for Retail and Service Space in Study Area

Exhibit 47 applies the supportable floorspace per capita estimates to the projected population for the trade area to generate our demand forecast to 2047. Supportable floorspace will increase from 6.92 million square feet in 2017 to 9.53 million square feet in 2047, or an increase of 2.61 million square feet over the period.

**Exhibit 47: Supportable Retail and Service Floorspace Demand Projections 2017 to 2047**

	2017	2022	2027	2032	2037	2042	2047
South London (PTA) Population	163,500	170,700	179,200	188,700	199,300	210,400	221,300
Regional Demand per Capita (SF)	15.5	15.8	15.8	15.8	15.8	15.8	15.8
Total South London Regional Demand (SF)	2,534,250	2,697,060	2,831,360	2,981,460	3,148,940	3,324,320	3,496,540
Local Retail Demand per Capita (SF)	19.3	19.3	19.3	19.3	19.3	19.3	19.3
Local Office Demand per Capita (SF)	2.2	2.2	2.2	2.2	2.2	2.2	2.2
Total Local Demand (SF)	3,515,250	3,670,050	3,852,800	4,057,050	4,284,950	4,523,600	4,757,950
<b>South London Retail Demand (SF)</b>	<b>6,049,500</b>	<b>6,367,110</b>	<b>6,684,160</b>	<b>7,038,510</b>	<b>7,433,890</b>	<b>7,847,920</b>	<b>8,254,490</b>
South London Region (STA) Population	136,600	143,500	147,000	151,300	159,900	164,400	167,100
Regional Demand per Capita (SF)	4.5	4.5	4.5	4.5	4.5	4.5	4.5
<b>South London Region Retail Demand (SF)</b>	<b>614,700</b>	<b>645,750</b>	<b>661,500</b>	<b>680,850</b>	<b>719,550</b>	<b>739,800</b>	<b>751,950</b>
% Inflow	10%	15%	15%	15%	15%	15%	15%
<b>Additional Inflow (SF)</b>	<b>253,678</b>	<b>404,559</b>	<b>424,704</b>	<b>447,219</b>	<b>472,341</b>	<b>498,648</b>	<b>524,481</b>
<b>Total Demand (SF)</b>	<b>6,917,878</b>	<b>7,417,419</b>	<b>7,770,364</b>	<b>8,166,579</b>	<b>8,625,781</b>	<b>9,086,368</b>	<b>9,530,921</b>
Additional Regional Demand (SF)		344,741	514,936	706,901	938,203	1,160,140	1,370,343
Additional Local Demand (SF)		154,800	337,550	541,800	769,700	1,008,350	1,242,700
Total Additional Demand (SF)		499,541	852,486	1,248,701	1,707,903	2,168,490	2,613,043

Source: Coriolis Consulting Corp.

Our demand forecast is separated into local and regional demand based on our supportable floorspace per capita estimate by type. We estimate there will be demand for an additional 1.37 million square feet of regional space and an additional 1.24 million square feet of local space between 2017 and 2047.

**Exhibit 48: Additional Regional and Local Demand in Study Area 2017 - 2047**

	2017 – 2047 (SF)	% Share
Regional	1,370,343	52%
Local	1,242,700	48%
<b>Total</b>	<b>2,613,043</b>	<b>100%</b>

Source: Coriolis Consulting Corp.

## 7.6 Demand at Regional and Local Retail Locations

A share of local demand is typically captured at region serving locations by users which serve the day to day needs of the surrounding community. In our experience, about 20% of retail floorspace at region serving locations is occupied by local oriented businesses. In Section 5.4, we calculate that 20% of total floorspace at regional locations in South London is occupied by local serving tenants.

Therefore, to estimate demand for retail floorspace at regional locations, we add 20% of local demand to our regional demand estimate. Therefore, we estimate there will be demand for 1.62 million square feet of retail space at region serving locations between 2017 and 2047.

**Exhibit 49: Additional Demand for Retail at Region Serving Locations – 2017 to 2047**

	Total Demand (SF)	Share at Regional Sites	Demand at Regional Sites (SF)
Regional	1,370,343	100%	1,370,343
Local	1,242,700	20%	248,540
<b>Total</b>	<b>2,613,043</b>		<b>1,618,883</b>

Source: Coriolis Consulting Corp.

Exhibit 50 summarizes demand for retail at local oriented locations which we estimate will be 994,160 square feet between 2017 and 2047.

**Exhibit 50: Additional Demand for Retail at Local Serving Locations – 2017 to 2047**

	Total Demand (SF)	Share at Local Sites	Demand at Local Sites(SF)
Regional	1,370,343	0%	0
Local	1,242,700	80%	994,160
<b>Total</b>	<b>2,613,043</b>	-	<b>994,160</b>

Source: Coriolis Consulting Corp.

## 8.0 Comparison of Local Retail and Service Demand and Supply

### 8.1 Total Local Demand and Supply

Exhibit 51 shows additional demand for retail and service floorspace at local serving locations between 2017 and 2047. Demand for local oriented floorspace is anticipated to increase by 1.24 million square feet over the period, of which 80% or 994,160 square feet will be captured at local serving locations.

**Exhibit 51: Additional Demand at Local Serving Retail Sites – 2017 to 2047**

	Total Demand (SF)	Share at Local Sites	Demand at Local Sites
Regional	1,370,343	0%	-
Local	1,242,700	80%	994,160
<b>Total</b>	<b>2,613,043</b>	<b>-</b>	<b>994,160</b>

Source: Coriolis Consulting Corp.

Exhibit 52 shows cumulative retail demand at local serving sites in five year increments between 2017 and 2047.

**Exhibit 52: Cumulative Demand at Local Serving Retail Sites – 2017 to 2047**

	2017	2022	2027	2032	2037	2042	2047
Additional Local Demand (SF)	-	154,800	337,550	541,800	769,700	1,031,013	1,242,700
Local Demand at Local Sites (80%)	-	123,840	270,040	433,440	615,760	824,811	994,160

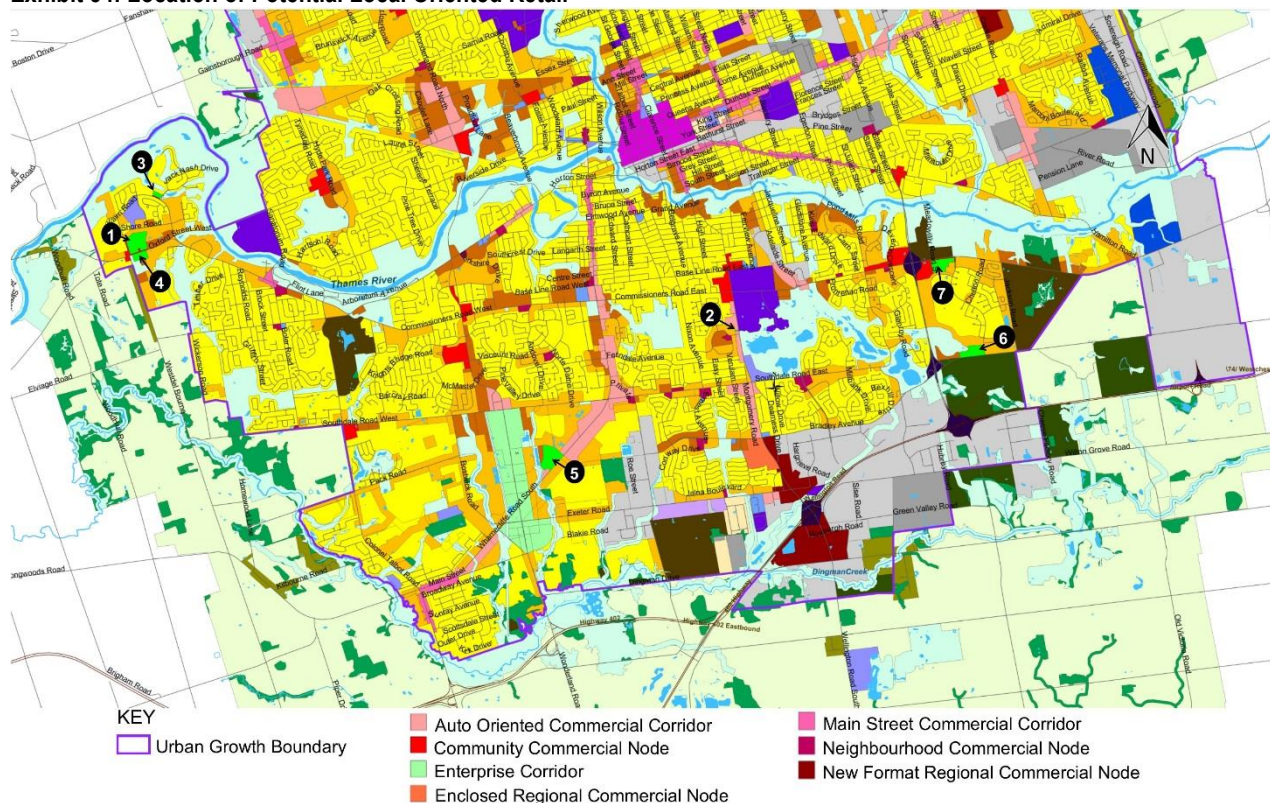
Source: Coriolis Consulting Corp.

Exhibit 53 summarizes existing applications and vacant sites designated for local oriented retail. The location of these sites is shown in Exhibit 54.

**Exhibit 53: Local Oriented Floorspace Potential in Study Area**

Map		Status	Designation	Total Area (SF GLA)
1	1295 Riverbend Rd	Approved	CCN	30,278
2	623 Wellington Rd	Approved	AOCC	5,339
3	2140 Kains Rd	Approved	CCN	9,860
4	1826 Oxford St W	Pending	CCN	121,605
5	3480 Morgan Avenue	Designated	CCN	237,731
6	1690 Bradley Avenue	Designated	CCN	186,936
7	1335 Commissioner's Rd E	Designated	CCN	162,031
	<b>Sub-total</b>			<b>753,722</b>

Source: Coriolis Consulting Corp.

**Exhibit 54: Location of Potential Local Oriented Retail**

Source: Coriolis Consulting Corp.

Exhibit 55 summarizes applications for local oriented retail at different stages of the approvals process. There is 45,477 square feet in approved site plans, 121,605 square feet in pending applications and 568,698 square feet of vacant designated land at local oriented locations. In total, there is 753,722 square feet of potential local serving retail floorspace in the study area.

It is important to note that once approved, The London Plan will permit stand-alone local oriented retail and service space at the intersection of Urban Thoroughfares and Civic Boulevards up to 19,350 square feet (GLA) in the Neighbourhood place type<sup>17</sup>. This is in addition to lands designated for local oriented retail and service development in the existing Official Plan.

**Exhibit 55: Total Local Oriented Retail Capacity in South London**

	Local Serving Retail (SF)
<b>Approved</b>	45,477
<b>Pending Applications</b>	121,605
<b>Vacant Designated</b>	586,698
<b>Total Additional Local Retail Floorspace Potential</b>	753,722

Source: Coriolis Consulting Corp.

<sup>17</sup> Additional infill development will be permitted at Transit Villages, Rapid Transit and Urban Corridors, Shopping Areas and Main Street place types. However, this has already been accounted for as expansion potential in Section 6.4.



## 8.2 Summary

Given demand for an additional 994,160 square feet of local serving space and capacity for an additional 753,722 square feet of local serving space, there is a shortfall of 190,438 square feet of local serving retail capacity in the study area between 2017 and 2047. The London Plan will permit stand-alone local oriented retail and service space at the intersection of Urban Thoroughfares and Civic Boulevards up to 19,350 square feet (GLA) which should mitigate the shortfall. However, neighbourhood shopping centres typically range from about 30,000 to 125,000 square feet GLA so retail permitted in the Neighbourhood place type may not be enough to accommodate the full range of uses typically found in a neighbourhood shopping centre. Vacancy will likely decline in local oriented commercial locations unless additional lands are designated for neighbourhood commercial centres in the study area. The City of London may want to consider a review of local serving retail capacity in South London to ensure growing local communities are adequately serviced.

## 9.0 Comparison of Region Serving Retail Demand and Supply

### 9.1 Total Regional Demand and Supply

Exhibit 56 shows additional demand for retail and service floorspace at region serving locations between 2017 and 2047. Demand for region serving floorspace is anticipated to increase by 1.62 million square feet over the period. This includes 248,540 square feet of local serving space which we anticipate will be captured at region serving locations.

**Exhibit 56: Additional Demand at Region Serving Locations – 2017 to 2047**

	Total Demand (SF)	Share at Regional Sites	Demand at Regional Sites (SF)
Regional	1,370,343	100%	1,370,343
Local	1,242,700	20%	248,540
<b>Total</b>	<b>2,613,043</b>		<b>1,618,883</b>

Source: Coriolis Consulting Corp.

Exhibit 57 shows cumulative retail demand at region serving locations in five year increments between 2017 and 2047.

**Exhibit 57: Cumulative Demand at Region Serving Retail Sites – 2017 to 2047**

	2017 - 2022	2022 - 2027	2027 - 2032	2032 - 2037	2037 - 2042	2042 - 2047
Cumulative Demand at Regional Locations (SF)	377,051	577,046	809,861	1,087,643	1,357,760	1,618,883

Source: Coriolis Consulting Corp.

Exhibit 58 summarizes potential region oriented retail capacity with and without the retail cap.

**Exhibit 58: Potential Region Oriented Retail Capacity in South London**

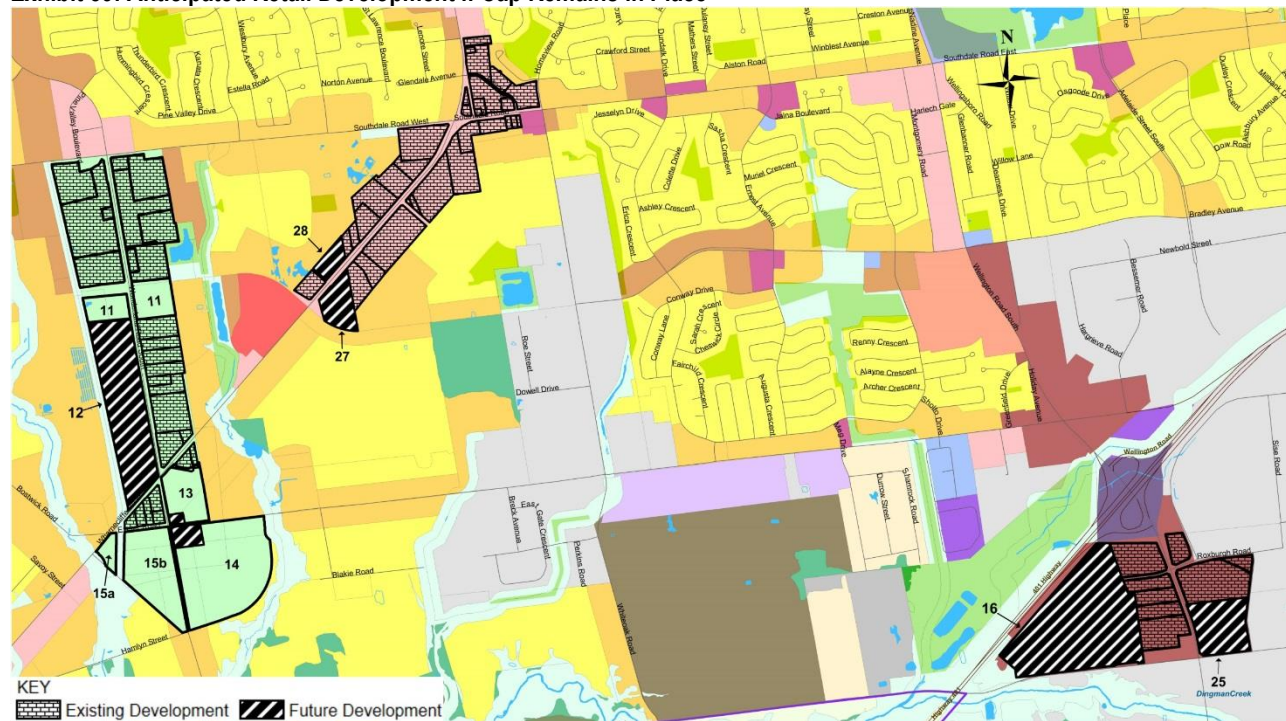
Map	Address	Status	Designation	Retail Cap Remains (SF)	Retail Cap Removed (SF)
12	3313 - 3405 Wonderland Rd.	Approved	Enterprise	410,072	410,072
13	3680 Wonderland Rd.	Approved	Enterprise	45,531	45,531
14	51 - 99 Exeter Rd.	Approved Site-Specific Zoning	Enterprise	179,858	179,858
16	3130 - 3260 Dingman Dr.	Approved	NFRCN	609,038	609,038
11	3234 - 3274 Wonderland Rd	Pending	Enterprise	-	202,000
13	3680 Wonderland Road	Pending	Enterprise	-	92,010
15	17 Exeter Road	Designated	Enterprise	-	290,852
25	4441 Wellington Road South	Designated	NFRCN	245,107	245,107
27	146 Exeter Road	Designated	AOCC	125,035	125,035
28	1265 - 1229 Wharmcliffe Rd.	Designated	AOCC	56,710	56,710
13	3680 Wonderland Road	Designated	Enterprise	-	270,590
14	51 - 99 Exeter Road	Designated	Enterprise	-	465,910
	<b>Total</b>			<b>1,671,351</b>	<b>2,992,713</b>
	<i>With Site Plans</i>			<i>1,707,522</i>	<i>3,028,884</i>

Source: City of London

## 9.2 Demand and Supply Comparison with Cap in Place

We estimate there will be demand for about 1.6 million square feet of retail at region serving locations between 2017 and 2047. With the cap in place, there is about 1.7 million square feet of potential retail capacity at region serving locations. Since demand and potential supply are closely aligned, we assume all of the vacant sites develop over the forecast period. The location of anticipated retail development with the cap in place is shown in Exhibit 59.

**Exhibit 59: Anticipated Retail Development if Cap Remains in Place**



Our estimated sequence of development is as follows:

1. **Site 12** – A portion of Site 12 has already been developed, including the anchor tenant Lowe's, so we assume this site will build-out in the short term. A site plan was approved for a Tim Horton's and building permits were drawn for two additional retail pads in 2017. Remaining developable area at this site is 410,072 square feet.
2. **Site 16** – We anticipate Site 16 will also develop in the short term. A development application is at the site plan approval stage and is anticipated to accommodate an Ikea and a redeveloped Costco with operations expected to commence in 2019. Estimated net additional retail space at this site is 609,038 square feet.
3. **Sites 13 & 14** – We anticipate Sites 13 and 14 will develop the floorspace currently permitted in their site specific zoning permitted under the cap. Both are located in the Enterprise Corridor which is the most ideal location for region oriented development in South London. The Corridor is centrally located within South London, is in proximity to growing communities in the SWAP, has good highway access and an existing agglomeration of regional retailers. Site 13 has an existing application and Site 14 was allocated site-specific zoning by the OMB under the cap. Estimated floorspace permitted under the cap at the two sites is 225,389 square feet.

4. **Sites 25** – Site 25 has good highway access, and will be across from the planned Ikea.
5. **Site 27 and 28** – We anticipate 27 and 28 will develop with region serving retail. Site 27 and 28 are located in the Wharncliffe Corridor which is centrally located within South London, has good highway access and is in proximity to growing communities.

**Exhibit 60: Anticipated Retail Development in South London with Cap in Place**

Map	Address	Designation	Total (SF)	Develops	Total
n/a	<i>Existing Site Plans</i>	n/a	36,171	Yes	36,171
11	3234 - 3274 Wonderland Rd	Enterprise	202,000	No	n/a
12	3313 - 3405 Wonderland Rd.	Enterprise	410,072	Yes	410,072
13	3680 Wonderland Rd.	Enterprise	408,131	Partial	45,531
14	51 - 99 Exeter Rd.	Enterprise	645,768	Partial	179,858
15	17 Exeter Road	Enterprise	290,852	No	n/a
16	3130 - 3260 Dingman Dr.	NFRCN	609,038	Yes	609,038
25	4441 Wellington Road South	NFRCN	245,107	Yes	245,107
27	146 Exeter Road	AOCC	125,035	Yes	125,035
28	1265 - 1229 Wharncliffe Rd.	AOCC	56,710	No	56,710
	Total				1,707,522

Source: City of London

Exhibit 61 summarizes projected regional vacancy in South London in 2047 if the cap remains in place. We estimate vacancy will be around 8% if all sites develop according to Exhibit 59.

**Exhibit 61: Projected South London Regional Vacancy**

	2017 - 2047
Regional Supply	1,707,522
Regional Demand	1,618,883
Surplus/Deficit	88,639
	2047
2017 Surplus/Deficit	380,058
Total Surplus/Deficit	468,697
Total Supply	5,564,810
Projected Regional Vacancy	8%

Source: Coriolis Consulting Corp

## 9.2.1 Implications

- Maintaining the cap results in an inefficient use of Site 13 (10% of potential developable area) and Site 14 (20% of potential developable area) as shown in Exhibit 59.
- Maintaining the cap results in discontinuous development along the Enterprise Corridor, as Site 11 does not develop and only portions of Site 13 and 14 develop. It is unlikely that infill residential development would occur at these sites. The Enterprise Corridor is a low density, high volume, commercial area and mixed use residential development is not economically viable in this area. Therefore, maintaining the cap will limit viable development options for owners of Sites 11, 13, 14 and 15.
- Maintaining the cap does not reduce the amount of vacant floorspace at existing locations as sites in Exhibit 60 are more attractive than vacant retail space at existing locations.

### 9.3 Demand and Supply Comparison with Cap Removed

There is about 3.0 million square feet of retail capacity at region serving locations if the cap is removed. Removing the cap creates an additional 1.3 million square feet of potential retail space in the study area which we anticipate will change the sequence of retail development. There is demand for about 1.6 million square feet of region serving space which does not change if the cap is removed.

We estimate Site 12 and Site 16 will develop in the short term which does not change with the removal of the cap. A portion of Site 12 has already developed and a project at Site 16 has recently been approved which will include an Ikea and a redeveloped Costco. The two sites have potential for about 1.0 million square feet of region serving retail space, which leaves about 600,000 square feet of demand for potential development at other region serving sites (that have total capacity of about 2.0 million square feet). These include:

- Site 11 – 202,000 sf
- Site 13 – 408,131 sf
- Site 14 – 645,758 sf
- Site 15 – 290,852 sf
- Site 25 – 245,107 sf
- Sites 27 and 28 – 181,745 sf

Removing the cap allows demand to be accommodated at sites which are best suited for region serving retail from a market and planning perspective. Based on our review, this is Site 11 and 13 which can accommodate 600,000 square feet of retail floorspace. Development of these sites would promote a contiguous development pattern and an efficient use of sites (30% retail site coverage). Both sites have active development applications so would likely move forward if the cap is removed.

Sites we estimate would develop if the cap is removed are summarized in Exhibit 62 and shown in Exhibit 63.

**Exhibit 62: Retail Development in South London with Cap Removed**

Map	Address	Designation	Total (SF)	Develops	Total (SF)
n/a	<i>Existing Site Plans</i>	n/a	36,171	Yes	36,171
11	3234 - 3274 Wonderland Rd	Enterprise	202,000	Yes	202,000
12	3313 - 3405 Wonderland Rd.	Enterprise	410,072	Yes	410,072
13	3680 Wonderland Rd.	Enterprise	408,131	Partial	408,131
14	51 - 99 Exeter Rd.	Enterprise	645,768	No	n/a
15	17 Exeter Road	Enterprise	290,852	No	n/a
16	3130 - 3260 Dingman Dr.	NFRCN	609,038	Yes	609,038
25	4441 Wellington Road South	NFRCN	245,107	No	n/a
27	146 Exeter Road	AOCC	125,035	No	n/a
28	1265 - 1229 Wharmcliffe Rd.	AOCC	56,710	No	n/a
	<b>Total</b>				<b>1,665,412</b>

Source: City of London



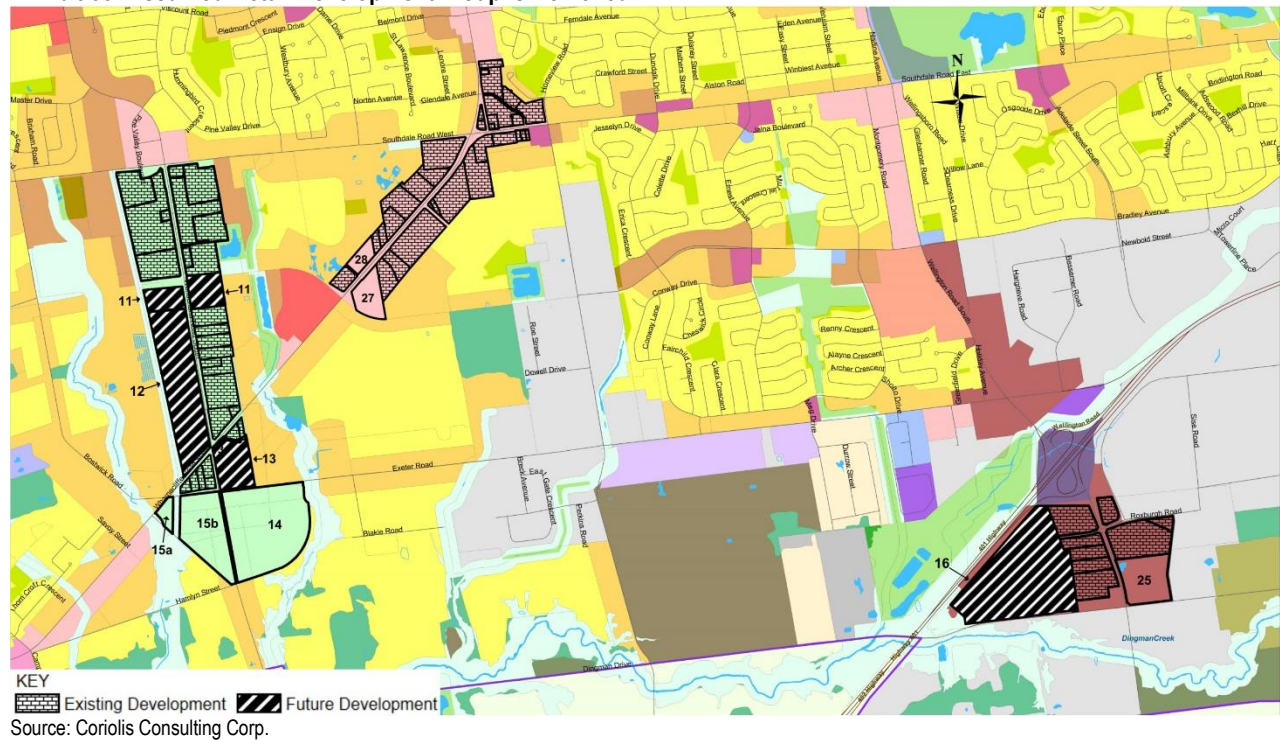
**Exhibit 63: Assumed Retail Development if Cap is Removed**

Exhibit 64 summarizes projected regional vacancy in South London in 2047 if the cap is removed. We estimate vacancy will be around 8% if all sites shown in Exhibit 63 develop.

**Exhibit 64: Projected South London Regional Vacancy**

	2017 - 2047
Regional Supply	1,665,412
Regional Demand*	1,618,883
Surplus/Deficit	46,529
	2047
2017 Surplus/Deficit	380,058
Total Surplus/Deficit	426,587
Total Supply	5,544,271
Projected Regional Vacancy	8%

Source: Coriolis Consulting Corp

### 9.3.1 Implications

- Removing the cap allows development of sites which are best suited for regional retail development from a market and planning perspective.
- Removing the cap does not increase demand for vacant floorspace at existing locations as we assume sites in Exhibit 62 are more attractive for retail development than vacancies in existing locations.
- Removing the cap creates 1.4 million square feet of retail capacity which is not needed between 2017 and 2047. This postpones viable development options for Sites 14, 15 and 25 for the next 30 years (Sites 27 and 28 can be developed with auto-related uses).

## 10.0 Conclusions

### 10.1 Demand and Capacity

Our demand forecast indicates there will be demand for an additional 167,100 square metres of retail GFA<sup>18</sup> at region serving locations in South London between 2017 and 2047.

With the cap in place, there is capacity for an additional 176,300 square metres of retail GFA<sup>19</sup> in South London at region serving locations, of which 65,600 square metres is located in the Enterprise Corridor so there is enough capacity to accommodate demand over the next 30 years.

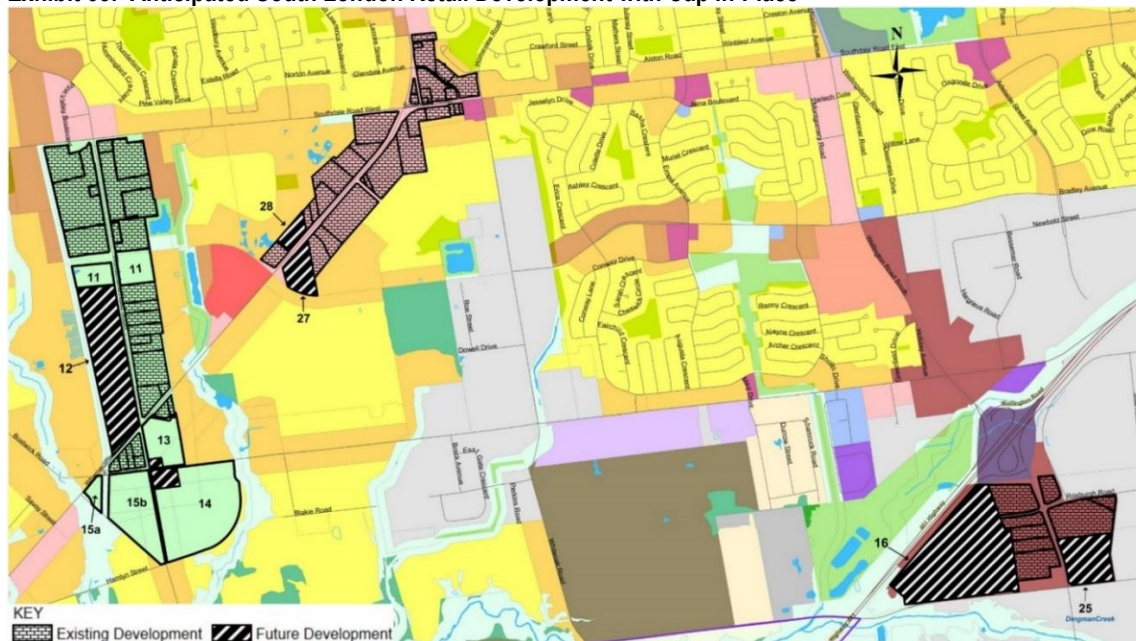
Removing the cap increases retail GFA capacity to about 312,700 square metres<sup>20</sup> at region serving locations in South London. Removing the cap increases the capacity but doesn't increase demand so the major impact will be to alter the geographic distribution of development over the next 30 years.

### 10.2 Impact of Removing the Cap

The primary impact of the increase in retail development capacity from removing the cap will be on the sequence and location of retail development in South London.

Exhibit 65 shows the anticipated location of retail development in South London from 2017 to 2047 with the retail cap in place. As shown in the Exhibit, maintaining the cap results in discontinuous development along the Corridor and partial development of Sites 13 and 14. Sites 28 and 27 located along Wharncliffe Corridor and Site 25 at the periphery of Wellington South will probably develop instead of sites in the Enterprise Corridor.

**Exhibit 65: Anticipated South London Retail Development with Cap in Place**



<sup>18</sup> 1,618,883 square feet GLA

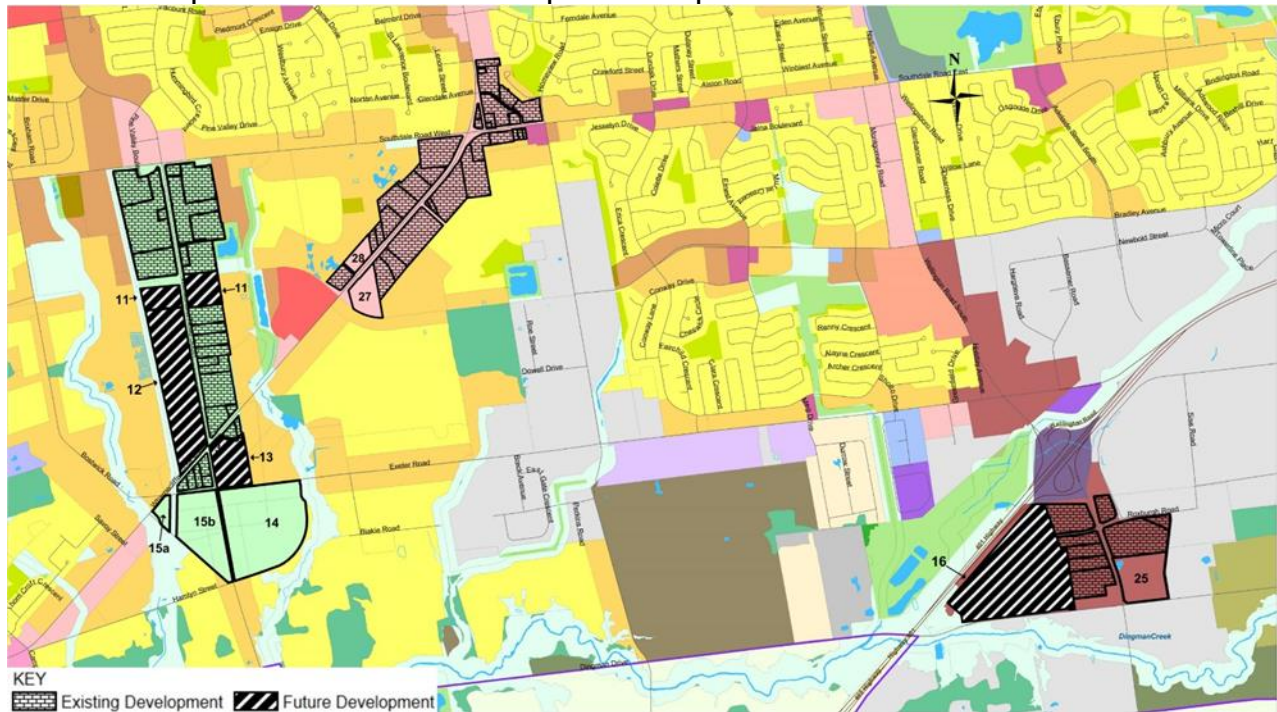
<sup>19</sup> 1,707,522 square feet GLA

<sup>20</sup> 3,028,884 square feet GLA



Exhibit 66 summarizes anticipated retail development in South London with the retail cap removed. As shown in the Exhibit, we anticipate contiguous development along the Enterprise Corridor. There is sufficient retail capacity in the Corridor north of Exeter to accommodate regional retail for the next 30 years. As a result, Sites 14 and 15 may not develop. Sites 27, 28 and 25 which are less attractive for regional retail development also may not develop.

**Exhibit 66: Anticipated South London Retail Development with Cap Removed**



As shown in Exhibit 65 and 66, removing the retail cap allows the development of sites in the Enterprise Corridor. This is desirable as sites in the Corridor are the best suited for regional retail development in South London from a market and planning perspective. The Corridor is centrally located, has an existing agglomeration of successful regional retail uses, and has good transportation access. Removing the cap allows full build-out of the Enterprise Corridor to Exeter Road.

Exhibit 65 shows site-specific retail zoning with the cap in place for Sites 13 and 14. Only a small portion of these sites are developable under the cap. Existing site-specific zoning permits only 10% of potential retail GFA development (4,700 square metres) on Site 13 and 25% of potential retail GFA development (18,556 square metres) on Site 14. Since the Enterprise Corridor is a low density, high volume, commercial area and mixed use residential development is not economically viable in this area, the portion of these sites without retail zoning will likely remain vacant. In addition, retail permissions on sites with zoning under the cap are insufficient to accommodate regional retail projects. Regional destinations are typically between 40,000 and 80,000 square metres so these sites do not allow sufficient retail floorspace to act as regional retail centres.

We do not anticipate removing the cap will impact vacancy in the short term. There is currently 176,300 square metres of region serving retail capacity in South London with the cap in place which represents 30 years of supply. This means there could be a potential oversupply of region serving retail development in the short term regardless of whether the cap is in place.

### **10.3 Local Oriented Retail**

We do not anticipate that removing the cap will impact the distribution of local oriented retail and service space. While there is some local oriented retail space at region serving locations, this is limited to demand from residents living nearby. Local oriented retail and service space will primarily locate in neighbourhood shopping centres in growing residential communities.

However, our demand forecast indicates demand for local serving retail is greater than existing capacity for local serving retail. The City of London may want to consider a review of local serving retail capacity in South London to ensure growing local communities are adequately serviced.

### **10.4 Recommendations**

We recommend removing the retail cap in the Enterprise Corridor. Removing the cap will allow the development of sites which are best suited for regional retail development from a market and planning perspective, promote a contiguous development pattern in the Enterprise Corridor and provide land owners with viable development options over the next 30 years.

However, removing the cap creates about 136,400 square metres of excess region serving retail capacity which is not needed between 2017 and 2047. This postpones a viable development option for sites which are less suited for region serving retail development over the next 30 years, including Sites 14, 15, and 25.

There are more strategic measures that could be considered to avoid excess capacity than a cap on retail development. One strategy is to designate lands for other uses which are not required to meet retail demand between 2017 and 2047 and are appropriate to redesignate from a planning and market perspective. In the Enterprise Corridor, this includes Sites 14 and 15 which are located the furthest south in the Corridor and have a combined capacity of 97,000 square metres. In consultation with the property owners, these lands could be considered for residential or another use which meets the objectives of the SWAP and provides owners with a viable development option in the next 30 years.

Outside of the Corridor, lands which are not required to meet retail demand between 2017 and 2047 include Sites 25, 27 and 28. Sites 27 and 28 are designated Auto-Oriented Corridor Commercial in the current Official Plan and Commercial Industrial in The London Plan. These sites could be considered for auto-related or industrial uses only.

# 1.0 Appendix - City of London Population and Housing Forecasts

City-wide population growth will have an influence on the share of population growth which is captured in the primary trade area (South London). Therefore, as input to our overall analysis, we examined historic trends and the outlook for population and housing growth in the City of London.

## 1.1 Population and Households

### 1.1.1 Historic Population and Household Trends

#### **Population**

Exhibit 67 summarizes City of London's population growth between 2006 and 2016.

**Exhibit 67: City of London Historic Population Growth**

	2006	2011	2016	2006 to 2016
City of London Population	366,500	377,400	394,300	27,800
Average Annual Growth Per Period		2,180	3,380	2,780
Average Annual Growth Rate Per Period		0.59%	0.88%	0.73%

Source: Statistics Canada – includes undercount.

As shown in the exhibit, London's population grew from about 366,500 to 394,300 between 2006 and 2016, an increase of about 2,780 residents per year on average. This is equivalent to an average annual growth rate of 0.73% per year over the 10 year period.

#### **Households**

Exhibit 68 summarizes historic household growth in the City of London between 2006 and 2016.

**Exhibit 68: City of London Historic Household Growth**

	2006	2011	2016	2006 to 2016
City of London	145,520	153,635	163,140	17,620
Average Annual Growth Per Period		1,623	1,901	1,760
Average Annual Growth Rate Per Period		1.09%	1.21%	1.15%

Source: Statistics Canada – includes undercount.

As shown in the exhibit, London's households grew from about 145,520 to 163,140 between 2006 and 2016, an increase of about 1,760 households per year on average. This is equivalent to an average annual growth rate of 1.15% per year over the 10 year period.

Households are growing at a faster rate than population, which means average household size is decreasing in the City of London.



## 1.1.2 Available Population and Household Forecasts

### Population Forecasts

#### London Plan

The second draft of The London Plan forecasts average annual population growth at 0.92% per year between 2015 and 2035, or an annual average of 3,850 residents.

**Exhibit 69: Forecasted Population Growth in the London Plan**

	2015	2020	2025	2030	2035	2015 to 2035
City of London Population Growth	381,300	400,700	420,760	439,760	458,380	-
Average Annual Growth Per Period		3,880	4,012	3,800	3,724	3,850
Average Annual Growth Rate Per Period		1.00%	0.98%	0.89%	0.83%	0.92%

Source: City of London Plan, Second Draft - June 2015

#### Kircher Report

The Kircher Retail Market Demand Analysis (November 2016) included population forecasts for the City of London to 2031. The report forecasts annual population growth at 0.87% per year between 2016 and 2031, or an annual average of 3,840 residents.

**Exhibit 70: Forecasted Population Growth in the 2016 Kircher Report**

	2016	2021	2026	2031
City of London Population Growth	396,500	416,100	436,100	455,300
Average Annual Growth Per Period		3,920	4,000	3,840
Average Annual Growth Rate Per Period		0.97%	0.94%	0.87%

Source: Kircher Retail Market Demand Analysis (November 2016)

#### Watson and Associates Population, Housing and Employment Growth Forecast

In November 2017, Watson and Associates produced population projections from 2016 to 2044. The forecasts are summarized in Exhibit 71 and project average annual population growth of 3,920 residents at an average annual growth rate of 0.88%.

**Exhibit 71: City of London Development Charges Forecast – 2016 to 2044**

	2016	2021	2026	2031	2036	2041	2044	2016 to 2044
City of London Population Growth	394,300	418,700	445,700	465,900	480,700	495,200	504,100	109,800
Average Annual Growth Per Period		4,880	5,400	4,040	2,960	2,900	2,967	3,920
Average Annual Growth Rate Per Period		1.21%	1.26%	0.89%	0.63%	0.60%	0.60%	0.88%

Source: Watson and Associates

### Household Forecasts

#### Watson and Associates Population, Housing and Employment Growth Forecast

Watson and Associates also produced a housing forecast from 2016 to 2044. The forecasts are summarized in Exhibit 72 and project average annual household growth of 2,130 at an average annual growth rate of 1.12%.

**Exhibit 72: City of London Household Forecast - 2016 to 2044**

	2016	2021	2026	2031	2036	2041	2044	2016 to 2044
City of London Household Growth	163,100	174,900	186,100	196,300	206,700	216,600	222,700	59,600
Average Annual Household Growth Per Period		2,360	2,240	2,040	2,080	1,980	2,033	2,130
Average Annual Growth Rate Per Period		1.41%	1.25%	1.07%	1.04%	0.94%	0.93%	1.12%

Source: Watson and Associates

### 1.1.3 Population and Housing Growth Outlook

The population forecasts prepared by Watson and Associates were recently released (November 2017) and project population over the long term. The long term growth rates forecasted in the DCBS align with other forecasts produced for the City of London, although the most recent forecasts project faster growth in the short and medium term. We use the 2017 DCBS forecast in our analysis, interpolating the 2017 population and extending the 2041 to 2044 growth rate to 2047.

Based on these forecasted growth rates, we anticipate the population of London will increase from about 399,100 residents in 2017 to 513,160 residents in 2047 as summarized in Exhibit 73.

**Exhibit 73: City of London Population Forecast**

	2017	2022	2027	2032	2037	2042	2047	Avg. Annual % 2017 to 2047
City of London	399,100	424,000	449,700	468,800	483,600	498,100	513,160	
Average Annual Growth Per Period		4,980	5,140	3,820	2,960	2,900	3,012	3,800
Average Annual Growth Rate Per Period		1.22%	1.18%	0.84%	0.62%	0.59%	0.60%	0.84%

Source: Watson and Associates, Coriolis Consulting Corp.

We also use the 2017 DCBS household forecast in our analysis, interpolating total 2017 households and extending the 2041 to 2044 growth rate to 2047. We anticipate total households in the City of London will increase from about 165,400 households in 2017 to 229,000 households in 2047 as summarized in Exhibit 74. Households are projected to grow at a faster rate than population, which means average household size is projected to decrease in the City of London.

**Exhibit 74: City of London Household Forecast**

	2017	2022	2027	2032	2037	2042	2047	Avg. Annual % 2017 to 2047
City of London	165,400	177,100	188,100	198,300	208,600	218,600	229,000	
Average Annual Growth Per Period		2,340	2,200	2,040	2,060	2,000	2,080	2,100
Average Annual Growth Rate Per Period		1.38%	1.21%	1.06%	1.02%	0.94%	0.93%	1.09%

Source: Watson and Associates, Coriolis Consulting Corp.

## 1.2 Housing Development

### 1.2.1 Available Housing Development Forecast

#### *Watson and Associates Population, Housing and Employment Growth Forecast*

The Watson and Associates November 2017 report includes a housing development forecast by unit type based on historical building permit activity and land supply within the urban growth boundary. This forecast is summarized in Exhibit 75. The share of single family dwellings is anticipated to fall from 48% in 2016 to

34% by 2041. The share of apartment units is anticipated to increase from 30% in 2016 to 42% by 2041. The share of semi-detached units is anticipated to account for about 22% to 24% of total household development over the forecast period.

**Exhibit 75: City of London Annual Housing Development Share by Type Forecast**

	2016 - 2021	2021 - 2026	2026 - 2031	2031 - 2036	2036 - 2041	2041 - 2044	2016 - 2041
Single Detached Units	48%	47%	44%	43%	39%	34%	44%
Semi-Detached/Row Units	22%	23%	23%	24%	24%	24%	23%
Apartment Units	30%	30%	33%	33%	37%	42%	33%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Watson and Associates

## 1.2.2 Housing Outlook

We use the 2017 Watson and Associates housing forecast by type in our analysis, adjusting the forecast to start at 2017 and extending the forecast to 2047. We apply this to our household forecast. Total household growth and housing growth should closely match.

**Exhibit 76: City of London Annual Housing Development Share by Type Forecast**

	2017 - 2022	2022 - 2027	2027 - 2032	2032 - 2037	2037 - 2042	2042 - 2047	Total
Single Detached Units	48%	46%	44%	42%	38%	34%	42%
Semi-Detached/Row Units	22%	23%	23%	24%	24%	24%	23%
Apartment Units	30%	31%	33%	34%	38%	42%	34%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Watson and Associates, Coriolis Consulting Corp.

We project a total of 63,800 housing units will be developed in the City of London over the 30 year forecast. This includes 26,900 single detached units, 14,900 semi-detached units and 22,000 apartment units.

**Exhibit 77: City of London Annual Housing Development by Type Forecast**

	2017 - 2022	2022 - 2027	2027 - 2032	2032 - 2037	2037 - 2042	2042 - 2047	Total
Single Detached Units	5,600	5,100	4,500	4,400	3,800	3,500	26,900
Semi-Detached/Row Units	2,600	2,500	2,400	2,500	2,400	2,500	14,900
Apartment Units	3,500	3,400	3,400	3,500	3,800	4,400	22,000
<b>Total</b>	<b>11,700</b>	<b>11,000</b>	<b>10,300</b>	<b>10,400</b>	<b>10,000</b>	<b>10,400</b>	<b>63,800</b>

Source: Coriolis Consulting Corp.

## 2.0 Appendix - London Region Population and Housing Forecasts

### 2.1 Historic Population Growth Trends

Exhibit 78 summarizes growth in the Counties of Elgin, Oxford and Middlesex between 2006 and 2016. The population grew from about 269,300 to 285,100 between 2006 and 2016, an increase of about 1,580 residents per year on average. This is equivalent to an average annual growth rate of 0.57% per year over the 10 year period.

**Exhibit 78: Historic Population Growth of Counties Surrounding London**

	2006	2011	2016	2006 to 2016
Population of Elgin, Oxford and Middlesex County	269,300	273,900	285,100	15,800
Average Annual Growth Per Period	1,570	1,040	1,160	1,580
Average Annual Growth Rate Per Period	0.61%	0.39%	0.43%	0.57%

### 2.2 Available Population Forecasts

We examined long range population forecasts produced by the Ministry of Finance for the Counties surrounding London. The Ministry of Finance forecasts the population by Census Division so the City of London and three First Nation reserves are included in the Ministry of Finance forecast for Middlesex County.

The Ministry of Finance forecasts the population of the three Census Divisions will grow at an average annual rate of about 0.8% per year between 2016 and 2041.

**Exhibit 79: Ontario Ministry of Finance Population Forecast – Census Divisions**

Region	Historical			Projected					Average Annual Growth 2016-2041
	2006	2011	2016	2021	2026	2031	2036	2041	
Middlesex County <sup>21</sup>	440,700	452,800	475,900	508,700	534,100	558,100	580,000	600,000	0.93%
Elgin County	88,600	89,800	91,200	93,500	95,600	97,500	99,000	100,400	0.39%
Oxford County	106,500	108,700	112,300	116,600	120,500	123,900	126,700	128,900	0.55%
Total	635,800	651,300	679,400	718,800	750,200	779,500	805,700	829,300	0.80%

Source: Ministry of Finance

<sup>21</sup> Includes City of London and three First Nations Reserves

## 2.3 Population Growth Outlook

The Ministry of Finance forecast was updated in spring 2017 and reflects the most recent data trends in the Province so we think it is a good base for our population outlook for the surrounding Counties. We exclude the City of London from the forecast and project population to 2047, extending the 2036 to 2041 growth rate to 2047. We anticipate the population of the surrounding Counties will grow from about 287,500 to 342,800 between 2017 and 2047, or an average annual growth rate of 0.59% per year over the 30 year period.

**Exhibit 80: Population Forecast of Elgin, Oxford and Middlesex County**

	2017	2022	2027	2032	2037	2042	2047	Avg. Annual % 2017 to 2047
Elgin County	91,700	93,900	96,000	97,800	99,300	100,700	102,100	0.36%
Oxford County	113,100	117,400	121,200	124,500	127,100	129,300	131,600	0.51%
Middlesex County	82,700	90,900	89,200	92,900	100,000	105,500	109,200	0.93%
Total	287,500	302,200	306,300	315,200	326,400	335,500	342,800	0.59%

Source: Coriolis Consulting Corp.



### 3.0 Appendix - Detailed Regional Supply Information

Node	Centre	Centre Type	Area SF (GLA)	Regional SF	Local SF	Types of Stores	Tenants	Quality of Location	Vacancy
Enterprise Corridor	Westwood Power Centre	Regional - Power Centre	501,800	424,400	77,400	Clothing, Home Furnishings, Hardware Stores, Building Materials, Department Stores, Restaurants & Services	Toys R Us, Babies R Us, Home Depot, Buffalo Wild Wings, Pet Value, Urban Barn, JYSK, Bed, Bath & Beyond, Bouclair Home, Solutions, Winners, Linen Chest, Marshalls, Sport Chek, Shoe Company	New Power Centre, well designed, high quality finishings, modern, branded retail pads, good circulation, ample parking	0
	Wonderland Centre	Regional - Power Centre	458,600	265,200	193,400	Hardware Stores, Furniture Stores, Craft stores, Grocery Stores, Liquor Stores, Fitness Centres	Staples, LCBO, Loblaws, Joe Fresh, Michaels, DSW Fitness, Ikea Pick Up Point	New Power Centre, well designed, high quality finishings, modern, branded retail pads, good circulation, ample parking	0
			141,081	141,081	0		Lowe's	New Power Centre, only Lowe's has been developed to date	
Wellington South	Costco	Regional - Power Centre	136,900	136,900	0	Warehouse Membership Club	Costco	Older enclosed building	0
	Superstore Mall	Large Mall	261,228	211,228	50,000	General Merchandise, Services	Forest City Velodrome, Hockey World, McDonalds, Subway, Drive Test London	Older regional mall with high vacancy and underutilised space, anchor tenant (formerly Superstore) is vacant, three large retail outlets are vacant, signage on existing tenants is temporary, most of parking lot is unused	60,000
	Surrounding Retail	Pad Retail & Strip Malls	162,700	76,500	86,200	Home Furnishings, Apparel, Services	Carpet One, Sleep Factory, Value Village, Wellington Fitness, Trek Bicycle Store	Older pad retail, mix of medium and low quality tenants, underutilised	0
Wellington Strip	White Oaks Mall	Regional Enclosed Shopping Centre	698,500	628,650	69,850	Apparel, Home décor, Specialty Retail, Department Stores, Food and Beverage	Hudson's Bay, Walmart, Sport Chek, Dollarama	High quality, recently renovated, good mix of tenants, minimal vacancy	33,853
	White Oaks Mall - Surrounding Retail	Strip Mall and Pad Retail	216,800	183,800	33,000	Home Décor, Apparel, Hardware Stores, General Merchandise	Best Buy, Marks Work Warehouse, Canadian Tire, Jack Astors, Blinds to Go, Dollar Tree, Henrys, TD, Animal Hospital, Bulk Barn, Haircutting & Services, Pawn Shop, Purolator	Older strip mall, dated design, mix of medium and low quality tenants	0
	Wellington Commons	Factory Outlet Centre	136,059	122,453	13,606	Apparel, Home Décor, Pet care, Restaurants and Services	Home Outfitters, Sketchers, Additionelle, La Vie en Rose, Pier 1, Tommy Hilfiger, Sleep Country, Pizza Hut, Lindt, Osh Kosh B Gosh, PetSmart, Old Navy, Motherhood Maternity, Old Navy	Medium quality, slightly dated, diverse tenants	10,013
	Montgomery Gate & Century Centre	Strip Mall	164,592	82,296	82,296	Books, General Merchandise, Electronics, Apparel, Specialty Retail, Supermarket, Outdoor, Services	Chapters, Earls, Farmboy, The Beer Store, MEC, Pita Pit, Canada Computers, Long Tall Sally, David's Bridal, May Maxin, Swiss Chalet, LCBO, Moore's, Chipotle, office space and non-chain clothing.	High quality, newer construction and high quality tenants, mix of local and regional, some new space (MEC)	0
	Wellington Southdale Plaza	Strip Mall and Pad Retail	87,000	33,000	54,000		Cinemark, Dollarama, Moxie's Grill, 2001 Audio Video, Harvey's, Dairy Queen and Pizza Pizza.	Older strip mall, dated design, mix of medium and low quality tenants, theatre appears underutilised	13,050
	Crossroads Centre	Factory Outlet Centre	190,000	190,000	0	Clothing, Home Décor, Car Parts	Winners, Big and Tall, Penningtons, Car Parts, Home Accent Plus	Older regional mall with high vacancy and lower tenant quality, several large retail outlets are vacant, signage on existing tenants is temporary	30,000
Westmount Mall	Westmount Mall	Enclosed Mall	437,500	307,900	129,600	Clothing, General Merchandise	Sears, Cineplex	Older enclosed mall, second floor is almost entirely used as office space, underutilised or vacant retail spaces	85,000
Wharnccliffe Corridor	Wharnccliffe and Southdale	Big Box	432,400	432,400	0	Furniture, Home Décor, Appliances	Leon's, Tepperman's, The Brick, TSC, Bad Boy, Rocking Chair Furniture, Goeman's Appliance, London Flooring Canadian, Wharnccliffe Home Hardware, Sears, Lazy Boy, Factory Shoe	Auto-oriented, large pad big box, discontinuous and surrounded by autotowns and autodealers.	0
	Lambeth	Big Box	192,800	51,300	141,500		Copp's Buildwall, Sacwall Flooring Centre	Auto-oriented, large pad big box	0
	Other	Retail/Showroom	513,471	513,471	0		Winroc HI supplies, Simpson Furniture and Flooring, Olympia Tile and Stone, Cardinal Cabinetry, JW Table and Chair, Burlington and Griffith Flooring, Mattress Depot, NAPA, California Spa & Fitness, RONA		163,334
			4,731,431	3,800,579	930,852				395,250

## 4.0 Appendix - Potential Retail Expansion at Existing Sites

### Potential Retail Expansion at Existing Sites

Map	Address	Designation	Permitted Under Cap	30% Coverage	Existing Building GFA	Existing Coverage	Expansion Potential	Expansion Permitted Under Cap	Expansion Not Permitted Under Cap
1	3035 Wonderland Road	Enterprise	No	129,898	135,302	31.25%	-	-	-
2	3039 - 3109 Wonderland Rd	Enterprise	No	309,644	225,079	21.81%	84,565	-	84,565
3	3165 Wonderland Road	Enterprise	No	165,000	124,000	22.55%	41,000	-	41,000
4	3040 Wonderland Road	Enterprise	No	153,080	129,281	25.34%	23,799	-	23,799
5	3030 - 3120 Wonderland Rd	Enterprise	No	179,194	98,494	16.49%	80,700	-	80,700
6	3100 Wonderland Road	Enterprise	No	103,336	130,182	37.79%	-	-	-
7	3180 - 3210 Wonderland Rd	Enterprise	No	149,976	125,146	25.03%	24,830	-	24,830
8	see map	Enterprise	No	21,369	13,429	18.85%	7,940	-	7,940
9	see map	Enterprise	No	11,872	5,702	14.41%	6,170	-	6,170
10	see map	Enterprise	No	20,112	16,566	24.83%	3,546	-	3,546
17	4313 Wellington Road S	NFRCN	Yes	145,131	137,180	28.36%	7,951	7,951	-
18	4343 & 4349 Wellington Rd S	NFRCN	Yes	56,429	8,115	4.31%	48,314	48,314	-
19	4397 & 4470 Wellington Rd S	NFRCN	Yes	58,062	11,864	6.13%	46,198	46,198	-
20	4425 Wellington Road S	NFRCN	Yes	62,605	19,088	9.15%	43,517	43,517	-
21	4465 Wellington Road S	NFRCN	Yes	133,967	126,012	28.22%	7,955	7,955	-
22	4300 Wellington Road S	NFRCN	Yes	52,221	51,808	29.76%	413	413	-
23	4350-80 Wellington Road S	NFRCN	Yes	246,306	261,228	31.82%	-	-	-
24	2809 Roxburgh Road	NFRCN	Yes	28,358	-	-	-	-	-
32	925 Southdale Road W	CCN	Yes	176,730	92,116	16%	84,614	84,614	-
33	1210 Wellington Road	NFRCN	Yes	135,289	135,252	30%	-	-	-
34	817 Exeter Rd	NFRCN	Yes	76,764	57,721	23%	19,044	19,044	-
35	1260 Commissioners Rd	NCN	Yes	74,358	75,221	30%	-	-	-
36	509 Commissioners Rd W	CCN	Yes	117,065	99,191	25%	17,874	17,874	-
37	785 Wonderland Road South	CCN	Yes	409,983	494,760	36%	-	-	-
38	390 Springbank Dr	NCN	Yes	67,105	73,196	33%	-	-	-
39	1105 Wellington Rd	ERCN	Yes	602,035	779,185	39%	-	-	-
40	1125 Wellington Rd	ERCN	Yes	114,308	106,772	28%	7,536	7,536	-
41	1200 Commissioners Rd	CCN	Yes	236,730	182,856	23%	53,874	53,874	-
42	1307 Commissioners Rd	CCN	Yes	104,271	107,535	31%	-	-	-
43	332 Wellington Rd	CCN	Yes	199,689	138,203	21%	61,486	61,486	-
44	387-401 Wellington Road	CCN	Yes	180,022	135,772	23%	44,250	44,250	-
45	673 Commissioners Rd	CCN	Yes	80,900	55,292	21%	25,608	25,608	-
46	769 Southdale Road East	NCN	Yes	59,053	48,722	25%	10,331	10,331	-
47	725 Notre Dame Drive	NCN	Yes	71,445	49,795	21%	21,650	21,650	-
48	40 Bradley Avenue	NCN	Yes	72,308	64,701	27%	7,607	7,607	-
49	317 Adelaide Street	AOCC	Yes	53,675	61,780	35%	-	-	-
50	7 Base Line Rd East	AOCC	Yes	76,766	68,425	27%	8,342	8,342	-
51	784 Wharcliffe Road South	AOCC	Yes	65,387	62,699	29%	2,687	2,687	-
52	639 Montgomery Road	AOCC	Yes	56,180	48,966	26%	7,215	7,215	-
53	635 Southdale Road	AOCC	Yes	111,923	65,282	17%	46,641	46,641	-
54	820 Wharcliffe Rd South	AOCC	Yes	71,463	60,097	25%	11,366	11,366	-
55	947 Wharcliffe Road South	AOCC	Yes	131,998	85,056	19%	46,942	46,942	-
56	1040 Wharcliffe Road	AOCC	Yes	149,440	152,805	31%	-	-	-
57	1180 Wharcliffe Road	AOCC	Yes	195,593	196,731	30%	-	-	-
58	1240 Wharcliffe Rd S	AOCC	Yes	65,540	14,288	7%	51,252	51,252	-
59	1029 Wellington Rd	AOCC	Yes	80,437	85,639	32%	-	-	-
60	1067 Wellington Rd	AOCC	Yes	73,748	78,953	32%	-	-	-
61	1705 Wharcliffe Rd	AOCC	Yes	61,290	40,319	20%	20,971	20,971	-
62	765 Exeter Road	NFRCN	Yes	199,230	196,802	30%	2,428	2,428	-
							978,618	706,067	272,550

Source: Kircher Report, Coriolis Consulting Corp.

James W. Harbell  
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March 16, 2018  
File No.: 129002.1001

By E-mail  
*pec@london.ca*

Planning and Environment Committee  
City of London  
300 Dufferin Avenue  
PO Box 5035  
London, ON N6A 4L9

Attention: City Clerk

Dear Sirs/Mesdames:

**Re: Planning and Environment Committee Meeting, Item 3.4  
Wonderland Road Community Enterprise Corridor (File O-8868)**

We are counsel to 1279059 Ontario Inc. and CLF 1 (Wonderland Road) Inc. (c/o York Developments and North American Development Group ("**York / NADG**"), the owners of lands municipally known as 3405 Wonderland Road South and 1789 Wharncliffe Road South, London (the "**Property**").

First, from a procedural perspective, we believe that this matter has been dealt with in the most unfair manner. The Planning Staff Report for this matter, dated March 12, 2018 (the "**Planning Report**") and its recommendations were not made available to us until noon on Wednesday, March 14, 2018, and the City Clerk's office is requiring that we file any response that will be dealt with by the Planning and Environment Committee (the "**Committee**") by 9:00 a.m. on Friday, March 16, 2018. This gives us, and other members of the public, only 45 hours to respond to the Planning Report. Given that the record before the Committee is of utmost importance as any appeals on this matter will go to the Local Planning Appeal Tribunal, we believe that we have not been given sufficient time to respond properly to this matter. On that basis alone, this item ought to be adjourned.

In the event that the Committee proceeds to hear this matter, it is our position that the recommendations of planning staff should not be accepted, and that the proposal to lift the commercial cap in the Wonderland Road Community Enterprise Corridor (the "**Enterprise Corridor**") should either be refused by the Committee or be referred back to planning staff to conduct a proper comprehensive report, which we anticipate will take a number of months in order to adequately complete.

Ward Land Economics Inc. and MHBC Planning have been retained to review this matter from a market and planning perspective. Their reports are attached to this letter. Both firms have been involved in this matter for many years and participated extensively in all matters related to the Southwest Area Secondary Plan and the associated hearing before the Ontario Municipal Board.

The issue of the commercial cap was addressed by the Ontario Municipal Board (the "**Board**") in its decision on the Southwest Area Secondary Plan ("**SWAP**"), issued April 29, 2014 (OMB Case No. PL130020). In fact, the Board dealt with this exact issue of whether the designations along Wonderland Road should be modified to secure retail approvals for the Decade and Southside sites. Southside, who was represented by legal counsel and presented evidence from an expert land use planner, made submissions to the Board that the Enterprise Corridor should be shortened to permit retail designations to

be applied to the Southside and Decade sites. In effect, Southside sought to take away the commercial designations from the Aarts and Greenhills sites, which is precisely the suggestion made in the Impact Report, prepared by Coriolis Consulting Corp., dated February 2018 (the “**Coriolis Report**”), upon which staff rely for this present item before the Committee; the Coriolis Report recommends that Sites 14 and 15 (i.e., the Aarts and Greenhills sites), among others, be designated for uses other than commercial.

At the SWAP hearing, the Board heard expert evidence from Southside’s planner that leapfrogging would occur if the Board permitted the corridor to extend further south with a 100,000 sq m cap on commercial space. Southside’s evidence was that extending the corridor “exacerbates the City’s historical proclivity of over-designating commercial space, will result in scattered commercial nodes being created along Wonderland [Road] and will result in unintended consequences which are not in the public interest”. According to Southside, these unintended consequences included that existing commercial centres would be hard-pressed or simply unable to revitalize or reformat and that there could be “leapfrogging” of commercial development in the Enterprise Corridor.

By contrast, the Board stated that the planning intent of the Enterprise Corridor was to create “opportunities for a broad mix of commercial, office, residential and institutional uses”. The Board accordingly denied the change requested by Southside and stated “the evidence demonstrated that by having 100,000 sq m of commercial space over a larger area, i.e. between Bradley Avenue and Hamlyn Street, the broader ranges of uses contemplated in the [Enterprise Corridor] were more likely to be promoted”. The Board further found that the SWAP does not contain the phrase “continuous commercial corridor”, and finally, the Board reached a conclusion, which is not contained in the Planning Report before you, that “by having the [Enterprise Corridor] extend to Hamlyn Street while maintaining the 100,000 sq m of gross floor area, mixed use development as contemplated by the Plan will, in my view, be a logical consequence. Simply put, the permitted amount of commercial space will be spread over a wider area and, consequently, there will be room for as of right development of other complementary uses, thereby resulting in a mix of uses throughout the corridor”. (emphasis added).

The Board noted that at that time, planning staff did not support this extension to Hamlyn Street, but that Council did support the extension after an extensive public process. As the Board stated, “[t]he position of municipal planning staff in any planning decision is undoubtedly important, but that position must be balanced against and measured by the planning position(s) advanced by affected parties and, needless to say, by the decision itself of Council”.

As outlined in the reports of Ward Land Economics Inc. and MHBC Planning, the recommendation from City planning staff on this matter is fundamentally flawed for the following reasons:

1. It is based on an incorrect reading of the previous Ontario Municipal Board decision that is exactly on point;
2. It is based on an unsubstantiated conclusion that “mixed use development is not economically viable in the Enterprise Corridor”;
3. It misinterprets the intent of the designation of the Enterprise Corridor which was never to allow retail uses on every site, but instead, to encourage a mix of uses interspersed throughout the Enterprise Corridor;
4. There is no adequate review of the Provincial Policy Statement (the “**PPS**”), and it is clear that this proposal is inconsistent with the PPS;
5. Staff fail to provide a review of the London Plan and its policies, which encourage mixed use development in corridors—this proposal therefore does not conform with the London Plan;

6. The Coriolis Report suggests that commercial uses will be taken away from landowners such as Aarts, Greenhills, a site adjacent to the new Ikea / Costco regional centre, and two others. The Coriolis Report suggests that redesignation of these sites should be considered, but fails to offer any suggestion of what that redesignation might be. Further, staff do not address this at all in their recommendation, which is at odds with the Coriolis Report. It is clearly premature to lift the commercial cap until all of the ramifications are analyzed and put before Council;
7. Removal of the commercial cap will have an impact on existing commercial centres that are trying to remarket and redevelop as there is already far too much retail space designated in South London, as agreed to by the City's market expert; and
8. It will destabilize the investment retail community which has relied upon past decisions from Council and the Board to spend millions of dollars in infrastructure upgrades.

For these reasons, we believe the Planning Director's recommendations must not be accepted or, in the alternative, that this matter should be sent back to planning staff to require that staff produce a report that contemplates the following, which is missing from the Planning Report:

1. Recommendations for new planning approvals for the five sites listed in the Coriolis Report, for which Coriolis states that notwithstanding their current permissions for retail uses, these sites are recommended to be redesignated for uses other than commercial.
2. A full and proper analysis of whether this proposed Official Plan Amendment conforms with London Plan.
3. A full and proper analysis of whether this proposed Official Plan Amendment is consistent with the PPS.
4. Evidence that, in fact, mixed use development will not occur within the Enterprise Corridor thereby frustrating the intent of SWAP, which is to provide for a mix of uses within the corridor with not each use being based on retail permissions.
5. An appropriate analysis on the potential impact of lifting the commercial cap on existing retail designations in South London, including the Pen Equity / Ikea / Costco site, Westmount Mall, Pond Mills Square, and the planned function of retail corridors, the Downtown Transit Villages, and other commercial areas in London.

Finally, for purposes of the record, we incorporate by reference the Stikeman Elliott letter of June 4, 2017, the Ward Land Economics Inc. letter of June 2, 2017, and the York Developments letter of June 12, 2017.

Yours truly,



James W. Harbell

JWH/rw

Enclosures

cc. Mimi Ward, *Ward Land Economics Inc.*  
Carol Wiebe, *MHBC Planning*  
Scott Allen, *MHBC Planning*  
Client



March 16, 2018

Planning and Environment Committee  
City of London  
300 Dufferin Avenue  
London, Ontario  
PO Box 5035, N6A 4L9

**Attention: Councillor Turner, Chair and Members**

Dear Sirs/Mesdames:

**RE: Proposed Official Plan Amendment, City of London (File: O-8868)  
Wonderland Road Community Enterprise Corridor Land Use Designation  
Southwest Area Secondary Plan  
Our File 1094'A'**

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On behalf of our clients, we offer the following comments as it pertains to the above noted matter being considered by Planning & Environment Committee on March 19, 2018.

**SUMMARY**

Coriolis Consulting Inc. (Coriolis) has been engaged by the City of London to evaluate whether removing the commercial cap applying to Wonderland Road Community Enterprise Corridor (Enterprise Corridor) would substantially impact upon the existing and planned commercial space in the corridor and the City as a whole. As a result of their engagement, Coriolis provided a Final Report dated February 2018. City Planning Staff subsequently prepared a Report to Planning and Environment Committee dated March 12, 2018 to be presented to the PEC on March 19, 2018.

MHBC has reviewed both the Coriolis and City Planning reports from a land use planning perspective on behalf of 1279059 Ontario Inc. and CLF 1 (Wonderland Road) Inc., owners of a regional shopping centre on lands addressed as 3405 Wonderland Road South and 1789 Wharncliffe Road South.

As an outcome of our review, we have evaluated the conclusions/recommendations of both reports and have identified significant planning concerns with the core rationale advanced by Coriolis for removing the commercial cap. Further, we have concerns with the analysis and rationale provided by Staff.

A synopsis of our assessment is provided below; more detailed commentary on these matters is provided within this letter.

1. Mixed-Use Development Pattern. The Coriolis recommendation to remove the cap is based, in part, on a concern that this area is not viable for a mixed-use development pattern and should be built-out for regional serving retail uses north of Exeter Road. We disagree with this assessment. The SWAP has only been in effect for approximately four years and, in our opinion, lands in the Enterprise Corridor are developing according to the expected growth sequencing. In the fullness of time, it is our opinion that service, employment, residential and community activities will be established within this corridor to (1) meet market demands and (2) achieve the complete and flexible mix of land uses envisioned for this designation.
2. Geographic Distribution of Commercial Uses. The Coriolis report acknowledges that removing the commercial cap increases the land supply for such uses but will not increase market demand in South London. Accordingly, it is noted in the report that the major impact of this measure will be to alter the long-term geographic distribution of development in the Enterprise Corridor. In this respect, Coriolis is proposing to remove the cap to promote the full build-out of this corridor north of Exeter Road for regional serving retail uses. By contrast, the cap encourages a wider mix and geographic distribution of land uses as it affords opportunities for commercial uses and complementary office, institutional and residential activities to be located throughout the corridor. It is therefore our opinion that the cap is consistent with, and helps to realize, the planned function of the Enterprise Corridor.
3. Market Demand Forecast. According to the analysis provided in the Coriolis report, for the forecast period 2017 to 2047, the additional market demand in South London for region serving retail removal would be 167,100 m<sup>2</sup>. With the cap in place, it is stated in the report that there is capacity to accommodate an additional 176,300 m<sup>2</sup> of retail GFA, including 65,600 m<sup>2</sup> in the Enterprise Corridor. It is further noted that removing the cap increases the capacity in South London to approximately 312,700 m<sup>2</sup> (equating to approximately 87% more space than required to meet forecasted market demand). The Coriolis report does not demonstrate that removal of the cap is warranted to address market demand in the long-term.
4. Redesignation of Enterprise Corridor Lands. The substantial over-supply of retail GFA resulting from removal of the cap has the potential to undermine the planned function of both the Enterprise Corridor and other designated commercial areas in South London. The Coriolis report addresses this concern by proposing that strategic measures could be considered to avoid excess capacity other than a GFA cap. One potential measure presented by Coriolis is to redesignate lands in the Enterprise Corridor to uses not required to meet retail market demand (including lands south of Exeter Road). In our opinion, redesignation of these lands for non-commercial uses is not consistent with the planned function of the corridor to accommodate a range and mix of land uses to meet service, employment, residential and community activity needs. Moreover, in our opinion, if elimination of the cap is predicated on the removal of commercial permissions from lands in this corridor, any decision on the cap is premature without a full evaluation of existing and future land use in this designation.
5. Inconsistent with the Provincial Policy Statement (2014). The Staff report states that the proposed Official Plan amendment is consistent with the Provincial Policy Statement (2014) by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (Policy 1.7.1.c). Staff also refer to Policy 1.1.1.a) which states that “healthy, livable and safe communities are sustained by promoting efficient development and land use patterns that sustain the financial well-being of the Province and municipalities over the long term”. The report also refers to Policy 1.1.3.6 which states that “new development taking place in designated growth

areas should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.” In their analysis staff has concluded that due to gaps in development along the Wonderland Road corridor this is not consistent with the goal of promoting efficient development patterns and that new growth should occur adjacent to existing built up areas. In our opinion, this is a very narrow interpretation of the PPS and suggests that there cannot be vacant undeveloped parcels along roadways as this would represent an inefficient use of roads, infrastructure and development. The intent of the PPS is not to require contiguous parcels to develop prior to any other development occurring. Further, staff has stated that the commercial cap prevents the corridor from achieving a mix of uses that is promoted within the PPS. However that is not the case as the other development parcels along the Wonderland Road corridor can develop with a range of other uses that are permitted within the Official Plan framework and would achieve the broader goal of providing a mix of uses along the entire corridor.

6. Conformity with the vision and intent of the Southwest Area Secondary Plan (SWAP). The staff report states the commercial cap precludes development in accordance with the planned vision for the Wonderland Road corridor. The long term vision for the Wonderland Road corridor was the establishment of a mixed-use corridor that would include a mix and range of land uses including commercial, office, residential and institutional uses. The policies within SWAP also state that both stand-alone and mixed-use developments are permitted and that a mix of any of these permitted uses within a single building is permitted and encouraged. On this basis, we do not support the position advanced by staff that the commercial cap precludes development in accordance with the planned vision of SWAP. On the contrary, the inclusion of the commercial cap within the Wonderland Road corridor encourages a wider range and mix of uses to locate on parcels that do not have a commercial allocation. The SWAP policies do not require uses other than commercial to be located in mixed-use buildings and therefore there is nothing preventing the development of stand- alone office, residential or institutional uses from being developed at this time.

In light of our review of the Coriolis and City planning reports as well as other documents relating to this Official Plan Amendment application, it is our opinion that no significant planning rationale has been presented to substantiate removal of the commercial cap is warranted to fulfill its planned function. To the contrary, in our opinion the findings of the Coriolis report specifically illustrate that removal of the cap would be detrimental to the planned function of this mixed-use corridor and other commercial areas in North London.

**Given these considerations, we therefore request that the Committee recommend retaining the 100,000 m<sup>2</sup> commercial cap established for the Enterprise Corridor.**

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### ***Background***

MHBC has been engaged by 1279059 Ontario Inc. and CLF 1 (Wonderland Road) Inc. (c/o York Developments Inc. and North American Development Group (York/NADG) to evaluate planning matters related to their holdings in the Southwest Planning Area addressed as 3405 Wonderland Road

South and 1789 Wharncliffe Road South. In this capacity, MHBC has provided professional planning opinion in relation to several City of London planning processes addressing these lands including:

1. The site-specific Official Plan Amendment/Zoning By-law Amendment (OPA/ZBA) applications which resulted in the designation of the lands New Format Regional Commercial Node and applied commercial zoning to the site. These applications were approved by City Council on June 25, 2013.
2. The Southwest Area (Secondary) Plan (SWAP) and associated Ontario Municipal Board (OMB) hearing which resulted in the redesignation of the subject lands to the Wonderland Road Community Enterprise Corridor (Enterprise Corridor) designation and applied a 100,000 m<sup>2</sup> gross floor area (GFA) 'cap' on commercial development in this designation. The SWAP was approved pursuant to the OMB Decision issued April 26, 2014.
3. The Site Plan Approval application submitted by York/NADG to develop its site for a regional-scale, large format commercial centre. The SPA application was approved by the City of London on May 30, 2016.
4. The new Official Plan (The London Plan) which is proposing to designate the entire Enterprise Corridor as Shopping Area place type. Applicable policies and schedules of the new Official Plan have been appealed to the OMB and are not presently in effect.

MHBC has been retained by York/NADG to evaluate the planning merits of the proposed SWAP amendments associated with the proposed OPA. Given the ownership group's significant investment in the servicing/development of the aforementioned regional shopping centre, our review of the OPA has focused principally on the proposed amendment to remove the Enterprise Corridor commercial cap.

As part of this assessment, we have reviewed several reports and studies pertaining to the establishment and potential removal of this cap including:

1. City of London Planning Division reports to the City's Planning and Environment Committee providing rationale for both the Enterprise Corridor and the approved commercial GFA cap (June 18, 2012; October 15, 2012; October 7, 2014);
2. *Retail Market Demand Analysis for the South West Area Plan (SWAP), City of London, Ontario 2016-2031*, prepared by Kircher Research Associates Ltd. (May 15, 2012; November 24, 2016);
3. Stikeman Elliott LLP submission, dated June 4, 2017, on behalf of York/NADG providing commentary on the above-noted reports and expressing concerns with the proposed removal of the cap (with assistance from Ward Land Economics Inc.); and
4. *Impact of Removing the Retail Development Cap in the Wonderland Road Community Enterprise Corridor (Enterprise Corridor), London Ontario*, dated February 2018 and prepared by Coriolis Consulting Corp.

### ***Planned Function: Enterprise Corridor***

Section 4.8.2 of the current City of London Official Plan (1989) describes that in the context of the SWAP's Wonderland Boulevard Neighbourhood, Wonderland Road South is to service as a significant City gateway and a focal point of the Southwest Planning Area. With respect to planned function, Section

4.8.2 states that the intent of the Enterprise Corridor is to provide for a broad range and mix of uses including commercial, office, residential and institutional uses. The planned function of the Enterprise Corridor is further described in this Section as follows:

*... The intent is to ultimately develop a mixed-use corridor characterized by a high density built form to support transit service and active transportation modes....*

*The Wonderland Road Community Enterprise Corridor will establish the identity of the broader Southwest Secondary Planning Area, and accommodate a range and mix of land uses to meet service, employment, residential and community activity needs. ...*

The planned function of the Enterprise Corridor is further described in the October 15, 2012 Planning Division report to the Planning and Environment Committee regarding the SWAP. As outlined in the 'Rationale' section of this staff report, the intent of the new Enterprise Corridor designation is to support a complete and flexible mix of land uses, including commercial, residential, and institutional and office activities. Additionally, it is stated in the 'Wonderland Road Enterprise Corridor' section of the report that this designation was established in response to Council direction (June 2012), ***"To provide for a wide range of land uses, and, rather than geographically distribute these land uses in the Corridor, allow the uses to establish anywhere within the Corridor up to the limits, or caps, as defined in the Plan."*** (emphasis added)

Consistent with the current Official Plan, Section 20.5.6.1 (i) of the SWAP states that the intent of the Enterprise Corridor is to provide for a wide range of commercial, office, residential, and institutional uses. Additionally, Section 20.5.6.1 (i) provides general policy direction for commercial development in the Enterprise Corridor designation:

*Commercial uses within this designation are intended to complement the more traditional commercial uses and forms in the Lambeth Village Core, and serve local, neighbourhood and city needs. It is not intended that the specific location of commercial uses be identified within this designation, however, such uses shall be encouraged to locate in mixed use developments over time with the opportunity to incorporate office and/or residential uses.*

### **Commercial Cap: Enterprise Corridor**

As part of the implementation strategy for the Enterprise Corridor, GFA caps were specifically established for commercial uses (100,000 m<sup>2</sup>) and office uses (20,000 m<sup>2</sup>). No caps were applied for residential or institutional uses within the Enterprise Corridor.

The concept of a commercial GFA cap within the Wonderland Road South corridor was initially proposed in a Planning Division report (June 18, 2012) and in a corresponding draft Secondary Plan dated June 2012. The initial commercial cap built on the findings of the retail market demand study prepared by Kircher Research (May 15, 2012) which evaluated warranted commercial demand in the Southwest Planning Area. A cap of 120,000 m<sup>2</sup> was originally proposed for an area extending from Southdale Road West to lands just south of the Bradley Avenue. This cap included 90,000 m<sup>2</sup> of existing commercial development and lands approved and/or under construction. Ultimately, in conjunction with the establishment of the Enterprise Corridor and direction from City Council, the cap was increased to 100,000 m<sup>2</sup>, excluding existing development.



This specific basis for the commercial cap approved under the SWAP is summarized in the 'Wonderland Road Enterprise Corridor' section of the October 15, 2012 Planning Division report as follows:

*To capitalize on the upcoming connection of Wonderland Road South to Highway 401, within the Wonderland Road Enterprise Corridor, up to 100,000 square metres (1,080,000 square feet) of new commercial development may be permitted. This is in addition to the approximately 90,000 square metres (967,000 square feet) already developed or approved/under construction in the corridor on the designated lands generally located north of the Bradley Avenue extension.*

The function of the Enterprise Corridor commercial cap was further articulated in the October 7, 2014 Planning Division report regarding a commercial development proposal for 51 and 99 Exeter Road (Application OZ-8324). Within the 'Analysis' section of the report, the following is stated in relation to this cap:

*The principle behind the **inclusion of a cap on commercial development is to prevent the over-supply of commercial uses in new suburban areas**, where additional public infrastructure and servicing investments are required and must be supported over the long-term. The 2012 Retail Demand Analysis completed by Kircher Associates Ltd. cited difficulties encountered by Westmount Mall after the development of "big-box" commercial uses south of Southdale Road, in suggesting that planning for future retail space in the Southwest Area should be careful to take into account actual market demand in order to prevent overbuilding and ensure that existing public infrastructure is used efficiently. **By preventing over-supply through a GFA cap in planning regulations, it is anticipated that the integrity and planned function of existing commercial centres elsewhere in the City, will be preserved and that existing infrastructure and public services will be continue to be efficiently utilized** in those areas. (emphasis added)*

The inclusion of the cap in the Enterprise Corridor was upheld by the Ontario Municipal Board (OMB) in its Decision regarding the SWAP dated April 29, 2014 (OMB Case No. PL130020).

### **Commentary**

In our opinion, the commercial and office GFA caps introduced into the Enterprise Corridor policy framework are an integral mechanism to achieve the planned function of this unique, mixed-use designation. By prescribing a specific limit on the total space expressly dedicated to retail/service commercial and office development, the caps ensure that only a portion of the entire designation can be dedicated exclusively for those purposes. With these restrictions in place, in its entirety, the policy framework for the corridor encourages and promotes the mix of complementary service, employment, residential and community activities envisioned for this gateway community (without specifying the geographic distribution of such uses).

Additionally, from a market demand perspective, it is our opinion that the commercial GFA cap serves two key functions:

1. To prevent the over-supply of commercial uses in the South London trade area; and
2. To guide the sequencing of the development mix in the Enterprise Corridor.

With respect to the first function, based upon our review of related studies/reports, the cap is intended to limit commercial development in the Enterprise Corridor to a scale that (1) is warranted to meet demand

and (2) is unlikely to undermine the planned function of other designated commercial areas in the South London trade area. This is reflected in the Planning Division comments highlighted above, which recognize that in this circumstance, a GFA cap is an effective measure to preserve the integrity and planned function of existing commercial centres. Given the physical size, gateway function and prominent location of the corridor, we agree that the commercial cap is an important and prudent tool to support the planned function of existing commercial areas by limiting the over-supply of space in the trade area.

In relation to the sequencing of commercial development, in our opinion the Enterprise Corridor commercial cap was initiated to acknowledge that regional-scale retail uses would represent the first phase of growth in this developing area. This type of commercial development requires a large trade area, large development sites and highly accessible locations - attributes consistent with the Wonderland Road South corridor. Regional-scale shopping is also less reliant on a local residential/employment base than locally-oriented retail/service uses. It is anticipated that the second phase of growth in this area will be office and institutional uses that benefit from both proximity to regional shopping areas and access to the City's arterial road network and the Provincial highway system. Residential uses, in low- and mid-rise forms, are anticipated to be the third major growth phase; however depending upon housing market demand, residential development may occur in the corridor as part of phase two. Given these considerations, the cap is an important component of the Enterprise Corridor policy framework (1) to allow for the development of these region servicing commercial uses to meet current market demands and (2) to encourage the establishment of complementary uses in the near- and intermediate-terms.

### **Potential Removal of Commercial Cap**

City staff have advised that Coriolis Consulting Inc. (Coriolis) was engaged to evaluate whether removing the commercial cap would substantially impact upon the existing and planned commercial space in the corridor and the City as a whole. As set out in the associated study report (dated February 2018), Coriolis is recommending that the cap be removed in its entirety. Their recommendation is also premised on the re-designation of a number of existing designated commercial sites in south London. They have stated that this is a more strategic measure to avoid excess capacity once the cap is removed. However, there has been no analysis on what is the most appropriate designation that would exclude commercial uses. The proposed Amendment in the Staff report does not address these existing commercial parcels and therefore the potential supply of excess capacity could be higher than anticipated in the Coriolis report.

Following our review of the Coriolis report, in our opinion the proposal to remove the cap is predicated on the following rationale set out in Sections 10.1 (Demand and Capacity) and 10.2 (Impact of Removing the Cap) of the report:

*...removing the retail cap allows the development of sites in the Enterprise Corridor. This is desirable as sites in the Corridor are the best suited for regional retail development in South London from a market and planning perspective. The Corridor is centrally located, has an existing agglomeration of successful regional retail uses, and has good transportation access. Removing the cap allows full build-out of the Enterprise Corridor to Exeter Road.*

*Removing the cap increases retail GFA capacity to about 312,700 square metres at region serving locations in South London. **Removing the cap increases the capacity but doesn't increase demand so the major impact will be to alter the geographic distribution of development over the next 30 years.** (emphasis added)*

***Since the Enterprise Corridor is a low density, high volume, commercial area and mixed use residential development is not economically viable in this area, the portion of these sites without retail zoning will likely remain vacant. In addition, retail permissions on sites with zoning under the cap are insufficient to accommodate regional retail projects. (emphasis added)***

Taking this matter into account, and considering broader study findings, Coriolis concludes that the Enterprise Corridor commercial cap should be removed. As noted in Section 10.4 (Recommendations) of the report, it is the opinion of Coriolis that removing the cap, *“Will allow the development of sites best suited for regional retail development from a market and planning perspective, promote a contiguous development pattern in the Enterprise Corridor and provide land owners with viable development options over the next 30 years.”*

Notwithstanding these supposed benefits, the Coriolis report identifies the following caveats in Section 10.4:

***Removing the cap creates about 136,400 square metres of excess region serving retail capacity which is not needed between 2017 and 2047. This postpones a viable development option for sites which are less suited for region serving retail development over the next 30 years. (emphasis added)***

*There are more strategic measures that could be considered to avoid excess capacity than a cap on retail development. One strategy is to designate lands for other uses which are not required to meet retail demand between 2017 and 2047 and are appropriate to redesignate from a planning and market perspective.*

### **Commentary**

We have evaluated the conclusions/recommendations of the Coriolis and City Planning reports and have identified significant planning concerns with these findings in the context of the planned function for the Enterprise Corridor.

The core rationale advanced by Coriolis for removing the commercial cap is assessed below:

1. Mixed-Use Development Pattern. The Coriolis recommendation to remove the cap is based, in part, on a concern that this area is not viable for a mixed-use development pattern and should be built-out for regional serving retail uses north of Exeter Road. We disagree with this assessment. The SWAP has only been in effect for approximately four years and lands in the Enterprise Corridor are developing according to the expected growth sequencing. In particular, it is recognized that regional-scale retail uses represent the first phase of growth in this developing area. It is also anticipated that this corridor will diversify with a mix of uses complementary to large format commercial uses including office, institutional and residential development. It is our opinion that in the fullness of time, service, employment, residential and community activities will be established within this corridor to (1) meet market demands and (2) achieve the complete and flexible mix of land uses envisioned for this designation.
2. Geographic Distribution of Commercial Uses. The Coriolis report acknowledges that removing the commercial cap increases the land supply for such uses but will not increase market demand in South London. Accordingly, it is noted in the report that the major impact of this measure will be to alter the long-term geographic distribution of development in the Enterprise Corridor. In this respect, Coriolis is proposing to remove the cap to promote the full build-out of this corridor north

of Exeter Road for regional serving retail uses. A contiguous development pattern of this nature is recommended by Coriolis as a means to take advantage of the corridor's central location in South London, its existing development pattern and its transportation access. Contrary to the approach advanced by Coriolis, which would concentrate commercial uses between Southdale Road West and Exeter Road, implementation of the cap has allocated commercial space throughout this designation (including lands south of Exeter Road). In effect, the cap facilitates a wider mix and geographic distribution of land uses as it affords opportunities for commercial uses and complementary office, institutional and residential activities to be located through the entire Enterprise Corridor. It is our opinion that the cap is consistent with, and helps to realize, the planned function of the Enterprise Corridor and is more effective in ensuring a fair, equitable and reasonable distribution of commercial floor area.

3. Market Demand Forecast. According to the analysis provided in the Coriolis report, for the forecast period 2017 to 2047, the additional market demand in South London for region serving retail removal would be 167,100 m<sup>2</sup>. With the cap in place, it is stated in the report that there is capacity to accommodate an additional 176,300 m<sup>2</sup> of retail GFA, including 65,600 m<sup>2</sup> in the Enterprise Corridor. Given this finding, it is concluded in Section 10.1 of the report that, *"There is enough the capacity to accommodate demand over the next 30 years"*. It is further noted in this Section that removing the cap increases the capacity in South London to approximately 312,700 m<sup>2</sup> (equating to a 77% increase over existing conditions and approximately 87% more space than required to meet forecasted market demand). The Coriolis report does not demonstrate that removal of the cap is warranted to address market demand in the long-term.
4. Redesignation of Enterprise Corridor Lands. The substantial over-supply of retail GFA resulting from removal of the cap is problematic from a planning perspective, given that it could generate increased vacancies and underutilized space in existing and new commercial areas throughout South London. As a result, the over-supply of commercial land resulting from this measure has the potential to undermine the planned function of both the Enterprise Corridor and other designated commercial areas in South London including existing commercial centres such as Westmount Mall and White Oaks Mall. This Coriolis report addresses this concern by proposing that strategic measures could be considered to avoid excess capacity other than a GFA cap. One potential measure presented by Coriolis is to redesignate lands in the Enterprise Corridor to uses not required to meet retail market demand (including lands south of Exeter Road). In our opinion, redesignation of these lands for non-commercial uses is not consistent with the planned function of the Enterprise Corridor to accommodate a range and mix of land uses to meet service, employment, residential and community activity needs. Moreover, in our opinion, if elimination of the cap is predicated on the removal of commercial permissions from lands in the Enterprise Corridor, any decision on the cap is premature without a full evaluation of existing and future land use in this designation.
5. Inconsistent with Provincial Policy Statement (2014). As noted in our review, the Coriolis report acknowledges that the removal of the commercial cap will increase commercial capacity (supply) but will not increase demand. In other words, supply exceeds demand and there will be an excess of commercial space that will impact on both existing and other planned commercial site within South London and the City as a whole. The PPS promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (Policy 1.1.1 a). Further, the PPS promotes opportunities for economic development (Policy 1.7.1 a) and optimizing the long-term availability and use of land, resources and infrastructure (Policy 1.7.1 b). The associated risks of creating excess capacity include increased

vacancies in existing commercial centres and incomplete development of new commercial developments. In turn, this results in loss of investment in the City including reduced assessment and the inefficient use of municipal resources and infrastructure. In addition, and as acknowledged in the Coriolis report, the removal of the cap will result in an increase in the supply of commercial lands rather than establishing an appropriate range and mix of residential, employment, institutional, recreation and other uses to meet long-term needs. This is not consistent with Section 1.1.1 b) of the PPS.

### ***Summation***

In summary, it is our opinion that the commercial cap is an integral mechanism to fulfill the planned function of the Enterprise Corridor as a mixed-use development area supporting a wide range of commercial, office, residential, and institutional uses. This vision is set out in the Official Plan, through the Southwest Area Secondary Plan (SWAP), and this vision will not be met with the removal of the commercial cap. Accordingly, in our opinion, the proposed Amendment does not conform to the Official Plan.

Additionally:

- It is our opinion that the findings and recommendations in the Coriolis and City Planning reports do not adequately demonstrate that removal of this cap is warranted to encourage a broader geographic distribution of uses throughout this designation to meet market demand.
- We remain concerned that the removal of this cap would result in the significant over-supply of retail space in South London - a situation that undermines the planned function of designated commercial lands in this area.
- The Coriolis report recommends investigating strategic measures to mitigate the impacts of excess commercial supply, such as redesignating lands in the corridor for non-commercial uses. However, the City Planning report does not address this in their recommendations, thereby leading to an excess supply of commercial lands that have not been fully assessed. In our opinion, measures of this nature require a detailed planning assessment including extensive stakeholder consultation given the prejudicial effects of such a down-designation. More importantly, it is necessary to understand the full impacts of removing the cap in the absence of these other measures that were outlined in the Coriolis report. It is our opinion that it is premature, and inappropriate, to remove the cap on the pretense that measures to address the impacts of excess commercial supply will be investigated in the future.

In light of our review of the Coriolis and City Planning reports and other studies relating to this Official Plan Amendment application, it is our opinion that no significant planning rationale has been presented to substantiate removal of the Wonderland Road Community Economic Corridor commercial cap nor is it warranted to fulfill its planned function. To the contrary, in our opinion the findings of the Coriolis report illustrate that removal of the cap would be detrimental to the planned function of this mixed-use corridor and other commercial areas in London.

**Given these considerations, we therefore request that the Committee recommend retaining the 100,000 m<sup>2</sup> commercial cap established for the Enterprise Corridor.**



We trust that the information presented offers sufficient detail to assist the Committee with its evaluation of this proposal.

Yours truly,

**MHBC**



Carol M. Wiebe, BES  
Partner



Scott Allen, MA, RPP  
Partner

cc. *S. Bishop; NADG*  
*A. Soufan; York Development*  
*J. Harbell, J. Cheng; Stikeman Elliott*  
*M. Ward; Ward Land Economics*

March 15, 2018

File: 17-1004

**Planning and Environment Committee**

City of London  
300 Dufferin Avenue  
London, Ontario  
PO Box 5035, N6A 4L9

Attention: Councillor Turner, Chair, and Members

Dear Sirs/Mesdames:

**Re: Impact of Eliminating the Commercial Development Cap in the Wonderland Road Community Enterprise Corridor, City of London**

The following provides a summary of market findings regarding the City's proposed Official Plan amendment ("OPA") to eliminate the 100,000 sq.m. commercial development cap applied to the Wonderland Road Community Enterprise Corridor ("WRCEC" or "Enterprise Corridor"). The proposed OPA is provided in the City Planning Staff Report to Planning and Environment Committee for Public Participation Meeting on March 19, 2018 (the "March 19, 2018 Staff Report").

This market assessment is based on a review of the Coriolis Consulting Corp. report titled *"Impact of Removing the Retail Development Cap in the Wonderland Road Community Enterprise Corridor (WRCEC), London Ontario"* prepared for the City of London, Final Report dated February 2018 (the "Coriolis Report").

This assessment also accounts for the information, analysis, and findings summarized in the Ward Land Economics Inc. ("WLE") letter dated June 2, 2017 *"Re: Retail Commercial Market Support - Wonderland Road Enterprise Corridor, Southwest Area Secondary Plan (SWAP), London"* (the "WLE June 2017 Letter").

In summary, the market related findings are as follows.

***Based on the Coriolis Report and several other market studies including those conducted on behalf of the City of London, Southside Group, and Westbury International, among others, there is no market need or justification to increase or eliminate the 100,000 sq.m. commercial maximum within the Enterprise Corridor.***

***The Coriolis Report (page 2 and 52) concludes that removing the cap creates excess region serving capacity which is not needed over the next 30 years from 2017 to 2047, and that removal of the cap postpones a viable development option for less suited region serving retail sites over the next 30 years. To avoid excess commercial capacity with removal of the cap, the Coriolis Report recommends that various lands be redesignated for non-commercial uses.***

***It follows that increasing or eliminating the commercial cap would cause significant negative impact on existing and planned commercial sites and areas in the Enterprise Corridor and elsewhere in the City, and therefore, the planned function of commercial areas would be undermined.***

***Uncontrolled retail commercial development in the Enterprise Corridor puts the City's downtown and its revitalization as well as other existing commercial areas at risk of significant negative impact, store closures, and job losses. The City also risks pre-empting and impacting its planned commercial areas including the Enterprise Corridor, the Southwest Area Plan, and the Transit Villages.***

***Removal of the maximum commercial floor area identified in the Enterprise Corridor is not consistent with the City and Provincial planning policy direction.***

The City's March 19, 2018 Staff Report recommends an Official Plan amendment and deletion of policy 20.5.6.1 v) a) of the Southwest Area Secondary Plan ("SWAP") which directs that;

*Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 square metres gross floor area. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012.*

The March 19, 2018 Staff Report informs that the intended purpose and effect of the recommended OPA and removal of the cap is to:

- *Allow development along Wonderland Road South in accordance with the planned vision for the Corridor,*
- *Remove a policy that forces inefficient, discontinuous development patterns that precludes development on desirable commercial sites,*
- *Ensure the WRCEC policies are achieving their intended effect of allowing a fair, equitable, and reasonable distribution of commercial floor area, and*
- *Allow the market to determine appropriate locations for commercial development within commercially designated areas, while not negatively impacting other commercial sites in South London.*

This market assessment is based on a review and findings of the Coriolis Report. As well, this assessment accounts for the findings of other market studies including the following.

- Kircher Research Associates Ltd. report titled *“Retail Market Demand Analysis for the South West Area Plan (SWAP), City of London, Ontario, 2016-2031”* prepared for The Corporation of the City of London, Ontario, dated November 24<sup>th</sup>, 2016.
- Tate Economic Research Inc. report titled *“Supplementary Update, Retail Market Demand and Impact Analysis, City of London, Ontario”* prepared for Westbury International (1991) Corporation, dated October 6, 2015.
- urbanMetrics inc. report titled *“Retail Market Study, Wonderland Road and Bradley Avenue, London, Ontario”* prepared for Southside Group, dated February 5, 2016.

Reference was also made to other market studies and documents which also address retail commercial market need, demand, and impact regarding the Enterprise Corridor, SWAP, and south London. The other market studies and documents include those carried out by: Robin Dee & Associates, Kircher Research Associates Ltd., Malone Given Parsons Ltd.<sup>1</sup>, and Tate Economic Research Inc. Other related and relevant documents were also reviewed including: correspondence, Staff Reports, municipal documents, Ontario Municipal Board decisions, other consultant reports, Statistics Canada documents and data, and various industry documents.

This market assessment is not intended to address all components, gaps, issues, and inconsistencies of the Coriolis Report or other market studies and documents, but it is intended to highlight the overall findings and implications.

### **Enterprise Corridor Commercial Development Space Maximum**

***SWAP and the guiding policies including the 100,000 sq.m. commercial cap resulted from a comprehensive planning process that extended over many years and ultimately was approved by the Ontario Municipal Board less than four years ago.***

Several market reports, including Staff Reports, provided input to the SWAP planning policies which restrict the total commercial space permitted in the Enterprise Corridor to a maximum of 100,000 sq.m. (approximately 1,080,000 sq.ft.). That area excludes lands north of the Bradley Avenue extension which were developed or approved/under construction as of October, 2012.

If the cap were removed, the Coriolis Report identifies an additional 1.3 million square feet of retail and service commercial space in the Enterprise Corridor, for a total of approximately 2.4 million square feet.

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<sup>1</sup> Mimi Ward, while previously at Malone Given Parsons Ltd., carried out comprehensive quantitative market analyses regarding SWAP, the Enterprise Corridor, and the Commercial cap as summarized in reports, correspondence, witness statement, and a technical appendix.

***The City of London Staff Report dated October 7, 2014 informs that the commercial cap applied to the Enterprise Corridor is to prevent an over-supply of commercial space and to protect the integrity and planned function of existing commercial centres in the City.***

*“The principle behind the inclusion of a cap on commercial development is to prevent the over-supply of commercial uses in new suburban areas, where additional public infrastructure and servicing investments are required and must be supported over the long-term.” (page 9)*

The Staff Report also informs that:

*“By preventing over-supply through a GFA cap in planning regulations, it is anticipated that the integrity and planned function of existing commercial centres elsewhere in the City, will be preserved and that existing infrastructure and public services will continue to be efficiently utilized in those areas.” (page 9)*

***If retail commercial space is built within the Enterprise Corridor before the market support is available, then this puts the City’s existing and planned retail commercial lands and centres, and the planned function of commercial areas at risk of significant negative impact. These lands include the Enterprise Corridor and SWAP, the downtown, other commercial areas, and the planned Transit Villages.***

***This result is not consistent with the City of London Official Plan, the new London Plan, or the Provincial Policy Statement which provide policy direction to protect commercial areas including the downtown.***

#### **The Coriolis Report Market Analysis and Findings**

***Based on the Coriolis Report, there is no market need or justification for an increase or elimination of the commercial cap on the Enterprise Corridor over the 30 year planning horizon to 2047.***

***It follows that increasing or eliminating the commercial cap would negatively impact existing and planned commercial space in the Enterprise Corridor and the City as a whole, and the planned function of the commercial areas would be undermined.***

- The Coriolis Report (page 2 and similarly on page 49 and 52) concludes that “Removing the cap creates about 136,400 sq.m. of excess region serving capacity which is not needed between 2017-2047. This postpones a viable development option for sites designated for retail development which are less suited for region serving retail over the next 30 years.”
- The Coriolis Report concludes on page 49 that “Removing the cap creates 1.4 million square feet of retail capacity which is not needed between 2017 and 2047.”



- An increase or elimination of the Enterprise Corridor commercial cap is therefore not needed or justified over the 30 year planning horizon to 2047.
- The Coriolis Report findings are based on various market inputs which overstate market support for additional retail commercial space.
- The Coriolis Report makes reference to population forecasts provided by The London Plan (the City's new Official Plan, presently under appeal at the Ontario Municipal Board) and the Watson and Associates Population, Housing and Employment Growth Forecasts provided in November 2017 and which are the same in the February 1, 2018 final report. The Watson population forecasts are higher than the London Plan forecasts by approximately 20,000 people in 2031 and the population growth rate is approximately 20% higher from 2017 to 2044 compared with the actual growth rate based on past growth trends.
- The Coriolis Report population forecasts used in the market analysis, are higher than the London Plan population forecast by approximately 10,000 people in 2035 and the population growth rate from 2017 to 2047 is approximately 15% higher than the actual growth rate based on past growth trends. Overstating future population overstates market need and support for additional retail commercial space, which in turn understates impact on existing and planned retail commercial areas and the planned function of those areas.
- The Coriolis Report (page 32) identifies that per capita expenditures are based on the Ontario average not adjusted down to align with the lower incomes of trade area residents. Income levels influence the amount of spending in retail stores. Overstating income and spending overstates market need and support and understates impacts on existing and planned retail commercial areas and the planned function of those areas.
- Although market support for local serving space is identified to be 19.3 sq.ft. per capita in the Primary Trade Area, the Coriolis Report forecasts market demand at 21.5 sq.ft. (per page 38). Overstating the ratio overstates market need and support and understates impacts on existing and planned retail commercial areas and the planned function of those areas.

- The Coriolis Report identifies a very significant supply of existing built retail and service commercial space - approximately 7,708,106 sq.ft. in south London<sup>2</sup> of which the report estimates 10% or 770,800 sq.ft. is vacant. There is a significant amount of vacant commercial space in south London including: Wellington Road, Westmount Shopping Centre, and elsewhere in the City. Vacancies should be filled before the City permits additional commercial space in the Corridor.
- The Coriolis Report identifies an additional 3,782,663 sq.ft. of retail and service commercial space which is permitted but not yet built in south London. This would bring the total supply of existing and potential retail and service commercial space to over 11 million square feet in south London.
- If the cap were removed, the Coriolis Report identifies an additional 1.3 million square feet of retail and service commercial space in the Enterprise Corridor in addition to the 1,080,000 sq.ft. permitted by the cap. This increase represents the introduction of a significant amount of additional commercial space - approximately the size of White Oaks Mall and Masonville Place combined.
- With removal of the cap, the Coriolis Report identifies demand for 1,618,883 sq.ft. of region serving retail commercial space in south London by 2047. However the supply or “capacity” to accommodate retail commercial space is significantly greater at 3,028,884 sq.ft. Therefore, the report identifies and concludes that *“Removing the cap creates excess region serving capacity which is not needed between 2017 and 2047.”* (page 52)

**Table 1: Coriolis Report Summary of Regional Serving Retail Space Demand vs. Capacity with Removal of the Cap - 2017 to 2047**

	sq.m.	sq.ft.
Retail Commercial Demand	150,394	1,618,883
Capacity with Cap Removed	281,383	3,028,884
<b>Difference</b>	<b>-130,989</b>	<b>-1,410,001</b>

Source: Coriolis Report page 50, summarized by Ward Land Economics Inc.

Note: The sq.m. numbers referenced on page 50 of the Coriolis Report appear to be incorrect. The footnote on that page appears to reflect the correct numbers in sq.ft. and which are presented on this table.

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<sup>2</sup> The Coriolis Report defines south London as the area of London south of the Thames River. The Coriolis Report also identifies that area as the “Study Area” or “Primary Trade Area”.

- With removal of the cap, the supply of commercial space exceeds demand from 2017 to 2047. Since supply exceeds demand, the Coriolis Report recommends redesignating five commercial sites: Greenhills, Aarts, and three others. However, no market or planning assessment, or public process has been carried out to determine if this recommendation is appropriate or implementable.
- If too much space is permitted too soon in the Enterprise Corridor, the City risks negatively impacting existing and planned retail commercial areas including the Enterprise Corridor and SWAP, existing shopping centres, the downtown, other commercial areas, and the planned Transit Villages.
- Since the Coriolis Report concludes that removal of the cap is not needed and will cause impact, it follows that removal of the cap would undermine and detract from the planned function of existing Shopping Areas or other place types shown in the City Structure Plan and on Map 1 as directed by The London Plan policy 881 (2).
- If the Enterprise Corridor commercial cap is increased or removed, the City risks having a commercial development pattern of partly developed/partly undeveloped commercial sites and vacancies in existing shopping centres and areas. This is not conducive to properly serving residents and shopping needs nor does it provide a balanced distribution of retail commercial space.
- The Coriolis Report does not provide an assessment of the impact of not providing a balanced distribution of retail commercial space required to serve the needs of existing and future residents of the City's other neighbourhood areas.

***The City's proposed Official Plan Amendment provided in the March 19, 2018 Staff Report is not consistent with the Coriolis Report recommendations and the OPA puts the City's commercial areas at significant risk of impact.***

The Coriolis Report recommends that a strategy to avoid excess commercial capacity rather than a cap, is to redesignate various lands for uses other than commercial. The Coriolis Report identifies five sites which have capacity for approximately 600,000 sq.ft. of commercial space to be designated for other uses. However, the proposed OPA does not account for the redesignation of those lands. It follows that the OPA would result in significant negative impact on existing and planned shopping centres and areas.

To be consistent with the Coriolis Report recommendation, the City needs to address the redesignation of existing commercial lands. Additional work and analysis is required for Planning Staff to assess the market and planning implications of the Coriolis Report recommendations and whether or not the recommendations are implementable.

### Inconsistencies with Policy Direction

***An increase or elimination of the maximum commercial floor area identified in the Enterprise Corridor is not consistent with several City and Provincial policy directions. A summary of some of the inconsistencies include the following.***

- An increase or elimination of the cap is not consistent with the SWAP vision and policy direction that the Enterprise Corridor be a mixed-use area.
- An increase or elimination of the cap is not consistent with the London Plan Shopping Area policy 875 which directs that *"It is not expected that new Shopping Areas will be required in London beyond what is shown on Map 1 – Place Types, over the life of this Plan, given the multitude of opportunities in the existing centres, and the many other place types that support commercial uses in the Plan."*
- Policy 876 1) of The London Plan directs that the City is to *"Plan for a distribution of Shopping Area Place Types across the city to service neighbourhood and collection of neighbourhoods."*
- Policy 876 2) of The London Plan directs that the City is to *"Discourage the addition of new Shopping Area Place Types, recognizing significant supply of sites that can accommodate commercial uses throughout the city."*
- With respect to adding new or expanding existing Shopping Area Place Types, Policy 880 of the London Plan directs that *"...new or expanded Shopping Area Place Types will be required to clearly demonstrate the need for the proposed new Shopping Area or the proposed expansion onto additional lands, considering all other opportunities for commercial development or redevelopment that have been planned."*
- An increase or elimination of the cap is not consistent with The London Plan policy 881 (2) which directs that new Shopping Area Place Types are required to *"...clearly demonstrate need..."* and also to demonstrate that the proposed Shopping Area *"...will not undermine or detract from the planned function of an existing Shopping Area or any other place type shown in the City Structure Plan and on Map 1."*
- An increase or elimination of the cap is not consistent with several policies of The London Plan Shopping Area Place Type policies which identify commercial caps and total retail gross floor area maximums are specified. For example, Shopping Area policy 889 specifies that *"The total retail gross floor area permitted in the West Five Special Policy Area will be 30,000 square metres."* Policy 900 specifies that *"Retail uses will not exceed 16,000 m2..."*

- Removal of the cap is not consistent with the Southwest Area Secondary Plan (SWAP) which directs that the Enterprise Corridor is to be a mixed-use area. The SWAP policy 20.5.6.1 i) directs that *“The Wonderland Road Community Enterprise Corridor designation is intended to provide for a wide range of large scale commercial uses, medium scale office development, high density residential uses, and institutional uses. Both stand-alone and mixed-use developments are permitted.”*
- Removal of the cap puts commercial areas including the Lambeth Village Core at risk of impact which is not consistent with SWAP. The SWAP policy 20.5.6.1 i) directs that it is the intent that within the Enterprise Corridor *“Commercial uses within this designation are intended to complement the more traditional commercial uses and forms in the Lambeth Village Core, and serve local, neighbourhood and city needs.”*
- Removal of the commercial cap puts commercial areas including the City’s Downtown at risk of impact which is not consistent with the City’s existing Official Plan. Section 4.1 of the Official Plan describes the importance of the Downtown as the primary multi-functional activity centre serving the City and the surrounding area. It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City.
- Removal of the commercial cap is not consistent with the Provincial Policy Statement which provides policy direction that protects commercial areas including the downtown. The Provincial Policy Statement (2014) section 1.7.1 c) directs that long-term economic prosperity should be supported by: *“maintaining and enhancing the vitality and viability of downtown and mainstreets;”* (among other items).
- Removal of the commercial cap is not consistent with the existing City of London Official Plan, the new London Plan, or the Provincial Policy Statement which provide policy direction that protects commercial areas including the downtown.

#### **Indicators that the Commercial Cap is Appropriate**

***The commercial cap in the Enterprise Corridor allows for a proper distribution of commercial space, retenancing of existing vacancies in existing centres, allows for mixed use development in the Enterprise Corridor, and allows the market to determine appropriate locations for commercial development within commercially designated areas, while not negatively impacting other commercial sites in South London.***

There are various indicators that the commercial cap on the Enterprise Corridor is appropriate and is working to achieve the vision of the Enterprise Corridor while protecting commercial areas from negative impact.



The cap is appropriate since it results in a proper distribution of commercial space, retenanting of vacancies in existing centres, and in turn, the centres fulfil their planned function. For example, the Super Store Mall (Effort Trust), Westminster Centre (First Capital), and the Gleed Plaza at Wellington and Southdale have retenanting/revitalization plans that would result in retenanting of vacancies and in turn, these centres fulfil their planned function.

Maintaining the commercial cap in the Enterprise Corridor allows for a proper distribution of commercial space. City Planning Staff support a distribution of commercial development including planned areas outside the Corridor. The London Free Press October 20, 2017 published the following: *"Costco is a relocation and expansion, but with Ikea, it is a regional draw for the area," said London city planner Michael Tomazincic. "It is gratifying to see these plans come to fruition."*

Contrary to Planning Staff's concern regarding the distribution of commercial space, with the cap in place, a greater amount of new retail space (over 100,000 sq.ft.) has been built in the Enterprise Corridor since the OMB approval of SWAP in 2014, than in other areas of southwest London.

The commercial cap also allows for the development of a mixed-use area as envisioned and directed by planning policy in SWAP. Contrary to the concern that mixed-use is not viable in the Enterprise Corridor, mixed use development in the Enterprise Corridor has in fact been demonstrated to be viable considering Greenhills' current plans for residential development adjacent to their commercial lands.

### **What have we learned if too much space is permitted too soon?**

Based on the Coriolis Report and several market studies, there is no justification to remove the 100,000 sq.m. commercial maximum within the Enterprise Corridor. Removal of the cap would allow for too much space to be built too soon. Based on the Kircher 2016 market study prepared for the City, *"...substantial overbuilding can be costly and inefficient, as clearly illustrated by the history of Westmount Mall which lost most retail space on its second level and Pond Mills Square, which has closed."*

If too much commercial space is permitted too soon, then the City risks significant impact on existing and planned retail commercial areas including the Enterprise Corridor and SWAP, existing shopping centres, the downtown, other commercial areas, and the planned Transit Villages. Significant negative impact leads to undermining the planned function of commercial areas, store closures, and job losses.

This result is not consistent with the City of London Official Plan or the Provincial Policy Statement which provide policy direction that protects commercial areas including the downtown.

March 15, 2018

### Conclusion and Recommendation

Based on the Coriolis Report and several other market studies, there is no need or justification to increase or eliminate the 100,000 sq.m. commercial maximum within the Enterprise Corridor.

If too much commercial space is permitted too soon in the Enterprise Corridor, the City risks significant impact on existing and planned retail commercial areas, including the Enterprise Corridor and SWAP, existing shopping centres, the downtown, other commercial areas, and the planned Transit Villages.

The City's proposed Official Plan Amendment provided in the March 19, 2018 Staff Report is not consistent with the Coriolis Report recommendations and the OPA puts the City's commercial areas at significant risk of impact. The Coriolis Report recommends that a strategy to avoid excess commercial capacity rather than a cap, is to redesignate various lands for non-commercial uses. To be consistent with the Coriolis Report recommendation, the City needs to address the redesignation of existing commercial lands. Additional work and analysis is required for Planning Staff to assess the market and planning implications of the Coriolis Report recommendations and whether or not the recommendations are implementable.

It is recommended that the City account for and protect its existing and planned retail commercial land, as well as the planned function of its commercial areas, before permitting additional retail commercial land that is not needed and allowing uncontrolled development within the Enterprise Corridor.

Yours very truly,

**Ward Land Economics Inc.**

A handwritten signature in blue ink, appearing to read "M. Ward", followed by a period.

Mimi Ward, PLE, MCIP, RPP.  
President

March 15, 2018

City of London  
Planning & Environment Committee  
City Hall, 300 Dufferin Avenue  
P.O. Box 5035  
London, ON N6A 4L9

Attention: Ms. Heather A. Lysynski, Committee Secretary  
Ms. Cathy Saunders, City Clerk

Dear Members of the Planning & Environment Committee:

**Re: Planning and Environment Committee Meeting March 19, 2018**  
**Agenda Item No. 3.4**  
**Application By: The Corporation of the City of London Wonderland Road**  
**Community Enterprise Corridor**  
**City File No.: O-8868**

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We are Greenhills Shopping Centres Limited ("Greenhills"), the owners of a property municipally known as 51-99 Exeter Road and located in the SE quadrant of Exeter Road and Wonderland Road South in SW London (the "Property"). The Property is located within the Southwest Area Secondary Plan and more specifically within the Wonderland Road Community Enterprise Corridor (the "WRCEC").

As the Committee is aware, in October 2014 City Council passed By-Law Z-1-142352 to permit the development of the Property for a mixed-use development, including retail commercial uses. Since that time we have been closely monitoring the planning processes within the WRCEC and in particular the applications made by the Southside Group and Westbury International in addition to City Council's decision in June 2017 to reduce maximum and minimum permitted residential intensity; to reduce the maximum office floor area per building; and to re-format the policies to be structured by use, intensity, and form.

We have reviewed City staff's supplementary staff report prepared for the March 19, 2018 Planning & Environment Committee meeting as well as the Final Report prepared by the Coriolis Consulting Corp. entitled the "Impact of Removing the Retail Development Cap in the Wonderland Road Community Enterprise Corridor (WRCEC), London Ontario". We agree with City staff's analysis and recommendation to amend the Southwest Area Secondary Plan by deleting the maximum commercial floor area in the Wonderland Road Community Enterprise Corridor designation.

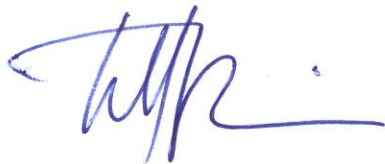
However, we disagree with the assertion made in the Coriolis Report that removal of the maximum commercial floor area in the WRCEC "postpones a viable development option for sites which are less suited for region serving retail development over the next 30 years, including Sites 14, 15 and 25". The Coriolis Report goes on to recommend that the Property be considered for redesignation to uses that are "not required to meet retail demand between 2017 and 2047". We fundamentally disagree with the notion that the Property should be redesignated now or at any time in the future to exclude retail permissions.

The intention of Greenhills is to maintain current retail commercial permissions in order to develop the site in a manner consistent with the 2014 zoning amendment approved by City Council and which was supported by a Retail Market Demand and Impact Analysis prepared by Tate Economic Research. We have extensive retail commercial development experience and are confident in the development prospects for the Property given its prominent location at the intersection of 2 major arterial roads with proximity to the 400 series highways.

Please provide copies of all notices and other relevant information and materials related to this matter and any other applications that would impact the Property.

Please do not hesitate to contact the undersigned should you have any questions or wish to discuss the matter further.

Yours truly,



Todd Pierce  
Greenhills Shopping Centres Limited

## Report to Planning and Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: John M. Fleming  
Managing Director, Planning and City Planner  
Subject: Application By: City of London  
Hamilton Road Area Community Improvement Plan  
Public Participation Meeting on: March 19, 2018

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application by the City of London relating to a Community Improvement Plan for the Hamilton Road Area:

### Adoption of the Community Improvement Plan

- (a) that the proposed by-law attached as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to designate the lands generally defined as the CN railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, Adelaide Street to the west, and also including all properties with frontage on Hamilton Road west of Adelaide Street, as well as 219-221 William Street as the Hamilton Road Area Community Improvement Project Area pursuant to Section 28 of the *Planning Act* and as provided for under Section 14.2.2 of the Official Plan;
- (b) that the proposed by-law attached as Appendix “B” **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to adopt the Hamilton Road Area Community Improvement Plan to outline the strategies and framework used to stimulate community improvement in the Hamilton Road Area Community Improvement Project Area (as designated in part (a) above);
- (c) that the proposed by-law attached as Appendix “C” **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to adopt a by-law to establish financial incentive programs for the Hamilton Road Area Community Improvement Project Area;
- (d) that the Civic Administration **BE DIRECTED** to consider in any planning, design, and budgeting of future municipal capital investments in the Hamilton Road Area the actions and initiatives included in the Hamilton Road Area Community Improvement Plan;

### Official Plan Amendment

- (e) that the proposed by-law amendment attached as Appendix “D” **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to amend the Official Plan by **ADDING** a new policy to Section 14.2.2 ii) to add the Hamilton Road Corridor Sub-Project Area to the list of commercial areas eligible for community improvement, as well as to amend Figure 14-1 to recognize the entire Hamilton Road Corridor Sub-Project Area as a commercial area eligible for community improvement;
- (f) that the proposed by-law amendment attached as Appendix “E” **BE INTRODUCED** at a future Municipal Council meeting to amend the London Plan Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) to **ADD** the Hamilton Road Area Community Improvement Project Area (as designated in part (a) above); and that three readings of this by-law be withheld until such time as the London Plan comes into full force and effect.



## Executive Summary

### Summary of Request

This report recommends approval of two related but separate actions: (1) completing the required steps to formally adopt the Community Improvement Plan (<http://www.london.ca/business/Planning-Development/secondary-plans/Pages/Hamilton-CIP.aspx>) and the financial incentive programs offered through the CIP, and (2) amending the 1989 Official Plan to add the Hamilton Road commercial corridor to the list of commercial areas that are eligible for community improvement. In the London Plan, such an amendment is not required; however, to adopt a CIP under the London Plan requires an amendment to add the designated community improvement project area to London Plan Map 8.

### Purpose and Effect of the Recommended Action

The purpose and the effect of the recommended action is to adopt the Hamilton Road Area CIP to be used as the Plan to set the vision for improvement in the Hamilton Road Area, establish the direction toward achieving that vision, identify key initiatives and actions, and provide the framework for financial incentives and property improvements.

### Rationale of Recommended Action

Throughout a two-year community engagement process, the Hamilton Road Area has been shown to meet the test for community improvement as defined under the *Planning Act*. Further, the adoption of the Community Improvement Plan and the approval of the requested Official Plan Amendment is consistent with the Provincial Policy Statement and is supported by the policies in both the existing Official Plan and the London Plan.

## Hamilton Road Area Community Improvement Plan Feedback

The draft Hamilton Road Area Community Improvement Plan was tabled at the December 4, 2017 Planning and Environment Committee for circulation until January 19, 2018. Municipal Council, at its meeting held on December 12, 2017 resolved:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Hamilton Road Area Community Improvement Plan:

- a) the draft Hamilton Road Area Community Improvement Plan appended to the staff report dated December 4, 2017 BE CIRCULATED for public review and comment until January 19, 2018, to the Hamilton Road Area Business Association, the Hamilton Road Community Association, the Crouch Neighbourhood Resource Centre, the Upper Thames River Conservation Authority, the Canadian National Railway, the London Transit Commission, the London Police Service, the Ministry of Municipal Affairs, the Ministry of Housing, area property owners and all those who have previously participated in the process to date; and
- b) based on the feedback received through the circulation process, the final Community Improvement Plan and any associated Community Improvement Plan By-law(s) and Official Plan amendment(s) BE PRESENTED at a future meeting of the Planning and Environment Committee for consideration and approval.

By the January 19, 2018 circulation deadline, Staff received two comments from the public and five comments from City of London departments, agencies, boards, or commissions. The Official Plan Amendment circulation also offered an opportunity for the public, City departments, and others to comment.

Appendix F contains a table that consists of comments and feedback received in response to specific initiatives or Actions identified in the Hamilton Road Area Community Improvement Plan. It should be noted that where comments and feedback were more general in nature and not specific to the proposed Actions, these comments have been recorded in the “Agency/Departmental Comments” section below the Appendix F table.

The table is divided into three columns: the left hand column summarizes the public comment/feedback received, the centre column includes a brief analysis of the comments/feedback received, and the right hand column recommends modifications (if any) to the CIP in response to the comment/feedback received.

In order to remain succinct, it should be noted that the left hand column represents excerpts of the public comments received during the circulation period and are not verbatim quotes.

In short, the CIP remains very similar to the CIP that was circulated in December 2017.

Two changes deemed substantive were made to the CIP:

- Adding Action 3.8 to “Investigate the ability to “future-ready” the Hamilton Road Area through the adoption of Future City / Smart City initiatives including fibre optic communication infrastructure.”
- In discussion with the London Housing Development Corporation (HDC), “affordability” was added to Table 3: Success Measures and in the Baseline Conditions found in Section 7 (Monitoring and Evaluation).

The remainder of the changes are minor in nature consisting of correcting spelling and grammar errors made in the circulated draft plan, clarifying awkward or unclear sentences, adding, removing, or revising suggested leads or partners from Actions, and other organization and presentation changes.

**Adopting the CIP and the Official Plan Amendment Analysis**

**1.0 Subject Lands**

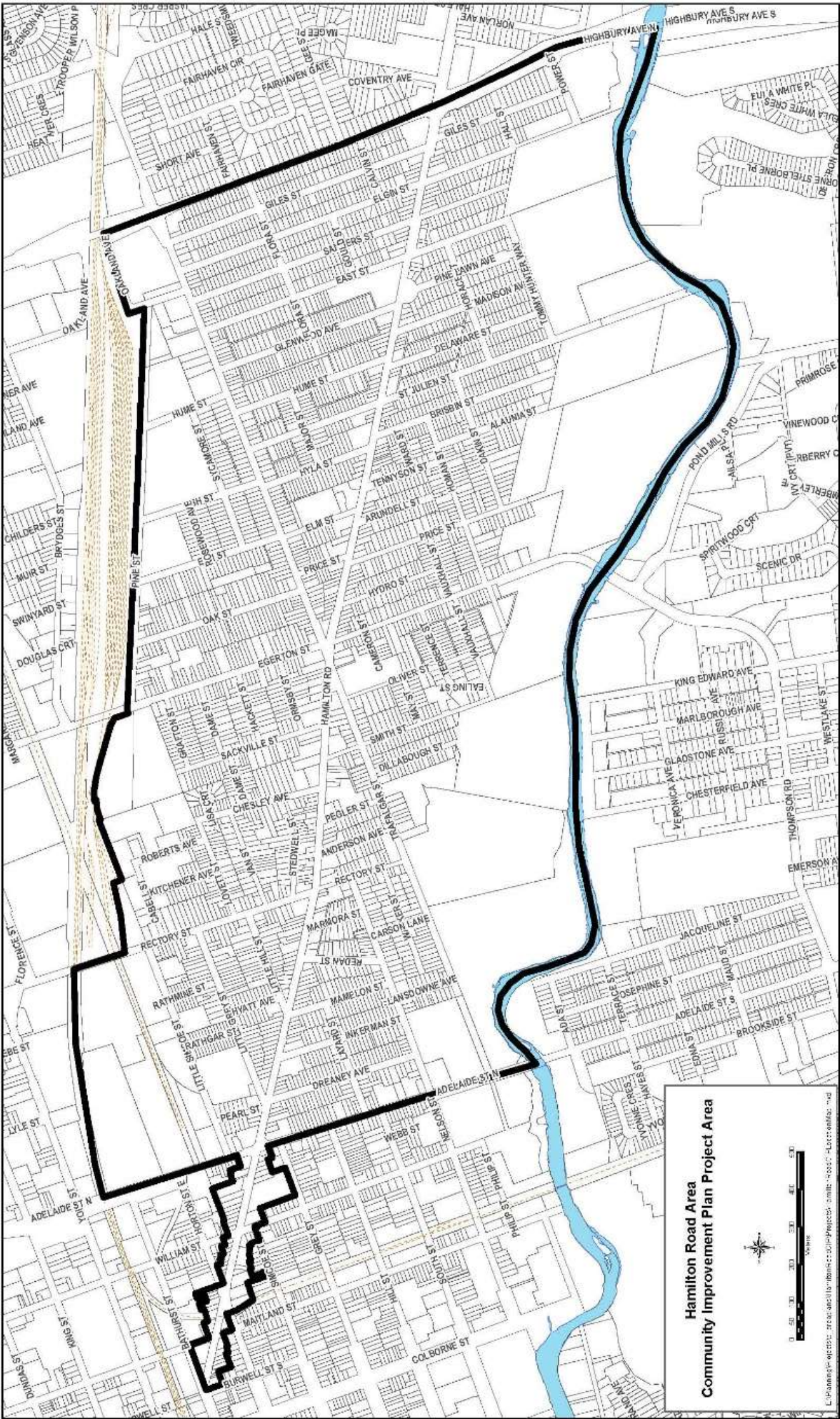
The lands generally defined as the CN railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, Adelaide Street to the west, and also including all properties with frontage on Hamilton Road west of Adelaide Street, as well as 219-221 William Street. This area is the Hamilton Road Area Community Improvement Project Area (“Project Area”).

Within the Project Area, the Official Plan Amendment focuses on the Hamilton Road Corridor Sub-Project Area.

Hamilton Road is the spine that runs through the community. Hamilton Road is a main gateway to Downtown and provides access to Highbury Avenue and from there to Highway 401. Hamilton Road, with its shops, restaurants, and other businesses is within a comfortable walking distance for most residents in the neighbourhood.

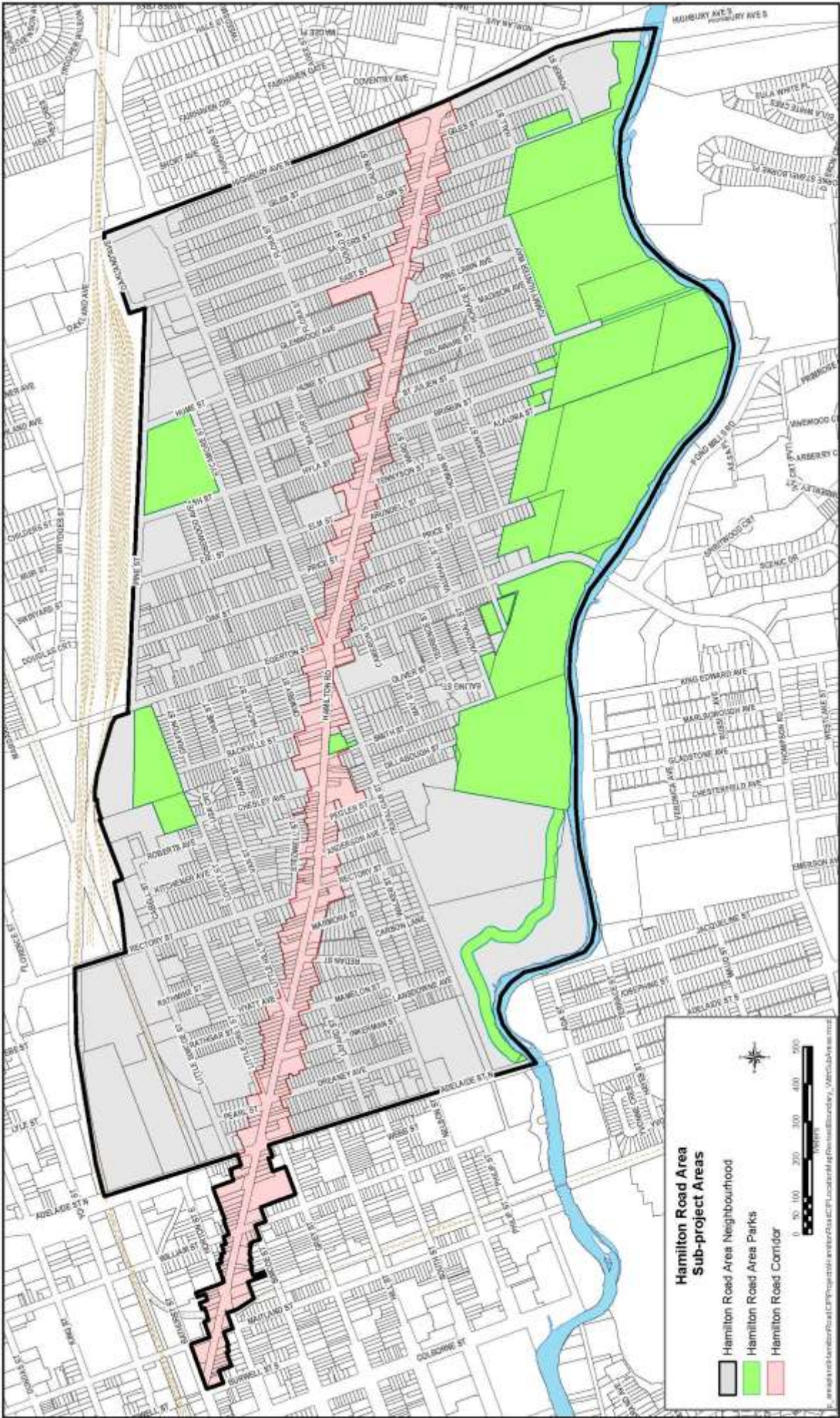


The Recommended Hamilton Road Area Community Improvement Project Area





The Hamilton Road Area Sub-project Areas



**2.0 Nature of Application**

This report recommends approval of two related but separate tasks: (1) completing the required steps to formally adopt the Community Improvement Plan and the financial incentive programs offered through the CIP, and (2) amending the Official Plan.

Through by-laws, this report designates the Hamilton Road Area as a community improvement project area and adopts the Hamilton Road Area Community Improvement Plan. Financial incentive program guidelines for the Hamilton Road Corridor Sub-project Area are also recommended for adoption by Municipal Council.

This CIP is intended to be used to set the vision for improvement in the Hamilton Road Area, establish the direction toward achieving that vision, identify key initiatives and actions, and provide the framework for financial incentives and property improvements

The intent of the Official Plan Amendment application is to add the Hamilton Road commercial corridor to the list of commercial areas that are eligible for community improvement. This is achieved through adding a clause to Chapter 14 of the existing Official Plan and by modifying Figure 14-1. In the London Plan, such an amendment is not required; however, to adopt a CIP under the London Plan requires an amendment to add the designated community improvement project area for the Hamilton Road Area to London Plan Map 8.

**3.0 Relevant Background**

**3.1 Planning History**

At the February 2, 2015 Planning and Environment Committee (PEC) meeting Councillor Michael Van Holst submitted a request asking the Civic Administration to prepare a CIP for the Hamilton Road Area.

At its session held on February 9, 2015, Municipal Council resolved:

That, the communication from Councillor M. Van Holst, with respect to the request for a Community Improvement Plan for the Hamilton Road area, BE REFERRED to the Civic Administration for incorporation into the Planning Departments Work Plan and Budget and to report back at a future Planning and Environment Committee meeting. (2015-D19) (16/4/PEC).

The Hamilton Road Area CIP was placed on the Planning Services Work Plan with a start date of Q2 2016.

There have been two previous reports to PEC regarding the Hamilton Road Area CIP:

- August 22, 2016 – To approve the project Terms of Reference and Study Area;
- December 4, 2017 – To circulate the draft CIP for feedback and comment.

**3.2 Requested Amendment**

The Corporation of the City of London has requested an Official Plan Amendment to add a new policy to Section 14.2.2 ii) to add the Hamilton Road Corridor Sub-Project Area to the list of commercial areas eligible for community improvement, as well as to amend Figure 14-1 to recognize the entire Hamilton Road Corridor Sub-Project Area (Bathurst Street to Highbury Avenue) as a commercial area eligible for community improvement.

The segment of Hamilton Road between Adelaide Street to Highbury Avenue is already identified in Figure 14-1 as being eligible for commercial improvements; however, the remainder of the Hamilton Road Corridor Sub-Project Area from Bathurst Street to Adelaide Street is not identified as being eligible. The requested amendment will allow the entire corridor from Bathurst Street to Highbury Avenue to be eligible for commercial



improvements and as a result, the financial incentives offered through the Hamilton Road Area CIP.

The future London Plan amendment is to add the Hamilton Road Area community improvement project area to Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps).

### **3.3 Community Engagement (see more detail in Appendix F)**

Notice of Application and Notice of Public Meeting was sent to 3,327 property owners in the Hamilton Road Area on January 22, 2018 and published in the Public Notices and Bidding Opportunities Section of The Londoner on February 1, 2018 and on March 1, 2018. The Notice advised of the possible amendment to the Official Plan to add a new policy to Section 14.2.2 ii), as well as the possible designation of the community improvement project area, adoption of the Hamilton Road Area CIP, and adoption of financial incentive guidelines for the Hamilton Road Area CIP, all pursuant to Section 28 of the *Planning Act* and Chapter 14 of the Official Plan. A total of 15 separate respondents provided eight telephone responses and seven written responses following the Notice of Application and Notice of Public Meeting.

Through community consultation, no specific concerns were expressed about the proposed Official Plan amendment. Most individuals who contacted Staff were seeking clarification on the amendment. Numerous individuals did reiterate similar concerns that were raised during the three community meetings, particularly traffic and crime. As best as possible, these concerns are addressed in the CIP through the Actions Table in Section 6 – Implementation.

### **3.4 Policy Context (see more detail in Appendix G)**

#### **Provincial Policy Statement, 2014 (PPS)**

The PPS, 2014 provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" the PPS. All municipal plans, including: Official Plans, Secondary Plans, and CIPs must be consistent with all applicable provincial policies.

The vision for land use planning in Ontario in the PPS states that "the long-term prosperity and social well-being of Ontarians depends on planning for strong sustainable communities for people of all ages, a clean and healthy environment, and a strong competitive economy". Further, the PPS promotes that "efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel." The PPS also supports the long-term economic prosperity of main streets.

#### **1989 Official Plan**

The Official Plan for the City of London contains City Council's objectives and policies to guide the short-term and long-term physical development of all lands within the boundary of the municipality. The Official Plan policies are considered necessary to promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The policies of Chapter 14 provide a framework for the selection and designation of

Community Improvement Project Areas, and for the preparation and implementation of community improvement plans.

## **The London Plan**

The London Plan is the new Official Plan for the City of London and was adopted by Municipal Council in June 2016 and approved by the Ministry with modification in December 2016, but at this time is not yet in force and effect due to appeals to the Ontario Municipal Board. The London Plan sets new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years.

Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in The London Plan. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

### **3.5 Additional Background**

#### **Municipal Act**

The *Municipal Act*, 2001 prohibits municipalities from providing assistance directly or indirectly to any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (Section 106(1)).

Section 106(2) states that the municipality shall not grant assistance by:

- Giving or lending any property of the municipality, including money;
- Guaranteeing borrowing;
- Leasing or selling any municipal property at below fair market value; or
- Giving a total or partial exemption from any levy, charge or fee.

However, Section 106(3) of the *Municipal Act*, 2001 provides an exception to the granting of bonuses. Municipalities can exercise powers under subsection 28(6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the *Municipal Act*, 2001. Section 28 of the *Planning Act* allows municipalities to prepare and adopt Community Improvement Plans if they have the appropriate provisions in their Official Plans.

#### **Planning Act**

The *Planning Act* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them. The *Planning Act* provides for the establishment of community improvement project areas where the municipality's Official Plan contains provisions relating to community improvement and the community improvement project area is designated by a by-law pursuant to Section 28 of the *Planning Act*.

Community improvement in Section 28 of the *Planning Act* is defined to mean: "the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious,

charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary.”

Further, Section 28 of the *Planning Act* defines a community improvement project area to mean: “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

## 4.0 Key Issues and Considerations

### 4.1 Adopting the Hamilton Road Area Community Improvement Plan pursuant to the *Planning Act*

Adopting the Hamilton Road Area CIP pursuant to Section 28 of the *Planning Act* consists of designating the community improvement project area and adopting the CIP for the project area. Financial incentive program guidelines are also included for adoption by Municipal Council.

*Provincial Policy Statement, 2014 (PPS)*

Provincial Policy Statement policy 1.1.1 a) sustains healthy, liveable and safe communities by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs. The Hamilton Road Area CIP contains numerous Actions (3.1, 3.2, 3.4, 4.1, 5.1, 6.2, and 6.9) to support an appropriate range of uses in the Hamilton Road Area.

Provincial Policy Statement policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The purpose of the Official Plan amendment is to better promote opportunities for regeneration and improvement in the Hamilton Road Area, and particularly along the Hamilton Road Corridor.

Policy 1.1.3.3 of the PPS directs municipalities to identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public services facilities required to accommodate projected needs. The Hamilton Road Area CIP contains numerous Actions (3.1, 3.2, 3.4, and 6.9) to support appropriate intensification and redevelopment within the Project Area.

Policy 1.5.1 of the PPS promotes healthy, active community by:

- Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
- Planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources;

The proposed Hamilton Road Area CIP is consistent with these policies by encouraging the improvement of the existing pedestrian environment along Hamilton Road through the consideration of wider sidewalks, new public spaces, pedestrian scale lighting, and enhanced amenities around bus stops.

Policy 1.7.1 c) of the PPS states that long-term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets. The Hamilton Road Area CIP and the proposed Official

Plan amendment is consistent with this policy as it will help allow for a series of financial incentives to enhance the vitality and viability of the Hamilton Road commercial corridor (Hamilton Road Corridor Sub-Project Area).

In summary, the proposed Hamilton Road Area CIP is consistent with the policies of the Provincial Policy Statement.

#### *Official Plan, 1989*

The Official Plan includes policies to guide the development of CIPs for lands within the City as deemed eligible by Chapter 14. Consistent with these policies, the City may use CIPs as a planning mechanism that creates access to a variety of provincial cost-sharing programs in order to address deficiencies within designated areas in a coordinated and comprehensive fashion. CIPs can also encourage private investment activity in these areas. Chapter 14 of the City of London Official Plan allows for CIPs to be prepared to:

- Promote the long term stability and viability of the designated community improvement project area;
- Encourage the co-ordination of municipal expenditures and planning and development activity;
- Stimulate private property maintenance and reinvestment activity;
- Enhance the visual quality of the designated area through the recognition and protection of heritage buildings;
- Reduce the detrimental effects of incompatible land uses in the designated community improvement project area;
- Upgrade physical services and social and recreational facilities in the designated community improvement project area;
- Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses within the designated community improvement project area;
- Support the creation of Affordable Housing by considering any municipally-owned, undeclared surplus land for Affordable housing before any other use is considered subject to policy 12.12.2.2. ix) of the Official Plan;
- Support the implementation of measures that will assist in achieving sustainable development and sustainable living;
- Support the retention of heritage properties or areas.

Several of these criteria relate to the Hamilton Road Area CIP and as a result, the adoption of the Hamilton Road Area CIP is supported by the policies of the Official Plan.

#### *The London Plan*

Urban Regeneration policies in the Our City part of the London Plan (policies 152 through 165) are about supporting sensitive growth and change within urban areas so that they are sustainable and prosperous over the long term. The London Plan contains numerous policies outlining urban regeneration efforts including encouraging the economic revitalization and enhancing the business attraction of urban main streets (154 4) and promote the long-term sustainability of urban neighbourhoods throughout the built-up areas of our city, by striving to retain and enhance the viability of their built and natural assets, and their critical social and economic connections (154 6). Further, the Urban Regeneration section provides policies relating to community improvement

plans including how to designate a new Community Improvement Project Area by by-law (164).

Further, the Main Street Place Type which applies to a segment of Hamilton Road states that the City will realize our vision for Main Streets by working toward the regeneration of Main Streets, utilizing community improvement plan programs (907 4).

Similar to Chapter 14 in the 1989 Official Plan, the London Plan also contains policies related to Community Improvement Plans (1723 to 1728) and the criteria by which City Council shall consider when identifying an area for community improvement.

Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in The London Plan. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

Policy 1727 outlines the objectives community improvement is intended to meet. Several of these objectives relate to the Hamilton Road Area including:

- Maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings;
- Maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services;
- Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity;
- Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms;
- Encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources;
- Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts;
- Upgrade social and recreational facilities and support the creation of affordable housing;
- Facilitate and promote community economic development;
- Promote and improve long-term community stability, safety and quality.

Policy 1728 outlines the criteria used to identify an area for community improvement. Several of these criteria apply to the Hamilton Road Area including:

- Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets,



sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;

- Commercial, residential, industrial and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building façades, building condition, streetscapes, public amenity areas and urban design;
- Vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment, expansion or development to better utilize the land base;
- A demonstrated interest in community improvement by the private firms within an area;
- Presence of potential or recognised cultural heritage resources;
- Traffic and/or parking problems or deficiencies;
- Other significant barriers to the repair, rehabilitation, redevelopment or development of underutilized land and/or buildings;
- Other significant environmental, social or community economic development reasons for community improvement.

In summary, the adoption of the Hamilton Road Area CIP is supported by the policies of the London Plan.

#### **4.2 Amending the Official Plan to include the Hamilton Road Area Commercial Area**

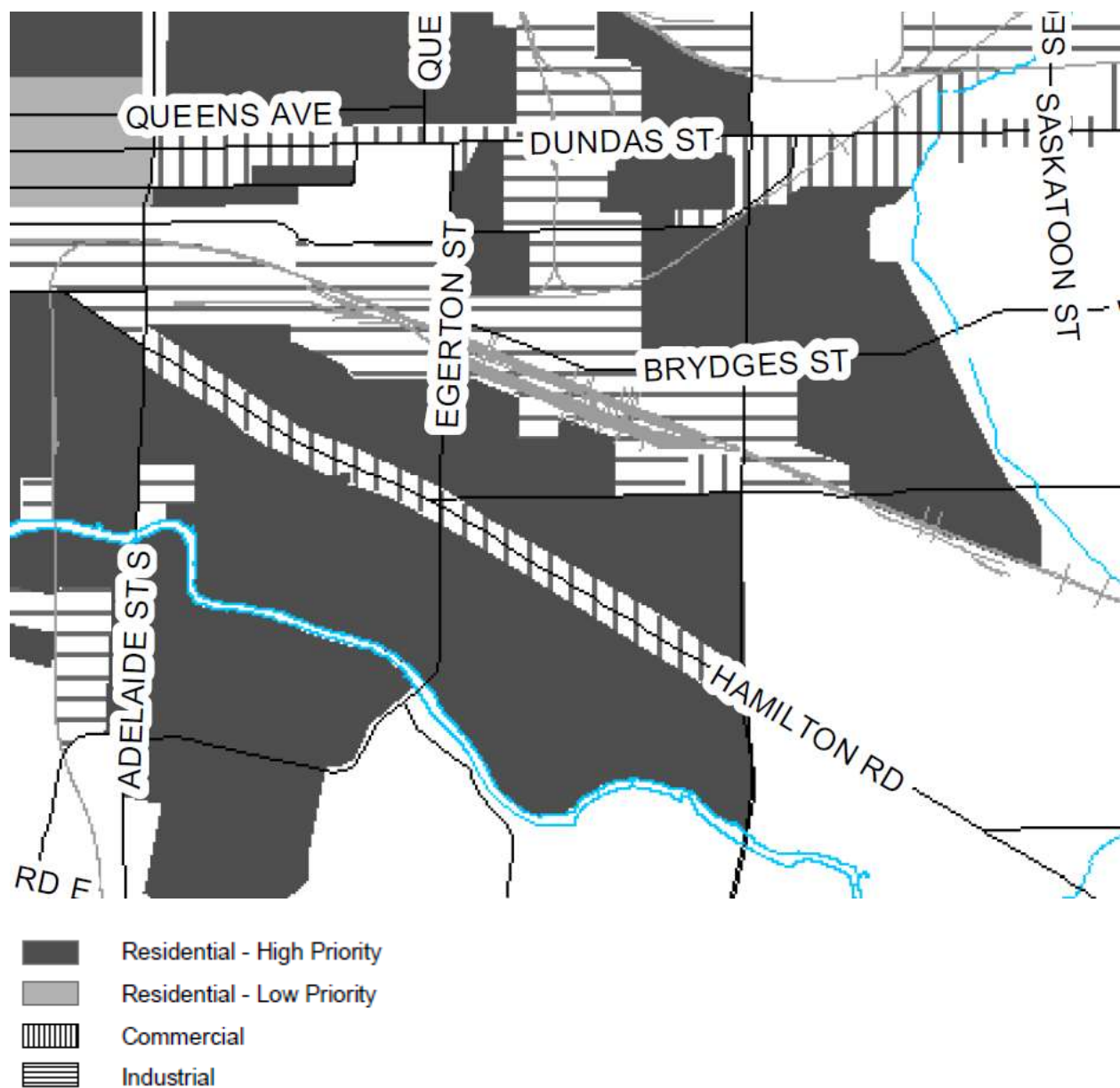
Planning Staff considered the appropriateness of amending the Official Plan to add the Hamilton Road Corridor Sub-Project Area (Highbury Avenue to Bathurst Street) to the list of commercial areas eligible for community improvement, as well as amending Figure 14-1 to recognize the entire Hamilton Road Corridor Sub-Project Area as a commercial area eligible for community improvement.

##### *Provincial Policy Statement, 2014 (PPS)*

Policies 1.1.1 a), 1.1.3.1, 1.1.3.3, 1.5.1, and 1.7.1 c) explained in detail in Section 4.1 above also relate to the proposed Official Plan Amendment. As a result, the proposed Official Plan amendment is consistent with the policies of the Provincial Policy Statement.

##### *Official Plan, 1989*

The Official Plan policies (14.2.1) include eligibility criteria to evaluate the appropriateness of designating an area as a community improvement project area. These policies (14.2.2) state that Municipal Council may designate, by by-law, community improvement project areas from the areas shown on Figure 14-1 - Areas Eligible for Community Improvement (see excerpt of Figure 14-1 below):



As shown on the Figure 14-1 excerpt above, Hamilton Road from Adelaide Street to Highbury Avenue is already identified as an eligible commercial area; however, Hamilton Road from Bathurst Street to Adelaide Street is a combination of an eligible high priority residential area and an eligible industrial area.

Changing Hamilton Road between Bathurst Street and Adelaide Street to a commercial improvement area is supported because a review of that segment of Hamilton Road identified that the majority of the properties in this segment operate as commercial businesses with the odd residential dwelling mixed in. This is very similar to the rest of the Hamilton Road commercial improvement area. It should be noted that this amendment does not change any permitted zoning and land uses in the area. The existing zoning, Official Plan designations, and London Plan Place Types remain in place.

The Official Plan (14.2.2 ii)) recognizes the Downtown, Old East Village, and SoHo as specific commercial areas eligible for community improvement. It is noteworthy that the Official Plan also recognizes “Established Older Business Districts” as being eligible for community improvement which is defined as, “several older business districts which serve neighbourhood and, in some cases, broader retail markets have been delineated on the basis of their age and potential benefit from co-ordinated physical improvements.” The proposed Hamilton Road Area Commercial Area which as previously indicated is identical to the Hamilton Road Area Sub-Project Area meets these criteria and, as such, it is recommended that the Official Plan be amended to add the Hamilton Road Area Commercial Area to the list of commercial areas eligible for community improvement, as well as modify Figure 14-1 to show this change.

*The London Plan*

The London Plan does not have a map similar to Figure 14-1 in the 1989 Official Plan. Under the London Plan it is no longer required to determine if a proposed community improvement project area falls within the boundaries of a high or low priority residential, commercial, or industrial improvement area. Instead, the London Plan states that subject to the Community Improvement Policies in the Our Tools part of this Plan (discussed in more detail in Section 4.1 of this report), City Council may designate, by by-law, community improvement project areas anywhere within the municipal boundary (Policy 164). The new Hamilton Road Area community improvement project area will be added by an amendment to Map 8 of the London Plan.

**5.0 Conclusion**

In London, Community Improvement Plans have a track record of success in contributing to the ongoing revitalization of neighbourhoods, such as Old East Village and Downtown.

Based on the policy analysis demonstrated in this report and the community engagement process over the past two years, it is clear that the Hamilton Road Area meets the tests for the adoption of a community improvement project area and a Community Improvement Plan. Also, the ability to offer Upgrade to Building Code and Façade Improvement loans through the CIP should help incentivize property owners on Hamilton Road to further invest in their properties.

Further, the recommended Official Plan Amendment to allow commercial improvements in the Hamilton Road Corridor Sub-project Area (Hamilton Road from Bathurst Street to Highbury Avenue) is consistent with the Provincial Policy Statement and conforms to the community improvement policies of the 1989 Official Plan.

The adoption of a community improvement project area for the Hamilton Road Area also conforms to the London Plan and its policies.

In summary, the Hamilton Road Area Community Improvement Plan provides a comprehensive and supportive way forward for improving the community.

<b>Prepared by:</b>	<b>Graham Bailey, MCIP, RPP Planner II, Urban Regeneration</b>
<b>Submitted by:</b>	<b>Jim Yanchula, MCIP, RPP Manager, Urban Regeneration</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>

March 12, 2018  
GB/gb

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## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.- \_\_\_\_\_

A by-law to designate the Hamilton  
Road Area Community Improvement  
Project Area.

WHEREAS by subsection 28(2) of the *Planning Act*, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS the Official Plan for the City of London contains provisions relating to community improvement within the City of London;

AND WHEREAS the area identified as the Hamilton Road Area Community Improvement Project Area is shown in Figure 1, attached hereto and forming part of this by-law;

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

1. The area identified as the Hamilton Road Area Community Improvement Project Area shown in Figure 1, attached hereto, is hereby designated as a Community Improvement Project Area;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on March 27, 2018.

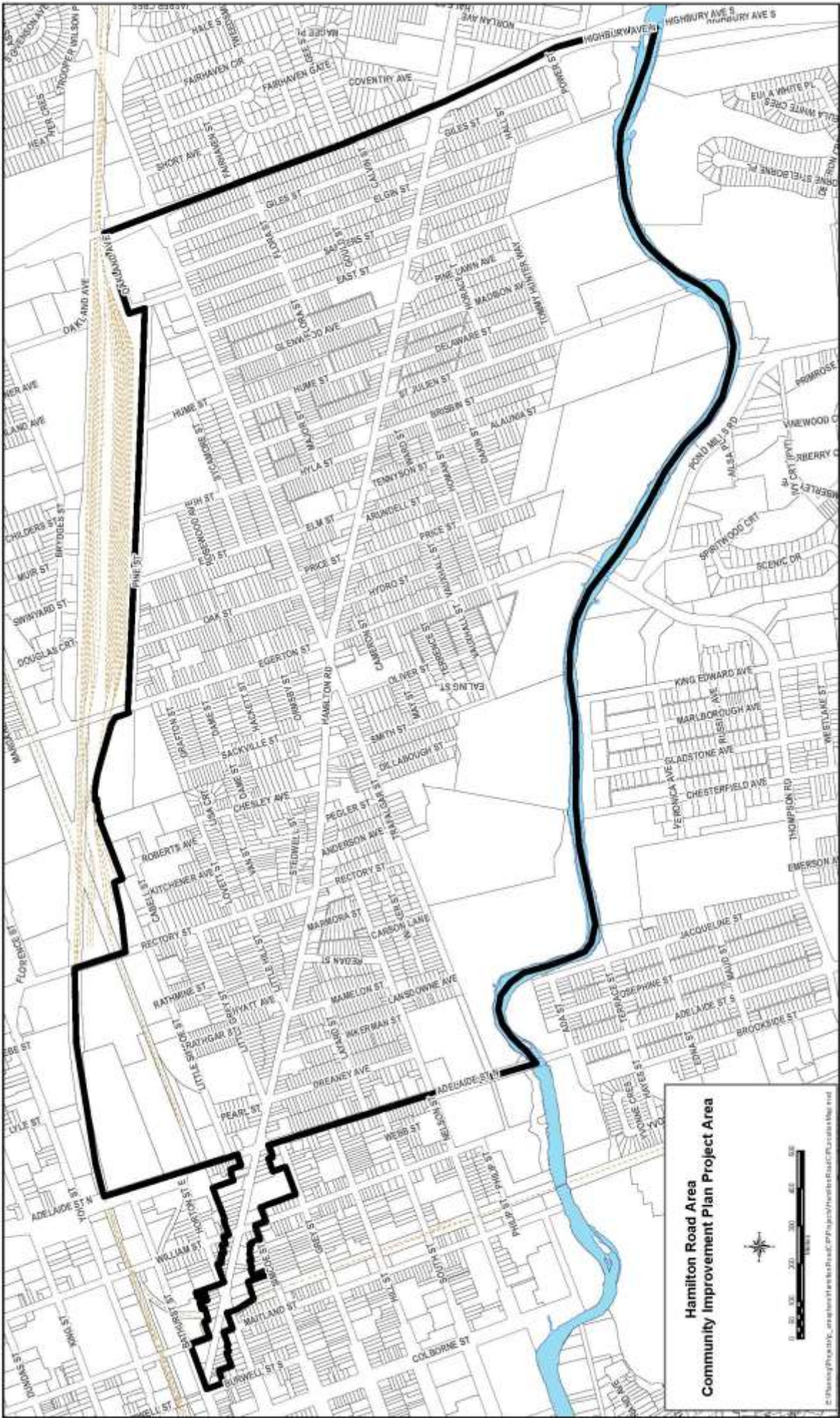
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading - March 27, 2018  
Second Reading- March 27, 2018  
Third Reading – March 27, 2018



FIGURE 1



## Appendix B

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.- \_\_\_\_\_

A by-law to adopt the Hamilton Road  
Area Community Improvement Plan.

WHEREAS by subsection 28(4) of the *Planning Act* enables Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of the Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Hamilton Road Area Community Improvement Project Area;

AND WHEREAS the Hamilton Road Area Community Improvement Project Area is in conformity with the Official Plan;

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

1. The Hamilton Road Area Community Improvement Plan, attached hereto, is hereby adopted as the Community Improvement Plan for the area defined therein;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

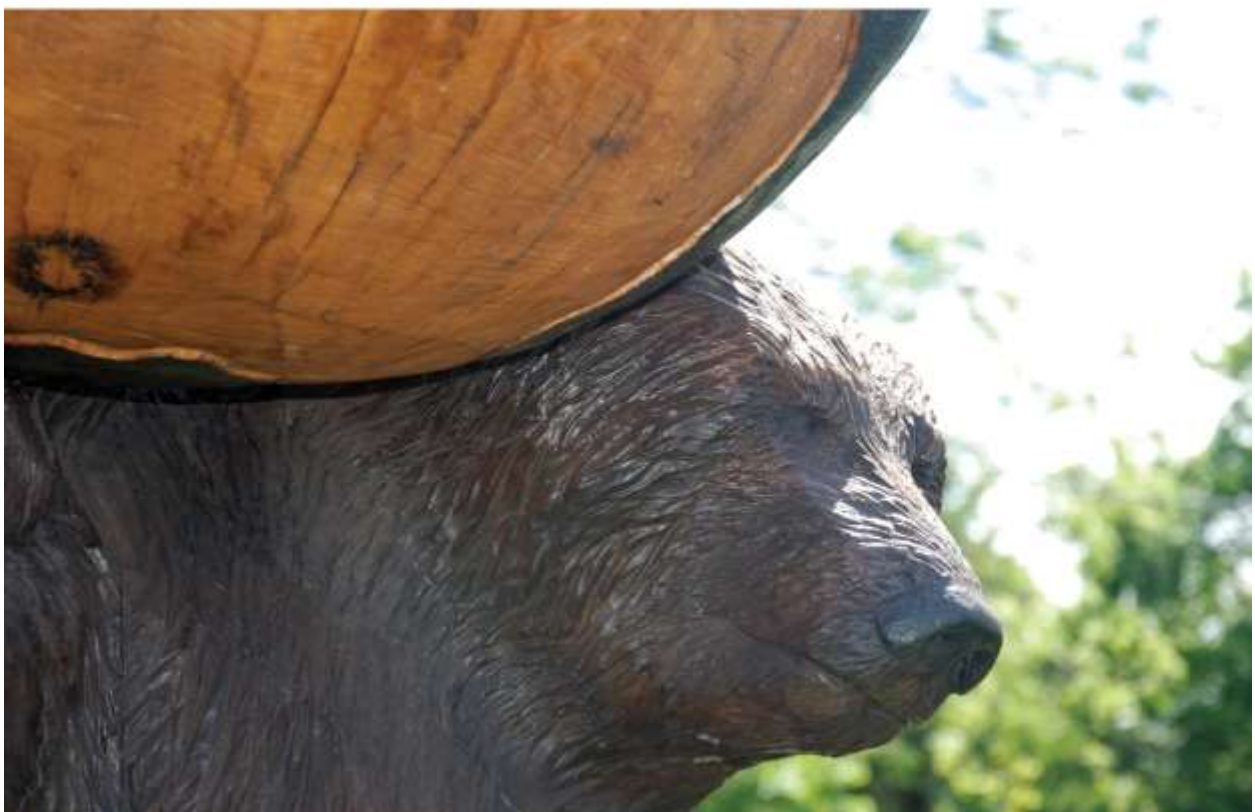
First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

Council adopted March 27, 2018



City of London

# Hamilton Road Area Community Improvement Plan







## Acknowledgments

This CIP was prepared by City of London Planning Services with assistance from numerous other City Divisions and community partners. The following people and organizations are thanked for their contributions in preparing this Community Improvement Plan:

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- Rick Pinheiro
- Cesare Pittelli
- Councillor Michael van Holst
- Marcello Vecchio
- Amanda-Brea Watson
- Margaret Wills
- Jim Yanchula
- The Hamilton Road Area Business Association
- The Hamilton Road Community Association
- Crouch Neighbourhood Resource Centre
- And all those who participated in the community meetings and contributed throughout the preparation of this Plan.

# Hamilton Road Area Community Improvement Plan

Adopted pursuant to section 28 of the *Planning Act*.

<b>1</b>	<b>Introduction</b>
2	Community Improvement Plan Overview
4	Hamilton Road Area
5	Hamilton Road Area Profile
<b>7</b>	<b>Vision &amp; Objectives</b>
8	Vision
9	Objectives
10	Areas for Improvements
<b>13</b>	<b>Community Improvement Project Area</b>
14	The Project Area
15	Project Sub-Areas
<b>19</b>	<b>Community Improvement Needs</b>
20	Community Improvement Needs
21	Categories of Identified Community Improvement Needs
<b>29</b>	<b>Incentive Programs</b>
30	Incentive Programs
31	Hamilton Road Area Financial Incentive Programs
33	Brownfield and Heritage Incentive Programs



35 Implementation

36 How to Read the Actions Table

55 Monitoring & Evaluation

56 Purpose

57 CIP Target Success Measures

58 Baseline Conditions

59 Financial Incentive Monitoring Database and Program

61 Data Collection

61 Four-Year CIP Evaluation

61 Evaluation Outcomes

Section 1

**Introduction**



# Community Improvement Plan Overview

## What is a Community Improvement Plan?

A Community Improvement Plan (CIP) is a strategy that guides redevelopment and improvements within a defined area of need. To achieve the strategy, CIPs allow a municipality to take actions such as:

- Identify changes needed to land use planning policy, zoning, other by-laws and practices;
- Acquire, rehabilitate, and dispose of land;
- Provide grants and loans to property owners that would otherwise be unavailable; and,
- Direct investments made to infrastructure and public space.

**Purpose of this Community Improvement Plan**

The City of London has prepared this CIP for the Hamilton Road Area which is intended to result in its revitalization and re-development by:

- Identifying the strengths, weaknesses, opportunities, and threats to the Hamilton Road Area;
- Establishing a vision and objectives for the Hamilton Road Area CIP;
- Recording and prioritizing actions for how the Hamilton Road Area will be improved; and,
- Proposing incentive programs that can be offered to stimulate private sector investment in the revitalization and re-development.

**How This Plan Was Prepared**

These main tasks were completed to provide a comprehensive foundation for the preparation of this CIP:

- Review of relevant Provincial and City policy documents;
- Review of existing City of London Community Improvement Plans and incentive programs;
- Review of best practises used in CIPs provided by other Ontario municipalities;
- Analysis of the Hamilton Road Area based on:
  - Secondary information (such as Statistics Canada data);
  - Visual audit and first-hand data collection;
  - Input received from the Project Team, Hamilton Road Area Business Association, and Hamilton Road Community Association; and,
  - Information collected during community meetings and workshop sessions.





## Hamilton Road Area

### Study Area & Community Improvement Project Area

When a CIP is being prepared, a Study Area is established early in the process to maintain focus and to help avoid "scope creep" as the project moves forward. From the Study Area, a Project Area is then identified as the area for improvement and included in the final CIP document that is adopted by Municipal Council. According to Provincial regulations, the Project Area is to be based on an area that in the opinion of Municipal Council, improvement is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reason.



The Hamilton Road Area as identified for this Community Improvement Plan is situated in the southeast area of the city's core. It encompasses the main corridor of Hamilton Road and the surrounding side streets, with the westerly portion containing the properties fronting on Hamilton Road from its origin point at Bathurst Street. The north boundary is adjacent to one of the main railway lines within London, while the south boundary is the Thames River. The easterly boundary is Highbury Avenue.



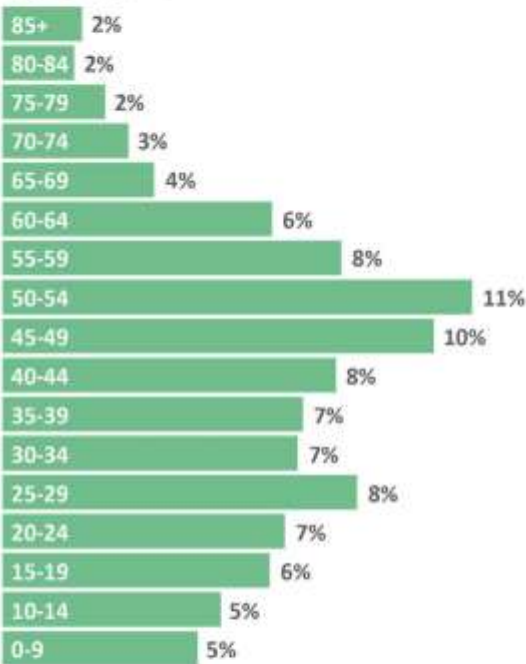
## Hamilton Road Area Profile

Population

Between 2011 and 2016, the population in the Hamilton Road Area as defined geographically in the above map grew by 47 people; a growth rate of approximately 0.58% over the five years. This is less than the city-wide growth rate of just under 1% during the same time period.

Based on the 2011 National Census data, the Hamilton Road Area has more working aged adults compared to the city-wide population numbers. Further, the Hamilton Road Area contains fewer younger and senior residents when compared city-wide.

Age Structure



Income

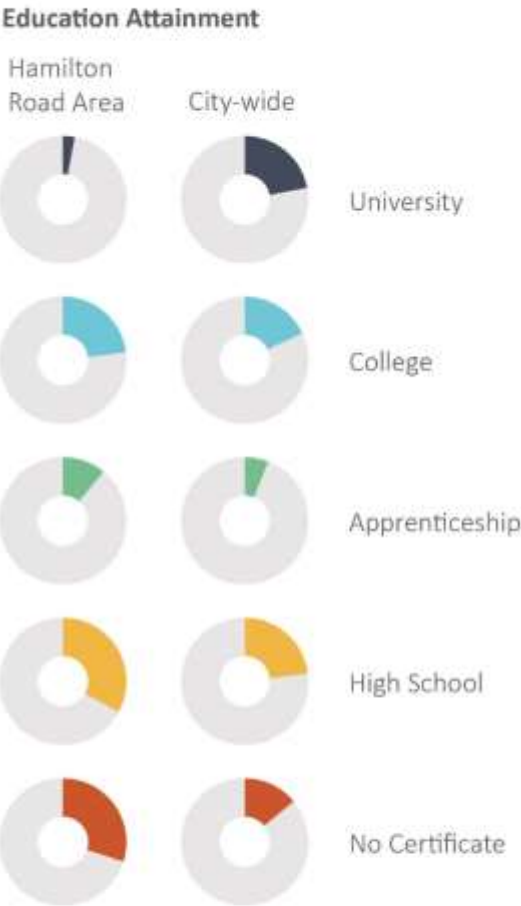
Based on the 2011 National Census data, the Hamilton Road Area has a lower average income compared to the city-wide averages. The average income in the Hamilton Road Area is 27% lower than the city-wide average income.

Average Income



Education

Educational attainment by highest credential earned tends to be lower in the Hamilton Road Area. The highest level of education attainment being high school or no certificate accounts for 63% of the total population; compared to a city-wide figure of 37%. Twenty-three percent of the Hamilton Road Area population had a college level education, compared to 18% city-wide and finally, 3% of the Hamilton Road Area population had a university level certificate or degree, compared to 22% city-wide.



Housing

Homeownership is more prevalent in the Hamilton Road Area. Based on the 2011 National Census data, the percentage of owner occupied housing is greater in the Hamilton Road Area than in the city; conversely, the number of houses rented in the Hamilton Road Area is lower than the rest of the city.

It is also more affordable to purchase a home in the Hamilton Road Area. The average value of a dwelling ranges from \$136,136 to \$207,055. The average value city-wide is \$256,613.



## Section 2

# Vision & Objectives



## Vision

Community consultation completed for this Plan resulted in this Vision statement and the following key objectives intended to implement it:

By 2027, the Hamilton Road Area will be an attractive destination in London filled with heritage, diverse local businesses and multi-cultural restaurants, as well as a safe and welcoming neighbourhood.



## Objectives

- Improve the existing pedestrian environment along Hamilton Road.
- Stimulate private sector investment in revitalizing and rehabilitating the Hamilton Road area.
- Encourage the conservation and restoration of local heritage resources.
- Build upon the success of the local small businesses and restaurants to create a healthy, vibrant, and mixed-use main street.
- Provide additional parking opportunities for local businesses to encourage residents and visitors to leave their vehicles and explore the neighbourhood.
- Improve long-term community safety to create a family friendly environment at all times in all seasons.
- Foster great streetscapes with a visually interesting, accessible and clean public realm.
- Support the existing and new community organizations that nurture the well-being of all Hamilton Road area residents.
- Coordinate municipal servicing infrastructure improvements with planning and development activity to help reduce disruptions in the neighbourhood.
- Improve access to fresh food along Hamilton Road.







## Areas for Improvements

Through consultation with the community, 12 areas for improvement were developed from the list of items identified as needing improvement in the Hamilton Road Area. At the second community meeting, participants were asked to prioritize the improvement areas, resulting in the following list:

- 1 Traffic
- 2 Crime prevention/safety
- 3 Support small businesses
- 4 Vacant, derelict buildings
- 5 Parking for businesses on Hamilton Road
- 6 Access to fresh groceries along Hamilton Road
- 7 General cleanliness
- 8 Infrastructure
- 9 Enhancing Hamilton Road's identity
- 10 More interior community / social spaces
- 11 Park and Thames Valley Parkway
- 12 Conserving heritage

The 12 areas for improvement were summarized into six improvement categories:

**Quality Public Realm and Streetscapes**

**A Safer Neighbourhood for All**

**Strong Business Environment**

**Excellent Parks and Recreational Opportunities**

**Improved Mobility Options**

**Strengthening the Community**

The recommended actions for improvement found in Section 6 will fall under one of the above six categories.





## Section 3

# Community Improvement Project Area



## The Project Area

Ontario’s *Planning Act* defines a community improvement project area as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.” This area, also referred to in this Plan as the “Project Area”, is shown in Figure 1.

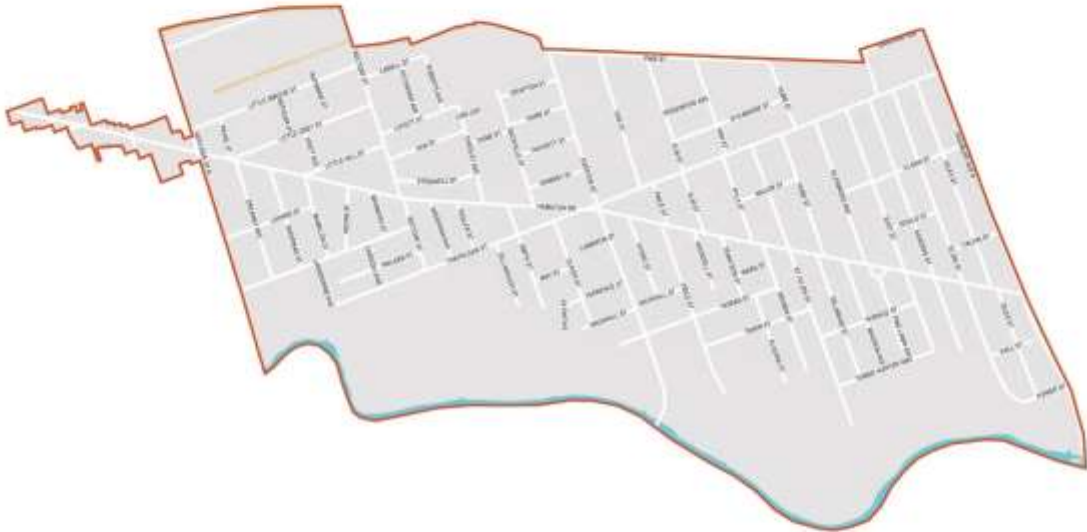
A number of critical community improvement needs were identified in the Project Area through the detailed analysis of strengths, weaknesses, opportunities and threats (SWOT Analysis) contained in Appendix E as well as through the workshops held at the community meetings. As a result, The Hamilton Road Project Area complies with the *Planning Act* definition where community improvement is desirable. All community improvement activities described in this CIP, including financial incentive programs, will only be undertaken within the area designated as the Community Improvement Project Area or a Sub-Area of the Project Area. The Community Improvement Project Area is designated by a By-law passed by Municipal Council, in accordance with Section 28 of the *Planning Act*.



Project Area Description

The Hamilton Road Project Area is generally defined as the CN railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, Adelaide Street to the west, and also includes all properties with frontage on Hamilton Road west of Adelaide Street, as well as 219-221 William Street.

Figure 1: Project Area



Project Sub-Areas

The Project Area has been further divided into three Project Sub-Areas (see Figures 2-4) which are based on inventoried conditions and characteristics during the preparation of this Plan. The Sub-Areas include:

- 1

Hamilton Road Corridor
- 2

Hamilton Road Area Neighbourhood
- 3

Hamilton Road Area Parks

Figure 2: Hamilton Road Corridor

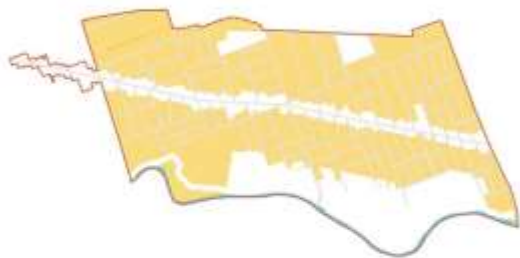


**Hamilton Road Corridor**

Hamilton Road is the spine that runs through the community. Hamilton Road is a main gateway to Downtown and provides access to Highbury Avenue and from there to Highway 401. The large volumes of traffic including trucks that pass through the neighbourhood on Hamilton Road have contributed to a decline in the quality of the pedestrian-oriented main street environment. Hamilton Road and its shops, restaurants, and other businesses is within a comfortable walking distance for most residents in the neighbourhood. An effort to balance the vehicular traffic with the desire for a more pedestrian friendly main street environment is a priority. A desire for new public spaces along Hamilton Road was also identified at the second community meeting. The CIP directs opportunities for potential new public spaces to Hamilton Road.

The London Plan identifies approximately Rectory Street to Egerton Street as the Main Street Place Type. This segment of Hamilton Road will see the greatest effort to promote walkability, a mix of uses, gathering spaces and act as a node for the community. Outside of the Main Street segment, the remainder of Hamilton Road in the Project Area is identified as an Urban Corridor. Urban Corridors permit a wide range of uses, encourage on-street parking, and support a pleasant and interesting pedestrian environment. As the Hamilton Road Corridor is the centre of the Hamilton Road Project Area, it will also be the focal point for improvement.

Figure 3: Hamilton Road Area Neighbourhood



**Hamilton Road Area Neighbourhood**

The Hamilton Road Area Neighbourhood is comprised of the primarily residential neighbourhoods adjacent to the Hamilton Road Corridor in the Project Area. The Hamilton Road Area Neighbourhood has a close and supporting relationship to the Hamilton Road Corridor. Although the Neighbourhood is mainly made up of homes, there are industrial, commercial and retail uses along Trafalgar Street, Adelaide Street North, and adjacent to the railway tracks.

Within The London Plan, the Hamilton Road Area Neighbourhood has numerous Place Types including Neighbourhoods, Light Industrial, and Shopping Area. The Neighbourhoods Place Type will be planned for a diversity and mix of residential uses, to create and enhance a sense of place and identity, as well as permit mixed-use and commercial uses at appropriate locations to meet the daily needs of neighbourhood residents. The Light Industrial Place Type is where industries generating more minimal planning impacts will be permitted. The industrial areas are included in the Hamilton Road Area Neighbourhood Sub-Area; however, no improvements in this Plan are targeted towards industrial properties. The Shopping Area Place Type permits commercial centres with a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods.

Figure 4: Hamilton Road Area Parks



**Hamilton Road Area Parks**

The Hamilton Road Area has a variety of parks and outdoor public spaces available to the community. These public spaces include Vauxhall Park, St. Julien Park, South Branch Park, CNR Park, Silverwoods Park, Dillabough Garden, and the Thames Valley Parkway. These public spaces are an excellent amenity for the Hamilton Road Area. The close relationship to the Hamilton Road Corridor often has “spillover effects” into the public spaces, such as concerns regarding the level of personal security experienced in them, particularly at night.

The majority of the outdoor public spaces in the Hamilton Road Area are identified as the Green Space Place Type in The London Plan. The Green Space Place Type is made up of a system of public parks and recreation areas, private open spaces, and the City’s most cherished natural areas.







Section 4

**Community  
Improvement  
Needs**





## Community Improvement Needs

To gain an understanding of key issues and to identify the gaps that should be addressed by this CIP, community improvement needs in the Hamilton Road Project Area have been determined using the following methods:

- First-hand observations made during site visits of the area;
- Research and analysis of legislation, policies, regulations and other sources of existing information applicable to the area;
- Consultation with the local community members and organizations; and,
- Consultation across City of London service areas.

This work is documented in detail in this Plan's Appendices.

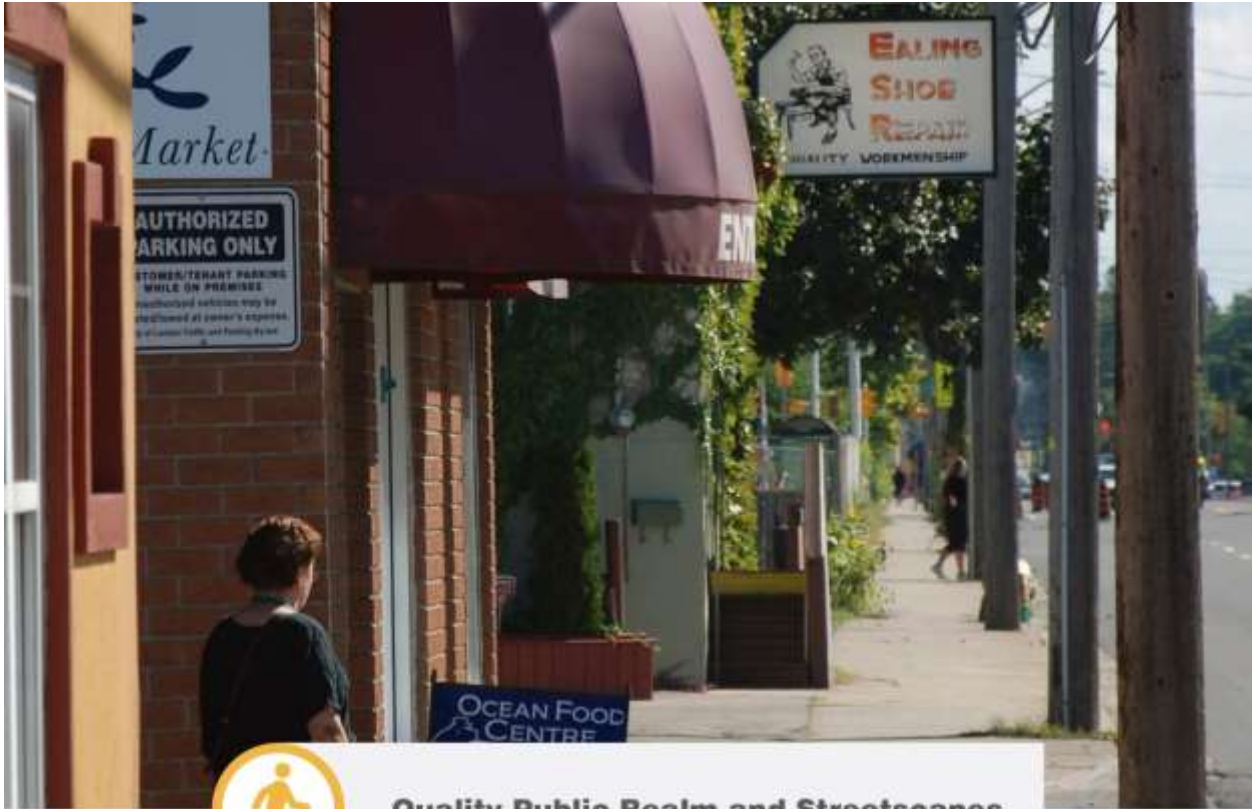
### Identified Strengths, Weaknesses, Opportunities & Threats (SWOT)

As part of the community meetings held in the preparation of this CIP, participants were asked to identify strengths and weaknesses in the Hamilton Road Area using a social, economic, and environmental lens. Using the documented replies, and the other information gathered through the methods cited above, opportunities were noted and potential threats foreseen. The SWOT analysis summarizing these steps is provided in Appendix E.



## Categories of Identified Community Improvement Needs

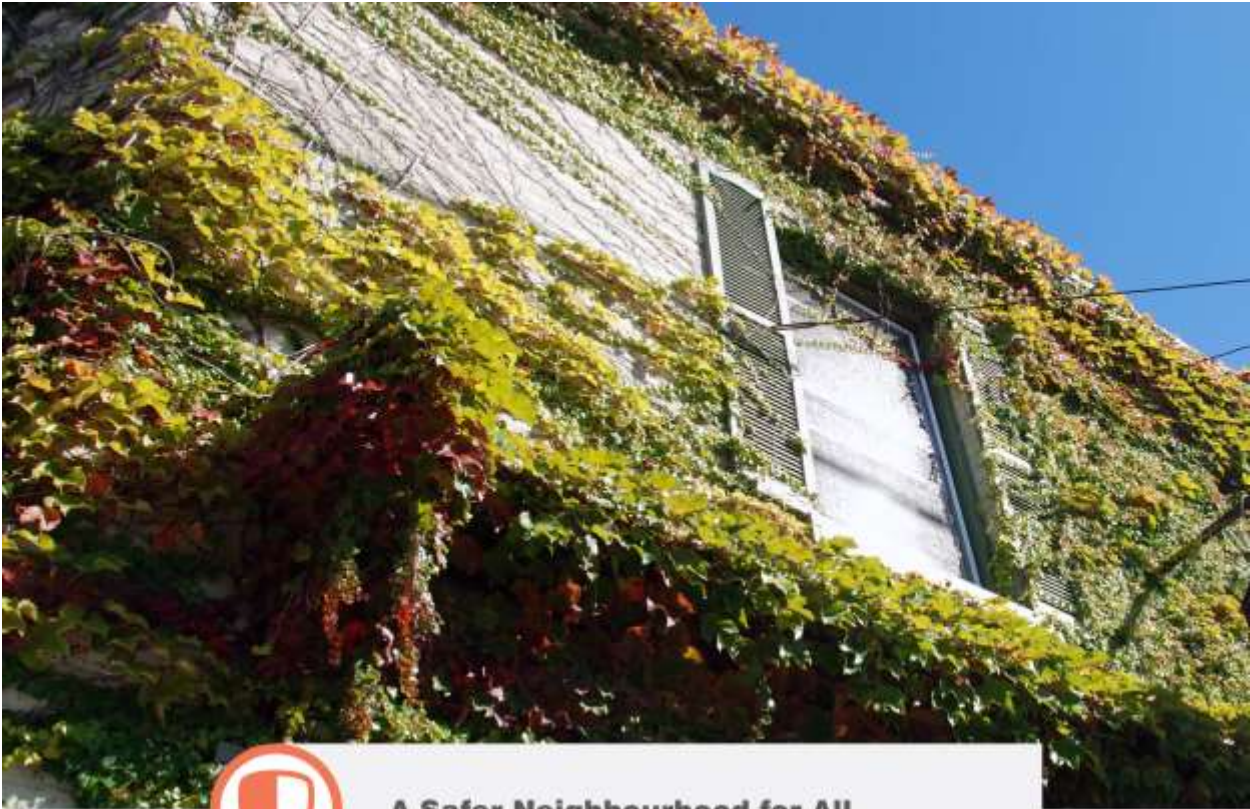
The following list groups identified needs or gaps that require community improvement consistent with the six categories cited in Section 2. The list is not in an order of priority. Many of these needs or gaps are taken verbatim from the community meetings and as written may be seen by some as being insensitive or inappropriate. The comments have not been edited or sanitized by Planning Services. However, the comments have been edited and summarized when two or more needs were addressing the same concern.



Quality Public Realm and Streetscapes

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>Vacant and derelict buildings</li></ul>   | <ul style="list-style-type: none"><li>The neighbourhood looks dreary</li></ul>  |
| <ul style="list-style-type: none"><li>Houses on Adelaide Street between Hamilton Road and Layard Street need improvement</li></ul>          | <ul style="list-style-type: none"><li>Neighbourhood needs road and sewer work</li></ul>   |
| <ul style="list-style-type: none"><li>Traffic volume on Hamilton Road including trucks makes the pedestrian experience unpleasant</li></ul> | <ul style="list-style-type: none"><li>Not enough street lighting or park lighting</li></ul>   |
| <ul style="list-style-type: none"><li>Poor road conditions</li></ul>  | <ul style="list-style-type: none"><li>Lack of street trees</li></ul>  |
| <ul style="list-style-type: none"><li>Better residential garbage and pickup</li></ul>   | <ul style="list-style-type: none"><li>Lack of seating</li></ul>   |
| <ul style="list-style-type: none"><li>Littering on Hamilton Road</li></ul>  | <ul style="list-style-type: none"><li>Perception that City construction projects take too long – leading to the feeling that the neighbourhood is a low priority.</li></ul> |





**A Safer Neighbourhood for All**

- |   |   |
|---|---|
| Perception that junk yards encourage criminal activity                                  | Loitering   |
| Need crime prevention and more police presence  | Lack of needle bins                                     |
| Issues with prostitution and crime  | Concerns about drug use in public                       |
| Graffiti  | Substandard and unsafe housing                          |
| Misperceptions about physical appearance and social conditions "East of Adelaide" (EOA) | Parks and neighbourhood can feel unsafe at night        |
|   | Laneways and alleyways are not used and can feel unsafe |



- |  |   |
|--|---|
| Insufficient parking available for local businesses    | The commercial corridor is very long and unfocused  |
| Lack of support from the City for local businesses     | Portions of the commercial built form is not purpose-built for the use (i.e. houses poorly adapted for commercial purposes)   |
| Need increased hours of operation for local businesses | Zoning related to parking requirements, setbacks, and expanded the range of permitted uses needs to be updated to better support revitalization and improvement efforts |
| Lack of a Business Improvement Area                    |   |
| Lack of commercial investment in the neighbourhood     |   |

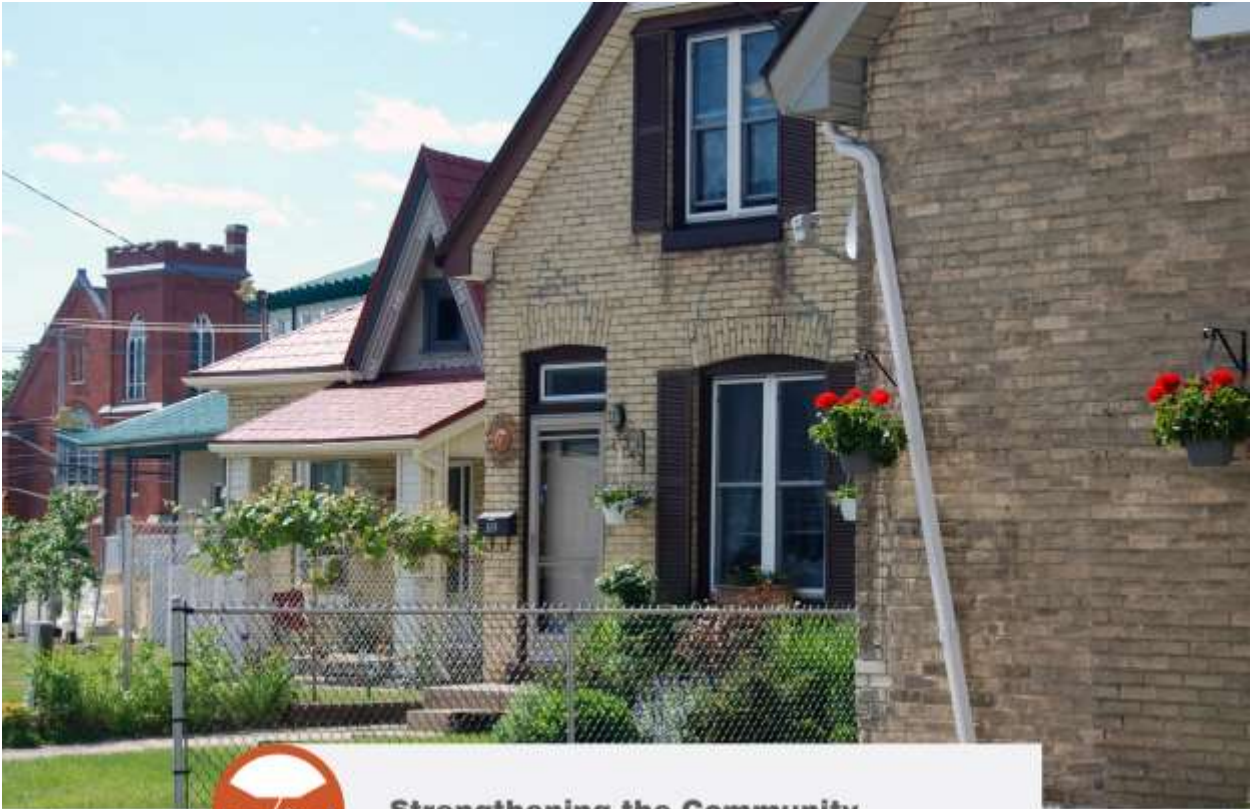




- |   |                                  |
|---|----------------------------------|
| Lack of places for youth to go                                  | Lacking seniors' support         |
| Lack of social events, e.g. festivals and community events      | Lack of improvements in CNR Park |
| BMO Centre should be a multi-purpose facility (not just soccer) | Underused green space            |
| Schools not being used for community classes                    | No dog park                      |
| Concerns about the fate of Silverwoods Arena                    | Lack of playground equipment     |



- No bike lanes
- Some local roads need traffic calming
- Lack of traffic interruptions (places to cross Hamilton Road)
- Tractor trailers need an alternate route other than Hamilton Road
- Lack of LTC north and south routes through the neighbourhood



**Strengthening the Community**

- Lack of an additional supermarket or farmer's market
- Perceived food desert
- Perceived as a low income area
- Lack of voice to City Hall that speaks for the whole community
- School closings
- Limited heritage designations and protection
- Lack of housing options





Section 5

Incentive  
Programs





## Incentive Programs

Coupled with proposed initiatives that can be undertaken by the public sector on municipal property, the private sector needs to be engaged in community improvement to achieve this Plan's objectives. Financial incentives are established to help stimulate private investment in buildings and properties. In accordance with the *Planning Act* and the City's Official Plan, the City may offer grants or loans to property owners to help cover eligible costs and further community improvement goals.

## Hamilton Road Area Financial Incentive Programs

The Hamilton Road Area CIP financial incentive programs represent a comprehensive ‘toolkit’ of programs designed to help address a number of the key weaknesses and threats identified during the analysis and achieve the vision and objectives of the CIP. The financial incentive programs are designed to encourage private sector investment, rehabilitation, adaptive reuse, redevelopment, and construction activity along the Hamilton Road Corridor Sub-Project Area, shown in Figure 2.

The incentive programs contained in the CIP are referred to as a ‘toolkit’ because once the CIP is adopted and approved, Municipal Council is able to fund, activate, and implement the incentive programs. The programs are however subject to the availability of funding and Municipal Council may choose to implement, suspend, or discontinue one or more programs at a time. It is important to note that the Hamilton Road Area CIP is an enabling document which means Municipal Council is under no obligation to activate and implement any of the incentive programs.

The programs are also referred to as a ‘toolkit’ because once activated, these programs can be used individually or

together by an applicant. In addition to the incentive programs contained in this CIP the City of London also provides incentive programs in both the Brownfield and Heritage CIPs, which may also be applicable to property owners within the Project Area. Among the various CIPs there may be similar and overlapping incentives a property owner might choose to apply for related to a specific property. Each CIP provides specific program requirements for each financial incentive program.

Table 1 summarizes basic program details for each of the incentive programs. The maximum grant/loan available for each program will be determined by City Council when it implements an incentive program and will be based on budget considerations at that time.

Eligibility criteria is available in the detailed program requirements in the Hamilton Road Area CIP financial incentive implementation information package. An amendment to this Plan is required in order to add a financial incentive program or alter its description. Changes to detailed program requirements may occur by Municipal Council resolution without an amendment to this Plan.

Table 1: Summary of Hamilton Road Area CIP Financial Incentive Programs

Program	Description	Program Duration
Upgrade to Building Code Loan	<p>A program designed to assist property owners with the financing of building improvements that are often necessary to ensure older buildings comply with today's Building Code requirements. The costs associated with these improvements frequently pose a major issue for building owners wanting to upgrade their properties.</p> <p>City may provide no-interest loans that are paid back over a 10 year period.</p>	As directed by Municipal Council
Façade Improvement Loan	<p>A program designed to assist property owners with street façade improvements and bring participating properties into conformity with Property Standards By-law and applicable Urban Design Guidelines.</p> <p>City may provide no-interest loans that are paid back over a 10 year period.</p>	As directed by Municipal Council
Rehabilitation & Redevelopment Tax Grant	<p>A program designed to provide economic incentive for the rehabilitation of mixed-use and commercial properties in areas where the building stock is older.</p> <p>City may provide an annual grant to property owners over a ten-year period on a declining scale. The effect of this program is to phase in the property tax increase, which results from a rehabilitation project, over a period of ten years. The annual grant amount is calculated based on the property tax increase that results from the increase in assessment relating to an improvement project.</p>	As directed by Municipal Council
Front Yard Tree Program for Hamilton Road	<p>An incentive program to provide trees in the front yards of residential and commercial properties in a designated area along the Hamilton Road Corridor Sub-Project Area.</p> <p>This program is intended to complement the efforts to provide significant tree canopy cover in the Hamilton Road Main Street Capital Project and the London Urban Forest Strategy.</p>	As directed by Municipal Council

## Brownfield and Heritage Incentive Programs

The City of London provides incentive programs that are contained in both the Brownfield and Heritage CIPs, which may also be applicable to property owners within the Project Area. Table 2 identifies these incentive programs. Specific program information is included in the related CIPs.

Table 2: Summary of City Wide CIP Incentive Programs

CIP	Incentive Programs
Brownfield	<ul style="list-style-type: none"><li>Contamination Assessment Study Grant Program</li><li>Property Tax Assistance Program</li><li>Development Charge Rebate</li><li>Tax Increment Equivalent Grant</li></ul>
Heritage	<ul style="list-style-type: none"><li>Tax Increment Grant</li><li>Development Charge Equivalent Grant</li></ul>







Section 6

**Implementation**



## How to Read the Actions Table

The CIP Actions Table is organized into six improvement categories: Quality Public Realm and Streetscapes; A Safer Neighbourhood for All; Strong Business Environment; Excellent Parks and Recreational Opportunities; Improved Mobility Options; and Strengthening the Community.

Within each improvement category, there are several community- and City-identified actions that originated during community and stakeholder consultation and have been developed through City staff and agency input, to improve the needs and weaknesses in the Hamilton Road Area CIP Project Area as listed in Section 4 and achieve the community vision. Each action identifies the lead (who is expected to coordinate/undertake implementing the action), the suggested partners (who can assist the lead), the priority (Do First, Do Second, and Do Third), and the relative cost.

A lead was identified for each action. Clarifying roles and responsibilities ensures there is accountability for the actions and helps champions to emerge to lead the actions through to implementation. The two primary stakeholders are the City of London and the Hamilton Road Area Community. The City refers to City of London staff, with assistance of its boards, agencies, and commissions and includes

regulatory and operational activities. The Community refers to the Hamilton Road Area residents, the Hamilton Road Community Association, the Hamilton Road Area Business Association, social service agencies, and other community and business organizations in the Hamilton Road Area.

The Cost column helps identify expectations for a relative budget amount (high, medium, or low) to implement an action, if funding is available in an existing City budget or would need to come from a future City budget, or if funding is available from a non-City budget.

Prioritizing the proposed sequence for these actions proved to be challenging due to budget constraints, planned infrastructure renewal, jurisdictional issues which require commitment from other agencies, and community preference. Therefore, some actions have been identified as a “Do 1st” priority and conversely, other actions may not have been regarded as an immediate priority but an opportunity may arise sooner than expected where it would be appropriate to avail of such opportunities.

The ability to complete the actions listed in the following Actions Table is contingent on available resources and other projects and priorities that are underway or introduced by Municipal Council in the future.

Actions Table

Action Items listed below without shading are consistent with the definition of community improvement found in Section 28 of the *Planning Act*; shaded Action Items address an identified weakness or an improvement desired within the Hamilton Road Area Community Improvement Project Area which was documented during the preparation of this Plan but is beyond the scope of community improvement as it is defined in the *Planning Act*, or can be implemented without need for a CIP. Combining both types of community improvement Actions in a single document is intended to provide a complete robust plan for improving the Hamilton Road Area CIP Project Area that is easier to monitor and implement.







Quality Public Realm and Streetscapes

	Action	Priority	Lead & Suggested Partners	Cost
1.1	Make available the Upgrade to Building Code Loan, Façade Improvement Loan, and Rehabilitation and Redevelopment Tax Grant Incentive Programs	Do 1st	Planning Services – Urban Regeneration Suggested Partners: Hamilton Road Business (Improvement) Association	High (existing budget)
1.2	Undertake the preparation of detailed Urban Design Guidelines for the Hamilton Road/Adelaide Street North Mixed-Use Mainstreet Districts	Do 2nd	Planning Services – Urban Design Suggested Partners: Hamilton Road Business (Improvement) Association Hamilton Road Community Association	Low (existing budget)
1.3	Where feasible based on space constraints, ensure the immediate area around bus stops on Hamilton Road are equipped with pedestrian friendly amenities including transit shelters, waste receptacles, and benches	Do 1st	London Transit Commission Suggested Partners: Planning Services – Urban Design Environmental and Engineering Services (EES)- Transportation Planning & Design EES – Transportation and Roadside Operations	Medium (other budget)

	Action	Priority	Lead & Suggested Partners	Cost
1.4	In conjunction with the Hamilton Road "MainStreet" Conceptual Design Infrastructure Renewal project, identify opportunities for strategic property acquisition and/or better use of existing City owned land for the purposes of implementing public squares, plazas, community gardens, and green space	Do 1st	EES – Transportation Planning & Design Suggested Partners: Planning Services – Environmental & Parks Planning Finance and Corporate Services – Realty Services Planning Services – Urban Design Parks and Recreation – Operations Hamilton Road Business (Improvement) Association Hamilton Road Community Association Crouch Neighbourhood Resource Centre Neighbourhood, Children & Fire Services	High (future budget)
1.5	Develop a way-finding system with pedestrian-scale signs to allow visitors to explore the neighbourhood	Do 3rd	Hamilton Road Business (Improvement) Association Suggested Partners: Crouch Neighbourhood Resource Centre EES – Transportation Planning & Design	Medium (future budget)
1.6	Consider BA/BIA branding on way-finding signs and street furniture along Hamilton Road	Do 3rd	Hamilton Road Business (Improvement) Association Suggested Partners: N/A	Low (other budget)
1.7	Clean Hamilton Road sidewalks on a more frequent schedule	Do 1st	EES – Transportation and Roadside Operations Suggested Partners: Hamilton Road Business (Improvement) Association	Medium (future budget)



	Action	Priority	Lead & Suggested Partners	Cost
1.8	Seek opportunities to include wider sidewalks as part of the Hamilton Road "MainStreet" Conceptual Design Infrastructure Renewal project and as part of existing planned capital projects along Hamilton Road with consideration for tree protection	Do 3rd	EES – Transportation Planning & Design Suggested Partners: Planning Services – Urban Design	Medium (future budget)
1.9	Seek opportunities to include pedestrian scale lighting as part of the Hamilton Road "MainStreet" Conceptual Design Infrastructure Renewal project and as part of existing planned capital projects along Hamilton Road	Do 2nd	EES – Transportation Planning & Design Suggested Partners: Planning Services – Urban Design Hamilton Road Business (Improvement) Association	Medium (future budget)
1.10	Investigate the use of new lighting technologies including automatic dimming systems and intelligent lighting controls for installation as Hamilton Road is reconstructed	Do 2nd	EES – Roadway Lighting & Traffic Control Suggested Partners: N/A	Low (future budget)
1.11	Where appropriate based on space constraints, install new waste receptacles along Hamilton Road	Do 2nd	EES – Transportation and Roadside Operations Suggested Partners: Hamilton Road Business (Improvement) Association	Low (future budget)
1.12	Investigate the feasibility of burying the hydro lines on Hamilton Road as part of the Hamilton Road "MainStreet" Conceptual Design Infrastructure Renewal project and as part of existing planned capital projects along Hamilton Road, with the segment between Smith Street and Hydro Street being the top priority	Do 3rd	EES – Transportation Planning & Design Suggested Partners: London Hydro Planning Services – Urban Design Hamilton Road Business (Improvement) Association	High (future budget)

	Action	Priority	Lead & Suggested Partners	Cost
1.13	Seek opportunities to include street trees and vegetation on Hamilton Road as part of the Hamilton Road "MainStreet" Conceptual Design Infrastructure Renewal project and as part of existing planned capital projects along Hamilton Road	Do 2nd	EES – Transportation Planning & Design Suggested Partners: Planning Services – Urban Forestry Planning Services – Urban Design Parks and Recreation – Operations	Medium (future budget)
1.14	Study the opportunity for a front yard tree program for property owners along Hamilton Road to encourage street trees or consider making changes to the TreeME Matching Fund to provide property owners with access to trees	Do 2nd	Planning Services – Environmental and Parks Planning Suggested Partners: Planning Services – Urban Forestry Neighbourhood, Children & Fire Services	Low (existing budget)
1.15	Develop a street tree container planting program for spaces in the Hamilton Road Area Corridor Sub-Project Area where street trees are not feasible	Do 2nd	Hamilton Road Business (Improvement) Association Suggested Partners: ReForest London EES – Transportation and Roadside Operations	Low (other budget)
1.16	Seek opportunities to construct new sidewalks and/or curbs during road reconstruction and resurfacing, or during development approvals processes on abutting private property – on Vauxhall Street (east of Egerton Street), Cabell Street, Roberts Avenue, Little Simcoe Street, Oliver Street, Calvin Street, Flora Street, Ash Street, Hume Street, and Pine Street	Do 1st	EES – Transportation Planning & Design Suggested Partners: Development and Compliance Services Planning Services – Urban Design Hamilton Road Business (Improvement) Association	Low (existing budget)



A Safer Neighbourhood for All

Action	Priority	Lead & Suggested Partners	Cost
2.1 Undertake an annual crime prevention through environmental design (CPTED) review of targeted areas in the neighbourhood	Do 1st	London Police Services Suggested Partners: Planning Services – Urban Design Hamilton Road Business (Improvement) Association Hamilton Road Community Association Neighbourhood, Children & Fire Services (Neighbourhood Safety Audits)	Low (other budget)
2.2 Increase the frequency of proactive By-law Enforcement blitzes in the Hamilton Road Area and identify opportunities to expand the area where the City of London undertakes proactive by-law enforcement in the Hamilton Road Area.	Do 2nd	Development and Compliance Services – By-law Enforcement Suggested Partners: Planning Services – Urban Design Hamilton Road Business (Improvement) Association Hamilton Road Community Association	Low (future budget)
2.3 Engage Neighbourhood Watch London about the potential of expanding the areas of Hamilton Road where Neighbourhood Watch programs are currently organized	Do 1st	Hamilton Road Community Association Suggested Partners: Neighbourhood Watch London Crouch Neighbourhood Resource Centre Neighbourhood, Children & Fire Services (Neighbourhood Safety Audits)	Low (other budget)

	Action	Priority	Lead & Suggested Partners	Cost
2.4	Continue to build on the relationship and work with the Community Oriented Response unit to identify neighbourhood issues and develop appropriate responses including proactive foot/bike patrols and targeted enforcement	Do 1st	London Police Services Suggested Partners: Hamilton Road Community Association Hamilton Road Business (Improvement) Association Ward Councillor	No cost
2.5	Identify which alleys and laneways behind residential homes are unused and/or unnecessary for vehicular traffic	Do 2nd	EES- Geomatics Suggested Partners: Planning Services – Urban Regeneration Hamilton Road Community Association Adjacent property owners EES – Transportation Planning & Design	No cost
2.6	Once alleys and laneways are identified in 2.5, develop a program for closing unnecessary laneways including conveying City owned laneways to adjacent property owners	Do 2nd	Planning Services – Urban Regeneration Suggested Partners: Finance and Corporate Services – Realty Services Hamilton Road Community Association Adjacent property owners	Low (future budget)
2.7	Initiate a traffic study for the Hamilton Road Area to assess the need for traffic calming measures, in particular on Homan Street, Terrence Street, Vauxhall Street, Major Street, and St. Julien Street (north of Hamilton Road)	Do 1st	EES – Transportation Planning & Design Suggested Partners: Planning Services	Low (future budget)

	Action	Priority	Lead & Suggested Partners	Cost
2.8	Undertake proactive patrols and targeted enforcement in St. Julien Park and CNR Park	Do 1st	London Police Services Suggested Partners: Hamilton Road Community Association Parks and Recreation	Medium (other budget)
2.9	Install sharps bins in CNR Park	Do 1st	Neighbourhood, Children and Fire Services Suggested Partners London CArES Parks and Recreation Planning Services – Environmental and Parks Planning	Low (existing budget)





Strong Business Environment

	Action	Priority	Lead & Suggested Partners	Cost
3.1	Implement greater mixed use zoning, an expanded range of permitted uses, and a reduction in setback requirements for Hamilton Road between Rectory Street and Egerton Road to help facilitate redevelopment	Do 1st	Planning Services Suggested Partners: Hamilton Road Business (Improvement) Association	No cost
3.2	Initiate a Zoning By-law Amendment in order to foster the creation of deeper lots along Hamilton Road in order to proactively zone for lot consolidation and redevelopment opportunities	Do 1st	Planning Services Suggested Partners: Hamilton Road Business (Improvement) Association	No cost
3.3	Introduce zoning to remove or reduce the parking requirements for commercial and mixed-use properties along Hamilton Road, which cannot accommodate required parking on-site	Do 1st	Planning Services Suggested Partners: Hamilton Road Business (Improvement) Association	No cost
3.4	Implement greater mixed use zoning and an expanded range of permitted uses for residential dwellings along Adelaide Street North and Hamilton Road Corridors to allow for increased opportunity to repurpose converted residential dwellings	Do 2nd	Planning Services Suggested Partners: Hamilton Road Business (Improvement) Association Hamilton Road Community Association	No cost

	Action	Priority	Lead & Suggested Partners	Cost
3.5	Establish a Business Improvement Area (BIA)	Do 1st	Hamilton Road Business Association Suggested Partners: Planning Services – Urban Regeneration Finance and Corporate Services – Taxation	Low (existing budget)
3.6	Seek mentoring opportunities with other BIAs	Do 1st	Hamilton Road Business (Improvement) Association Suggested Partners: Downtown London BIA Old East Village BIA Argyle BIA	No cost
3.7	Work with the City of London to investigate acquiring a strategic property on Hamilton Road for the location of a social enterprise Repair Café	Do 1st	Crouch Neighbourhood Resource Centre Glen Cairn Neighbourhood Resource Centre Suggested Partners: Finance and Corporate Services – Taxation Finance and Corporate Services – Realty Services Neighbourhood, Children and Fire Services	High (future budget)
3.8	Investigate the ability to “future-ready” the Hamilton Road Area through the adoption of Future City / Smart City initiatives including fibre optic communication infrastructure	Do 1st	Hamilton Road Area Business (Improvement) Association Suggested Partners: Internet Service Providers City of London Planning Services City of London Information Technology Services City of London Environmental & Engineering Services	Low (future budget)



Excellent Parks and Recreational Opportunities

	Action	Priority	Lead & Suggested Partners	Cost
4.1	Should Silverwoods Arena be considered for future repurposing, hold a public engagement process with the community to discuss building/site repurposing	Do 1st	Neighbourhood, Children and Fire Services Parks and Recreation Suggested Partners: Hamilton Road Business (Improvement) Association Hamilton Road Community Association Crouch Neighbourhood Resource Centre	No cost
4.2	During the periodic review of the Parks and Recreation Master Plan, as well as through ongoing Family Centre work, evaluate the need for municipal indoor community space. If necessary identify opportunities for property acquisition to meet the need	Do 2nd	Neighbourhood, Children and Fire Services Parks and Recreation Suggested Partners: Finance and Corporate Services – Realty Services Child and Youth Network School Boards Hamilton Road Business (Improvement) Association Hamilton Road Community Association Crouch Neighbourhood Resource Centre	Medium to High (future budget)

	Action	Priority	Lead & Suggested Partners	Cost
4.3	Undertake an annual review of programs available in the Hamilton Road Area through Spectrum, Crouch Neighbourhood Resource Centre, City of London Parks and Recreation, YMCA, Boys and Girls Club, etc. in order to ensure adequate programming is available to the neighbourhood	Do 2nd	Neighbourhood, Children and Fire Services Suggested Partners: Parks and Recreation Hamilton Road Community Association Crouch Neighbourhood Resource Centre YMCA Boys and Girls Club Other service providers in the neighbourhood	No cost
4.4	Investigate the need for additional lighting in CNR Park and St. Julien Park in order to improve the community's ability to use the park	Do 1st	Planning Services – Environmental & Parks Planning Suggested Partners: Parks and Recreation Hamilton Road Community Association London Hydro	Low to Medium (future budget)
4.5	Investigate the feasibility of providing public washrooms in CNR Park	Do 3rd	Planning Services – Environmental & Parks Planning Suggested Partners: Parks and Recreation Hamilton Road Community Association	Low to High (future budget)

	Action	Priority	Lead & Suggested Partners	Cost
4.6	Investigate the feasibility of installing a splash pad in St. Julien Park	Do 2nd	Parks and Recreation – Aquatics, Arenas and Attractions Suggested Partners: Planning Services – Environmental & Parks Planning Neighbourhood, Children and Fire Services Hamilton Road Community Association	Medium (future budget)
4.7	Continue to pursue additional funding sources, such as the Federal Infrastructure Grant, for improvements to the Thames Valley Parkway	Do 1st	Planning Services – Environmental & Parks Planning Suggested Partners: Parks and Recreation ESS – Transportation Planning and Design	No cost
4.8	Investigate the feasibility of expanding the Hamilton Road Seniors' Centre & Community Centre to allow for additional programming	Do 3rd	Neighbourhood, Children and Fire Services Parks and Recreation Suggested Partners: Finance and Corporate Services – Realty Services Finance and Corporate Services – Facilities	Low to High (future budget)





Improved Mobility Options

	Action	Priority	Lead & Suggested Partners	Cost
5.1	Identify opportunities to acquire vacant lot(s) for off-street parking to adequately serve commercially zoned properties and the Hamilton Road Seniors' Centre (also see Action 4.8)	Do 1st	Finance and Corporate Services – Realty Services Suggested Partners: Planning Services Neighbourhood, Children and Fire Services Hamilton Road Business (Improvement) Association	High (future budget)
5.2	Identify opportunities to create more on-street parking all along Hamilton Road	Do 2nd	EES – Transportation Planning & Design Suggested Partners: Hamilton Road Business (Improvement) Association	Medium (future budget)
5.3	Seek opportunities to include new pedestrian crossings on Hamilton Road, particularly near schools as part of the Hamilton Road "MainStreet" Conceptual Design Infrastructure Renewal project and as part of existing planned capital projects along Hamilton Road	Do 1st	EES – Roadway Lighting & Traffic Control Suggested Partners: EES – Transportation Planning & Design Planning Services – Urban Design Hamilton Road Business (Improvement) Association Hamilton Road Community Association	Medium (future budget)

	Action	Priority	Lead & Suggested Partners	Cost
5.4	Initiate a walkability study to assess the neighbourhoods walking conditions to help inform future studies and transportation plans	Do 2nd	EES – Transportation Planning & Design Suggested Partners: Hamilton Road Community Association Neighbourhood, Children and Fire Services – Age Friendly London	No cost
5.5	Promote and expand Active and Safe Routes to School program	Do 1st	Active & Safe Routes to School Suggested Partners: Hamilton Road Community Association School Boards	Low (other budget)
5.6	As part of the LTC's annual service plans, review how to encourage and promote increased bus ridership in the Hamilton Road Area including the potential for new routes	Do 1st	London Transit Commission Suggested Partners: Hamilton Road Community Association	Low (other budget)
5.7	Investigate and consider increasing the walking signal time for pedestrians at intersections and pedestrian crossings on Hamilton Road	Do 2nd	EES – Roadway Lighting & Traffic Control Suggested Partners: EES – Transportation Planning & Design Hamilton Road Community Association	No cost



Strengthening the Community

	Action	Priority	Lead & Suggested Partners	Cost
6.1	Determine the population density required to support an additional grocery store along or in close proximity to Hamilton Road. Seek out opportunities to attract a grocery store to Hamilton Road	Do 1st	Hamilton Road Business (Improvement) Association Suggested Partners: Planning Services Hamilton Road Community Association Crouch Neighbourhood Resource Centre	No cost
6.2	Identify potential sites for a grocery store and if necessary, complete a City-initiated Zoning By-law Amendment to zone the land to accommodate the use	Do 2nd	Planning Services – Urban Regeneration Suggested Partners: Hamilton Road Business (Improvement) Association Crouch Neighbourhood Resource Centre	No cost
6.3	Undertake a study to determine the viability of a community and/or local business-run market focused on fresh produce, and identify feasible sites that meet the strategic location for the market	Do 1st	Hamilton Road Business (Improvement) Association Suggested Partners: Hamilton Road Community Association Crouch Neighbourhood Resource Centre City of London Interested food businesses	Medium to High (other budget)

	Action	Priority	Lead & Suggested Partners	Cost
6.4	Promote the area's heritage through events such as Doors Open and other heritage tours, Hidden History of Hamilton Road meetings, and others	Do 2nd	Hamilton Road Community Association Suggested Partners: Hidden History of Hamilton Road Crouch Neighbourhood Resource Centre London Heritage Council Architectural Conservancy of Ontario, London chapter	Low (other budget)
6.5	Consider opportunities to celebrate the area's heritage such as placing signage outside of buildings which pay tribute to the original occupants	Do 3rd	Hamilton Road Community Association Suggested Partners: Hamilton Road Business (Improvement) Association Hidden History of Hamilton Road	Low (other budget)
6.6	Consider the installation of unique street-name signage to identify the Hamilton Road Area community	Do 3rd	Planning Services Suggested Partners: Hamilton Road Business (Improvement) Association Hamilton Road Community Association	Medium (future budget)
6.7	Consider a promotional campaign to encourage residents, not just tourists, to visit the Tree Trunk Tour	Do 2nd	Hamilton Road Business (Improvement) Association Suggested Partners: Hamilton Road Community Association	Low (other budget)

	Action	Priority	Lead & Suggested Partners	Cost
6.8	Host a street festival by using the Block Party in a Box available through Neighbourhood, Children and Fire Services	Do 2nd	Hamilton Road Business (Improvement Association) Suggested Partners: Hamilton Road Community Association Neighbourhood, Children and Fire Services	Low (other budget)
6.9	Explore opportunities to construct purpose-built well-designed affordable housing projects that will contribute to the revitalization of the neighbourhood	Do 1st	Housing Development Corporation, London Suggested Partners: Real estate developers and home builders Planning Services – Urban Design Hamilton Road Community Association	High (other budget)



Section 7

**Monitoring &  
Evaluation**



## Purpose

The Monitoring Program has several purposes:

- Identify how the vision and objectives of the Hamilton Road Area CIP have been achieved, to assess which actions and programs in it have been completed and/or can be suspended or discontinued;
- Determine whether any amendments to the Plan are warranted;
- Identify funds dispersed through the CIP incentive programs so as to determine which programs are being most utilized and use this information to adjust the programs as required;
- Gather feedback from applicants to the incentive programs so that adjustments can be made to the incentive programs as required; and,
- Identify the community and economic impact associated with projects taking advantage of the CIP incentives programs.

## CIP Target Success Measures

CIPs are generally created to provide the opportunity to re-plan, redesign, redevelop, and rehabilitate older areas of the city. The needs and gaps unique to the Hamilton Road Area CIP are outlined in Section 4. The success of this CIP would be based on its identified improvements being undertaken that can help address an identified need or gap and can be measured based on the four-year summary report as described further below. The following table provides target success measures for this CIP.

Table 3: Success Measures

Indicator of Success	Target
1 Residential neighbourhood plays an important role within the context of the entire main street corridor	Improvements in upper apartments or offices over commercial space to encourage mixed use buildings
2 The neighbourhood can support an additional supermarket or market	Minimum population sufficient to support supermarket or market
3 Residential growth is strong for a protracted period	Number of residential units constructed within a consecutive four-year period exceeds the previous four-year period
4 Vacancies are low and storefronts are well occupied	Maximum 5% vacancy rate on ground level commercial spaces
5 Quality uses on key storefronts	Minimum 75% of ground floor uses on key commercial streets are targeted uses
6 Active streets	Minimum hourly pedestrian counts on commercial corridor (e.g. selected Fridays during the month of September for 8-9AM; Noon-1PM; 5-6PM and 8-9PM)
7 Quality building conditions	Minimum 80% of buildings rated 3 (Good - City rating) Maximum 2% of buildings rated 1 (Poor - City rating)
8 Affordability	The City of London will consult with Housing Development Corporation, (HDC) London for the purpose of identifying success measures of affordability.

## Baseline Conditions

For the indicators identified above, Planning Services staff have identified baseline conditions at the outset of the CIP implementation, so that variables may be compared from year-to-year, beginning with implementation of the CIP. The following provides a list of the baseline conditions for the Hamilton Road Corridor Sub Project-Area that were established during the preparation of this CIP and from which future information can be compared.

- Photo inventory of the condition of existing streetscape.
- The estimated vacancy rate at street level (includes vacant land, commercial, and residential properties) was 9.7%.
- The estimated vacancy rate (residential, retail, office) at upper levels was not measured.
- Within the Hamilton Road Corridor, 3.9% of the buildings were given a rating of #1 (poor condition).
- Within the Hamilton Road Corridor, 35.8% of the buildings were given a rating of #2 (fair condition).
- Within the Hamilton Road Corridor, 60.3% of the buildings were given a rating of #3 (good condition).
- The number of new businesses that opened was not measured.

- The average property value within the Hamilton Road Area was \$151,263, compared to the city-wide average of \$256,613.
- 159 properties were listed on the Heritage Inventory.
- Five properties were individually designated as heritage resources.
- An estimated 176 public parking spaces were located on Hamilton Road, but there were numerous restrictions on when and for how long parking is permitted.
- There was no incentive activity as no incentives were available.
- In 2016, 52 building permits were pulled. Nine of these permits related to the creation of new residential living space or commercial space. One demolition permit for a single family home was pulled.
- Two single detached dwellings were built in 2016.
- There was no new commercial development in 2016.
- The City of London will consult with Housing Development Corporation, (HDC) London for the purpose of identifying baseline conditions of affordability.



## Financial Incentive Monitoring Database and Program

This section provides a list of variables that should be monitored on individual projects which avail of the incentive programs contained within this CIP. Further to these quantitative, economic based measures, the monitoring should include qualitative measures that characterize social and community benefits. This could include the impact of public realm improvement projects on existing businesses and community pride. Regular qualitative observations should be undertaken and documented by City Staff of the individual and cumulative impact of both public and private CIP projects on the Project Area. This could include collaboration with and/or comments received from business owners, property owners, and residents. These qualitative measures should be regularly monitored and reported to Municipal Council along with the quantitative measures below.

As part of the Monitoring Program, Planning Services has developed a database upon which to monitor the number, types, and success of financial incentive programs. Information obtained through the Monitoring Database can be used to allow for periodic adjustments to the incentive programs to make them more relevant and used to provide regular reports to Municipal Council on the amount of private sector investment being

leveraged by the municipal incentive programs and the economic benefits associated with these private sector projects.

### Façade Improvement Loan Program

- Number of Applications (approved and denied);
- Approved value of the loan and the total construction cost (i.e. total public investment versus private investment);
- Pre-Assessment Property Value;
- Total Value of Building Permit (if required);
- Location of façade being improved (Front or Non-Street Front);
- Post-Assessment Property Value;
- Type of Use (Targeted or Non-Targeted);
- Increase in assessed property value of participating property;
- Increase in property taxes of participating property;
- Total Loan Amount;
- Number of loan defaults; and,
- Cost/Value of loan defaults.





### Upgrade to Building Code Loan Program

- Number of Applications (approved and denied);
- Approved value of the loan and the total construction cost (i.e. total public investment versus private investment);
- Pre-Assessment Property Value;
- Total Value of Building Permit;
- Post-Assessment Property Value;
- Type of Use (Targeted or Non-Targeted);
- Increase in assessed property value of participating property;
- Total Loan Amount;
- Number of loan defaults; and,
- Cost/Value of loan defaults.

### Tax Increment Grant

- Number of Applications (approved and denied);
- Pre-Assessment Value;
- Total Value of Building Permit;
- Level of Grant (Type 1, Type 2 or Type 3);
- Post-Assessment Property Value;
- Type of Use (Targeted or Non-Targeted);
- Number of residential units created;
- Increase in assessed property value of participating property;
- Total Grant Amount;
- Number of grant defaults; and,
- Cost/Value of grant defaults.

### Tree Planting (for Hamilton Road)

- To be developed if/when program is approved.

## Data Collection

As incentive applications are received and processed, Planning Services staff will enter information from applications into the Monitoring Database.

## Four-Year CIP Evaluation

Based on the information obtained by Planning Services staff, a summary report will be prepared to evaluate the CIP and its individual programs, based on the changes to the baseline conditions established above, and based generally on the uptake of the programs and any new challenges that have emerged. The report will cover a four-year period. Based on experience administering other CIPs in London, this time span is long enough to:

- Accumulate sufficient information on the uptake and monitoring of CIP incentive programs;
- Start, execute, and assess impacts of most individual capital projects and community actions;
- Incorporate into staff work programs; and
- Complement the four-year municipal budgeting cycle.

The report will recommend any amendments that might be needed to the CIP, and adjustments to incentive programs and/or eligibility criteria. It will also provide recommendations about the budget of the financial incentive programs based on the performance of the programs.

## Evaluation Outcomes

At least three types of outcomes can be expected based on the four-year summary report, including:

### Amendments to the Plan

Changes to the any content of this CIP, including the Vision and Objectives, boundaries of the Project Area or Sub-Project Areas, additions, deletions, or clarifications to the Actions Tables or to the financial incentive programs. Amendments must follow the process described in the *Planning Act*. Consequential amendments may also be required to the City's Official Plan and/or Zoning By-law.

### Adjustments to the Financial Incentive Programs

Changes to the terms, conditions and processes described in the financial incentive programs may been done without amending this CIP.

### Adjustments to Funding

Municipal Council has the authority to approve funding for financial incentive programs specified in London's CIPs, and may approve budgets necessary to carry out other CIP actions. Budgets supporting the implementation of the Hamilton Road Area CIP will be based on a comprehensive review undertaken by City staff with the assistance of the Monitoring and Evaluation Strategy described in this section. Funding will be timed to occur as part of multi-year budget requests, or any requested amendments made in consultation with the City Treasurer to approved four-year budgets.





Council adopted March 27, 2018



City of London

Hamilton Road Area Community Improvement Plan

**Background Information**



# Background Information

Background documentation from the preparation of the Hamilton Road Area Community Improvement Plan, supporting but not forming a part of the Plan.

## 65 Appendices

- 66 Appendix A: Legislative Framework
- 68 Appendix B: Policy Review
- 77 Appendix C: Consultation
- 81 Appendix D: Study Area
- 84 Appendix E: Analysis



# Appendices

# Appendix A: Legislative Framework

This section provides an overview of the legislative authority for preparing and adopting the Hamilton Road Area Community Improvement Plan.

## Municipal Act, 2001

The Municipal Act, 2001 prohibits municipalities from providing assistance directly or indirectly to any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (Section 106 (1)).

Section 106 (2) states that the municipality shall not grant assistance by:

- Giving or lending any property of the municipality, including money;
- Guaranteeing borrowing;
- Leasing or selling any municipal property at below fair market value; or
- Giving a total or partial exemption from any levy, charge or fee.

However, Section 106 (3) of the Municipal Act, 2001 provides an exception to the granting of bonuses. Municipalities can exercise powers under subsection 28(6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the Municipal Act, 2001. Section 28 of the *Planning Act* allows municipalities to prepare and adopt Community Improvement Plans if they have the appropriate provisions in their Official Plans.

## Planning Act

The *Planning Act* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them. The *Planning Act* provides for the establishment of community improvement project areas where the municipality's Official Plan contains provisions relating to community improvement and the community improvement project area is designated by a by-law pursuant to Section 28 of the *Planning Act*.

Community improvement in Section 28 of the *Planning Act* is defined to mean: "the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary."

Further, Section 28 of the *Planning Act* defines a community improvement project area to mean: "a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason."

Once a CIP has come into effect, the municipality may:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28(3) of the *Planning Act*);
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28 (6));
- Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan (Section 28 (6)); and
- Make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of land and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan (Section 28 (7)).

Section 28(7.1) of the *Planning Act* provides for grants and loans for eligible costs established in an approved CIP. This may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

Section 28(7.3) of the *Planning Act* restricts the maximum amounts for grants and loans made under the *Planning Act* from exceeding the eligible costs defined in the CIP. Further, the total of all grants, loans, and property tax assistance provided through financial incentive programs available in a CIP cannot exceed the cost of rehabilitating the lands and buildings.

## Appendix B: Policy Review

This section references the key Provincial and City policies that are relevant to the CIP.

### Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) was issued under Section 3 of the *Planning Act* and came into effect April 30, 2014. It replaces the PPS issued March 1, 2005. The PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land.

Section 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" the PPS. All municipal plans, including: Official Plans, Secondary Plans, and CIPs must be consistent with all applicable provincial policies.

The vision for land use planning in Ontario in the PPS states that "the long-term prosperity and social well-being of Ontarians depends on planning for strong sustainable communities for people of all ages, a clean and healthy environment, and a strong competitive economy". Further, the PPS promotes that "efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel." To this end, the PPS:

- Promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (Section 1.1.1);
- Accommodates an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs (Section 1.1.1);
- Promotes cost-effective development patterns and standards to minimize land consumption and servicing costs (Section 1.1.1);
- Strives to avoid development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas (Section 1.1.1);
- Directs planning authorities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3.3);
- Directs major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities (Section 1.2.6.1);
- Directs planning authorities to promote economic development and competitiveness by:
  - a) Providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;



- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - c) Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
  - d) Ensuring the necessary infrastructure is provided to support current and projected needs. (Section 1.3.1).
- Directs planning authorities to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (Section 1.4.3);
  - Promotes healthy, active communities including planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction, and facilitate active transportation and community connectivity (Section 1.5.1);
  - Promotes long-term economic prosperity through maintaining and enhancing the vitality and viability of downtowns and mainstreets (Section 1.7.1c);
  - Encourages a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (Section 1.7.1d);
  - Conserves significant built heritage resources and cultural heritage landscapes (Section 2.6.1).

### City of London Official Plan, 1989

An Official Plan (OP) provides the general land use framework and policies for a municipality by identifying generally how, where and when a municipality will develop over time. The City of London's current OP was adopted by City Council in 1989. The OP contains Municipal Council's objectives and policies to guide the short-term and long-term physical development of all lands within the boundary of the municipality. It provides direction for the allocation of land use, provision of municipal services and facilities, and preparation of regulatory by-laws to control the development and use of land. These types of policies are considered necessary to promote orderly urban growth and compatibility among land uses. While the objectives and policies in the OP primarily relate to the physical development of the municipality, they also have regard for relevant social, economic, and environmental matters.

#### Official Plan: Land Use

The OP also includes the land use designations that guide the short-term and long-term physical development of land. The OP designation along Hamilton Road from Bathurst Street to approximately Hume Street is Main Street Commercial Corridor (MSCC) (see Figure B-1 and B-2 on the following page). MSCCs take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. They have a street-oriented form with buildings close to the street. The street frontages of individual uses are generally of a scale that provides for easier pedestrian movement. They include a broad range of uses that cater to the adjacent residential neighbourhoods within easy walking distance. Official Plan Policy 4.4.1.13.5 provides further guidance to the development of Hamilton Road including:

The commercial area along Hamilton Road and Horton Street contains a mix of pedestrian-oriented and auto-oriented commercial uses, as well as pockets of predominantly low density residential development. In order to



minimize the potential for land use conflicts, and to encourage development which will complement the pattern of existing development, the range of permitted uses will be restricted in the following areas:

Lands fronting onto Hamilton Road, between Adelaide Street and Redan Street; Trafalgar Street and Elm Street; and Delaware Street and Giles Street; shall be encouraged to develop for a limited range of permitted uses including small-scale retail stores, food stores, financial institutions, small-scale restaurants, clinics, convenience stores, community facilities such as day care centres and churches, funeral homes, offices, personal service establishments, studios, single-detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings, townhouses and apartment buildings.

Over time, it is desirable to encourage infilling and redevelopment of existing vehicle-oriented uses to strengthen existing pedestrian-oriented use nodes which serve the abutting residential neighbourhoods. Particular attention will be paid to the interface between new development and the abutting residential community. Regulations in the Zoning By-law, site plan standards and urban design guidelines will be used to implement the policies. The OP does, however, recognize existing vehicle-oriented uses and can allow for their replacement by other similar uses.

Between East Street and Sanders Street on the south side of Hamilton Road, as well as a section of Trafalgar Street west of Highbury Avenue is designated Neighbourhood Commercial Node (NCN). NCNs are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. They should contain uses that are convenience-oriented and unlikely to draw customers from beyond the local area.

Outside the Hamilton Road corridor, the Hamilton Road Area is primarily designated Low Density Residential, with some General and Light Industrial land use designations adjacent to the railway tracks and along Adelaide Street north of the Thames River. Adjacent to the Thames River, the lands are designated Open Space. Finally, a small Community Facilities land use designation is present on Trafalgar Street between Adelaide Street North and Egerton Street.

Figure B-1: Except from Schedule A to the City of London Official Plan – Land Use Map No. 5

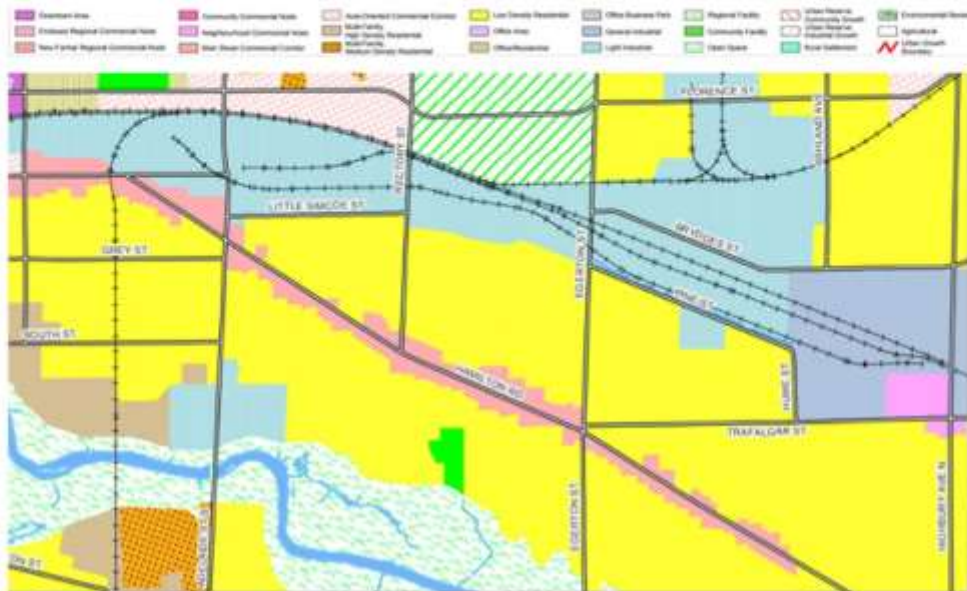


Figure B-2: Except from Schedule A to the City of London Official Plan – Land Use Map No. 8



**Official Plan: Heritage & Urban Design Policies**

Section 2.14 of the Official Plan provides specific goals and strategies to promote the conservation of the City's historical resources and to enhance the contribution of these resources to the form and character of the City. The OP also provides strategies in the pursuit of the City's Urban Design Goals, which include:

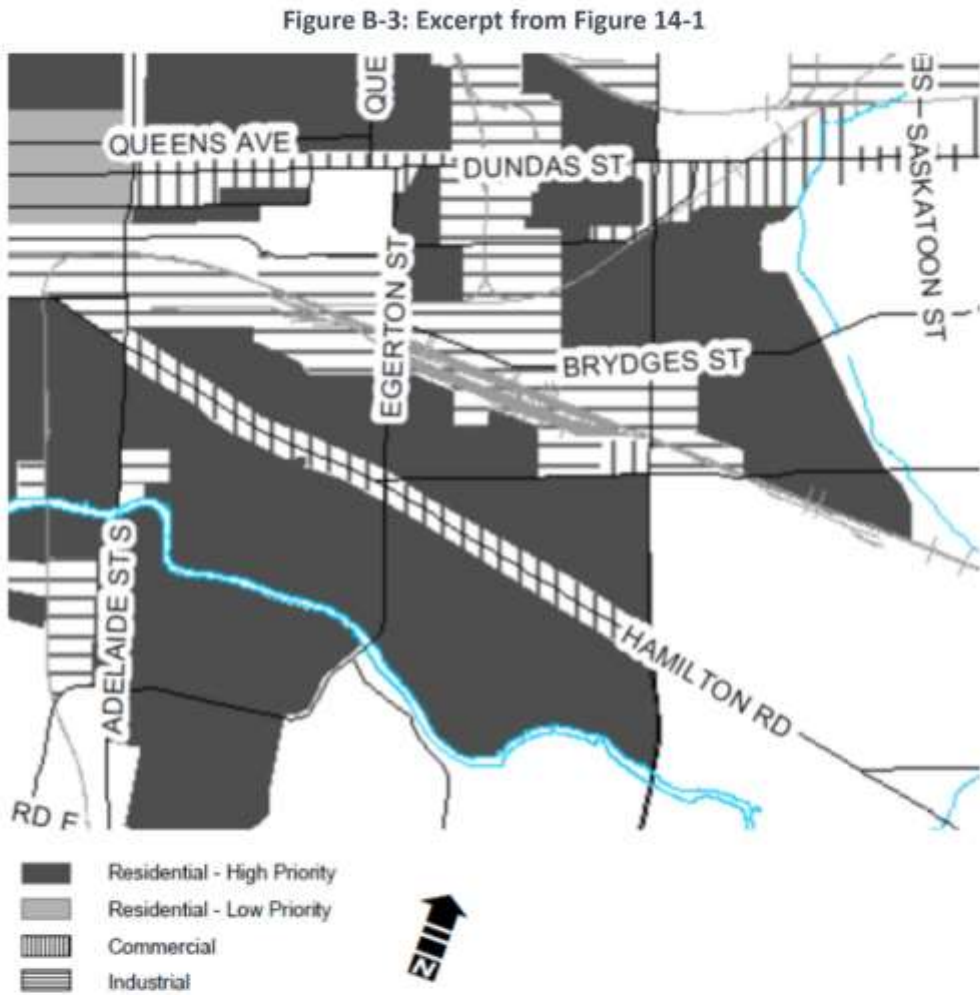
- Achieve a high standard of design in municipal projects that is consistent with the Urban Design strategies and principles of this Plan;
- Prepare urban design guidelines that are appropriate for the City of London. Where appropriate, these guidelines may be specific to the various communities that comprise the municipality; and
- Encourage community design that is conducive to the provision and use of transit services.

**Official Plan: Community Improvement Plan Policies**

The Official Plan includes policies to guide the development of CIPs for lands within the City as deemed eligible by Chapter 14. Consistent with these policies, the City may use CIPs as a planning mechanism that creates access to a variety of provincial cost-sharing programs in order to address deficiencies within designated areas in a coordinated and comprehensive fashion. CIPs can also encourage private investment activity in these areas. Several community improvement objectives in the Official Plan relate to the Hamilton Road area including:

- Promote the long term stability and viability of designated "Community Improvement Project Areas";
- Stimulate private property maintenance and reinvestment activity;
- Enhance the visual quality of designated "Community Improvement Project Areas" through the recognition and protection of heritage buildings;
- Upgrade physical services and social and recreational facilities in designated "Community Improvement Project Areas";
- Support the implementation of measures that will assist in achieving sustainable development and sustainable living;
- Support the retention of heritage properties or areas.

Areas within the City which are eligible for designation as residential, commercial, or industrial CIPAs are shown on Official Plan Figure 14-1 – Areas Eligible for Community Improvement.



As shown on Figure B-3 above, Hamilton Road from Adelaide Street to Highbury Avenue is identified as an eligible commercial area. The south side of Hamilton Road west of Adelaide Street is identified as high priority residential and the north side as industrial. The surrounding Hamilton Road area is also identified as an eligible high priority residential area and certain portions as an eligible industrial area.



**The London Plan, 2016**

Approved by Municipal Council in June 2016 and by the Province in December 2016, The London Plan sets new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years. As of February 2018, The London Plan is under appeal to the Ontario Municipal Board and has not come into full force and effect; however it does set new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years.

**The London Plan: Land Use & Urban Design Policies**

In The London Plan, all lands within the City are assigned a place type that establishes policies that regulate the permitted development.

The properties fronting Hamilton Road between Rectory Street and Egerton Street are assigned the Main Street place type. Main Streets are some of London’s most cherished historical business areas and the focal point of the neighbourhood. Urban regeneration efforts will be directed to historic Main Streets as appropriate to sustain and enhance them.

Outside of the Main Street place type segment, Hamilton Road is assigned an Urban Corridor place type. The Urban Corridor place type will encourage intensification over the life of The London Plan, so that they can mature to support higher-order transit at some point in the future beyond 2035. These corridors will generally support mid-rise residential and mixed-use development.

The Hamilton Road Area is primary comprised of the Neighbourhood place type with the Light Industrial place type near the railway tracks and Adelaide Street near the Thames River. The Neighbourhood place type will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Along the Thames River is assigned the Green Space place type. The vision for the Green Space place type is to create new green linkages throughout the city and increase our tree cover. A small Shopping Area place type is present near Highbury Avenue and Trafalgar Street.

**The London Plan: Community Improvement Plan Policies**

Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in The London Plan. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation. Policy 1727 outlines the objectives community improvement is intended to meet. Several of these objectives relate to the Hamilton Road Area including:

- Maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings;
- Maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services;



- Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity;
- Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms;
- Encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources;
- Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts;
- Upgrade social and recreational facilities and support the creation of affordable housing;
- Facilitate and promote community economic development;
- Promote and improve long-term community stability, safety and quality.

Policy 1728 outlines the criteria used to identify an area for community improvement. Several of these criteria apply to the Hamilton Road Area including:

- Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;
- Commercial, residential, industrial and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building façades, building condition, streetscapes, public amenity areas and urban design;
- Vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment, expansion or development to better utilize the land base;
- A demonstrated interest in community improvement by the private firms within an area;
- Presence of potential or recognised cultural heritage resources;
- Traffic and/or parking problems or deficiencies;
- Other significant barriers to the repair, rehabilitation, redevelopment or development of underutilized land and/or buildings;
- Other significant environmental, social or community economic development reasons for community improvement.

**City of London Zoning By-law**

Hamilton Road has a mix of zoning designations that reflects its range of existing and permitted uses including:

- Light Industrial;
- Arterial Commercial;
- Medium density Residential;
- Neighbourhood Facility;
- Convenience Commercial;

- Community Facility;
- Highway Service Commercial;
- Automobile Service Station.

Beyond Hamilton Road, the Hamilton Road Area is primarily zoned for low density residential with Open Space zoning along the Thames River and Light Industrial along the railway tracks.

**Existing Community Improvement Plans**

The City of London has numerous CIPs which are intended to stimulate targeted reinvestment, reveal and inspire select infill and intensification opportunities, coordinate planning efforts, preserve neighbourhood and heritage character, enhance industrial and other business opportunities, and aid in the cleanup of contaminated sites. Presently the City of London has seven CIPs that have been adopted by Municipal Council, some of which are geographically based such as those for the Airport, Downtown, SoHo, and Old East Village areas, and some are based on site and/or building criteria, including: Brownfield, Heritage, and Industrial.

**Brownfield Community Improvement Plan**

The Brownfield CIP was adopted in November 2006. The Brownfield CIP contains a package of financial incentive programs and a municipal leadership strategy to promote the redevelopment of brownfield sites in the City. The Brownfield CIP Financial Incentive Programs are:

- Contamination Assessment Study Grant;
- Property Tax Assistance Program;
- Development Charge Rebate Grant;
- Tax Increment Equivalent Grant.

**Heritage Community Improvement Plan**

The Heritage CIP was adopted in March 2007. The Heritage CIP contains a package of financial incentive programs and a municipal leadership strategy to maintain the unique identity of London by preserving the inventory of distinctive heritage buildings, establishing a sense of place by preserving local heritage structures, and ensuring that the City's history is retained for future generations to enjoy. The Heritage CIP Financial Incentive Programs are the:

- Development Charge Equivalent Grant;
- Tax Increment Grant.

**Other Considerations**

During the preparation of the Hamilton Road Area CIP, other significant complementary efforts were underway. The City of London continued the process of developing the Hamilton Road 'Main Street' Conceptual Design Capital Project.

The Hamilton Road Business Association began the process to become a Business Improvement Association (BIA).

## Appendix C: Consultation

### Project Team

A Project Team was formed to help guide preparation of the CIP. The Project Team consisted of representatives from the Hamilton Road Business Association, Community Association, Crouch Neighbourhood Resource Centre, and City staff from Planning Services, Transportation Planning and Design, and Neighbourhood, Children and Fire Services. City staff engaged the Project Team by means of email as well as in person during the preparation of the CIP. These conversations allowed staff to:

- Provide progress updates on the project;
- Discuss and provide input on the most significant community improvement needs, SWOT Analysis, and the visioning and objectives exercise;
- Discuss and provide input on the proposed financial incentive programs;
- Help coordinate community meetings and assist with other steps required to complete the Community Improvement Plan;
- Obtain comments and input from the Project Team on the Draft CIP prior to finalization.

### Community Information Meetings and Workshops

#### Community Meeting and Workshop No. 1

The first Community Meeting and Workshop was held on June 7, 2016 to:

- Kick-off the Hamilton Road Area Community Improvement Plan project;
- Provide basic information to the public on the purpose and rationale for preparing this CIP;
- Work with the community to identify strengths, community needs, improvements, and their vision for the Hamilton Road Area;
- Get input on the Hamilton Road Area CIP Study Area and the Terms of Reference for the CIP Project.

Not including City staff there were a total of 70 people who attended the meeting and participated in the workshop activities. Based on visual observations it was noted that the participants appeared to be equally split between Baby Boomers and younger adults. A few school aged children were also in attendance.

Attendees included Michael van Holst, Ward 1 Councillor, Hamilton Road Area business and property owners, Hamilton Road Area residents and Hamilton Road Area Community Association members, community group, as well as other not-for profit members.

Most of those in attendance stayed for the Workshop session where the participants arranged themselves around 10 tables with worksheets. There was a City staff member at each table to facilitate conversations as the participants answered the following questions:

1. Where do you think the Community Improvement Project Area for Hamilton Road should be?

2. What is great or is a strength in the Hamilton Road area?
3. What needs improvement or is a weakness in the Hamilton Road area?
4. In one word, describe your Hamilton Road Area?

Participants were asked to provide their email addresses so that staff could create an email list in order for the City to provide updates to the community throughout the development of the CIP.

A meeting summary, which includes: a project summary, participant information, as well as details on the information presented and input obtained from the meeting was prepared. The Community Meeting No. 1 Summary was used in the preparation of the Terms of Reference and Study Area for the Hamilton Road Area CIP.

#### **City of London's Planning and Environmental Committee Meeting**

On August 22, 2016 City Planning Staff presented a report to the Planning and Environment Committee (PEC) which recommended a Terms of Reference and Study Area for the Hamilton Road Area CIP. Staff's report included a copy of the Community Meeting No. 1 Summary.

The majority of PEC supported the August 22, 2016 report and passed motions directing that Hamilton Road Area Community Improvement Plan Terms of Reference and the Study Area be approved.

#### **City of London's Council Meeting**

At their regular City Council meeting of August 30, 2016 City Council approved the Hamilton Road Area Community Improvement Plan Terms of Reference and Study Area for the Hamilton Road Area CIP.

#### **Meeting with local Business Owners**

On September 20, 2016, Ward 1 Councillor Michael van Holst hosted a meeting with approximately 20 business owners in the Hamilton Road Area. City Staff presented on financial incentives available in other CIPs in London, as well as on options for parking for local businesses. The London Police Service (LPS) provided an overview of the crime experienced in the Hamilton Road Area and how the LPS tries to mitigate crime.

#### **St. Julien Park Community Festival**

City staff attended the St. Julien Park Community Festival held at St. Julien Park on Saturday September 24, 2016 from 10:00 am to 4:30 pm for a casual outreach session to speak with people about the Hamilton Road Area CIP process. Informational materials included: the August 22, 2016 staff report, Terms of Reference and approved Hamilton Road Area CIP Study Area, and the Meeting No. 1 Summary. Comments cards and business cards for the lead Hamilton Road Area CIP Planner were distributed. Common concerns community members had were reducing speeding on side streets, traffic calming measures, façade improvements for Hamilton Road, and crime prevention.

#### **Community Meeting and Workshop No. 2**

A second Community Meeting and Workshop was held on October 26, 2016 to:

1. Define Objectives for the Hamilton Road Area Community Improvement Plan;



2. Establish a Vision for the Hamilton Road Area Community Improvement Plan;
3. Confirm what has been identified by the Community as needing improvement; and
4. Prioritize the identified improvements.

Not including City staff there were approximately 70 people who attended the meeting. Based on visual observations it was noted that a vast majority of participants appeared to be Baby Boomers 55+. A few younger adults were also in attendance.

Based on verbal questions posed and a show of hands response, approximately half the participants identified themselves as not having attended the first community meeting in June 2016.

In the Workshop session the participants arranged themselves around 11 tables with worksheets. There was a City staff member at or nearby each table to facilitate conversation. Participants answered the following questions:

1. Do you agree with the proposed vision statement for the Hamilton Road Area CIP?
2. Are the proposed objectives correct?
3. Do you agree with the objectives?
4. What are some examples of how we can do it (improve the area)?
5. What are your top three priorities for improvement?

A meeting summary, which includes: a project summary, participant information, as well as details on the information presented and input obtained from the meeting was prepared. The Community Meeting No. 2 Summary was used to revise the Hamilton Road Area CIP Vision, Objectives and their prioritization.

### **Community Meeting and Workshop No. 3**

A third Community Meeting and Workshop was held on March 30, 2017 to:

1. Provide an update on the Hamilton Road Area CIP project;
2. Facilitate a rapid-fire visual survey which allowed participants to review each proposed CIP action and vote in real time on whether they agree with the action (yes/no) and what priority (1st, 2nd, or 3rd) they give it. The exercise provided a format in which everyone could participate and share thoughts.
3. Identify community champions (leads and partners) for the CIP actions.

Not including City Staff, there were approximately 60 people who attended the meeting. Based on visual observations it was noted that a vast majority of participants appeared to be Baby Boomers 55+.

A meeting summary was prepared. The Community Meeting No. 3 Summary was used to refine the CIP actions based on community feedback.



**Project Website**

Planning staff established a Hamilton Road Area CIP page on the City’s website to provide updates on the progress of the project. This webpage includes information on the CIP such as, community meeting notices, presentations and summaries as well as staff reports and Council resolutions: <http://www.london.ca/business/Planning-Development/secondary-plans/Pages/Hamilton-CIP.aspx>

**Project Contact List**

Planning staff established an email list with the contact information provided by participants on sign-in sheets at Community Meetings, completed comment cards, and those who wrote directly to staff via email or letter.

Emails were sent out to provide update on the progress of the project. Emails included information about: upcoming Community Meetings, Meeting Summaries, and City Council Approvals (such as the Terms of Reference and Study Area). Emails also provided links to the City’s Hamilton Road Area CIP webpage. As the project progressed more contact information was provided and the email list increased.

## Appendix D: Study Area

At the beginning of the CIP process, a Study Area was established to focus the CIP on a designated area and to help avoid scope creep as the project progresses.

The initial study area for the Hamilton Road CIP brought to the first community meeting in June 2016 was defined as the lands generally bounded by the CN Railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, and Adelaide Street to the west.

Figure B-4: Initial Hamilton Road Community Improvement Plan Study Area



This initial study area was chosen for the following reasons:

- The CN Railway tracks and the Thames River were viewed as existing boundaries that separate the Hamilton Road area from the East London Planning District to the north and the Glen Cairn Planning District to the south;
- Adelaide Street was chosen as the west boundary because the existing SoHo Community Improvement Project Area for the SoHo CIP includes the lands west of Adelaide Street and Adelaide Street is the western boundary of the Hamilton Road Planning District;

- Highbury Avenue was chosen as the east boundary because under the existing policies in Chapter 14 of the Official Plan, the lands east of Highbury Avenue and south of Trafalgar Street and the railway tracks are not considered a commercial, residential, or industrial priority for Community Improvement.

At the first community meeting, it became apparent that the property owners with frontage on Hamilton Road west of Adelaide Street in the existing SoHo Community Improvement Project Area better identified with the Hamilton Road area. These businesses and property owners have a long history of being included in the Hamilton Road Area Business Association and as a result, felt that inclusion in the Hamilton Road Study Area was more appropriate. Further, the commercial Community Improvement Project Area for the SoHo CIP is defined in the Official Plan as applying to “lands that are designated Main Street Commercial Corridor and located on Wellington Street between the Thames River (South Branch) and the Canadian National Railway or lands that are designated Main Street Commercial Corridor or Auto-Oriented Commercial Corridor and located on Horton Street between the Clarence Street intersection and the Waterloo Street intersection.” As a result of this defined Community Improvement Project Area for commercial lands in the SoHo CIP, the property owners along Hamilton Road in the SoHo CIP are excluded from commercial community improvement initiatives such as the Upgrade to Building Code and Façade Improvement Loans.

The revised Study Area approved by Municipal Council in August 2016 is shown in Figure B-5 and is generally bounded by the CN railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, and Adelaide Street to the west, but also includes all properties with frontage on Hamilton Road west of Adelaide Street.

Figure B-5: Municipal Council Approved Hamilton Road Area CIP Study Area



**Community Improvement Project Area**

The recommended Community Improvement Project Area is the area that has been determined to be in need of community improvement and represents the area where public realm improvement efforts will be focused and where financial incentive programs may be offered. The recommended Project Area is nearly identical to the Study Area. The Community Improvement Project Area is lawfully established by a by-law passed by Municipal Council.

# Appendix E: Analysis

## General Approach

A number of tasks were completed in order to provide a comprehensive foundation for the preparation of this CIP, including:

- A review of relevant legislation, provincial, and City planning policy;
- A review of the Zoning and Official Plan designations in the Study Area;
- A community improvement needs analysis including an assessment of the physical and economic characteristics in the area based on walking tours, public input as well as the community meeting and workshops held June 7 and October 26, 2016;
- A review of best practices used in other Ontario CIPs;
- Revising the draft CIP actions from the comments received from the third community meeting and workshop held on March 30, 2017;
- Circulating the draft CIP for stakeholder and community input; and
- Preparation of the final CIP for Municipal Council approval.

## Getting Started

The analysis of community improvement needs started with City staff undertaking a review of the relevant planning and policy documents including the 1989 Official Plan, The London Plan, and the Zoning By-law. Aerial photographs of the Study Area were examined and driving and walking tours were conducted.

## Data Gathering

August 31 and September 2, 2016 walking tours of the Hamilton Road Area were undertaken. Staff used a “community improvement lens” when making observations and taking notes with respect to the key aspects of land use, building and property conditions, design and heritage elements, and business activity requiring community improvement in the Study Area.

## Confirming Data

On June 7, 2016 a Community Meeting was held to launch the Hamilton Road CIP process and share information about the CIP process. The workshop allowed participants to: identify great things within the community as well as those that need improvement and to help establish the CIP Study Area.

On September 20, 2016, Councillor van Holst hosted a meeting for business owners on Hamilton Road. Staff provided an overview of the financial incentives available under CIPs, as well as an overview on options for parking in the Hamilton Road Area and the Zoning By-law Amendment process. London Police Services were also on hand to provide an overview of the crime in the Hamilton Road Area and their efforts to mitigate crime.



On October 26, 2016 a second Community Meeting allowed city staff to present preliminary matters identified from community meeting no. 1 for improvement, determine the CIP objectives, and develop a vision for the Hamilton Road Area CIP. There was discussion on potential strategies and initiatives to be included in the Plan.

These meetings were largely important in the analysis. Information provided by participants at the meetings was added to the data gathered by City staff through the above described review and included as part of the analysis.

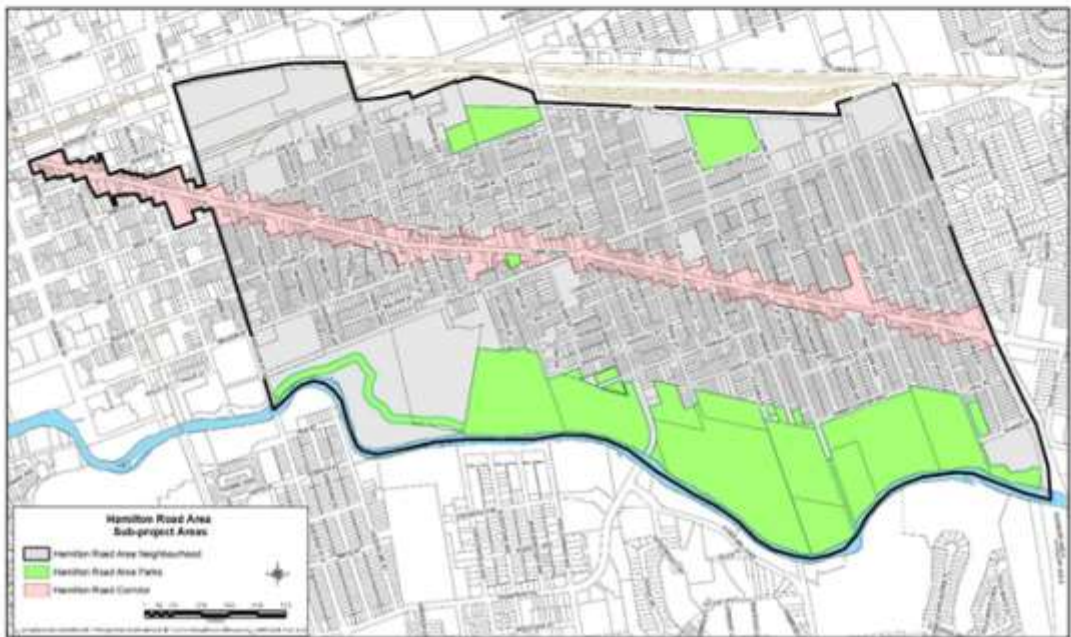
Planning Staff presented a report to the City’s Planning and Environment Committee in August 2016 to seek approval of the Study Area and Terms of Reference for the Hamilton Road Area CIP.

In March 2017 a third Community Meeting was held to confirm the proposed CIP actions, prioritize the actions, and identify champions (leads and partners) for each action. The workshop included a rapid-fire visual survey which allowed participants to review each proposed CIP action and vote in real time on whether they agree with the action (yes/no) and what priority (1st, 2nd, 3rd) they give it.

**Existing Condition and Characteristics of the Hamilton Road Area CIP Study Area**

The CIP Project Area has been divided into three sub areas which are based on the distinguishable characteristics of each area. These Sub-Areas include: the Hamilton Road Corridor, the Hamilton Road Area Neighbourhood, and the Hamilton Road Area Parks and are shown in Figure B-6.

Figure B-6: Hamilton Road Area Sub-Project Areas



While the CIP reflects the entire Project Area there are improvements that are unique to only specific geographical areas.

**Land Use Conditions**

**HAMILTON ROAD CORRIDOR**

The Hamilton Road Corridor from Bathurst Street to Highbury Avenue offers a truly eclectic mix of uses ranging from standalone single family detached dwellings to industrial uses, often in close proximity or adjacent to each other. Other common land uses along the Corridor include automotive services, multi-residential dwellings, schools, stand-alone retail stores, retail stores with residential apartments on the upper floors, retail stores with offices on the upper floor, restaurants, convenience stores, community facilities, places of worship, and stand-alone office buildings. In many instances, former detached residential dwellings have been converted into retail stores and office uses. The mix of land uses is a strength in the neighbourhood.

Further, an opportunity exists to celebrate the community’s Portuguese history by creating a unique district in the segment of the Corridor that is rich with Portuguese businesses.

**HAMILTON ROAD AREA NEIGHBOURHOOD**

The Hamilton Road Area neighbourhood is primarily residential homes including single-detached dwellings, semi-detached, duplex, and other residential mixes including low-rise apartment buildings. Near the railway

tracks, the neighbourhood is more industrial and commercial. Along Trafalgar Street, there is a segment of retail and commercial uses. There is not a large amount of growth or new residential development in the neighbourhood.

HAMILTON ROAD AREA PARKS

The Hamilton Road Area Parks comprise the parks along the river and along the railway tracks. The Hamilton Road Senior Centre and Community Centre is a public space along the Hamilton Road Corridor.

Building Conditions

Most of the residential and commercial buildings within the Hamilton Road Area were built between 1880 and 1920 with many houses built in the 1940-1950s as you move further east in the Hamilton Road Area Neighbourhood. The condition of buildings varies widely with excellent well-maintained examples with many original architectural elements being preserved to buildings in need of serious repair and renovation. The majority of the buildings are occupied, but vacancies along Hamilton Road are an issue in certain segments.

HAMILTON ROAD CORRIDOR

An extensive building condition inventory was undertaken of the Hamilton Road Corridor from Bathurst Street to Highbury Avenue. Each building was assessed a rating of either 1 – Poor (In need of immediate repair and attention), 2 – Fair (requires minor repair/replacement), and 3 – Good (needs little to no repair). The 310 properties were ranked by Staff on a visual inspection from the public right-of-way. 21 properties without buildings were not ranked.

12 properties or 3.9% of the 310 properties along Hamilton Road were assessed a rating of 1. Though 3.9% may seem like a small percentage, these buildings were often grouped in similar locations causing a very undesirable and unwelcoming streetscape along that segment of Hamilton Road. This is a threat to the success of the corridor, as well as can lead to a decline in safety.

111 properties or 35.8% of the properties were assessed a rating of 2. These properties often needed to be refreshed with new signage, roof repairs, replacing windows, painting or other façade improvements.

The remaining 187 properties or 60.3% were assessed a rating of 3. These properties were often in good to excellent condition with only minor cosmetic updates required.

An opportunity exists along the Hamilton Road Corridor to encourage and incentivize property owners, in particular those with a 1 or 2 building condition rating to improve their buildings. Improving the building conditions along Hamilton Road could help support the commercial corridor by attracting new tenants and making the corridor a more desirable location to visit and shop. The reduction in vacancies may help to reduce crime.

HAMILTON ROAD AREA NEIGHBOURHOOD

Like the Corridor, The Hamilton Road Neighbourhood has buildings in various conditions. An extensive inventory for the Neighbourhood was not completed, but the neighbourhood was walked and driven by Staff, as well as viewed through Google StreetView on numerous occasions to get a sense of the building conditions. The Neighbourhood is primarily comprised of residential homes where in most instances, the owners have maintained the properties in good to excellent conditions. Unfortunately, like many neighbourhoods, there are

examples of vacant homes and homes and properties that are not well maintained and can or will become a nuisance for the neighbourhood.

HAMILTON ROAD AREA PARKS

Hamilton Road Public Spaces like the local parks generally do not have buildings other than City-owned facilities, such as public washrooms.

Heritage

The Hamilton Road Area contains a great deal of cultural, natural, and built heritage. This section considers the built heritage. Many of the buildings in the Hamilton Road Area were constructed between approximately 1880 and 1920, with a few notable examples from before 1880 and more recent contributions to the neighbourhood fabric. The Hamilton Road Area still contains many ties to its past through its built form, however little tangible recognition of the past appears to exist. There is little signage to promote the neighbourhood's history or acknowledgement of significant buildings that have been lost over time.

Currently there are five properties designated under Part IV of the Ontario Heritage Act and 159 properties listed on the City's Inventory of Heritage Resources. The five designated properties are:

- 77 Price Street (Figure B-7);
- 75 Dillabough Street;
- 88 Egerton Street;
- 78 Smith Street;
- 97 Smith Street.

Of the 159 listed properties, the inventory cites 11 as priority 1, 75 as priority 2 and 78 as priority 3.

Of the 159 listed properties, 23 are along the Hamilton Road corridor and the remaining 136 are within the Hamilton Road Area Neighbourhood (Figure B-8).

There is a threat that this excellent built heritage could be lost as buildings further age and are potentially renovated without consideration to the heritage features. However an opportunity exists, in particular along the Hamilton Road Corridor to provide incentive programs to upgrade buildings and façades while conserving heritage features. Further, an opportunity exists to better promote the neighbourhood's built heritage through signage or other educational opportunities.





Figure B-7: 77 Price Street, designated under Part IV of the Ontario Heritage Act – Built circa 1875 - Italianate



Figure B-8: 380 Hamilton Road, Priority 1 Listed Property – Built 1886 – Ontario Cottage



Public Realm & Streetscape Conditions

The public realm consists of streets and public spaces. Generally speaking, the public realm in the Hamilton Road Area is not in great condition and was frequently identified by the community as needing improvement. Issues relating to safety and accessibility included: narrow sidewalks, poor lighting, and poor conditions. Other identified issues included: a lack of crossing points on Hamilton Road, and a lack of waste receptacles and street trees. A strength in the Hamilton Road Area is the Tree Trunk Tour that brings a sense of whimsy and reflection to the streetscape.

HAMILTON ROAD CORRIDOR

The Hamilton Road Corridor has been an urban mixed-use environment for the entirety of its history. Buildings along the corridor are generally street oriented with narrow sidewalks, raised shoulders and curbs separating them from the road. There are some properties with on-site parking lots that disrupt the street wall. The area is serviced by London Transit however the bus stops are in poor condition and lack amenities. Lighting in this area is designed and provided for motor vehicles and poorly reflects human scale. There are challenges for pedestrians to cross Hamilton Road.



Figure B-9: Hamilton Road looking east from Rectory Street

HAMILTON ROAD AREA NEIGHBOURHOOD

The Hamilton Road Area Neighbourhood is generally residential in nature, but there are industrial, commercial and retail uses along Trafalgar Street, Adelaide Street North, and adjacent to the railway tracks. Within the residential portion of the Neighbourhood, streets are often narrow with sidewalks along both sides of the road. There are street without sidewalks and/or curbs. An opportunity exists to install these pedestrian facilities. Most homes have driveways, and on-street parking is available in many locations but can be challenging due to the narrowness of the streets. Some homes were previously serviced by laneways and alleyways to provide access to rear-yard parking and garages. Residents have indicated that many of these laneways are no longer necessary and have become places of criminal activity. An opportunity exists to close these laneways to potentially reduce

that criminal activity. Bicycle facilities are either available or being contemplated on Trafalgar Street and Egerton Street in the City's Cycling Master Plan, as well as along the Thames Valley Parkway.

HAMILTON ROAD AREA PARKS

The Hamilton Road Area has numerous public parks including St. Julien, Vauxhall, Silverwoods, South Branch, and CNR. The parks offer a variety of amenities to the local community. The annual St. Julien Park Community Festival is always well attended. In general, the parks are well maintained. Crime including drug use and sharps (in particular at CNR Park) and a lack of lighting were identified as a threat to the community's use of the parks. St. Julien Park offers public washrooms and washrooms are also available at Silverwoods when the swimming pool or arena building is open. Opportunities may exist along Hamilton Road to create additional public spaces to create gathering places for the neighbourhood and enhance the MainStreet Conceptual Design capital project.

Traffic & Parking

Hamilton Road is a gateway into London and plays a vital role in accessing downtown from Highway 401 via Highbury Avenue. Hamilton Road and Trafalgar Street are also truck routes and experience the highest traffic volumes within the neighbourhood. The average daily traffic volume on Hamilton Road between Highbury Avenue and Horton Street ranges from 17,000 vehicles to 21,000 vehicles (depending on the segment). Trafalgar Street has average daily traffic volume of 16,000 vehicles. Egerton Street (10,000 to 11,000 vehicles per day) and Rectory Street (6,000 vehicles per day) also experience significant traffic volumes as the two north-south routes within the neighbourhood. As expected, Adelaide Street North and Highbury Avenue have the highest traffic volumes as the primary north-south routes that border the Project Area.

Parking availability for businesses along the Hamilton Road Corridor has been identified as significant weakness in the neighbourhood.

HAMILTON ROAD CORRIDOR

On-street parking spaces (some metered, some not) are available along the Hamilton Road Corridor from Bathurst Street to Highbury Avenue with restrictions prohibiting parking in some spaces during rush hour. Many properties along Hamilton Road also provide on-site parking. However due to the narrow widths of many lots, on-site parking is not available to some property owners and as a result they cannot provide adequate parking for their businesses and tenants. Minor Variance applications have been approved for certain commercial properties to reduce the requirement for on-site parking along Hamilton Road, often to zero parking spaces.

The lack of parking for businesses along the Hamilton Road Corridor, as well as the expense of a Minor Variance application to remove the requirement for on-site parking have been identified by the Hamilton Road Area Business Association as deterrents to new businesses moving into the neighbourhood. Some successful businesses have gone to the length of purchasing and demolishing adjacent buildings to provide on-site parking. This method of creating parking is generally no longer supported due to the detrimental effect on the streetscape and pedestrian experience.

Opportunities exist to explore improvements to the parking supply along the Hamilton Road Corridor including creating more on-street and off-street parking, or the removal of parking requirements from the Zoning By-law.

The truck traffic and traffic volume in general were also identified by the residents as an issue of concern.

HAMILTON ROAD AREA NEIGHBOURHOOD

Traffic in the Hamilton Road Area Neighbourhood has been identified as an issue in proximity to the Hamilton, Trafalgar, and Egerton intersection. Residents in that part of the neighbourhood spoke frequently about the speeding and cut-through traffic to avoid delays at this intersection. This type of driving behaviour can threaten the safety of the residents. Opportunities may exist to calm the traffic and improve the intersection to reduce this conflict.

Similar to Hamilton Road, truck traffic on Trafalgar Street is seen as a nuisance to the local residents. The ability to reroute this truck traffic without causing duress on other residents could be investigated.

Parking in the Hamilton Road Area Neighbourhood is available on the residential side streets and on-site driveways.

HAMILTON ROAD AREA PARKS

Parking and traffic were not identified as issues for the Hamilton Road Area Parks; however, the desire for additional parking was identified by the community for the Hamilton Road Seniors' Centre and Community Centre.

Economic Conditions

The Hamilton Road Area is comprised of 19 Statistics Canada Dissemination Areas (a small area composed of one or more neighbouring dissemination blocks, with a population of 400 to 700 persons). Compared to the city-wide average income, the Hamilton Road Area has lower average incomes. For example, the lowest average income (per individual) Dissemination Area in the Hamilton Road Area was 44% lower than the city average based on 2011 Census data. The highest average income (per individual) was still 4% lower than the city average. The median income (per individual) was 10% to 41% lower than the city average depending on the Dissemination Area.

Hamilton Road Neighbourhood		City of London		
Lowest Average Income by D.A.	\$21,943	City-wide Average Income	\$39,229	44% Lower
Highest Average Income by D.A.	\$37,756			4% Lower
Lowest Median Income by D.A.	\$17,326	City-wide Median Income	\$29,478	41% Lower
Highest Median Income by D.A.	\$32,200			10% Higher



Similar to average income, the average value of dwellings in the Hamilton Road Area is 19 to 47% less than the city average. Home ownership was slightly more prevalent in the Hamilton Road Area, with 67% of the housing being owner occupied, compared to 63% across the city.

Many of the local businesses along Hamilton Road are small owner-operated restaurants, bars, offices, retail shops and services, automobile service stations, mixed with some chain stores such as Shoppers Drug Mart, the Beer Store, Home Hardware, and Tim Hortons. The community supports one grocery store in the Project Area (and one immediately adjacent to the Project Area) as well as butcher shops, bakeries, fish mongers, specialty food stores, pharmacies, and several convenience stores. The businesses appear to be mostly supported by local residents with a few notable exceptions that serve city-wide clientele.

The Hamilton Road Community Association noted that ready access to fresh food was an issue in the neighbourhood. At the second community meeting, participants were asked to identify where they purchase their fresh food including vegetables, meat, fruit, and fish. The resulting map (see Figure B-10) indicating that the Hamilton Road neighbourhood does have access to specialty food stores like butchers, bakeries, and fish mongers, but access to fresh fruits and vegetables was limited without visiting the grocery store or travelling outside the neighbourhood to the London Farmer's & Artisan's Market in the Old East Village or the Convent Garden Market in the Downtown.

An opportunity may exist to develop a small neighbourhood market focused on fresh produce or to attract a small-scale grocery store to the Hamilton Road Corridor.

Figure B-10: Grocery Stores in the Hamilton Road Area



**Servicing**

**WATER & SEWER**

Properties within the Hamilton Road Area are fully serviced. Some of the infrastructure is aging and will be replaced when required. The residents have expressed an interest in accelerated infrastructure improvements along Hamilton Road and in the neighbourhood.

**LONDON TRANSIT COMMISSION**

Currently one bus route (#3) travels east and west along the Hamilton Road Corridor. The #3 runs at a frequency of every 15 minutes during peak times. Adelaide Street North and Highbury Avenue have routes on the boundaries of the Project Area that run north-south. The community noted that an additional north-south route within the Project Area was desirable. In discussion with the London Transit Commission, it was determined that the five year plan (until the end of 2019) has no plans for an additional north-south route in this area. The railways tracks and switching yards at Egerton Street and Rectory Street could cause extensive delays to buses on those roads.

The London Transit Committee is undergoing a review of current bus routes and services to identify improvements to the system. The review may result in a service plan that improves the customer experience, including consistent arrival times, overcrowding on buses, travel times, and connections.

**CRIME AND SAFETY**

The Hamilton Road community has identified crime as a major issue in the neighbourhood, in particular drug and prostitution related crimes. Crime is a threat to the successful revitalization of the neighbourhood, and a weakness of the neighbourhood. There is an opportunity through the CIP to help address the crime issues by improving vacant buildings and seeking additional London Police Service and City of London By-law Enforcement patrols and blitzes.

**PARKS & RECREATIONAL SERVICES**

The City of London provides recreational spaces at the Hamilton Road Seniors' Centre and Community Centre, Silverwoods Arena and in parks in the Hamilton Road Area.

Through the Spectrum Program the City offers a number of recreational and leisure activities in the neighbourhood including painting, dancing, and fitness courses.

The Hamilton Road neighbourhood is also home to the BMO Centre. Owned and operated by the London Optimist Sports Centre (LOSC), a volunteer driven, not-for-profit organization established in 2004, the BMO Centre welcomes thousands of sports enthusiasts every week. Although soccer is the main attraction, the Centre also hosts a variety of other sports including football, lacrosse, volleyball and Ultimate Frisbee.

**LONDON PUBLIC LIBRARY**

The Crouch Library in the Hamilton Road neighbourhood offers various programs such as: a gaming group, story time, homework club, computer classes and training, mental health programs, family game days, book clubs, art exhibits, artist groups, and crafters groups. Some of the events are targetted for particular age groups while others are open to everyone who is interested.



CROUCH NEIGHBOURHOOD RESOURCE CENTRE

The Crouch Neighbourhood Resource Centre is a neighbourhood organization which brings diverse people together to plan, develop, and provide services and activities that support, build community capacity, and nurture the well-being of all residents in the Hamilton Road Community. The Resource Centre offers numerous programs in community development, community support services, youth programs, preschool programs, and food prosperity programs.

Strengths, Weaknesses, Opportunities, and Threats Analysis

A Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis of the critical community improvement needs was undertaken to gain an understanding of the key issues in the Hamilton Road Area and identify the important community improvement needs that should be addressed by a Hamilton Road Area CIP. This section of the plan provides an overview of the analysis undertaken and key foundation for the preparation of this CIP and recommended incentive programs.

Table B-1: Hamilton Road Area SWOT Analysis Findings

Category	Strengths	Weaknesses	Opportunities	Threats
Land Use Conditions	Diverse collection of land uses	Lack of a food market	Opportunities for residential infill and intensification	Vacant buildings along the corridors
	Rich history of independent multi-cultural businesses (restaurants and niche retail uses)	Lack of an anchor or city-wide destination use (BMO Centre is too far from the Corridor)	Development of Urban Design Guidelines to help guide development	Vacant buildings in high profile locations (e.g. Hamilton Road and Rectory) threaten the ability to attract new businesses
	Excellent parks in neighbourhood	Little residential growth	Rezone the Hamilton Road corridor to promote an even greater mix of uses	
	Excellent Library			
	Residential neighbourhood is stable			
Building Conditions	Majority of buildings are in fair or good condition	No financial incentive programs available to improve buildings	To encourage and incentivize property owners to improve their buildings and attract tenants	Some buildings are in poor shape and contribute to a negative atmosphere in sections
			Opportunities for redevelopment	
			Creation of a BIA	

Category	Strengths	Weaknesses	Opportunities	Threats
Heritage	Numerous listed properties on the corridor and in the neighbourhood and a few designated properties	Some heritage properties are in poor condition  Low amount of designated heritage properties	Opportunity to promote the neighbourhood's built heritage through signage or other educational opportunities  Incentives for heritage building improvements	Potential loss of heritage buildings or renovations without consideration to the heritage features
Public Realm & Streetscape	Buildings generally oriented to the street  Tree trunk tour	Narrow sidewalks  Narrow lots  Bus stops are in poor condition  Poor pedestrian lighting  Limited pedestrian crossings  Hydro poles further limit public realm  Some local roads do not have curbs  Lack of street trees  Lack of places to sit and linger  Lack of garbage bins	MainStreet Conceptual Design capital project will look at improvements to the Corridor to attempt to address many of the weaknesses  Better promote tree trunk tour  Promote and encourage walking in the neighbourhood	Underused laneways / alleyways contribute to crime in the neighbourhood  Future intensification and infilling will need to be carefully planned to ensure compatible with the neighbourhood

Category	Strengths	Weaknesses	Opportunities	Threats
Traffic & Parking	Some on-street parking is available	Narrow lots make providing on-site parking difficult for businesses  Heavy vehicle and truck traffic contribute to a reduction in the pedestrian environment along Hamilton Road  Narrow sidewalks	Provide additional on-street and off-street parking  Remove or reduce the requirement for on-site parking  MainStreet Conceptual Design capital project will look at improvements to the Corridor to attempt to address many of the weaknesses and attempt to better balance the vehicular and pedestrian traffic	Cut through traffic to avoid the Hamilton, Egerton, and Trafalgar intersection
Servicing	Neighbourhood has full municipal services	Perceived feeling that snow clearing is lacking	Perceived need for roadwork, sewer, and infrastructure improvements	-
Crime & Safety	London Police Service Foot Patrol was recently expanded to Hamilton Road	Issues with drugs and prostitution in the neighbourhood  Residents feel unsafe in local parks, especially at night	Crime prevention through environmental design (CPTED)  Enhance By-law and Police enforcement and patrols  Expand the Neighbourhood Watch program  Promote and expand the Active and Safe Routes to School program	Underused or abandoned laneways / alleyways contribute to crime in the neighbourhood

## Appendix C

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.- \_\_\_\_\_

A by-law to establish financial incentives  
for the Hamilton Road Area Community  
Improvement Project Area.

WHEREAS by subsection 28(2) of the *Planning Act*, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS by subsection 28(4) of the *Planning Act* enables Council of a municipal corporation to adopt a community improvement plan for the community improvement project area;

AND WHEREAS the Official Plan for the City of London contains provisions relating to community improvement within the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has by By-law designated a community improvement project area identified as the Hamilton Road Area Community Improvement Project Area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has by By-law adopted the Hamilton Road Area Community Improvement Plan for the area identified as the Hamilton Road Area Community Improvement Project Area;

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

1. The Hamilton Road Area Financial Incentive Program Guidelines attached hereto as Schedule 1 is hereby adopted;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on March 27, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

SCHEDULE 1

**Hamilton Road Area Community Improvement Plan –  
Financial Incentive Program Guidelines**

This program guideline package provides details on the financial incentive programs provided by the City of London through the Hamilton Road Area Community Improvement Plan (CIP), which includes:

- Façade Improvement Loan Program (including non-street façades);
- Upgrade to Building Code Loan Program.

**Table of Contents**

How to Read this Document..... 122

Map 1 – Hamiton Road Area Community Improvement Project Area ..... 123

Table 1 – Financial Incentive Programs Offered in the Hamilton Road Corridor Sub-project  
Area..... 124

1. Definitions..... 125

2. Eligibility Criteria for Financial Incentive Programs..... 128

3. Application Process ..... 129

4. Financial Incentive Approval ..... 131

5. Additional Rehabilitation and Demolition ..... 131

6. Inspection of Completed Works ..... 131

7. Incentive Application Refusal and Appeal ..... 132

8. Relationship to other Financial Incentive Programs ..... 132

9. Monitoring & Discontinuation of Programs ..... 132

10. Program Monitoring Data..... 132

11. Activity Monitoring Reports ..... 133

12. Façade Improvement Loan Program..... 133

13. Upgrade to Building Code Loan Program..... 135



How to Read this Document

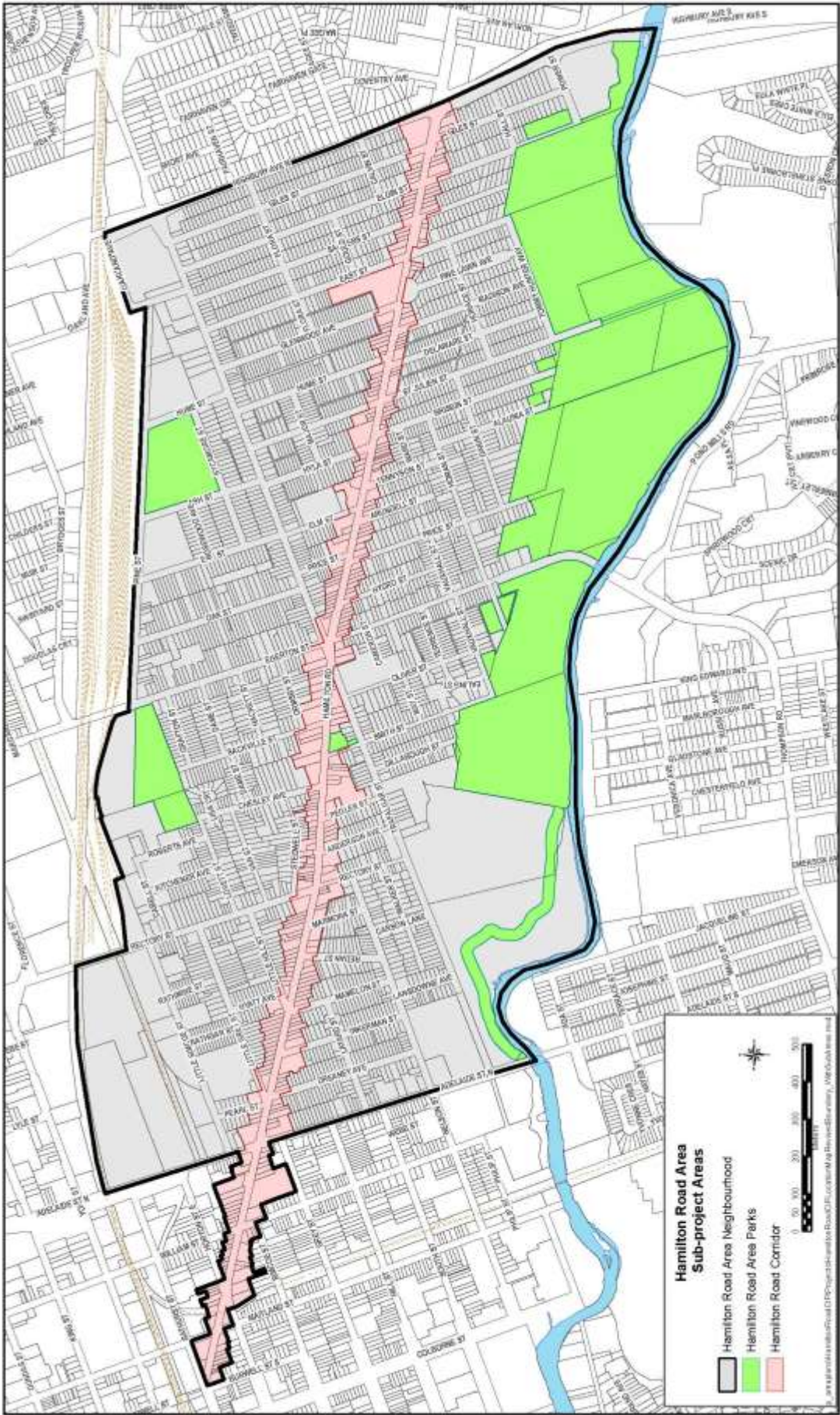
Each of the financial incentive programs has its own specific Purpose, Program Objectives and Eligible Improvements. There are many areas of each program that are the same including Definitions, Eligibility Criteria, Targeted & Non-Targeted Uses, Appeal of Refusal Section, Relationship to other Financial Incentive Programs, as well as Monitoring & Discontinuation of Programs.

Therefore, the program guidelines are arranged so that information respecting all programs is stated once and details specific to individual programs are outlined in the program specific sections.

Further, the document helps to identify what the responsibility of each stakeholder is in the incentive program process. The initials **PO** indicate the property owner (or agent acting on behalf of the property owner) is responsible for completing that task or action, whereas **CL** indicates that a City of London staff member is responsible.

**PO** – Check the map to locate your property in the Hamilton Road Area Community Improvement Project Area – Hamilton Road Corridor Sub-project Area. After verifying the property location on the map, check Table 1 to verify what programs may apply. Then proceed to review the rest of the program guidelines or use the Table of Contents to skip directly to a program to learn more about it and its eligibility information.

Map 1 – Hamiton Road Area Community Improvement Project Area



Only properties located in the Hamilton Road Corridor Sub-project Area are eligible for financial incentives

Table 1 – Financial Incentive Programs Offered in the Hamilton Road Corridor  
Sub-project Area

Financial Incentive Program	Hamilton Road Corridor (see Map 1)
Façade Improvement Loan	X
Forgivable Façade Improvement Loan	
Upgrade to Building Code Loan	X
Forgivable Upgrade to Building Code Loan	
Rehabilitation and Redevelopment Tax Grant	
Residential Development Charges Grant Program	

1. Definitions

Active Occupancy – The space being used by a business that is open, in operation and serving customers

Annual Grant Amount – The annual grant is defined as the grant amount that would be given to the applicant in any one year of the ten-year grant period.

- For Tax Grant this means each property owner will be given ten annual grants and the annual grant amount will change over this period depending upon year and grant level;
- For Forgivable Loans this means the amount that would be given each year based on the *Yearly Grant Value* set out in the agreement and *Pro-rated Yearly Grant Percentage* which is based on ground floor occupancy;
- For the Combined Development Charge (DC)/Tax Grant this means the amount that would be given to the applicant in any one year of the grant period. Each property owner will be given annual grants until such time as the value of Residential DCs have been repaid. The annual grant amount may change over the term of the grant period depending upon year and grant level.

Annual Grant Calculation – The annual grant for any single year will be calculated as follows, the *Annual Tax Increment* multiplied by the *Year/Level Factor*.

Annual Tax Increment – The incremental difference between the municipal portion of property taxes that would be paid for a full year before the improvement versus after the improvement. This can also be considered the tax increase that is directly related to the renovation or redevelopment project. This amount is fixed based on the tax rate at the time of pre-improved assessed value.

Annual Tax Increment Calculation – The annual tax increment will be calculated as follows, the annual taxes based on the post-improved assessed value less the annual taxes based on the pre-improved assessed value. This annual tax increment is fixed for the ten-year duration of the grant schedule. Changes to the tax rate, general reassessments or changes in tax legislation will not be considered for the purpose of calculating the annual tax increment.

Example:

Annual tax based on post-improved assessed value	\$100,000
- <u>Annual tax based on pre-improved assessed value</u>	<u>- \$25,000</u>
= <i>Annual Tax Increment</i>	= \$75,000

Approved Works – The materials, labour and/or effort made to improve a property that are determined to meet eligibility criteria under the incentive program requirements.

Applicant – The person who makes a formal application for a financial incentive program offered through the City’s Community Improvement Plans. The person may be the owner of the subject property, or an agent, including a business owner who is occupying space on the subject property or contractor who has been retained to undertake improvements on the subject property. If the *Applicant* is not a registered owner of the property subject to the incentive program the *Applicant* will be required to provide authorization in writing from the registered owner as part of a complete application.

Calendar Year – The 12 months of the year commencing January 1 and ending December 31.

Commitment Letter – A document prepared by the City of London outlining its agreement with a property owner, to provide a future financial incentive – loan(s) and/or grant(s) – to a property owner, based on a redevelopment, rehabilitation and/or renovation project that the applicant has yet to undertake. The letter describes the specific scope of approved works that the property owner will undertake in order to receive the grant or loan.

Complete Application – Includes a completed application form for financial incentive program(s) with the property owner(s) signature and date, which is accompanied by:

- Complete drawings of the works to be undertaken (including a façade drawing for façade projects);
- Itemized list of specific improvements;
- Two (2) comparable quotations by qualified contractors showing cost estimates for each of the proposed works which are required to be included in the incentive program. In

general, the lower of the two estimates will be taken as the cost of the eligible works. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);

- A cover letter that summarizes the work to be completed and summarizes the provided quotations;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the Managing Director of Planning and City Planner, or designate.

Development Charge – Means any Development Charge (DC) that may be imposed pursuant to the City of London’s Development Charge By-law under the Development Charges Act, 1997.

Discrete Building – Means any permanent structure which is separated from other structures by a solid party wall and is used or intended to be used for the shelter, accommodation, or enclosure of persons. To be a discrete building, the structure will have a distinct municipal address.

Dwelling unit – Means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.

First storey – The storey that has its floor closest to grade and its underside of finished ceiling more than 1 .8m above the average grade.

Grant Cap – The maximum amount of money that the City will provide as a grant back to the property owner.

Maximum Yearly Grant Value – Grant values are established in the payment schedule which is included in the agreement between the City and the property owner. With respect to the forgivable loans the annual grant equals the yearly loan repayments multiplied by a percentage, to a cap, as shown below:

Program	Loan Amount	Forgivable Loan Portion	Considerations for Yearly Grant
Upgrade to Building Code	\$200,000 maximum	The lesser of a maximum of \$25,000 or 12.5% of the loan is eligible to be paid back in the form of grants over the term of the loan	<ul style="list-style-type: none"><li>- Number of payments made in the previous <i>Calendar Year</i></li><li>- Number of months the main floor was actively occupied with a targeted use in previous <i>Calendar Year</i></li></ul>
Façade Improvement	\$50,000 maximum	The lesser of a maximum of \$12,500 or 25% of the loan is eligible to be paid back in the form of grants over the term of the loan	<ul style="list-style-type: none"><li>- Number of payments made in the previous <i>Calendar Year</i></li><li>- Number of months the main floor was actively occupied with a targeted use in previous <i>Calendar Year</i></li></ul>

Municipal Portion of Property Tax – For the purposes of the Tax Grant program, property taxes refer only to the municipal portion of the property taxes paid, and does not include such charges/taxes/levies as education, water, sewer, transit or phase-in.

Non-Targeted Area – Lands within the Hamilton Road Area Community Improvement Plan Project Area which are eligible for incentive programs however are not eligible for consideration of Forgivable Loans.

Non-Targeted Uses – The use occupying the ground floor of a building which is permitted under the land use zone but not listed as a targeted use. Please refer to Section #2 for a full list of *Targeted* and *Non-Targeted Uses*.



Post-Improved Assessed Value – For the purpose of calculating the *Annual Tax Increment*, the *Post-Improved Assessed Value* of the property will be established based on:

- i. Completion of the project as identified by the applicant; and
- ii. Completion of the reassessment of the property by the Municipal Property Assessment Corporation (MPAC) such that the work done at the project completion date (defined in i. above) is recognized. Note: Receiving the *Post-Improved Assessed Value* from MPAC may take one to two years or longer.

Pre-improved Assessed Value – For the purpose of calculating the *Annual Tax Increment*, the pre-improved assessed value of the property will be established as the earlier of the following:

- i. Date of application for building permit;
- ii. Date of application for demolition permit; or
- iii. Date of application for the Rehabilitation and Redevelopment Tax Grant Program.

Future increases in taxes that may be phased in AFTER the *Post-Improved Assessment Date* (as defined above) will not be eligible for grant calculation.

Pro-rated Yearly Grant Percentage – The percentage of months in the *Calendar Year* where the ground floor is actively occupied by a targeted use and can be used in calculating the value of a yearly grant payment on the forgivable portion of a loan.

Rehabilitation Project – For the purpose of the incentive programs shall mean the restoration or reconstruction of buildings, structures or parts thereof to modern building standards without the removal of the building or structure from the lot.

Redevelopment Project – For the purpose of the incentive programs shall mean the development of lands, which are vacant, planned for demolition, in part or in whole, or which will have the building or structure removed from the lot.

Relevant Tax Class Rate – For the purpose of the incentive program means the applicable tax class as of the date of the corresponding grant year.

Targeted Area – Lands within a defined area of the Hamilton Road Area Community Improvement Plan Project Area which are eligible for incentive programs including consideration of Forgivable Loans. **At this time, Forgivable Loans are not available in the Hamilton Road Area.**

Targeted Uses – The use occupying the ground floor of a building which is permitted under the land use zone and has a key role in achieving the goals of the City's Strategic Plan, the Business Improvement Area, the Community Improvement Plan, and any other current or future related plans. Please refer to Section #2 for a full list of *Targeted* and *Non-Targeted Uses*.

Year 1 – The first full calendar year that taxes are paid after the project is completed and reassessed. This becomes the first of the ten years of grant payments.

Yearly Grant Value – Means the amount of money granted back to the applicant which may change from year to year based on the calculation of the *Yearly Loan Repayments* multiplied by 25% (for Façade Improvement loan) or 12.5% (for Upgrade to Building Code loan) to give the *Maximum Yearly Grant Value* that is multiplied by the *Pro-rated Yearly Grant Percentage*. Example (Upgrade to Building Code Loan with the ground floor occupied for six months of the *Calendar Year*):

*Yearly Loan Repayments* multiplied by 12.5% = *Maximum Yearly Grant Value*  
 $\$60,000 \times 12.5\% = \$7,500$

*Maximum Yearly Grant Value* multiplied by *Pro-rated Yearly Grant Percentage* = *Yearly Grant Value*  
 $\$7,500 \times 50\% = \$3,750$

Yearly Loan Repayments – The total value of the loan payment made by the applicant to the City in a *Calendar Year*. The loan agreement includes a loan schedule which provides details on the terms of loan including when loan repayment begins as well as the amount of monthly repayments.

Year/Level Factor – The following tables illustrate the *Year/Level Factor* that is used for each of the Tax Grant levels. The appropriate table will be populated based on the *Annual Tax Increment*

Calculation and the Annual Grant Calculation and will be included as part of the Grant Agreement between the property owner and the City of London:

Part IV Heritage Designated		Existing Buildings		Vacant or Cleared Land	
Year	Level 1	Year	Level 2	Year	Level 3
1	100 %	1	70 %	1	60 %
2	100 %	2	70 %	2	60 %
3	100 %	3	60%	3	50 %
4	90 %	4	50%	4	40 %
5	80 %	5	40%	5	30 %
6	70 %	6	30%	6	20 %
7	60 %	7	20%	7	10 %
8	50 %	8	10%	8	10 %
9	40 %	9	10%	9	10 %
10	30 %	10	10%	10	10 %

2. Eligibility Criteria for Financial Incentive Programs

*Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Managing Director, Planning and City Planner, or designate.*

To be eligible for any Financial Incentive Program, the applicant, property and project must meet all conditions detailed in this program description.

Property Owner Considerations

- The applicant must be the registered owner of the property or an agent (including building tenant or contractor who has been retained to undertake improvements). If the applicant is not a registered owner of the subject property, the applicant will be required to provide authorization in writing from the registered owner as part of a complete application;
- All mortgages and charges, including the subject financial incentive(s), must not exceed 90% of the post-rehabilitation appraised value of the property (i.e. the owner must maintain 10% equity in the property post-improvement);
- All City of London realty taxes must be paid in full when the loan and/or grant is issued and remain so for the lifetime of the loan and/or grant;
- The registered owner of the property must have no outstanding debts to the City of London;
- The property owner and/or applicant, must not have ever defaulted on any City loan or grant program, including by way of individual affiliation with any company or group of people authorized to act as a single entity such as a corporation;
- The Financial Incentive Programs will not apply retroactively to work completed prior to the approval of the application by the Managing Director of Planning and City Planner, or designate.

Property Considerations

- The property must be located within the Hamilton Road Corridor Sub-project Area as identified in the Hamilton Road Area Community Improvement Project Area (see Map 1);
- There are not any City of London Building Division orders or deficiencies relating to the subject property at the time the loan or grant is issued;
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example, applications for an Upgrade to Building Code Loan, Facade Improvement Loan, and Tax Grant can be made at the same time).

Building Considerations

- Separate applications must be submitted for each *discrete building* (as defined) on a single property;

- The property must contain an existing buildings (occupied or unoccupied) located within an identified area for improvement under the Hamilton Road Area CIP (for the Residential Development Charge Grant & Tax Grant Programs, the property may also be vacant);
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of the incentive programs;
- Where a building is within a contiguous group of buildings, a *discrete building* will be interpreted as any structure which is separated from other structures by a solid party wall (and a distinct municipal address);
- Each *discrete building* on each property is eligible for financial incentive programs;
- Each *discrete building* is eligible for multiple Upgrade to Building Code loans provided the total of all loans do not exceed the maximum amount allowable under the program guidelines (\$200,000), additional Upgrade to Building Code loans may be considered after the previous loan(s) is repaid;
- Each *discrete building* is eligible for multiple Façade Improvement loans provided the total of all loans do not exceed the maximum amount allowable under the program guidelines (\$50,000), additional Façade Improvement loans may be considered after the previous loan(s) is repaid;
- Each property is eligible for a Rehabilitation and Redevelopment Tax Grant;
- Each *discrete building* is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example applications for an Upgrade to Building Code Loan, Facade Improvement Loan, and Tax Grant can be made at the same time);
- There must be no City of London Building Division orders or deficiencies and no by-law infractions when the loan or grant is issued.

### 3. Application Process

#### Expression of Interest

**PO** – It is suggested to meet with Planning Services or the BIA if/when one exists regarding an expression of interest or proposal before any financial incentive application is made to the City of London. While Planning Services staff are often involved in meeting with the BIA and a property owner, no records are formally kept until a complete incentive application, accompanied by appropriate drawings and estimates, is submitted to Planning Services.

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Managing Director, Planning and City Planner, or designate.***

#### Consultation Phase

**Step 1 – PO** – The Applicant contacts City of London and/or the BIA who will arrange a meeting to share ideas for the proposed project, information about incentive programs, provide application form(s) and assist with the application process. This meeting will also help to identify what permits or permissions may be required to complete the proposed improvement project. Consultation with an Urban Designer and/or Heritage Planner may be necessary. Where possible, the City will make appropriate staff available for this meeting, which is usually on site at the property where the proposed work is planned.

Applications made for financial incentive programs do not in any way replace the need for obtaining any necessary approvals. Prior to undertaking building improvements the property owner (**PO**) is required to obtain any necessary approvals and/or permits. Heritage Alteration Permits (for properties requiring them) will be required before financial incentive applications are accepted. Discussions with City staff and the BIA are encouraged early in the conceptual phase to ensure proposed façade improvements comply with City regulations and guidelines, and the proposed improvements are eligible under the incentive program criteria. Service London staff are also available to help with clarifying/applying for applicable permits.

#### Concept Phase

**Step 2 – PO** – A *Complete Application* (see Definition Section) for incentive programs is submitted to the City of London.

For the Tax Grant and Residential Development Charge Grant programs, the applicant must also obtain a building permit and make full payment of Residential Development Charges.

Residential Development Charge Grants are processed by Planning Services in conjunction with Development and Compliance Services (Building Division). Application to the Residential Development Charge (DC) Grant program is triggered when the full payment of Residential DCs is made to the Building Division. **PO – After making the DC payment, applicants must contact Planning Services to complete the application process.**

**Step 3 – CL** – City of London Planning Services Staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a *Commitment Letter* which outlines the approved works, related costs, and monetary commitment that the City is making to the project. The letter will also state whether the commitment is for a Forgivable Loan. For the Residential DC Grant the residential DCs must be paid prior to the City's issuance of a *Commitment Letter*. For the Loan Programs, the City's commitment is valid for one year from the date of issuance of the *Commitment Letter*. The City's commitment applies only to the project as submitted. **PO – Any subsequent changes to the project will require review and approval by appropriate City staff.**

**Step 4 – CL** – Planning Services Staff may visit the subject property and take photographs, both before and after the subject work is completed. When considering forgivable loans, staff will also confirm that the intended use meets the eligibility requirements of the program.

#### **Construction Phase**

**Step 5 – PO** – Having obtaining all necessary approvals and/or permits and receiving a *Commitment Letter* from the City for approved works the applicant may start to undertake eligible improvements. With respect to the Residential DC Grant there is an additional requirement that the DCs have been paid.

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Managing Director, Planning and City Planner, or designate.***

#### **Confirmation Phase**

**Step 6 – PO** – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. For Loans the applicant will submit paid receipts (as proof of payment in full). Confirmation that related building permits are closed is also required so that the City may begin drafting an agreement. With respect to Tax Grant and Residential DC Grant, when the project is complete or following the re-assessment of the property, the applicant will notify Planning Services, in writing, that the project is complete for the purpose of calculating the *Post-Improved Assessed Value*.

**Step 7 – CL** – Before setting up any agreement Planning Services staff must ensure the improvements, as described in the City's *Commitment Letter* are completed and other criteria, as set out in the respective program guidelines, have been met. Generally speaking, this includes:

- The loan must be in good standing with no arrears owing;
- All City of London property taxes must be paid in full and the account deemed in good standing by the Taxation Division;
- There must be no outstanding debts to the City of London;
- The property owner must not have defaulted on any City loans or grants;
- There must be no outstanding City of London Building Division orders or deficiencies against the subject property.

**Step 7.i (Grants) – CL** – Upon written notice from the applicant, Planning Services will request the City's Finance and Corporate Services Taxation Division to provide a grant schedule that establishes the value of the annual grant over the term of the grant program.

**Step 7.ii (Grants) – CL** – Upon request by Planning Services, the Finance and Corporate Services Taxation Division will establish a *Post-Improved Assessed Value*. To do this they will review the assessed value of the property and determine whether this is the final assessment relating to the completion of the renovation or development project. If this is not the final assessment, the Finance and Corporate Services Taxation Division will contact the Municipal Property Assessment Corporation (MPAC) and request that the final assessment be prepared.

**Step 7.iii (Grants) – CL** – The Finance and Corporate Services Taxation Division will prepare and note the annual tax increment for the purpose of calculating the grant schedule. The Finance and Corporate Services Taxation Division will then prepare a schedule for the first year that the new taxes were levied for the full year.

**Step 7.iv (Grants) – CL** – At the completion of the *Calendar Year*, Planning Services staff will ask Finance and Corporate Services Taxation Division staff to confirm that all taxes have been paid for that year and that the tax account is in good standing with a zero balance. Upon receiving confirmation, a grant agreement can be drafted.

#### **Agreement Phase**

**Step 8 (Loans) – CL** – Once the approved works are verified by Planning Services, staff will draft the loan agreement.

**Step 8 (Grants) – CL** – Once the eligible works are verified and the grant schedule is complete, Planning Services staff will draft the grant agreement and provide a draft copy of the grant agreement to the applicant for review.

**Step 9 (Loans) – CL** – Planning Services staff will request a cheque, and the Document General to place a lien on the property in the amount of the loan is prepared.

**Step 9 (Grants) – CL** – After the applicant has approved the grant agreement Planning Services staff can prepare two hard copies of the agreement to be signed.

**Step 10 – CL** – When all the documentation is ready Planning Services staff will contact the applicant to arrange for a meeting to sign the documents (and in the case of a loan, exchange a loan cheque for the first 12 post-dated repayment cheques provided by the property owner or applicant (**PO**)).

Full loan repayment can be made at any time without penalty. **PO** – To make a full or partial repayment above the standard monthly payment, please contact Planning Services or Accounts Receivable.

**Step 11** – Planning Services staff will have two original copies of the agreement available for signing. One original signed copy is kept by the applicant and one is retained by the City.

**PO** – Please note that loan cheque distribution cannot occur in December due to financial year-end. Instead all loan cheques requested in the Agreement phase in December will be processed in January.

## **4. Financial Incentive Approval**

Once all eligibility criteria and conditions are met, and provided that funds are available in the supporting Reserve Fund, the Managing Director, Planning and City Planner or designate will approve the incentive application. Approval by means of a letter to the applicant will represent a commitment by the City of London. Loan commitments will be valid for one year and will expire if the work is not completed within that time period. The Managing Director, Planning and City Planner may, at his/her discretion, provide a written time extension of up to one year. **PO – It is important to note that the consideration of such an extension will require a written request from the applicant detailing the reasons the extension is being sought.**

## **5. Additional Rehabilitation and Demolition**

Additional work to the interior of the building can be undertaken without Planning Services approval subject to obtaining a building and/or heritage alteration permit, when required. The loan programs do not impose any specific restrictions on demolition except that any outstanding loan amount must be repaid to the City prior to the issuance of a demolition permit.

## **6. Inspection of Completed Works**

The loan will be paid to the property owner (or designate) following City receipt of invoices for all completed work and after the City inspection of all completed improvements has taken place. The City will inspect the work completed to verify that the proposed improvements have been completed as described in the application.



7. Incentive Application Refusal and Appeal

If an application is refused, the applicant may, in writing, appeal the decision of the Managing Director, Planning and City Planner to the City Clerk’s Office who will provide direction to have the matter heard before Municipal Council through the Planning and Environment Committee.

8. Relationship to other Financial Incentive Programs

It is intended that the Loan and Grant Programs will complement other incentive programs offered by the City of London. Property owners may also qualify for financial assistance under those programs specifically detailed within the program guidelines. However, the funding from these programs cannot be used to subsidize the property owner’s share of the total cost of the loan programs property improvements.

9. Monitoring & Discontinuation of Programs

As part of the program administration Planning Services staff will monitor all of the financial incentive programs. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease to issue any new commitments. Each program is monitored to ensure it implements the goals and objectives of the Community Improvement Plan within which the program applies. The City may discontinue the Financial Incentive Programs at any time; however, any existing loan or grant will continue in accordance with the agreement. A program’s success in implementing a Community Improvement Plan’s goals will be based on the ongoing monitoring and measurement of a series of identified targets that represent indicators of the CIP’s goals and objectives, as noted in the Program Monitoring Data section.

10. Program Monitoring Data

The following information will be collected and serve as indicators to monitor the financial incentive programs offered through the Hamilton Road Area Community Improvement Plan. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the CIP have been met.

<b>Façade Improvement Loan Program Monitoring</b>	<ul style="list-style-type: none"><li>- Number of Applications (approved and denied);</li><li>- Approved value of the loan and the total construction cost (i.e. total public investment and private investment);</li><li>- Pre-Assessment Value;</li><li>- Total Value of Building Permit (if required);</li><li>- Location of façade being improved (Street Front, Non-Street Front);</li><li>- Post-Assessment Value;</li><li>- Use Type (Targeted or Non-Targeted);</li><li>- Increase in assessed value of participating property;</li><li>- Total Loan Amount;</li><li>- Number of forgivable loans;</li><li>- Number of loan defaults;</li><li>- Cost/Value of loan defaults.</li></ul>
<b>Upgrade to Building Code Loan Program Monitoring</b>	<ul style="list-style-type: none"><li>- Number of Applications (approved and denied);</li><li>- Approved value of the loan and the total construction cost (i.e. total public investment and private investment);</li><li>- Pre-Assessment Value;</li><li>- Total Value of Building Permit;</li><li>- Post-Assessment Value;</li><li>- Use Type (Targeted or Non-Targeted);</li><li>- Increase in assessed value of participating property;</li><li>- Total Loan Amount;</li><li>- Number of forgivable loans;</li><li>- Number of loan defaults;</li><li>- Cost/Value of loan defaults.</li></ul>

<b>Tax Grant Program Monitoring</b>	<ul style="list-style-type: none"><li>- Number of Applications (approved and denied);</li><li>- Pre-Assessment Value;</li><li>- Total Value of Building Permit;</li><li>- Level of Grant (Type 1, Type 2 or Type 3);</li><li>- Post-Assessment Value;</li><li>- Use Type (Targeted or Non-Targeted);</li><li>- Number of residential units created;</li><li>- Increase in assessed value of participating property;</li><li>- Total Grant Amount;</li><li>- Number of grant defaults;</li><li>- Cost/Value of grant defaults.</li></ul>
<b>Development Charge Program Monitoring</b>	<ul style="list-style-type: none"><li>- Number of Applications (approved and denied);</li><li>- Pre-Assessment Value;</li><li>- Total Value of Building Permit;</li><li>- Number of residential units created;</li><li>- Post-Assessment Value;</li><li>- Type (Targeted or Non-Targeted Industrial) Use;</li><li>- Increase in assessed value of participating property;</li><li>- Total Grant Amount;</li><li>- Number of grant defaults;</li><li>- Cost/Value of grant defaults.</li></ul>

11. Activity Monitoring Reports

Annual Activity Reports will measure the following variables:

- Number of applications by type;
- Increase in assessment value of properties;
- Value of the tax increment (i.e. increase in property tax after the construction activity);
- Value of construction and building permits issued;
- Number of units created (by type, ownership/rental);
- Number and value of incentive program defaults;
- Ground floor occupancy rates within the CIP area where the program(s) is in effect.

COMMON PROGRAM INFORMATION SECTION ENDS HERE

INDIVIDUAL PROGRAM INFORMATION BEGINS NOW

12. Façade Improvement Loan Program

**Façade Improvement Loan Program – Purpose**

The Façade Improvement Loan Program is intended to assist property owners in identified community improvement project areas with façade improvements and to bring participating buildings and properties within the identified community improvement areas into conformity with the City of London Property Standards By-law. Through this program, the City provides a no interest 10-year loan. Loans will be issued to cover 50% of the cost of the eligible works to a maximum of \$50,000.

**Façade Improvement Program – Objectives**

The overarching goals of this Program are to:

- Support the maintenance, improvement and beautification of the exterior appearance of buildings in the Hamilton Road Area;
- Encourage reinvestment in the Hamilton Road Area;
- Help make the Hamilton Road Area environment interesting and aesthetically pleasing for residents, patrons and visitors alike;
- Bring participating buildings and properties into conformity with the City of London Property Standards By-law.

**Façade Improvement Program – Eligible Works**

Eligible works that will be financed through this program include improvements that are demonstrated to enhance the appearance of building exteriors in compliance with applicable Urban Design Guidelines. Examples of works that may be eligible under this program include:

- Exterior street front renovations;

- Portions of non-street front buildings, visible from adjacent streets. Non-street front visible portions may only be eligible for funding after the street front façade has been improved or street front improvements have been deemed unnecessary by the Managing Director, Planning and City Planner, or designate;
- Awnings that are affixed to the exterior street front of a building which are used to keep the sun or rain off a storefront, window, doorway, or sidewalk, and/or to provide signage for a commercial tenant;
- Business name signage that is affixed to the exterior street front of a building;
- Decorative lighting which is affixed to the exterior street front of a building that is ornamental and installed for aesthetic effect;
- Eaves troughs, rain gutters, soffits, fascia, bargeboard, and other materials that direct rain water;
- Doors, windows, and their finished framing;
- Professional fees for the preparation of drawings and technical specifications required for eligible works (limited to the lesser of a maximum of \$5,000 or 10% of the loan).

**Note:** A Heritage Alteration Permit is required for heritage designated properties in the Hamilton Road Area.

#### **Façade Improvement Program – Works Not Eligible**

The following provides examples, but not a complete list of works that are not eligible to be financed through this program:

- New stucco building materials;
- Back lit signs;
- Any other materials that at the discretion of the Managing Director, Planning, and City Planner, or designate, are deemed ineligible or inauthentic.

#### **Façade Improvement Program – Loan Terms**

- **A complete application must be received and a City *Commitment Letter* issued before any work can commence.**

#### **Period**

The loan will be interest free and will be amortized over a 10-year period.

#### **Loan Amount**

Loans will be issued to cover the lesser of:

- 50% of the cost of the eligible works per building;
- A maximum of \$50,000 per building.

While more than one *discrete building* on a single property may be eligible for a loan, loans will not exceed 50% of the cost of the eligible works that related to each *discrete building*.

More than one loan may be issued for each *discrete building* on each property, but the sum of these loans must not exceed the maximum loan amount of \$50,000 per *discrete building*.

#### **Determination of Eligible Non-Street Front Façade Improvements**

The Managing Director, Planning and City Planner or designate will decide when this program can be applied to a building façade that is not street facing. Typically this consideration is made when the street-front façade is deemed to be in compliance with applicable Urban Design guidelines and Building and Fire Codes.

#### **Determination of Façade Improvements where there are Two Street Frontages**

If a building has both the front and rear façade facing a municipal street (not a private street or a laneway), then the building is eligible for a Façade Improvement Loan for each unique street fronting façade. Further, if a building is on a corner property where two or more façades face a municipal street (not a private street or laneway), then the building is eligible for two or more Façade Improvement Loans. All façade designs must be deemed in compliance with applicable Urban Design guidelines and the Building and Fire Codes, to be eligible for loans.

#### **Loan Distribution**

The City will provide the applicant with one cheque in the full amount of the approved loan after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the loan, (2) the Loan Agreement has been signed, and (3) the first 12 months of post-dated cheques (to be used for the first year repayment of the loan) are received. City of London Accounts Receivable staff will contact the applicant annually to request a supply of cheques in subsequent years. **PO** – The applicant will notify the City about any changes to their banking arrangements and replace cheques as appropriate over the term of the loan. **The City will not provide partial loan amounts or progress payments.**

#### **Loan Security and Postponement**

Loans will be secured through the registration of a lien placed on property title for the total amount of the loan. Liens will be noted on the tax roll and will be registered and discharged by the City. The Managing Director, Planning and City Planner or designate may postpone the lien (subordination of a lien to another lien on the same property) which is given as security for the loan in circumstances where any of the registered mortgages are being replaced, consolidated or renewed and the total value of all mortgages and charges including the City's lien does not exceed 90% of the appraised value of the property.

#### **Loan Agreement**

Participating property owners in the financial incentive programs shall be required to enter into a loan agreement with the City. This agreement shall specify such items as (but not limited to) the loan amount, the duration of the loan, and the owner's obligation to repay the City for any monies received if the property is demolished before the loan period elapses. The agreement shall include the terms and conditions included in the program guidelines.

#### **Repayment Provisions**

Loan repayments will begin six months after the advancement of funds. Repayment of the loan will be on a monthly basis and does not include interest. The monthly payment amount will be calculated based on the total loan amount divided by **114 payments**. Full repayment can be made at any time without penalty.

#### **Transferable Loans**

At the discretion of the City, loans may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the loan. The new owner must enter into a new loan agreement with the City for the outstanding loan value at the time of purchase. Otherwise, where the ownership is transferred the outstanding balance of the loan shall immediately become due and payable by the selling property owner.

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### **13. Upgrade to Building Code Loan Program**

#### **Upgrade to Building Code Loan Program – Purpose**

The Upgrade to Building Code Loan Program is intended to assist property owners with the financing of building improvements that are often necessary to ensure older buildings comply with current Building Code Requirements. The costs associated with these improvements frequently pose a major issue for building owners wanting to upgrade their properties. This issue is amplified in the Hamilton Road Area where much of the building stock is older and needs major rehabilitation. Through this program, the City provides a no interest 10-year loan for an eligible property. Loans will be issued to cover 50% of the cost of the eligible works to a maximum of \$200,000. In some locations (see the targeted incentive zone map for specific locations) a portion of these loans may be partially forgivable in the form of a grant from the City.

#### **Upgrade to Building Code Loan Program – Objectives**

The overarching goals of this Program are to:

- Support the maintenance, improvement, beautification, and viability of the historic building stock in the Hamilton Road Area;
- Encourage the development of residential units in older buildings through conversion and adaptive re-use;
- Support the development of distinctive, interesting and attractive commercial spaces in existing buildings to assist in the regeneration of the Hamilton Road Area;
- Help ensure that buildings are safe for residents, patrons, and visitors alike by meeting Ontario Building Code and Fire Code regulations;
- Bring participating buildings and properties into conformity with the City of London Property Standards By-law.

### Upgrade to Building Code Loan Program – Eligible Works

Eligible works that will be financed through this program include improvements that are demonstrated to be necessary to meet Building and Fire Code requirements, address one or more health and safety issues, and accessibility and/or environmental sustainability issues. Examples of works that may be eligible under this program include:

- The installation or alteration of fire protection systems such as sprinklers, stand pipes, fire alarms, emergency power, lighting, and exit signs;
- Installation or alteration of fire separations, fire doors, fire shutters and other fire protection devices;
- The relocation of fire escapes and the installation of new exit facilities;
- The extension of plumbing and electrical services for the creation of habitable space;
- The replacement of plumbing, electrical, and mechanical systems that no longer meet Building Code requirements;
- The construction or alteration of stairs, guards, handrails, etc.;
- The reinforcement or reconstruction of floors, walls, ceilings or roofs;
- The installation or alteration of required window openings to residential spaces;
- Required improvements to ventilation systems;
- Improvements for barrier-free accessibility including elevators, ramps, and washrooms;
- Improvements for green, or sustainable developments such as living walls and green roofs;
- Improvement to basements, or other such spaces that can be occupied and are located below the first storey;
- Asbestos abatement, including the removal, enclosure and/or encapsulating to prevent building occupant from being exposed to the fibers;
- Renovations required to remove moulds (or other materials caused by water-damage from interior building materials), replace affected materials and install vapour barriers;
- Professional fees for the preparation of drawings and/or technical specifications required for eligible works (limited to the lesser of a maximum of \$5,000 or 10% of the loan);
- Other improvements related to health and safety issues at the discretion of the Managing Director of Planning and City Planner or designate.

### Upgrade to Building Code Loan Program – Loan Terms

#### Period

The loan will be interest free and will be amortized over a 10 year period.

#### Loan Amount

Loans will be issued to cover the lesser of:

- 50% of the cost of the eligible works per buildings; or
- A maximum of \$200,000 per building.

While more than one *discrete building* on a single property may be eligible for a loan, loans will not exceed 50% of the cost of the eligible works that relate to each *discrete building*.

More than one loan may be issued for each *discrete building* on each property, but the sum of these loans must not exceed the maximum loan amount of \$200,000 per *discrete building*.

#### Loan Distribution

The City will provide the applicant with one cheque in the full amount of the approved loan after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the loan, (2) the Loan Agreement has been signed, and (3) the first 12 months of post-dated cheques (to be used for the first year repayment of the loan) are received. City of London Accounts Receivable staff will contact the applicant annually to request a supply of cheques in subsequent years. **PO** – The applicant will notify the City about any changes to their banking arrangements and replace cheques as appropriate over the term of the loan. **The City will not provide partial loan amounts or progress payments.**

#### Loan Security and Postponement

Loans will be secured through the registration of a lien placed on property title for the total amount of the loan. Liens will be noted on the tax roll and will be registered and discharged by the City. The Managing Director, Planning and City Planner or designate may postpone the lien (subordination of a lien to another lien on the same property) which is given as security for the



loan in circumstances where any of the registered mortgages are being replaced, consolidated or renewed and the total value of all mortgages and charges including the City's lien does not exceed 90% of the appraised value of the property.

**Loan Agreement**

Participating property owners in the financial incentive programs shall be required to enter into a loan agreement with the City. This agreement shall specify such items as (but not limited to) the loan amount, the duration of the loan, and the owner's obligation to repay the City for any monies received if the property is demolished before the loan period elapses. The agreement shall include the terms and conditions included in the program guidelines.

**Repayment Provisions**

Loan repayments will begin six months after the advancement of funds. Repayment of the loan will be on a monthly basis and does not include interest. The monthly payment amount will be calculated based on the total loan amount divided by **114 payments**. Full repayment can be made at any time without penalty.

**Transferable Loans**

At the discretion of the City, loans may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the loan. The new owner must enter into a new loan agreement with the City for the outstanding loan value at the time of purchase. Otherwise, where the ownership is transferred the outstanding balance of the loan shall immediately become due and payable by the selling property owner.

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## Appendix D

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.-1284-

A by-law to amend the Official Plan for  
the City of London relating to the  
Hamilton Road Area Community  
Improvement Project Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for  
the City of London Planning Area – 1989, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on March 27, 2018

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 27, 2018  
Second Reading – March 27, 2018  
Third Reading – March 27, 2018

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A.     PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

1. To add a new clause to Section 14.2.2.ii) of the Official Plan, 1989 to include the Hamilton Road Area Commercial Area to the list of commercial areas eligible for community improvement;
2. To amend Figure 14-1 that will recognize the entire Hamilton Road Corridor Sub-Project Area as a commercial area eligible for community improvement.

**B.     LOCATION OF THIS AMENDMENT**

This Amendment applies the lands generally defined as having frontage on Hamilton Road between Bathurst Street and Highbury Avenue, as well as 219-221 William Street.

**C.     BASIS OF THE AMENDMENT**

This Amendment will also allow the entire Hamilton Road Corridor Sub-Project Area (between Bathurst Street and Highbury Avenue) to be eligible for the financial incentives offered through the Hamilton Road Area Community Improvement Plan.

**D.     THE AMENDMENT**

The Official Plan for the City of London is hereby amended as follows:

1. The following subsection is added to Section 14.2.2.ii) of the Official Plan:

( )     Hamilton Road Corridor

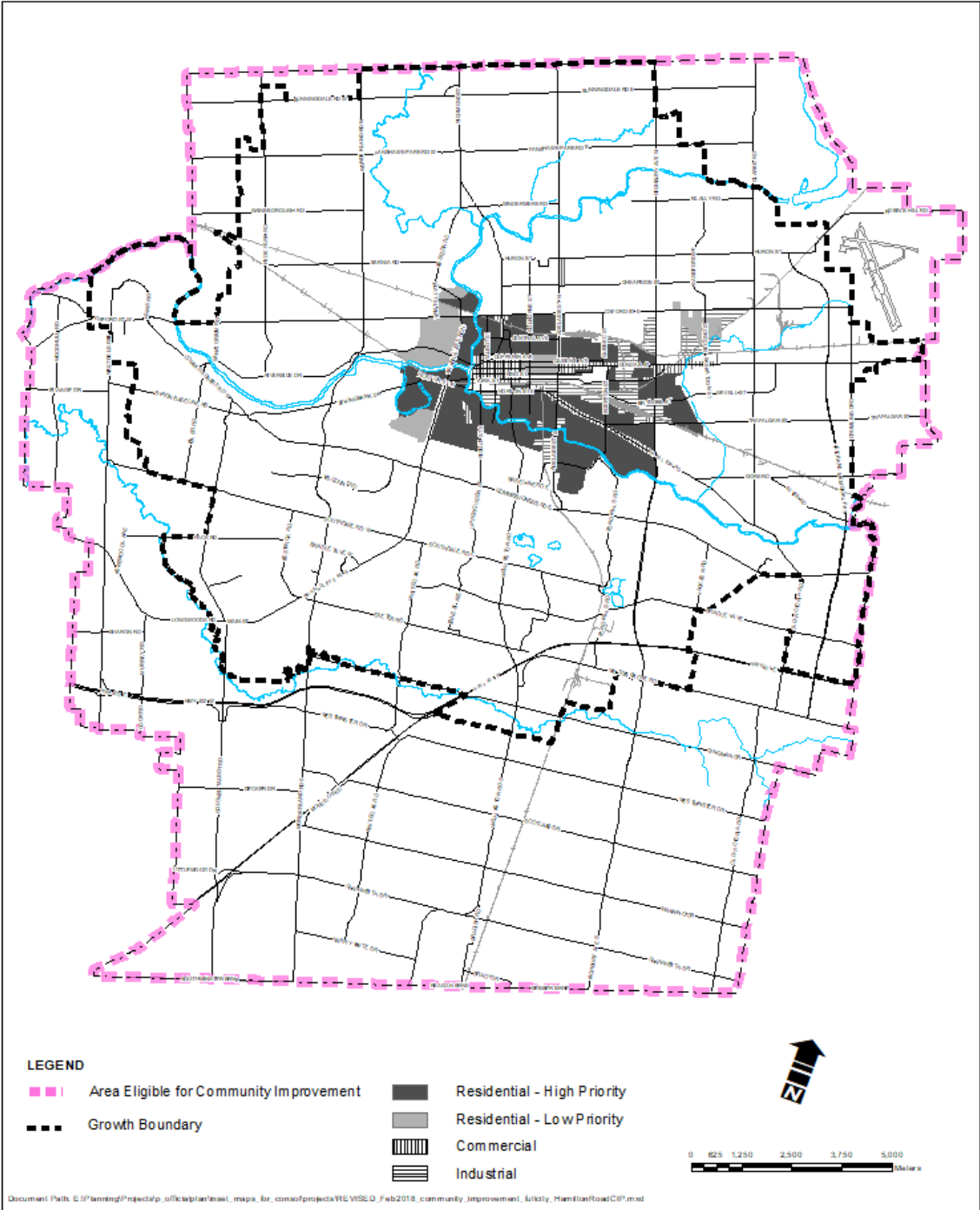
This is an older commercial and mixed-use district designated the Hamilton Road Corridor Sub-Project Area of the Hamilton Road Area Community Improvement Project Area. In general, these are the lands fronting Hamilton Road between Bathurst Street and Highbury Avenue, as well as 219-221 William Street;

2. Figure 14-1, Areas Eligible for Community Improvement, to the Official Plan for the City of London Planning Area is amended by recognizing the lands fronting Hamilton Road between Bathurst Street and Highbury Avenue, as well as 219-221 William Street as eligible for Commercial improvements, as indicated on Schedule 1 attached hereto.

SCHEDULE 1

FIGURE 14-1  
AREA ELIGIBLE FOR COMMUNITY IMPROVEMENT

AMENDMENT NO.



Appendix E

Bill No. (number to be inserted by Clerk's Office)  
2018

By-law No. C.P.- \_\_\_\_\_

A by-law to amend the London Plan for the City of London, 2016 to add the Hamilton Road Area Community Improvement Project Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –



**AMENDMENT NO.**  
**to the**  
**THE LONDON PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

1. To amend Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) of The London Plan for the City of London to add the Hamilton Road Area Community Improvement Project Area.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies the lands generally defined as the CN railway tracks to the north, Highbury Avenue to the east, the Thames River to the south, Adelaide Street to the west, and also including all properties with frontage on Hamilton Road west of Adelaide Street, as well as 219-221 William Street.

**C. BASIS OF THE AMENDMENT**

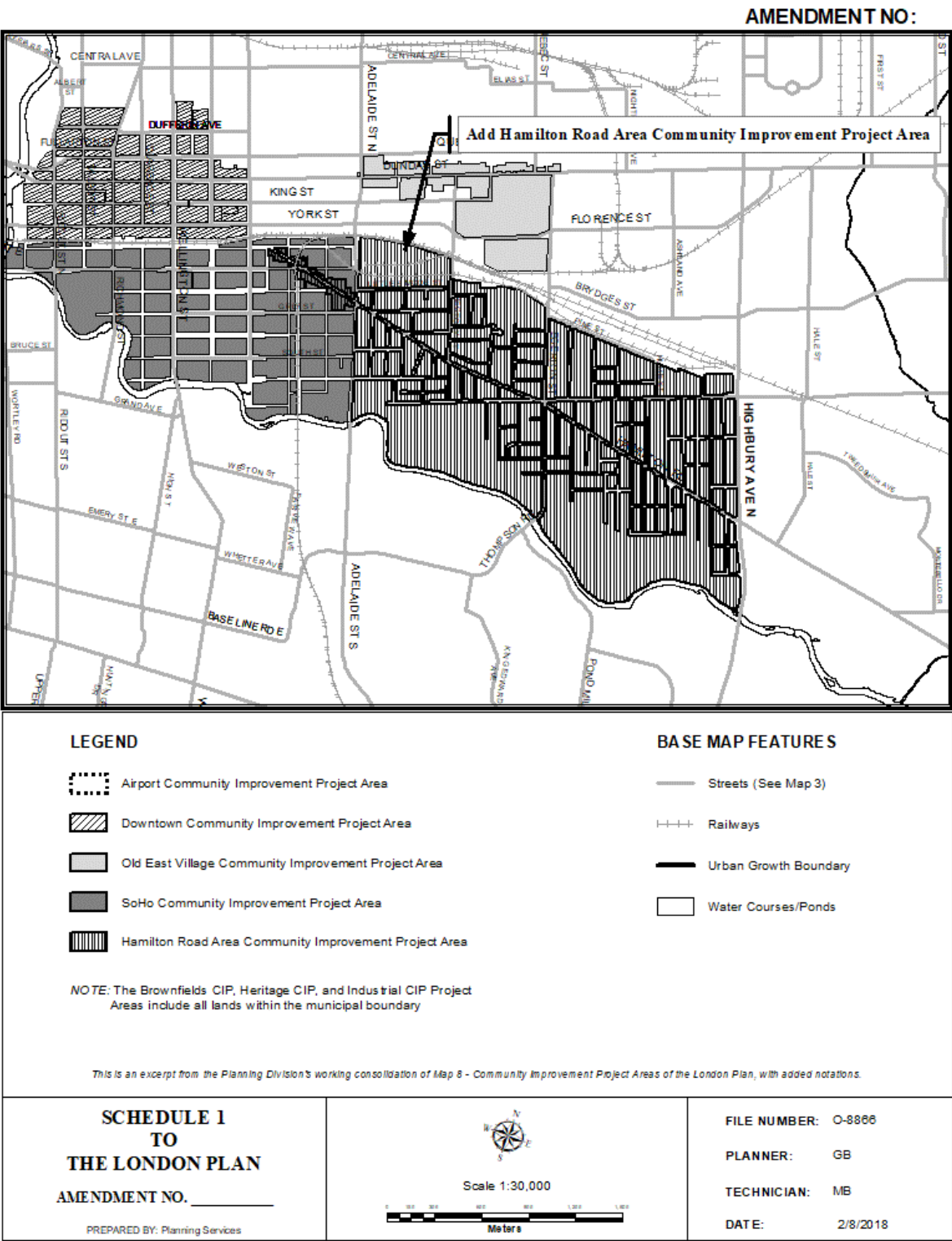
This Amendment is to facilitate a multifaceted strategy to establish a long-term vision for improvement for the Hamilton Road Area through the preparation of a Community Improvement Plan within the area outlined in this amendment.

**D. THE AMENDMENT**

The London Plan for the City of London is hereby amended as follows:

1. Map 8 – Community Improvement Project Areas, in Appendix 1 (Maps) to The London Plan for the City of London Planning Area is amended by adding the Hamilton Road Area Community Improvement Project Area on Schedule 1 attached hereto.

SCHEDULE 1



Document Path: E:\Planning\Projects\p\_official\plan\work\consolid\amendments\_LondonPlan\HamiltonRoadAreaCIP\Projects\HamiltonRoadAreaCIP\_AMENDMENT\_Map8\_CommunityImprovementProjectAreas\_b&w\_8x11.mxd

Appendix F – Public Engagement

Community Engagement

**Public liaison:** On January 22, 2018, Notice of Application and Notice of Public Meeting was sent to 3,327 property owners in the surrounding area. Notice of Application and Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 1, 2018.

15 replies were received.

**Nature of Liaison:** The purpose and effect of the requested Official Plan amendment is to implement the Community Improvement Plan to establish a long-term vision for improvement in the Hamilton Road Area. Once adopted by Council, the Actions and financial incentives become available to use and initiate.

Possible amendment to the Official Plan by adding a clause to Section 14.2.2.ii) to add a Hamilton Road Area Commercial Area to the list of commercial areas eligible for improvement.

Possible amendment to the London Plan Map 8 – Community Improvement Project Areas to add the Hamilton Road Area community improvement project area.

Possible passing of a by-law to designate the Hamilton Road Area as a community improvement project area pursuant to the provisions of Section 28 of the Planning Act and Chapter 14 of the City of London Official Plan.

Possible adoption of the Hamilton Road Area Community Improvement Plan pursuant to the provisions in Section 28 of the Planning Act and Chapter 14 of the City of London Official Plan.

Possible adoption of Hamilton Road Area Community Improvement Plan Financial Incentive Guidelines pursuant to the provisions in Section 28 of the Planning Act and Chapter 14 of the City of London Official Plan

**Responses:** A summary of the comments received include the following:

Comment and Feedback	Analysis	Recommended Changes to the CIP
Too much reliance on the Hamilton Road Area Business Association and Hamilton Road Community Association. They are the same group of people.	The two groups serve separate and unique purposes. Both associations, as well as the community at large will need to play an important role in championing the CIP in order for it to be successful.	None
To encourage redevelopment Hamilton Road should be rezoned to medium density with six floors.	Once the London Plan is approved by the OMB, the rezoning project to bring the zoning into conformity with the London Plan will begin. Based on London Plan Place Types heights along Hamilton Road could be up to a maximum of eight-storeys.	None

Comment and Feedback	Analysis	Recommended Changes to the CIP
City-owned properties should be highlighted and offered for sale or partnership with developers.	City-owned properties currently are limited along Hamilton Road and may change over the term of the CIP's implementation. A process already exists to determine if a City asset should be sold.	None
To improve security and sense of community, City-owned security cameras should be installed in areas where problems exist.	Action 2.1 of the CIP is to undertake a crime prevention through environmental design (CPTED) review. Security cameras may be a recommendation of the CPTED review.	None
Need one City owned / sponsored shelter for the homeless in the area that is also supported by local businesses.	Beyond the scope of the CIP. The provision of additional affordable housing is included in Action 6.9.	None
City should permit developers to buy properties and convert them into metered parking.	This type of parking creation is generally no longer supported by the City and would be inconsistent with the policies of the London Plan for Hamilton Road. Action 5.1 exists to identify opportunities to acquire vacant lot(s) for off-street parking.	None
City should provide property tax incentive for new owners	Based on the 2016-2017 Community Improvement Plan Financial Incentive Service Review, the Tax Grant Program is not available for the Hamilton Road Area.	None
Empty/abandoned properties on Hamilton Road should be sold because of unpaid taxes to encourage redevelopment	The City already has a process to vest properties in tax arrears and sell them on the open market.	None
Heritage churches in the area should be allowed to have parking on their front/side yards and to have these yards paved.	Front yard parking is not conducive to achieving the CIP objective of a pedestrian friendly environment.	None

Comment and Feedback	Analysis	Recommended Changes to the CIP
City should have a minimum frontage for new development on Hamilton Road as current properties are very narrow.	Actions 3.1 and 3.2 aim to facilitate redevelopment through the reduced setbacks and the creation of deeper lots. In many instances, multiple lots would still need to be acquired by a developer to secure a sufficient site.	None
Forgivable Loans – We (the Business Association) have sent a request to City Council to reconsider the decision to postpone forgivable loans to a later time. We feel this is a vital incentive for investing in our area.	The 2016-2017 CIP Service Review directs the Civic Administration to consider Forgivable Loan Programs for the Hamilton Road Area CIP as part of the 2024-2027 Multi-year Budget process. The CIP is implementing this Council direction and therefore only recommends the standard loan programs.	None
Fibre Optics – IT companies are moving to the area and we (the Business Association) feel it is important that Fibre Optics be in place as another incentive for more IT and digital media companies to invest in the area.	Agreed. Ensuring the proper technology and resources are available to attract companies to the Hamilton Road Area will help to improve the neighbourhood. Further, the City of London is also working on a Future City Strategy based around four pillars: Smart Living, Smart Infrastructure, Smart Economy, and Smart Governance and Decisions.	Added Action 3.8 to help “future-ready” the Hamilton Road Area.
Underground Hydro Lines – We (the Business Association) believe that our area would greatly benefit from the hydro lines being moved underground.	Action 1.12 recommends the feasibility of burying the hydro lines be investigated as part of existing planned capital projects along Hamilton Road.	None



Comment and Feedback	Analysis	Recommended Changes to the CIP
Consider a roundabout at the Hamilton / Egerton / Trafalgar intersection.	A roundabout at the Hamilton / Egerton / Trafalgar intersection was raised at the first community meeting; however, a roundabout was deemed not to be feasible due to the space constraints at the intersection. A redesign of the intersection is in the works as part of the Hamilton Road Main Street Conceptual Design project.	None
Consider overpasses over the tracks on Egerton Street and also on Adelaide Street.	Though outside the scope of the Hamilton Road Area CIP, the City has retained MMM Group to undertake an Environmental Assessment for the Adelaide Street and Canadian Pacific Railway Grade Separation. Further, an overpass for Egerton Street is not being contemplated and was not included in the CIP due to the cost and also because, if approved, the project would likely not happen within the life time of the CIP.	None
The Housing Development Corporation would recommend that Section 7 (Monitoring and Evaluation) include affordability as an identifiable metric in Table 3: “Success Measures” and in the “Baseline Conditions”.	Agreed. The City of London will consult with Housing Development Corporation, (HDC) London for the purpose of identifying success measures and baseline conditions of affordability.	In Section 7 added a new row to Table 3 and a new baseline condition to ensure affordability is addressed.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
No name provided (x2)	Farid
Karen Allen / Gilles Street	Rick Pinheiro, Hamilton Road Area Business Association
Marie Cateno / Lisa Court	Kathy Ludanyi
Kathleen Johnston / Inkerman Street	Susan Maslak
Karen Morgan / Delaware Street	Denise Callcott / Little Grey Street
Keon / Hamilton Road	Norma Powell / Vauxhall Street
Greg / Hume Street	Andrea Johnson / Pegler Street

**From:** Eccoo  
**To:** [Bailey, Graham](#)  
**Subject:** Re: Draft Hamilton Road Area CIP - Copies Available at the Library  
**Date:** Thursday, December 28, 2017 9:04:28 PM

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Graham

Hope you had a great Christmas holidays.

I wanted to give you some quick feedback on your Hamilton Rd CIP

- 1) great job .. the report production is very impressive
- 2) I feel you are counting too  
Much on two groups Hamilton rd business association and the Hamilton Rd community association and when I checked their website they turned out to be the SAME group of people
- 3) to encourage development Hamilton rd should be rezoned to medium density with 6 floors
- 4) City owned properties, if any, should be highlighted on the map, and offered for sale or partnership with developers who are willing to invest in the area
- 5) to improve security and sense of community, city owned security cameras should be installed in areas where problems are repaired
- 6) need one city owned/sponsored shelter for the homeless in the area supported by local Business.
- 7) City should permit developers of buying properties and converting them into metered Parking
- 8) City to provide property tax incentive for new owners in new development in the area to encourage young middle class to move "EOA" and raise standard of living
- 9) empty/abandoned properties on Hamilton rd should be over Taxes to encourage owners to sell or develop
- 10) heritage churches in the area should be allowed to have Parking on their front/side yards to have these yards paved.
- 11) City should have a min frontage for new development on Hamilton rd as current properties are very narrow.

Thanks again

Farid

**From:** Rick Pinheiro  
**To:** [Bailey, Graham](#)  
**Cc:** [Dave Roostad](#); [van Holst, Michael](#); [Nikki Metron](#)  
**Subject:** Requests for the CIP Plan  
**Date:** Thursday, January 18, 2018 1:50:32 PM

---

Hello Graham

I hope all is well. The Hamilton Road Business Association executive have taken some time to review the CIP plan. After meeting yesterday we have chosen the most important items that we feel need to be addressed in the CIP.

1. Forgivable Loans - we have sent a request to City Council to reconsider the decision to postpone forgivable loans to a later time. We feel this is a vital incentive for investing in our area.
2. Fibre Optics - IT companies are already moving to the area and in neighboring areas so we feel it is important that Fibre Optics be in place as another incentive for more IT and digital Media companies to invest in the area.
3. Underground Hydro Lines - we believe that our area would greatly benefit from the Hydro Lines being moved underground. Costs would be kept lower if this coincided with road and sewer work that is already planned.

If you have any further question or need any more information , please let us know.

Thank you!

Rick Pinheiro ~ Broker Of Record  
Pinheiro Realty Ltd. Brokerage  
696 Hamilton Road, London

**From:** KATHY LUDANYI  
**To:** [Bailey, Graham](#)  
**Subject:** Hamilton Road Improvement Plan  
**Date:** Saturday, January 27, 2018 10:31:32 AM

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Hello Mr. Bailey..I've been reading about this project and have attended one of the meetings. I think there are a lot of great ideas. I'm not sure if this would be part of the scope of this project but what I would really love to see is a roundabout at the Hamilton/Egerton/Trafalgar intersection. Also, overpasses over the tracks further up on Egerton and also on Adelaide - I think these would be a big help with the traffic problems in this area. I realize these things take a lot of time and cost 'big bucks' but would be SO worth it...at least that is my humble opinion :)

Thank you.

**From:** susan maslak  
**To:** [Bailey, Graham](#)  
**Subject:** Re: Hamilton Road Area Community Improvement Plan - Public Participation Meeting  
**Date:** Saturday, January 27, 2018 4:00:28 PM  
**Attachments:** [image001.png](#)

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*Just want to thank you for your excellent work. It is high time this part of the city gets some recognition. Thank you for your work and dedication.*

**From:** Denise Callcott  
**To:** [Bailey, Graham](#)  
**Subject:** O-8866  
**Date:** Tuesday, January 30, 2018 10:47:37 AM

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Hello Mr. Bailey,

My name is Denise Callcott, and I recently moved with my family to the "Hamilton Road Area" (Little Grey Street).

I wanted to express my opinion about the amendment to the Official Plan in regard to this area. I think it is an excellent idea. As a young family with minimal income, we chose this area because it was affordable and because it was close to Old East Village, an "up-and-coming" neighborhood in the city.

More and more young families just like us are moving to the east end because real estate prices are rising too quickly in the south and we know we'll never be able to afford anything in the west or north. We miss the south end (where we were previously renting) because the neighborhood we lived in was clean, the roads were tree-lined and in good repair, and there were plenty of parks within walking distance for our children. We would like to see some of these things in our new east end neighborhood too. There are two parks within walking distance of our house. One is quite rundown and covered in graffiti, and one is littered with needles.

I think any improvements the city can implement in the Hamilton Road Area would be greatly appreciated and an excellent way to drive real estate prices. I look forward to these changes and I hope you will take my words into consideration.

Thanks,  
Denise Callcott



**From:** [van Holst, Michael](#)  
**To:** [Norma Powell](#)  
**Cc:** [Bailey, Graham](#)  
**Subject:** RE: Application amendment to Community Improvement in the Hamilton Road Area  
**Date:** Wednesday, January 31, 2018 8:49:48 AM

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**From:** Norma Powell  
**Sent:** January 31, 2018 8:47 AM  
**To:** van Holst, Michael  
**Subject:** Application amendment to Community Improvement in the Hamilton Road Area

Attention Graham Bailey

Mr. Vanholst could you please read this letter and pass it on to Mr. Bailey . ( they did not give his email address in the letter sent out by the City. )

I have concerns of the way your letter read in regards to the Hamilton Road area. My concern is that if we don't reply or extend concerns to this application, we will not be able to appeal any items that we disagree with later on.

I have lived in the Hamilton Road area most of my life. I attended schools in this area. I am retired now from the Thames - Valley District School Board as an Office Manager of one of the High Schools.

My concerns with the area are changes ( not for the better) that have happened in the area over the years. One concern is the ladies living next to Trafalgar School that allegedly are selling sex. They also live on the opposite side of Hamilton Road next to the Kahn's meat store. This should not be happening near a school.

Another concern is that they tore down the Church on the corner of Hamilton Road and Trafalgar Street to put up an eye sore of a building with all kind of Buddhas outside the building. Working in the schools over the years they have removed all religion as not to offend anyone, and so why should people, not of that religion have to look at that.

Another concern that I have is that all Parks and walkways in the area should not be changed without input from the neighbours.

There could be many changes that the City decide in later years and so my suggestion is that the City get email addresses of the neighbours in this area and send out mass email information to keep people informed as well as ask for input.

Thank you for your consideration.

Norma Powell  
Vauxhall Street London

**From:** ANDREA JOHNSON  
**To:** [Bailey, Graham](#)  
**Subject:** Hamilton Road Area Community Improvement Plan Suggestions  
**Date:** Tuesday, February 20, 2018 9:50:12 PM

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Hi.

I am a resident on Pegler Street, just south of Hamilton Road.

I would like to suggest to all employed involved in the planning process, that a walk from Adelaide to Highbury Street would prove enlightening. This should be done during various weather conditions, including:

- after a heavy snowfall (barely walkable, even after the plows have been through. Try this while carrying 30 lbs of groceries from the bus stop to home)
- after a heavy rain and/or thaw (sloppy with constant spray from motorists. You can't carry groceries with both hands AND hold an umbrella !)
- during rush hour on any day (extremely noisy)
- during a weekend day in spring or summer (more noisy than rush hour, with many weekend warriors and their modified vehicles).

Traffic on Hamilton Road is very aggressive, and fast. Because of the grading on Hamilton Road, water collects close to the sidewalk. Drivers show zero respect towards pedestrians, so while they are speeding on the shoulder, a huge spray of water soaks anyone on the sidewalk. There is no protection anywhere for a pedestrian to avoid this. There are few bus shelters. Those that do exist have door openings that face the road, so they offer little protection. The bus shelters have partitions on the bench seat which barely accommodate an average sized woman's hips. This is bad design for everyone.

I see no solution for this except to make Hamilton Road into a street with single lanes in each direction, as it once was.

In the interim, intensive traffic enforcement that focussed on aggressive driving, excessive speed and excessive noise from modified engines, mufflers and stereos would be a start. Traffic noise, particularly during the warmer months, is so loud that having a conversation while walking on the sidewalk is impossible. Excessive traffic noise has been linked to many negative health issues, including an increase in cardiovascular disease:

[https://www.washingtonpost.com/news/to-your-health/wp/2018/02/06/why-car-horns-and-other-common-loud-noises-may-be-bad-for-your-heart/?utm\\_term=.df409209e38a](https://www.washingtonpost.com/news/to-your-health/wp/2018/02/06/why-car-horns-and-other-common-loud-noises-may-be-bad-for-your-heart/?utm_term=.df409209e38a)

Many motorcycles are louder than fire engine or ambulance sirens ! Yet some motorcycles are quieter than a well maintained car. This is an issue that pertains to the owner, not a 2 v.s. 4 wheel problem.

If a traffic study was done on Hamilton Road, it would be observed that most vehicles have a single occupant - the driver.

Cyclists feel unsafe, so they ride on the sidewalk. Many do not have bells or horns, so a fast approach from behind compromises a pedestrian's safety.

In the stretch between Egerton and Highbury, there are two memorials for fatalities in the immediate area, both on the south side of Hamilton Road. Doesn't this suggest there is a serious problem on this street ?

Because there are many vacant storefronts on this stretch, traffic speeds by v.s. doing business in this area. Many local residents drive out of this area to do their shopping, as there are no local businesses with basic inventory, like fresh produce. Yet Home Hardware and Shoppers Drug Mart do very well. Shoppers Drug Mart sells packaged food at prices higher than 24 hour convenience stores, which is mercenary. Even a Dollarama would provide a lower cost source of packaged food, and a better selection.

Crosswalks are sparsely located, and not on both sides of the street, even at busy locations like at Crouch Library. This leads to school children and others running across the street, not at a crosswalk location, to avoid the walk and long wait for the next crossing light. This is adjacent to the Beer Store, which has ample parking for frequently impaired patrons. This is a frightening combination.

While Hamilton Road could benefit from some beautification from things like planters, there are deeper reasons for why this street is so unpleasant and dysfunctional.

Sincerely,

Andrea Johnson

## Agency/Departmental Comments

### London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing services will be at the expense of the owner.

### Development and Compliance Services – Site Plan

While the CIP covers high-level matters, there are a number of the action items will have direct impact on Site Plans. Therefore, it will be important to ensure that the policy framework for implementing developments as part of Site Plan Approval can be achieved that will also facilitate community improvement, development, redevelopment and intensification as set out in the CIP.

Objectives of the CIP (Page 9: Objectives 1, 3, 5, 7) are all matters which are often addressed at the Site Plan stage, which:

- provision of parking for businesses,
- improvements to the pedestrian realm,
- improved streetscapes, and
- conservation of heritage assists

These listed matters may also have direct bearing on Objective 4 (“Build upon the success of the local small businesses and restaurants to create a healthy, vibrant, and mixed use main street”).

Depending on the way in which the CIP is implemented and the specific mix of incentives vs. future Urban Design requirements for development within the CIP, it may be a significant challenge for some small businesses who are looking to redevelop their properties to implement improvements that may be required in the future via Site Plan.

The urban design guidelines proposed in the CIP should have sufficient flexibility to ensure that they do not create an undue burden on small businesses who may not have anticipated the cost of public realm related improvements or orientation. Likewise, although the CIP does envision future reductions to the Zoning Bylaw requirements, it will be important to find the correct balance to ensure that changes to the ZBL to address mitigating impacts, such as on street parking and building setbacks to existing residential dwellings.

During the development of more specific plans for the area, the Site Plan staff would like to be involved with the project team or have input to address implementation, including any changes to the Zoning By-law, and the CIP urban design guidelines. Proposed changes to the implementing documents may conflict with the Site Plan Control By-law; therefore, we can identify any discrepancies, and/or need for possible modifications to the SPCB.

### Housing Development Corporation, London

It is the vision of Housing Development Corporation, London (HDC) that all members of the community have access to housing that is safe, secure and suitable to their needs and ability to pay. HDC London’s core mandate is to work across the various sectors to stimulate the development and sustainability of affordable housing throughout London and Middlesex. Action 6.9 of the Community Improvement Plan is consistent with the HDC’s core mandate which envisions the local need for revitalized and strengthened neighbourhoods and diverse and inclusive communities. Action Item 6.9 further recognizes the provision of affordable housing as a Priority 1 Action Item and the leadership role of the HDC in this regard. Given the direction coming out of Action 6.9, the HDC would request that Section 7 (Monitoring and Evaluation) include affordability

as an identifiable metric in Table 3: “Success Measures” and in the “Baseline Conditions”.

### Development and Compliance Services – Development Services

Engineering has no comments related to the above noted re-zoning application.



February 14, 2018

City of London – Planning Services  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Graham Bailey** (sent via e-mail)

Dear Mr. Bailey:

**Re: File No. O-8866 – Application to Amend the Official Plan**  
**Applicant: City of London**  
**Hamilton Road Community Improvement Planning Area, London, Ontario**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

#### **PROPOSAL**

The purpose of the amendment is to implement the Community Improvement Plan for the Hamilton Road Area.

#### **CONSERVATION AUTHORITIES ACT**

As shown on the enclosed mapping, portions of the Hamilton Road Community Improvement Planning Area are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has jurisdiction over these lands and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

#### **DRINKING WATER SOURCE PROTECTION**

##### **Clean Water Act**

The *Clean Water Act (CWA)*, 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

1424 Clarke Road, London, Ont. N5V 5B9 · Phone: 519.451.2800 · Fax: 519.451.1188 · Email: [info@utrca.on.ca](mailto:info@utrca.on.ca) [www.thamesriver.on.ca](http://www.thamesriver.on.ca)



UTRCA Comments  
File No. O-8866

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. We wish to advise that the subject lands are identified as being within a vulnerable area. Mapping which shows these areas is available at:

[http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

**Provincial Policy Statement (PPS, 2014)**

**Section 2.2.1** requires that: *"Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alteration to:*

- 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
- 2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions."*

**Section 2.2.2** requires that *"Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored."*

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

Policies in the *Approved Source Protection Plan* may prohibit or restrict activities identified as posing a *significant threat* to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The *Approved Source Protection Plan* is available at:

<http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/>

**RECOMMENDATION**

While the UTRCA has no concerns regarding this application, there are lands within the Hamilton Road Community Improvement Planning Area that are regulated by the UTRCA and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within the regulated area.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY

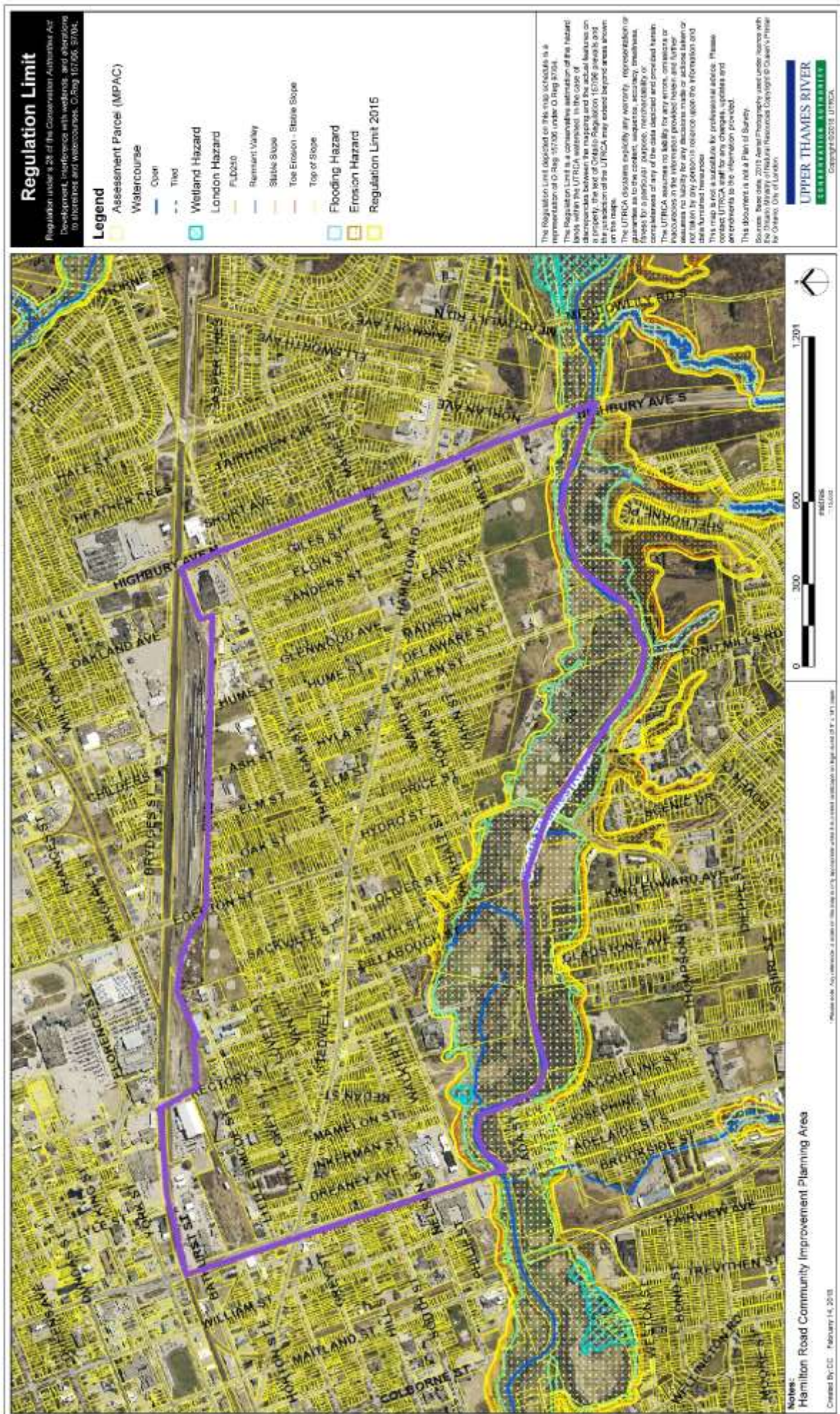


Christine Creighton  
Land Use Planner  
CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

c.c. UTRCA –Mark Snowsell & Brent Verscheure - Land Use Regulations Officers (via email)





## Appendix G – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

### **Provincial Policy Statement (PPS), 2014**

1.1.1 a) – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.3.1 – Settlement Areas

1.1.3.3 – Settlement Areas

1.5.1 – Public Spaces, Recreation, Parks, Trails and Open Space

1.7.1 c) – Long-Term Economic Prosperity

6.0 – Definitions

### **1989 Official Plan**

2.2.1 v) – Official Plan Vision Statement, Official Plan Vision Statement

14.1 – Community Improvement Policies, Community Improvement Objectives

14.2 – Community Improvement Policies, Selection and Phasing of Community Improvement Areas

14.2.1 – Community Improvement Policies, Selection and Phasing of Community Improvement Areas, Areas Eligible for Community Improvement

14.2.2 – Community Improvement Policies, Selection and Phasing of Community Improvement Areas, Designation of Community Improvement Project Areas

14.3 – Community Improvement Policies, Implementation

### **The London Plan**

152 to 165 – Urban Regeneration

511 – Creating Housing Opportunities

570 – General Cultural Heritage Policies – Strategies / Programs

633 – Smart City Infrastructure

907 4 – Main Street Place Type – How Will We Realize Our Vision?

1723 to 1728 – Community Improvement Plans



Dear PEC Chair and Committee Members,

It is gratifying to see the CIP process for Hamilton Road coming to a close, having established much positive direction for the area. My only concern is that, due to a lack of funding, we will lose the tremendous momentum we have built and fail to realize the successes that we hoped to achieve with this initiative.

The regeneration of Hamilton Road is important not only to this neighbourhood but all of London due to its status as a gateway to the downtown from the 401 East. Hamilton Road is the first urban corridor that people experience when turning off of Highbury and it represents our strategic opportunity to provide a first impression to visitors and potential investors. Presently, this gateway is strongly in need of regeneration and the degree to which we fund the CIP programs will determine the rate at which this regeneration takes place.

Both the Downtown and Old East have forgivable loans incorporated into the CIP financial incentives, but Hamilton Road does not. Since this is a more challenged area, I believe that such incentives are even more necessary to attract the needed investment. Uptake for this program last year for Old East was \$59,000, so I am proposing that a similar amount be made available to Hamilton Road for 2018 and 2019 as a bridge to consideration in the next budget cycle.

To this end I respectfully request that the following motion be adopted:

That a total of \$118,000 from the Community Investment Reserve Fund be allocated to fund a forgivable loans program for the Hamilton Road CIP during the years 2018 and 2019.

Yours,

Michael van Holst  
Councillor, Ward 1

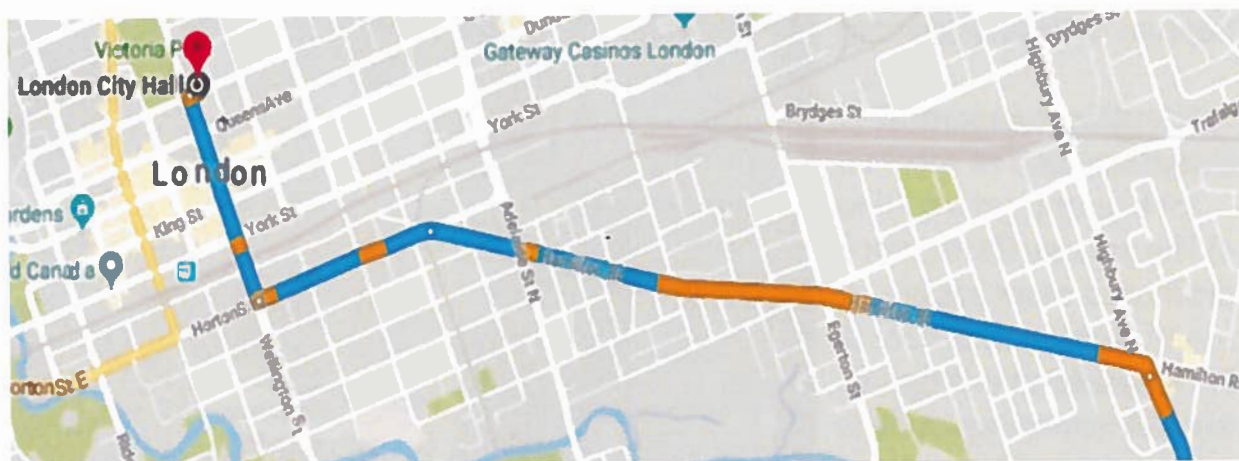


## Hamilton Road Business Association Case for Forgivable CIP Loan Program

Dear London Councillors and City Staff,

The Hamilton Road Business Association is committed to the success of our community improvement plan and the dramatic renewal that it is anticipated to achieve. We realize that much is at stake since Google Maps has established Hamilton Road as the westbound gateway to our downtown, making it the place that will provide a first impression to those who visit the city from Toronto and the East.

### Hamilton Road is Google's Gateway to Downtown London



### This Is Where Our City Makes Its Lasting First Impression

One goal of this report is to provide a visual sense of the challenges our community will face in this revitalization initiative. The commercial vacancy rate on Hamilton Road is around 25%, with visible vacant storefronts averaging one every hundred meters along a 3.5-kilometer drive.

We consider a forgivable loans program to be a mission-critical element for us to successfully promote the area as a place for investment and to entice landowners to support a BIA. However, because of our gateway status, we also believe that London will achieve a tremendous return on investment for implementing this program. We hope that we can count on your support.

Rick Pinheiro, President



## Empty Store Fronts

There are presently 35 empty storefronts visible along this prominent gateway. A decade of record-low-interest rates has not helped turn this around. Due to the severity of the challenge we are requesting that the forgivable loans program available to Downtown and Old East also be offered to Hamilton Road.

## Forgivable Loan Pros

- 1) They balance the extra risk of investing in this area
- 2) Occupancies will happen more quickly
- 3) Beautification is more likely to occur
- 4) The area can be promoted more easily
- 5) The additional expense of a BIA is more palatable
- 6) Potential investors will have greater confidence that others will also invest in Hamilton Road



## The Challenge and Opportunity

We have often heard that people who enter the city through this gateway "feel depressed". Correcting this may seem like a big challenge, but it is very localized. The opportunity exists to achieve tremendous reputational gains with modest, focused investment. By reviving this single corridor, everyone who enters the city from the West will feel differently about London.



## Payoffs

- 1) An attractive Hamilton Road will help bring more investment to all areas of London because of its gateway position.
- 2) Tax revenues will increase as tired residential units are repurposed for commercial uses.
- 3) Incentivized Investment along this corridor will encourage unincentivized investment nearby.
- 4) An accelerating upward trend in assessment will take place as the area is revitalized.

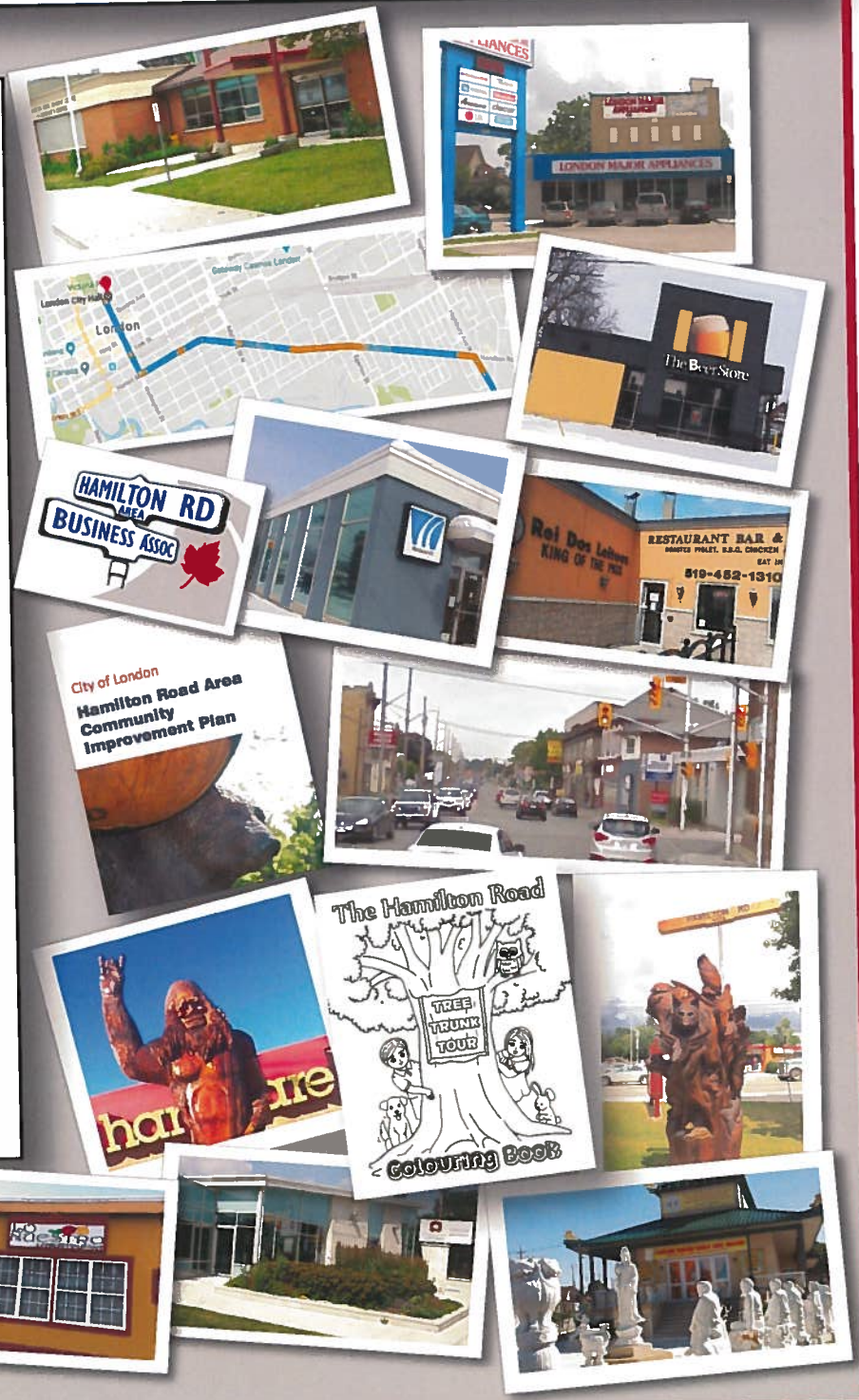


## A Catalyst for Rapid Transformation

We believe that the forgivable loans will initiate a phase of rapid transformation along this gateway because investors will feel incentivized to act, and confident that that the city is committed to renewal. The focus will then shift to the many positives about this corridor, and our association will be able to confidently promote Hamilton Road as the next hot-spot of culture and business to blossom in London. This transformation will completely change the perception of visitors to our city.

### Indicators of Success:

- 1) Affordable properties
- 2) Strong Community Resources
- 2 ) Powerful restaurant anchors, long-standing commercial anchors, and a new tech-sector anchor
- 3) A dynamic business association (soon to be BIA)
- 4) Tourist attractions such as the growing Tree Trunk Tour and other public art installations
- 6) A high visibility corridor with abundant traffic
- 8) Unique, authentic and affordable ethnic restaurants
- 9) An engaged community
- 10) An excellent CIP





**DAVE BROOSTAD**  
*TREE TRUNK TOUR PROJECT COORDINATOR*

519-282-8348

dave@hamroad.com

696 Hamilton Road  
London, N5Z 1T6

www.hamroad.com

**HAMILTON RD AREA BUSINESS ASSOC**

**Report to Planning & Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Demolition Request & Heritage Alteration Permit Application  
By: 2436069 Ontario Ltd.  
504 English Street, Old East Heritage Conservation District  
**Public Participation Meeting on: Monday March 19, 2018**

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 504 English Street, within the Old East Heritage Conservation District, **BE PERMITTED** as proposed in the drawings attached as Appendix D, subject to the following terms and conditions:

- (a) The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;
- (b) The property owner demonstrate to the satisfaction of the Heritage Planner that sufficient quantity and quality of brick may be salvaged from the existing building for reuse to clad the proposed building as shown in Appendix D;
- (c) The property owner be requested to salvage any elements of the existing building that may be suitable for reuse;
- (d) The property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- (e) Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

**Executive Summary**

**Summary of Request**

The Demolition Request and Heritage Alteration Permit application are seeking a permit from Municipal Council to demolish the existing building and to erect a new building on the property located at 504 English Street, within the Old East Heritage Conservation District, in accordance with Section 42 of the *Ontario Heritage Act*.

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended action is to permit the demolition of the existing building located at 504 English Street and permit the erection of a replacement building as proposed, with terms and conditions to ensure compatibility with the Old East Heritage Conservation District.

**Rationale of Recommended Action**

The existing building at 504 English Street is D-Ranked by the *Old East Heritage Conservation District Plan* and therefore a suitable candidate for consideration of demolition and redevelopment. The proposed replacement building complies with the policies and guidelines of the *Old East Heritage Conservation District Plan* and should be permitted with terms and conditions.

## Analysis

### 1.0 Background

#### 1.1 Property Location

The property at 504 English Street is located on the east side of English Street, between Lorne Avenue and Queens Avenue (Appendix A). The property is across the street from the former Lorne Avenue Public School (723 Lorne Avenue).

#### 1.2 Cultural Heritage Status

The property at 504 English Street is located within the Old East Heritage Conservation District, which was designated under Part V of the *Ontario Heritage Act* on September 10, 2006. The property at 504 English Street is a D-Ranked property by the *Old East Heritage Conservation District Plan*.

#### 1.3 Description

The existing building located at 504 English Street is a single storey building (Appendix B). It has a deeper setback than other properties on this block of English Street, with a setback of approximately 6.9m (22.6') from the property line. The existing building has a square footprint, with a front addition and a rear addition. The existing building has a hipped roof with a central gable; the front addition has a shed roof and the rear addition has a hipped roof. All of the roofs are clad in asphalt shingles. The building is clad with buff brick, with quoins at the corners of the building. Brick detailing can also be found around the original segmented arch window openings, as well as in the gable. An arched, louvered vent is located in the gable, where the wood bargeboard is decorated with teeth and a pendant (sometimes referred to as a drop finial).

The building takes the form of an Ontario Cottage: single storey, hipped roof with central gable dormer, and centre hall plan. This type was once common in Southern Ontario, however it is becoming increasingly rare. The unsympathetic front addition has compromised the integrity of identifying this building as an Ontario Cottage.

The detached out building is one and three-quarters stories in height with a gambrel roof. The building appears to have been constructed with concrete blocks and features half-timbering in the gambrel end.

#### 1.4 Historical Research

Located within land owned by Noble English, the residential area of the Old East Heritage Conservation District was developed from the 1860s into the 1930s. The former Town of London East was annexed by the City of London in 1885. The first survey of the English estate for development was completed in 1856 and included the first five blocks from Adelaide Street North to Elizabeth Street, between Dundas Street and Elias Street. Following the death of Noble English in 1872, his family continued to survey the family's estate into lots for development.

The subject property is located at Lot 18, Block V, Registered Plan 86 (April 1886). The property at 504 English Street appears to be the only property on the block which retains its original dimensions: 55' (16.7m) frontage and 158' (48.1m) in depth. Block V was established in the 1872 survey of the eastern part of the Noble English estate (Registered Plan 304, 1872). The *Map of the City of London and Suburbs* (1878) (a supplemental map to the *Illustrated Historical Atlas of the County of Middlesex*) does not note any property divisions, buildings, or ownership of Block V. No development is noted in this area in the *Bird's Eye View of London* (1872); development is noted in this vicinity on the *Bird's Eye View of London* (1893), however it does not provide any clarity or detail. Neither *Bird's Eye View* nor the *Illustrated Historical Atlas* contain consistently reliable references as both maps were produced on a subscription-basis, but can be considered generally indicative.

Available information suggests the buildings at 504 English Street may date to the 1870s or 1880s. This is consistent with the style and finishes of the existing building, as well as the general development of the Old East Heritage Conservation District. The above information related to the subdivision of the English estate suggests a construction date after 1886. Further research suggests indicates that the building was constructed in about 1876.

The 1875 City Directory is the first which contains a street directory in addition to an alphabetical list of names and business directory, as well as including London East, New Brighton, and Petersville in addition to the City of London. The 1875 City Directory records all lots on the east side of English Street and north of the Noble English estate (470-472 English Street) as “vacant” (see Appendix C for City Directory information). In his work compiling a “London East Street Directory – 1877,” Dan Brock has identified George Pratley, freehold labourer, as owner of the property which is now 504 English Street in 1877. The 1881-1882 City Directory lists George Pratley, labourer, as residing near the southeast corner of Timothy (now Lorne Avenue) and English Street, London East (corresponding with the location of 504 English Street). The 1886 City Directory, the first year following the annexation of London East, lists George Pratley, milkdealer, as the occupant of 504 English street. The building at 504 English Street is the only building on the east side of this block of English Street, other lots are marked as “private grounds” or “vacant lots.” The building’s existence prior to the registration of Registered Plan 86 may be the origin of the property’s unchanged dimensions.

This information conflicts with the land registry information on file for the property. A review of the land registry information indicates that the property remained in the ownership of the English family until 1890, when it was sold to Janet/Jeanette Ewart for \$800. Subsequent to this, the land register information appears to correspond with the City Directory information noting some owners were not occupants. The property was sold multiple times throughout the twentieth century. The longest owner/occupant appears to be two generations of the Crispin family, from 1922 until the 1960s.

## 2.0 Legislative/Policy Framework

### 2.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement* (2014) 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.”

“Significant” means “resources that have been determined to have cultural heritage value or interest for the important contributions they make to our understanding of the history or a place, an event or a people” (*PPS* 2014). “Built heritage resource” means “a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers” (*PPS* 2014). “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 under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments” (*PPS* 2014).

### 2.2 Ontario Heritage Act

In requests for demolition and/or erection of a building located on a property located within a Heritage Conservation District, the *Ontario Heritage Act* enables municipalities to give the applicant:

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

Municipal Council must respond within 90 days after receipt of a demolition request and/or Heritage Alteration Permit application (Section 42(4), *Ontario Heritage Act*). Consultation with the municipality’s municipal heritage committee (the London Advisory Committee on Heritage) is required (Section 42(4.1), *Ontario Heritage Act*). It is the Municipal Council’s policy to consider demolition requests for heritage listed and designated properties with a public participation meeting held at the Planning & Environment Committee, with notice sent to property owners within 120m of the subject property. Non-decision within 90-days, the refusal, or terms and conditions on the approval of a demolition request may be appealed to the Ontario Municipal Board (OMB)/Local Planning Appeal Tribunal (LPAT).



Additionally, a permit (Heritage Alteration Permit) is required to make alterations to a property within a Heritage Conservation District. Per Section 41.1(5.e) of the *Ontario Heritage Act*, the Old East Heritage Conservation District Plan has defined new buildings as requiring Heritage Alteration Permit approval. Given the substantial nature of new buildings within a Heritage Conservation District, these Heritage Alteration Permit applications meet the Conditions for Referral defined within the Delegated Authority By-law (By-law No. C.P.-1502-129), thus requiring consultation with the London Advisory Committee on Heritage (LACH) and a decision by Municipal Council.

### **2.3 Official Plan/The London Plan**

Consistent with the *PPS*, there is an underlying preference by the *Official Plan* (1989 as amended) and *The London Plan* (approved 2016) policies that cultural heritage resources be conserved and protected, and that the removal of these resources is the least desirable course of action and should be discouraged.

Chapter 13, Heritage, of the *Official Plan* includes objectives which support the “protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community” (Section 13.1.i, *Official Plan*). Section 13.3.6 of the *Official Plan*, speaking generally to Heritage Conservation Districts, states that “the character of the District shall be maintained by encouraging the retention of existing structures and landscape features.” The policies of our *Official Plan* discourage the demolition of existing buildings within our Heritage Conservation Districts.

### **2.4 Old East Heritage Conservation District Plan & Guidelines**

The Old East Heritage Conservation District was designated by By-law No. L.S.P.3383-111 and came into force and effect on September 10, 2006. The *Old East Heritage Conservation District Plan & Guidelines* provides policies and guidelines to help manage change for the nearly 1,000 properties located within its boundaries.

While the first goal of the *Old East Heritage Conservation District Plan & Guidelines* is to “encourage the retention and adaptation of heritage buildings rather than the demolition and replacement of those buildings,” properties within the Old East Heritage Conservation District are rated on a scale of A-D; A-rated properties being the architectural and historical gems of the Old East Heritage Conservation District, and D-rated properties being those that have limited or no contributions to the heritage character of the Old East Heritage Conservation District. The *Old East Heritage Conservation District Plan* states, “it is recognized that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate city policies” (Section 6.5, *Old East Heritage Conservation District Plan*).

Recognizing that change will occur, the *Old East Heritage Conservation District Plan & Guidelines* also provides policies and guidelines to ensure that new development is compatible with its heritage character. Section 4.4 of the *Old East Heritage Conservation District Plan* provides the following direction for new buildings:

- *Match setback, footprint, size, and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbours;*
- *Respond to unique conditions or location, such as corner properties;*
- *Use roof shapes and major design elements that are complementary to surrounding building and heritage patterns;*
- *Use materials and colours that represent the texture palette of the heritage area;*
- *Where appropriate, incorporate some of the details that were standard design elements in the principal facades of the properties in Old East London. Such details as transoms and sidelights at doors and windows, covered porches, divided light windows and decorative details to articulate plain and flat surfaces, add character that complement the original appearance of the neighbourhood, and add value to the individual property;*
- *Front drive garages are strongly discouraged. Garages should be detached and located in the rear yard wherever possible.*

### 3.0 Demolition Request & Heritage Alteration Permit Application

#### 3.1 Demolition Request

A demolition request for the existing building at 504 English Street was received on March 1, 2018 in concert with a Heritage Alteration Permit application for a proposed building. Per Section 42(4) of the *Ontario Heritage Act*, the 90-day timeline for the demolition request and Heritage Alteration Permit application will expire on May 30, 2018.

#### 3.2 Heritage Alteration Permit application

Municipal Council has delegated approval of Heritage Alteration Permit applications that do not meet the “conditions for referral” defined in the Delegated Authority By-law (C.P.-1502-129) to the City Planner. As a proposed new building within a Heritage Conservation District, the Heritage Alteration Permit application for 504 English Street was determined to meet the “conditions for referral” thus requiring consultation with the London Advisory Committee on Heritage (LACH) before a decision on the Heritage Alteration Permit application by Municipal Council.

A Heritage Alteration Permit application was submitted by the property owner and received on March 1, 2018. The property owner has applied for a Heritage Alteration Permit to:

- Erect a new two storey building containing four units with the following details (see drawings in Appendix D):
  - Two storey building, approximately 6m (20') in height;
  - Rectangular footprint, approximately 11.4m (37') in width and 24.5m (80') in depth;
  - Hipped roof with a slope of 12:9 clad in asphalt shingles, with two front gables;
  - Wood pendant at the peaks of the two front gables (in the style of the pendant of the existing building);
  - Setback approximately 4m (13') from the west property line (to negotiate the difference in setback of adjacent buildings at 494 English Street and 506 English Street), 1.8m (5.9') from the north property line, 3.6m (11.8') from the south property line;
  - Slab on grade construction;
  - Buff brick salvaged from the existing building applied as a veneer as exterior cladding at the front of the building with shingle-style fiber cement board cladding at the rear and gables;
  - Three primary bays across the front façade, defined by pilasters, with five bays across the north and south facades also defined by pilasters;
  - Two of the front bays projecting slightly to give definition to the front façade, which are accentuated by gables in the hipped roof;
  - A front porch with concrete base and flat roof that is supported by brick piers. Given the proposed height of the porch, no guards (balustrade railing) is required. A concrete sidewalk leads to the front porch;
  - Dichromatic brickwork found on the porch piers, voussoirs and lintels of the windows;
  - Wooden brackets to accentuate the brick frieze and wood/fiber cement board fascia of the building;
  - Rectangular sash (hung) aluminium-clad wood windows with no fenestration (no grilles);
  - Painted solid wood entry door with sidelights and transom; and,
  - Sloped landscaping to provide level-entry to the front porch and front entry with a barrier-free entry located at the rear of the building to provide access to the two accessible, ground floor units.

A detached storage building, located at the rear of the property, is also proposed. It is not anticipated that this storage building will be visible from the street and therefore no Heritage Alteration Permit approval is required. Compatibility with the materials and finishes of the proposed building is encouraged.

A site visit was undertaken by the Heritage Planner on February 16, 2018, in advance of the submission of the demolition request and Heritage Alteration Permit application for 504 English Street.

4.0 Analysis

4.1 Demolition Request

In general, the demolition of buildings within any of London’s Heritage Conservation Districts is discouraged. However, as noted in Section 6.5 of the *Old East Heritage Conservation District Plan*, demolition may occasionally may be an appropriate consideration. As a D-rated property, 504 English Street is a suitable candidate for demolition.

As demonstrated by the images in Appendix B, the building located at 504 English Street has been subject to previous alterations that have compromised its integrity from a cultural heritage perspective. In particular, the front addition is not compatible with the heritage character of the Old East Heritage Conservation District and does not comply with the design guidelines of the *Old East Heritage Conservation District Plan*.

Historical research did not identify any significant historical associations of the property or its occupants (see Appendix C).

Given these considerations, the existing building at 504 English Street is a suitable candidate for demolition and replacement with a new building that is compatible with the Old East Heritage Conservation District. The Heritage Planner undertook photographic documentation of the property (see Appendix B). The property owner has proposed the salvage and reuse of the existing bricks in the proposed building. Additional salvage of doors, windows, and trim detail is recommended.

4.2 Heritage Alteration Permit

Section 4.4 of the *Old East Heritage Conservation District Plan* identifies policies for the residential area and new development within the residential area. These policies are intended to ensure the conservation of the heritage character of Old East Heritage Conservation District. Those policies were used in the analysis of the proposed new building at 504 English Street.

The proposed building appears to take Italianate stylistic references, as demonstrated in the proportions, slope of roof, segmented arch voids in the structure, brick pilaster and frieze, and brackets. There are clear references to existing cultural heritage resources in the Old East Heritage Conservation District, without a pastiche accumulation of individual architectural elements. The proposed building includes many of the vernacular qualities that characterize the Old East Heritage Conservation District, such as the porch, wood door with sidelights and transom, and dichromatic brick detailing.

Table 1: Analysis of the proposed building for 504 English Street using the policies of Section 4.4 (New Buildings) of the Old East Heritage Conservation District Plan.

Section 4.4: New Buildings	Analysis
Match setback, footprint, size, and massing patterns of the neighbourhood, particularly to the immediate adjacent neighbours.	The proposed building negotiates the difference in the setback between the buildings at the adjacent properties at 506 English Street and 494 English Street (see Site Plan drawing in Appendix D).
	The proposed building has a larger footprint and size that adjacent buildings. However, it is on one of the larger lots on English Street with a frontage of 16.7m (55’) and a depth of 48.1m (158’) and can therefore accommodate a larger building.
	The proposed building contributes to the massing patterns within the surrounding area, as there is a compatible rhythm on the streetscape. There are a number of converted dwellings and semi-detached dwellings within the area. Articulation of the buildings massing through the pilasters and change in material between the brick and shingle siding add articulation to the building.

Section 4.4: New Buildings	Analysis
Respond to unique conditions or location, such as corner properties.	The property will look onto a future park at the location of the former Lorne Avenue Public School (723 Lorne Avenue; to be demolished). This emphasizes the importance of ensuring that the proposed building is compatible with the heritage character of the Old East Heritage Conservation District and uses high-quality, heritage-appropriate materials and details.
Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.	The proposed building features a hipped roof with two gables, which are forms found in the Old East Heritage Conservation District. Additionally, the pitch of the roof (12:9) of the proposed building has been adjusted to maintain a traditional appearance without being too steep or too shallow.
Use materials and colours that represent the texture and palette of the heritage area.	<p>Brick salvaged from the existing building will be used for the proposed building. This ensures that the materials and colours will continue to represent the texture and palette of the Old East Heritage Conservation District. As the proposed building is larger than the existing building, areas less visible from the street will be clad in a fiber-cement shingle.</p> <p>Should insufficient quantity of brick be available for reuse, adjustments to the cladding of the north and south facades may be required in consultation with the Heritage Planner. Should reduction in the amount of brick veneer on the north and south facades be required, the reduction should be on a bay-by-bay basis to maintain a three-dimensional quality to the perceived massing of the proposed building. A single façade (e.g. front/west) of brick veneer should be discouraged. Should insufficient quality of brick be available for reuse, salvaged brick from other buildings may be considered in consultation with the Heritage Planner.</p> <p>The application of undivided sash (hung) style aluminium-clad wood windows is appropriate within the context of the Old East Heritage Conservation District.</p> <p>Detailing of the building, including pendants and brackets are constructed of wood with a painted finish which is consistent with the texture and palette of the Old East Heritage Conservation District.</p> <p>Use of colours from the Old East Heritage Conservation District palette is recommended.</p>
Where appropriate, incorporate some of the details that were standard elements in the principal facades of the properties in Old East London.	Both the existing building and surrounding properties inspired the design treatment of the proposed building at 504 English Street. This includes: flat-roof front porch and brick piers, dichromatic brickwork, brick pilasters, segmented arch window openings, (aluminium-clad) wood windows, painted wood entablature, painted or stained wooden front door with sidelights and transom, and painted wood brackets and pendant.
Front drive garages are strongly discouraged. Garages should be detached and located in the rear yard wherever possible.	No front drive garage or parking is proposed. Parking is appropriately located at the rear of the proposed building, and will be accessed via a driveway at the south edge of the property (along its current alignment). Front yard parking should be prohibited.

The proposed building for 504 English Street complies with the policies and guidelines of the *Old East Heritage Conservation District Plan & Guidelines*.

1.5 Accessibility

In addition to the compatibility of the proposed building at 504 English Street with the Old East Heritage Conservation District, the proposed building provides accessible and barrier-free access to accessible units. To meet the accessibility requirements, it is not possible to reuse the existing (original) front door as it is too narrow. It is recommended that the existing front door be salvaged and reused elsewhere.

While heritage conservation and accessibility are often put at odds, this proposed building demonstrates that compatibility between these two social goals can be achieved.

5.0 Conclusion

As a D-rated property within the Old East Heritage Conservation District, the existing building at 504 English Street is a suitable candidate for demolition and replacement. The design of the proposed building at 504 English Street, including its setback, footprint, size, massing patterns, and finishes and details are compliant with the goals and objectives of the *Old East HCD Plan* and should be approved.

Prepared by:	Kyle Gonyou, CAHP Heritage Planner
Submitted by:	Jim Yanchula, MCIP RPP Manager, Urban Regeneration
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

March 9, 2018  
KG/

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Sources

Brock, Dan. *London East Street Directory – 1877*.  
City of London. Property file: 504 English Street.  
City Directory. Various years.  
*Old East Heritage Conservation District Plan & Guidelines*.



Appendix A – Maps

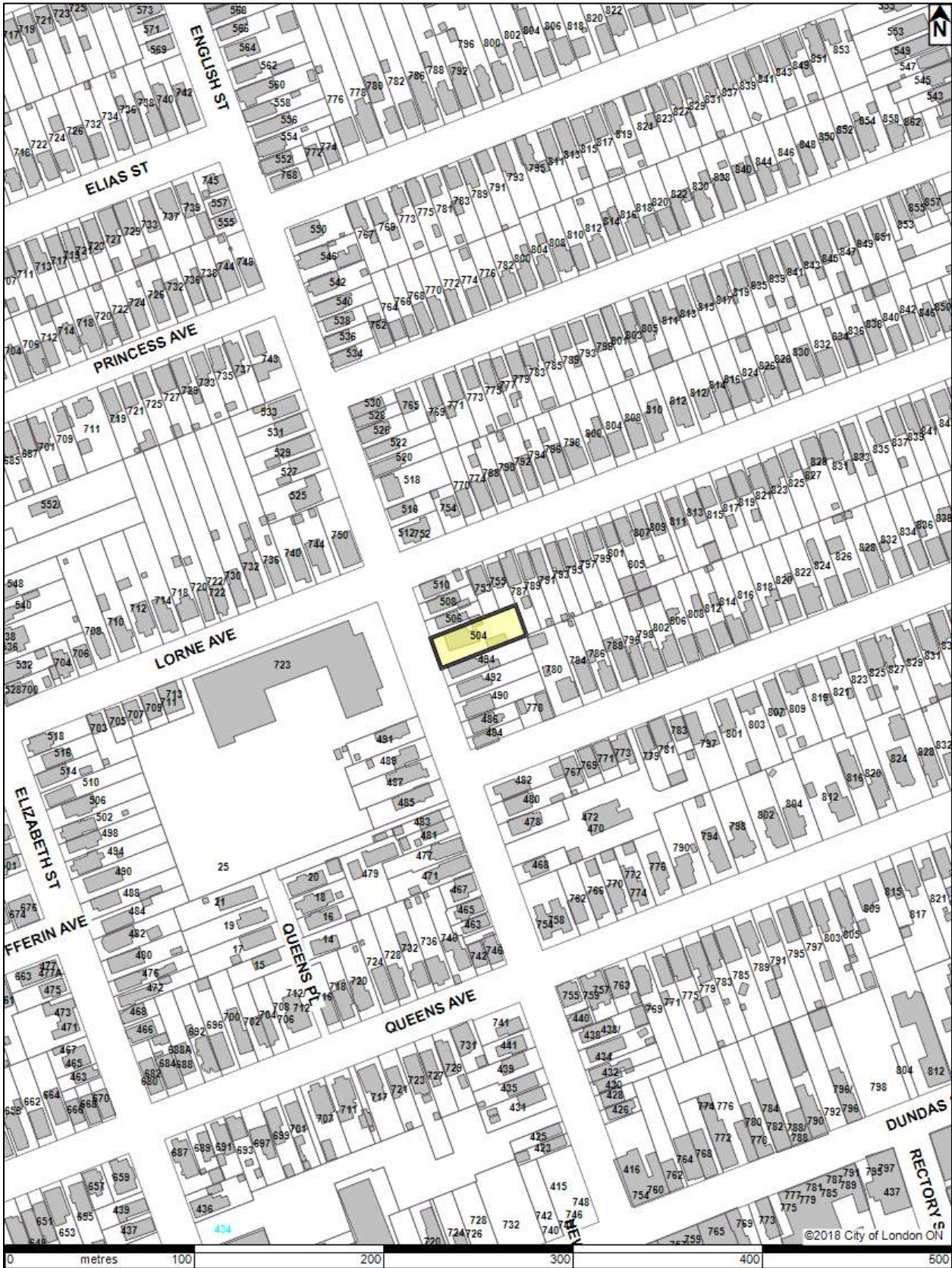


Figure 1: Property location of 504 English Street.



Appendix B – Images



Image 1: View of front (west) façade of the building located at 504 English Street.



Image 2: View of west and south facades of the building located at 504 English Street.



Image 3: Detail of pendant in gable of building located at 504 English Street.



Image 4: View of west façade of building showing front addition, original structure, and rear addition of the building located at 504 English Street, and detached out building.





Image 5: View of rear (east) façade of the building located at 504 English Street.



Image 6: Main (west) façade of the detached outbuilding located at 504 English Street.

Appendix C – City Directory Information

City Directory information for 504 English Street:

Year	Name	Source
1875	Vacant	City Directory
1877	George Pratley, labourer, f	Dan Brock
1881-1882	George Pratley, labourer	City Directory (Alphabetical)
1886	George Pratley, milkdealer	City Directory (Streets)
1887	George Pratley	City Directory (Streets)
1888-1889	Wm. Dye	City Directory (Streets)
1890	John Ferguson	City Directory (Streets)
1891	John Ferguson	City Directory (Streets)
1892	Miss Jeanette Ewart	City Directory (Streets)
1893	Miss Jeanette Ewart	City Directory (Streets)
1894	Miss Jeanette Ewart	City Directory (Streets)
1895	John Noble Miss M. Dyer, dressmaker	City Directory (Streets)
1896-1897	John Noble Miss Mabel Dyer, dressmaker	City Directory (Streets)
1897-1898	John Noble Miss Mabel Dyer, dressmaker	City Directory (Streets)
1898-1899	John Noble	City Directory (Streets)
1900	John Noble	City Directory (Streets)
1901	John Noble	City Directory (Streets)
1909-1910	John Noble, optician	City Directory (Streets)
1913	John Noble, optician	City Directory
1915	Vacant	City Directory (Streets)
1916	Robert Allen & Edith Knighton, military police	City Directory (Streets, Alphabetical)
1918	R. E. Koebel, trainman, CPR	City Directory
1919	Silas N. Ridley, manager, Standard Drug (664 Dundas Street)	City Directory (Streets, Alphabetical)
1920	Silas N. Ridley, manager, Standard Drug (664 Dundas Street)	City Directory (Streets, Alphabetical)
1922	Mrs. H. L. Murray	City Directory (Streets)
1923	George N. & Florence Crispin, Dennisteel	City Directory (Streets, Alphabetical)
1928	G. N. Crispin	City Directory
1933	G. N. Crispin	City Directory
1938	G. N. Crispin	City Directory
1943	G. N. Crispin	City Directory
1948	G. N. Crispin, W. G. Crispin	City Directory
1953	W. G. Crispin	City Directory
1955	W. George & Margaret Crispin, works at Hyman Tannery	City Directory (Streets, Alphabetical)
1958	W. G. Crispin	City Directory
1959	W. G. Crispin	City Directory
1960	W. G. Crispin	City Directory
1970	Earnest & Beatrice Sommerfeld, painting contractor	City Directory
1981	E. Sommerfeld, painting contractor	City Directory (Streets, Alphabetical)
1991	E. Sommerfeld, East Side Painting & Decorating	City Directory (Streets, Alphabetical)
2000	E. Sommerfeld (rear) D. Ho	City Directory
2010	E. Sommerfeld (rear) D. Titus	City Directory



Appendix D – Drawings

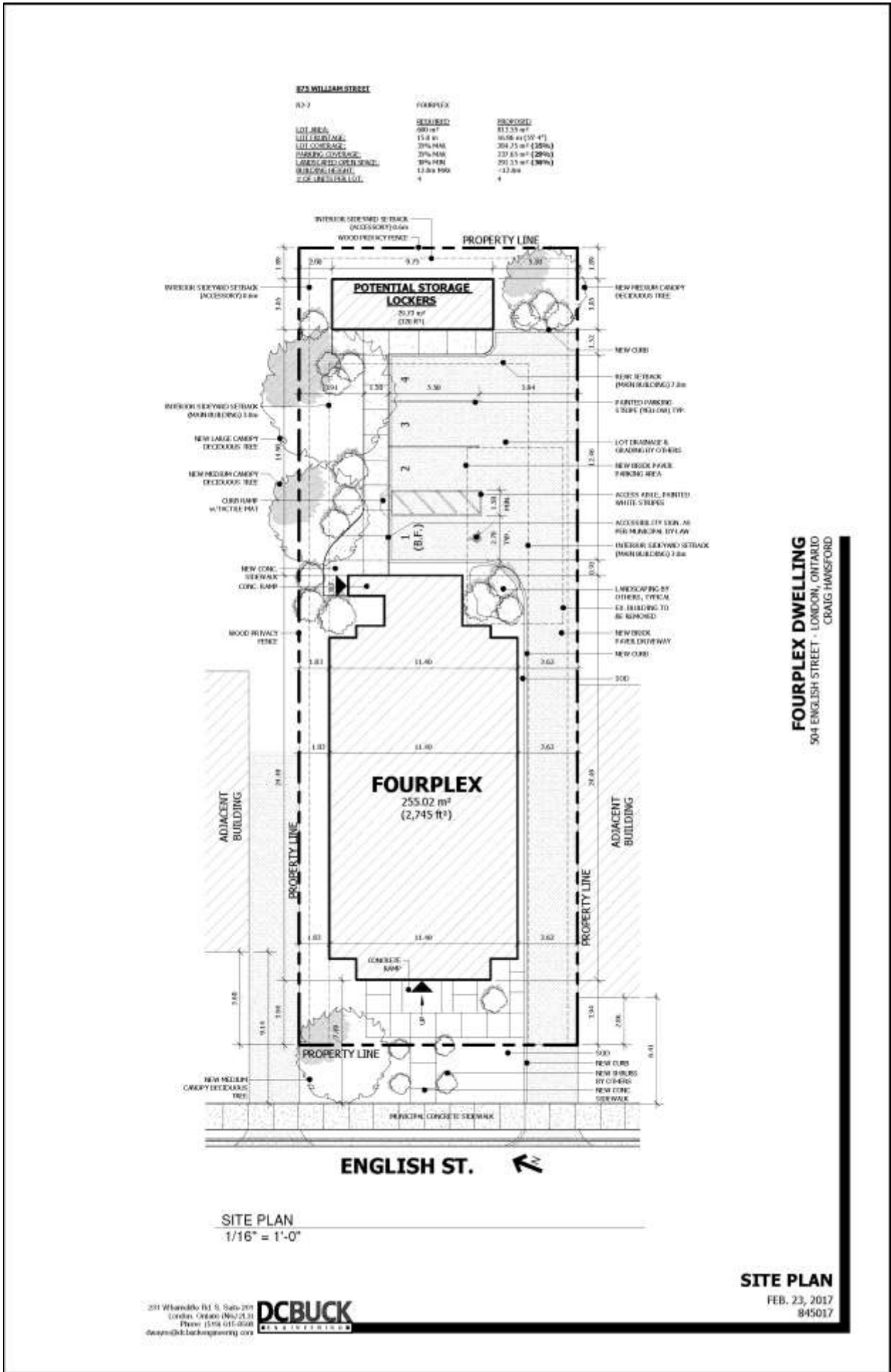


Figure 2: Site Plan for proposed building at 504 English Street.



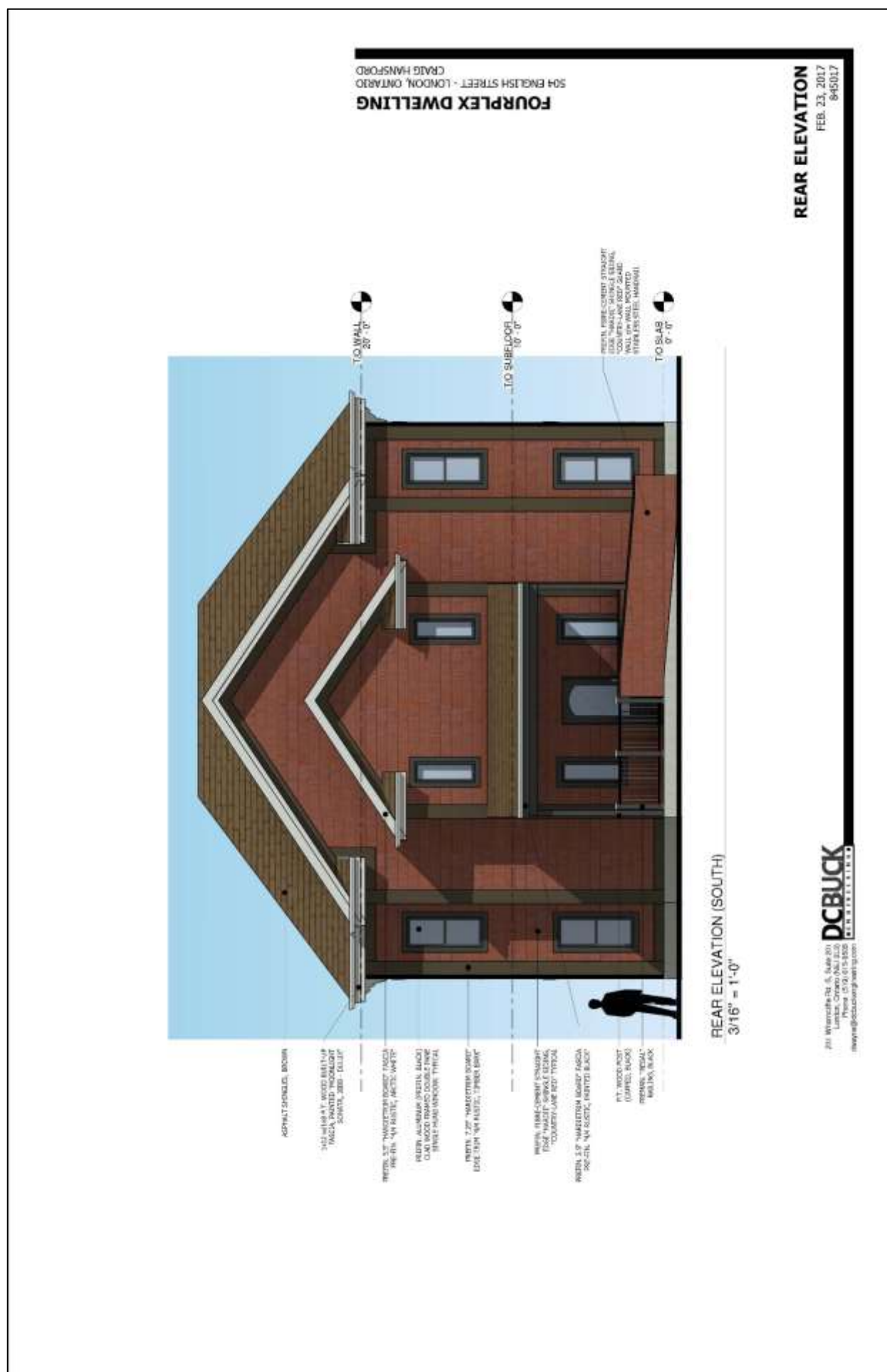


Figure 4: Rear (east) elevation of proposed building at 504 English Street.







Figure 6: Streetscape perspective showing proposed building on the east side of English Street. Note: setback of proposed building negotiates the difference in setback between the buildings located at 506 English Street and 494 English Street.



Report to Planning & Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: John M. Fleming  
Managing Director, Planning and City Planner  
Subject: Demolition Request & Heritage Alteration Permit Application  
By: Kapland Construction Inc.  
491 English Street, Old East Heritage Conservation District  
Public Participation Meeting on: Monday March 19, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, **BE PERMITTED** as proposed in the drawings attached as Appendix D, subject to the following terms and conditions:

- (a) The Heritage Planner be circulated on the applicant’s Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;
- (b) The property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- (c) Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Executive Summary

Summary of Request

The Demolition Request and Heritage Alteration Permit application are seeking a permit from Municipal Council to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, in accordance with Section 42 of the *Ontario Heritage Act*.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the demolition of the existing building located at 491 English Street and permit the erection of a replacement building as proposed, with terms and conditions to ensure compatibility with the Old East Heritage Conservation District.

Rationale of Recommended Action

The existing building at 491 English Street is C-Ranked by the *Old East Heritage Conservation District Plan*. The proposed replacement building complies with the policies and guidelines of the *Old East Heritage Conservation District Plan* and should be permitted with terms and conditions.

Analysis

1.0 Background

1.1 Property Location

The property at 491 English Street is located on the west side of English Street, between Lorne Avenue and Queens Avenue (Appendix A). The property abuts the former Lorne Avenue Public School (723 Lorne Avenue) property.

1.2 Cultural Heritage Status

The property at 491 English Street is located within the Old East Heritage Conservation District, which was designated under Part V of the *Ontario Heritage Act* on September 10, 2006. The property at 491 English Street is a C-Ranked property by the *Old East Heritage Conservation District Plan*.

1.3 Description

The existing building located at 491 English Street is a single storey, frame building (Appendix B). The building is vernacular. It is a side hall plan cottage with a rectangular footprint and a hipped roof. The building has three bays across its front façade, with the main entry door in the southern-most bay and one window in each of the northern two bays. A bay window projects from the south façade of the building. The front door does not appear to be original, and it is not clear if the existing windows are original. There appears to be two additions onto the original structure at its rear. The building is clad in vinyl siding. Physical evidence indicated that at least a portion of the building was clad in insul-brick, a shingle-like cladding which mimicked the appearance of masonry (see Appendix B).

The property at 491 English Street slopes up to the house from the street level at English Street. A short flight of concrete steps is located adjacent to the shared driveway which provides access to the properties at 489 English Street and 491 English Street.

1.4 Historical Research

Located within land owned by Noble English, the residential area of the Old East Heritage Conservation District was developed from the 1860s into the 1930s. The former Town of London East was annexed by the City of London in 1885. The first survey of the English estate for development was completed in 1856 and included the first five blocks from Adelaide Street North to Elizabeth Street, between Dundas Street and Elias Street. Following the death of Noble English in 1872, his family continued to survey the family’s estate into lots for development.

The subject property is located at Part Lots 9-10, Block I, Registered Plan 296 (May 8, 1872). Block I was established in the 1872 survey of the eastern part of the Noble English estate (Registered Plan 304, 1872). The *Map of the City of London and Suburbs* (1878) (a supplemental map to the *Illustrated Historical Atlas of the County of Middlesex*) shows the parcel fabric of Block I. No development is noted in this area in the *Bird’s Eye View of London* (1872); development is noted in this vicinity on the *Bird’s Eye View of London* (1893), however it does not provide any clarity or detail. Neither *Bird’s Eye View* nor the *Illustrated Historical Atlas* contain consistently reliable references as both maps were produced on a subscription-basis, but can be considered generally indicative.

Based on information available through City Directory research, the home at 491 English Street was constructed in about 1884 and first occupied by Joseph Sanders (1834-1919) (see Appendix C). Joseph Sanders was a veteran of the Crimean War, painter, shoemaker, and became the Secretary and Inspector of the Children’s Aid Society and Humane Society following his immigration to Canada in 1883 from England. He, his wife, and his family of two sons and three daughters, lived at the home at 491 English Street from about 1884 until at least 1910. *Title Children first: a historical review of the Children’s Aid Society of London and Middlesex, 1893-1992* (1992) outlines the work of Joseph Sanders for the Children’s Aid Society.

2.0 Legislative/Policy Framework

2.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement* (2014) 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.”

“Significant” means “resources that have been determined to have cultural heritage value or interest for the important contributions they make to our understanding of the history or a place, an event or a people” (*PPS* 2014). “Built heritage resource” means “a building, structure, monument, installation or any manufactured remnant that contributes to a

property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers' (PPS 2014). "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 under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments" (PPS 2014).

## **2.2 Ontario Heritage Act**

In requests for demolition and/or erection of a building located on a property located within a Heritage Conservation District, the *Ontario Heritage Act* enables municipalities to give the applicant:

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

Municipal Council must respond within 90 days after receipt of a demolition request and/or Heritage Alteration Permit application (Section 42(4), *Ontario Heritage Act*). Consultation with the municipality's municipal heritage committee (the London Advisory Committee on Heritage) is required (Section 42(4.1), *Ontario Heritage Act*). It is the Municipal Council's policy to consider demolition requests for heritage listed and designated properties with a public participation meeting held at the Planning & Environment Committee, with notice sent to property owners within 120m of the subject property. Non-decision within 90-days, the refusal, or terms and conditions on the approval of a demolition request may be appealed to the Ontario Municipal Board (OMB)/Local Planning Appeal Tribunal (LPAT).

Additionally, a permit (Heritage Alteration Permit) is required to make alterations to a property within a Heritage Conservation District. Per Section 41.1(5.e) of the *Ontario Heritage Act*, the Old East Heritage Conservation District Plan has defined new buildings as requiring Heritage Alteration Permit approval. Given the substantial nature of new buildings within a Heritage Conservation District, these Heritage Alteration Permit applications meet the Conditions for Referral defined within the Delegated Authority By-law (By-law No. C.P.-1502-129), thus requiring consultation with the London Advisory Committee on Heritage (LACH) and a decision by Municipal Council.

## **2.3 Official Plan/The London Plan**

Consistent with the PPS, there is an underlying preference by the *Official Plan* (1989 as amended) and *The London Plan* (approved 2016) policies that cultural heritage resources be conserved and protected, and that the removal of these resources is the least desirable course of action and should be discouraged.

Chapter 13, Heritage, of the *Official Plan* includes objectives which support the "protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community" (Section 13.1.i, *Official Plan*). Section 13.3.6 of the *Official Plan*, speaking generally to Heritage Conservation Districts, states that "the character of the District shall be maintained by encouraging the retention of existing structures and landscape features." The policies of our *Official Plan* discourage the demolition of existing buildings within our Heritage Conservation Districts.

## **2.4 Old East Heritage Conservation District Plan & Guidelines**

The Old East Heritage Conservation District was designated by By-law No. L.S.P.3383-111 and came into force and effect on September 10, 2006. The *Old East Heritage Conservation District Plan & Guidelines* provides policies and guidelines to help manage change for the nearly 1,000 properties located within its boundaries.

While the first goal of the *Old East Heritage Conservation District Plan & Guidelines* is to "encourage the retention and adaptation of heritage buildings rather than the demolition and replacement of those buildings," properties within the Old East Heritage Conservation District are rated on a scale of A-D; A-rated properties being the architectural and historical gems of the Old East Heritage Conservation District, and D-

rated properties being those that have limited or no contributions to the heritage character of the Old East Heritage Conservation District. The *Old East Heritage Conservation District Plan* states, “it is recognized that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate city policies” (Section 6.5, *Old East Heritage Conservation District Plan*).

Recognizing that change will occur, the *Old East Heritage Conservation District Plan & Guidelines* also provides policies and guidelines to ensure that new development is compatible with its heritage character. Section 4.4 of the *Old East Heritage Conservation District Plan* provides the following direction for new buildings:

- *Match setback, footprint, size, and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbours;*
- *Respond to unique conditions or location, such as corner properties;*
- *Use roof shapes and major design elements that are complementary to surrounding building and heritage patterns;*
- *Use materials and colours that represent the texture palette of the heritage area;*
- *Where appropriate, incorporate some of the details that were standard design elements in the principal facades of the properties in Old East London. Such details as transoms and sidelights at doors and windows, covered porches, divided light windows and decorative details to articulate plain and flat surfaces, add character that complement the original appearance of the neighbourhood, and add value to the individual property;*
- *Front drive garages are strongly discouraged. Garages should be detached and located in the rear yard wherever possible.*

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

#### **3.1 Demolition Request**

A demolition request for the existing building at 491 English Street was received on February 22, 2018 in concert with a Heritage Alteration Permit application for a proposed building. Per Section 42(4) of the *Ontario Heritage Act*, the 90-day timeline for the demolition request and Heritage Alteration Permit application will expire on May 23, 2018.

#### **3.2 Heritage Alteration Permit application**

Municipal Council has delegated approval of Heritage Alteration Permit applications that do not meet the “conditions for referral” defined in the Delegated Authority By-law (C.P.-1502-129) to the City Planner. As a proposed new building within a Heritage Conservation District, the Heritage Alteration Permit application for 491 English Street was determined to meet the “conditions for referral” thus requiring consultation with the London Advisory Committee on Heritage (LACH) before a decision on the Heritage Alteration Permit application by Municipal Council.

A Heritage Alteration Permit application was submitted by the property owner and received on February 23, 2017. The property owner has applied for a Heritage Alteration Permit to:

- Erect a new single unit, two storey building with the following details (see drawings in Appendix D):
  - Rectangular footprint, approximately 16.46m in length and 6.7m in width, set in line with adjacent buildings on English Street;
  - Frame, two storeys in height, with a basement;
  - Concrete foundation;
  - Asphalt-clad hipped roof with cross gables (north-south and east-west);
  - Tower feature at the northeast corner;
  - Clad in horizontal fiber cement board (“Hardie Board”) with end boards;
  - Upper storey of tower to be clad in fiber cement board shingles;
  - Single hung aluminium-clad wood windows with fiber cement trim;
  - A rounded arch window on the north and south facades set below a peak with finial, pendant, and decorative bracing;
  - Bay window with copper Mansard-style roof with metal cresting on the north

- facade; and,
- Painted wood entry porches on the east and west facades with wood balustrade with square spindles, wood floor and steps, plinths, colonnettes, and entablature to support an open porch on the second storey.

A site visit was undertaken by the Heritage Planner on February 16, 2018, in advance of the submission of the demolition request and Heritage Alteration Permit application for 491 English Street.

4.0 Analysis

4.1 Demolition Request

In general, the demolition of buildings within any of London’s Heritage Conservation Districts is discouraged. However, as noted in Section 6.5 of the *Old East Heritage Conservation District Plan*, there are situations where demolition may be an appropriate consideration such as partial destruction due to fire or other catastrophic event, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies. In these situations where consideration of a demolition request is appropriate, photographic documentation and reclamation is recommended.

Historical research did not identify any significant historical associations of the property or its occupants. See Appendix C for City Directory research for the occupants of 491 English Street.

The existing building at 491 English Street is a suitable candidate for demolition and replacement with a new building that is compatible with the Old East Heritage Conservation District. The Heritage Planner undertook photographic documentation of the property (see Appendix B). The site visit undertaken on February 16, 2018 did not identify any suitable materials for salvage, reclamation, or reuse.

4.2 Heritage Alteration Permit

Section 4.4 of the *Old East Heritage Conservation District Plan* identifies policies for the residential area and new development within the residential area. These policies are intended to ensure the conservation of the heritage character of Old East Heritage Conservation District. Those policies were used in the analysis of the proposed new building at 491 English Street.

The proposed building appears to take Queen Anne Revival stylistic references, which is compatible with the heritage character of the Old East Heritage Conservation District. The Queen Anne Revival style can be seen in the complicated massing and roof forms of the proposed building, as well as its refined level of detailing particularly found in the double porch, window trim, and combination of horizontal siding and shingle imbrication in the tower (see Appendix D).

Table 1: Analysis of the proposed building for 491 English Street using the policies of Section 4.4 (New Buildings) of the Old East Heritage Conservation District Plan.

Section 4.4: New Buildings	Analysis
Match setback, footprint, size, and massing patterns of the neighbourhood, particularly to the immediate adjacent neighbours.	<p>The footprint of the proposed building has been aligned to match the setback of the abutting buildings on English Street (see Appendix D – Site Plan). The tower component of the proposed building projects slightly, giving prominence to this feature.</p> <p>The existing building is smaller than many of its adjacent and nearby neighbours. The proposed building more closely matches the massing of adjacent and nearby properties as it is a two storey building.</p>



Section 4.4: New Buildings	Analysis
Respond to unique conditions or location, such as corner properties.	<p>This property abuts the former Lorne Avenue Public School property (723 Lorne Avenue). It is anticipated that this site will become a park in the future. As such, this is a high priority location for a proposed building that is compatible with the heritage character of the Old East Heritage Conservation District.</p> <p>The proposed building responds to this unique and high profile location with architectural details which emphasizes the corner, particularly with the tower detail. This ensures that the proposed building has visual and architectural interest on the facades with the greatest visibility from the public realm.</p>
Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.	<p>The roof of the proposed building is complex, which reflects the building's Queen Anne Revival styling. The roof is principally composed of a steeply pitched hipped roof (12:10) with north-south and east-west intersecting cross gables, and a corner tower. Hipped roofs and cross-gables are common in the Old East Heritage Conservation District.</p> <p>Towers are found in high-profile locations within the Old East Heritage Conservation District. For example, homes with corner towers can be found at 509 and 506 Ontario Street (intersection of Ontario Street and Lorne Avenue), as well as 503 Quebec Street.</p>
Use materials and colours that represent the texture and palette of the heritage area.	<p>The proposed use of fiber cement board as the primary cladding material is compatible with the heritage character of the Old East Heritage Conservation District.</p> <p>Details of the building, including the porch, are constructed of wood with a painted finish which is consistent with the texture and palette of the Old East Heritage Conservation District. The exterior doors should be wood as well.</p> <p>The application of undivided sash (hung) style aluminium-clad wood windows is appropriate within the context of the Old East Heritage Conservation District. The rounded arch window are compatible with the Queen Anne Revival style of the proposed building.</p> <p>Use of colours from the Old East Heritage Conservation District palette is recommended.</p>
Where appropriate, incorporate some of the details that were standard elements in the principal facades of the properties in Old East London.	<p>The proposed building utilizes design details found throughout the Old East Heritage Conservation District, particularly those of the Queen Anne Revival style. In particular, the proposed building includes: stained glass transom, emphatic window trim, double porch (upper and lower) with wood columns and balustrade, finials, and bay window.</p>
Front drive garages are strongly discouraged. Garages should be detached and located in the rear yard wherever possible.	<p>No front drive garage or parking is proposed. Parking is appropriately located at the rear of the proposed building, and will be accessed via a driveway at the south edge of the property (along its current alignment). Front yard parking should be prohibited.</p>

The proposed building for 491 English Street complies with the policies and guidelines of the *Old East Heritage Conservation District Plan & Guidelines*.

5.0 Conclusion

As a C-rated property within the Old East Heritage Conservation District, the existing building at 491 English Street is a suitable candidate for demolition and replacement. The design of the proposed building at 491 English Street, including its setback, footprint, size, massing patterns, and finishes and details are compliant with the goals and objectives of the *Old East HCD Plan* and should be approved.

Prepared by:	<div>Kyle Gonyou, CAHP</div> <div>Heritage Planner</div>
Submitted by:	<div>Jim Yanchula, MCIP RPP</div> <div>Manager, Urban Regeneration</div>
Recommended by:	<div>John M. Fleming, MCIP, RPP</div> <div>Managing Director, Planning and City Planner</div>

March 9, 2018  
KG/

\\FILE2\users-z\pdp\Shared\policy\HERITAGE\Heritage Alteration Permit Reports\English Street, 491\HAP18-009-L\HAP18-009-L PEC Demo 491English Street.docx

**Sources**  
City of London. Property file: 491 English Street.  
City Directory. Various years.  
*Old East Heritage Conservation District Plan & Guidelines.*  
McEachren, C. and Morris, P. *Title Children first: a historical review of the Children’s Aid Society of London and Middlesex, 1893-1992.* 1992.

Appendix A – Maps

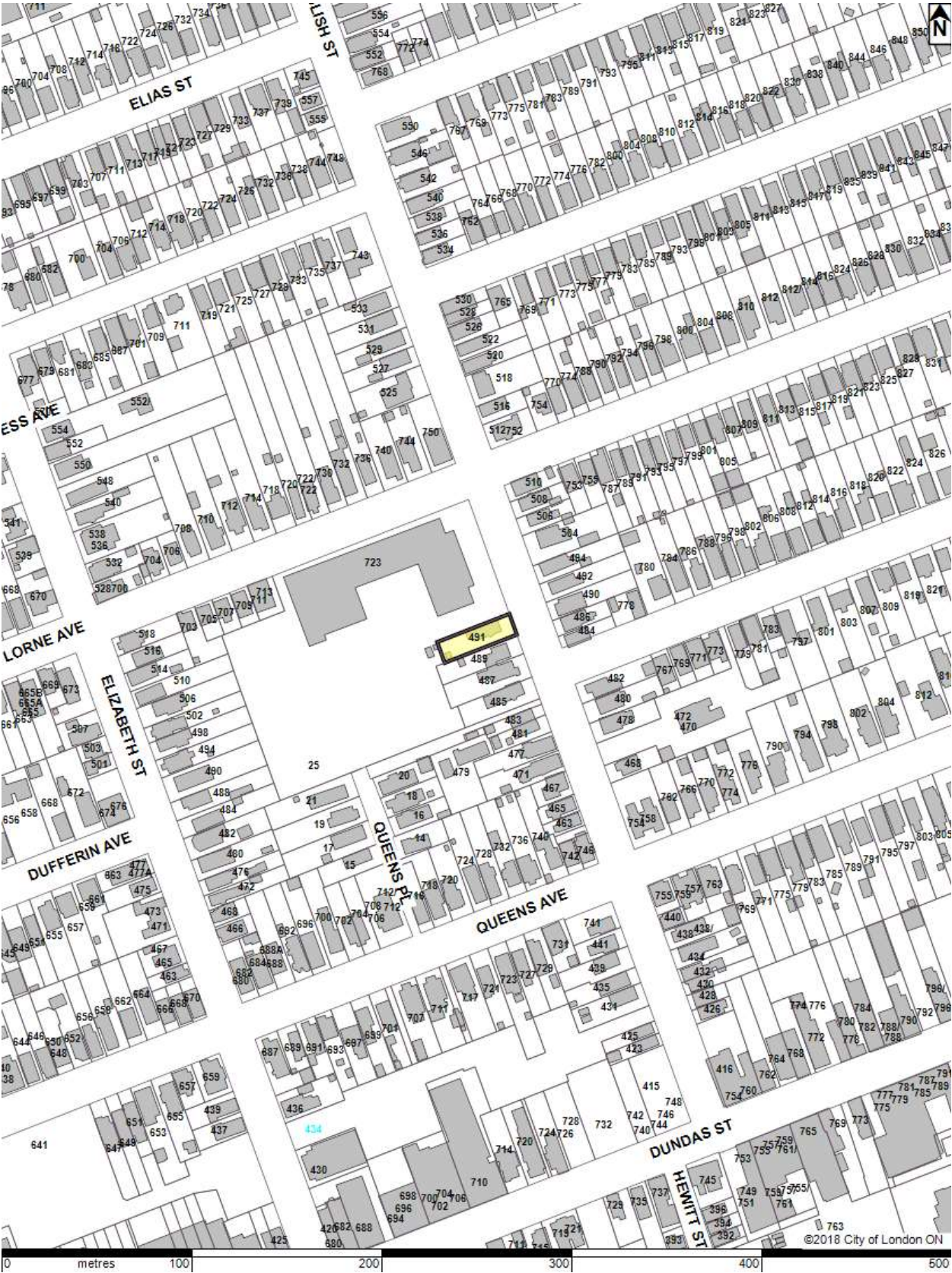


Figure 1: Property location of 491 English Street.



Appendix B – Images



*Image 1: View of front (east) façade of the building located at 491 English Street.*



*Image 2: View looking northwest of the property at 491 English Street. Note former Lorne Avenue Public School building at 723 Lorne Avenue in the background.*



Image 3: Detail of the front door of the building located at 491 English Street.



Image 4: Detail of the front windows of the building located at 491 English Street.





*Image 5: South façade of the building at 491 English Street, looking east.*

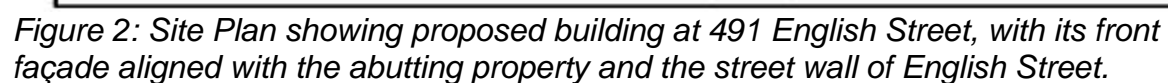


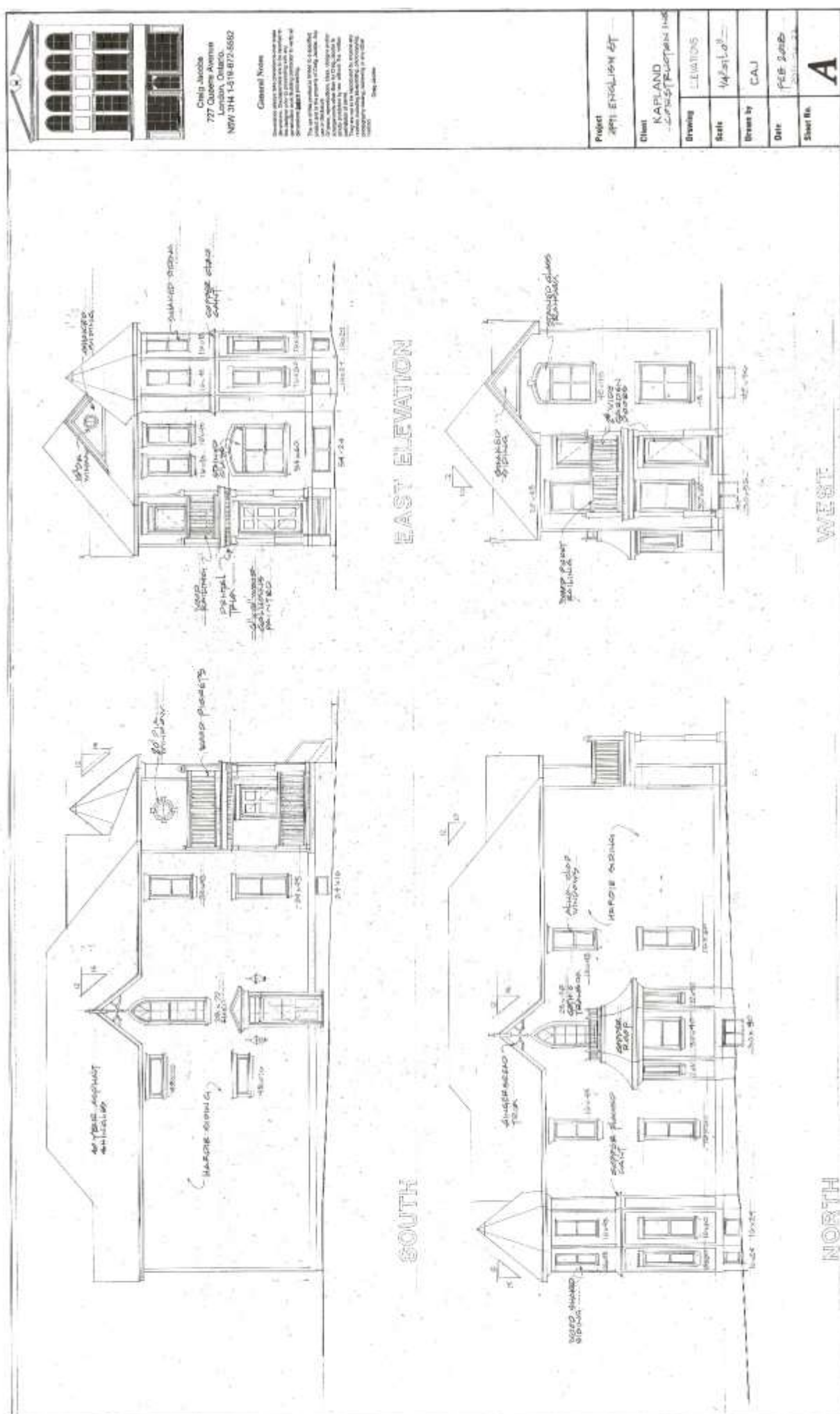
*Image 6: Detail showing insul-brick cladding underneath vinyl siding of building at 491 English Street.*

Appendix C – City Directory Information

City Directory information for 491 English Street:

Year	Name	Source
1875	Vacant	City Directory
1877	No residents listed	City Directory
1881-1882	One resident on west side of English Street north of Queens Avenue; no address listed	City Directory
1885	Joseph Sanders, shoemaker, “75 English Street”	City Directory (Alphabetical)
1886	Joseph Sanders (f), shoemaker, Caravilla (Boot & Shoemakers)	City Directory (Streets and Alphabetical)
1887	Joseph Sanders	City Directory
1888-1889	Joseph Sanders	City Directory
1890	Joseph Sanders, shoemaker	City Directory
1891	Joseph Sanders	City Directory
1892	Joseph Sanders	City Directory
1893	Joseph Sanders	City Directory
1894	Joseph Sanders	City Directory
1895	Joseph Sanders	City Directory
1896-1897	Joseph Sanders, Inspector, Humane Society	City Directory
1897-1898	Joseph Sanders	City Directory
1898-1899	Joseph Sanders	City Directory
1900	Joseph Sanders	City Directory
1901	Joseph Sanders, Secretary and Inspector, Unity Charity and Humane Society, Children’s Aid Society	City Directory
1909-1910	Joseph Sanders, Secretary and Inspector, Children’s Aid Society and Charity Organization, and Humane Society, office City Hall	City Directory (Streets and Alphabetical)
1915	H. W. McCarty, works McClary Manufacturing Co.	City Directory (Streets and Alphabetical)
1916	H. W. McCarty	City Directory
1919	John Warner, foreman, G. M. Reid & Co.	City Directory (Streets and Alphabetical)
1920	Hy Wilson, works C. S. Hyman & Co.	City Directory (Streets and Alphabetical)
1922	Hy Wilson, works C. S. Hyman & Co.	City Directory
1928	William A. Evans, carpenter, John Hayman & Sons	City Directory (Streets and Alphabetical)
1929	Mrs. A. L. Collver	City Directory
1934	Mrs. A. L. Collver	City Directory
1936	Mrs. A. L. Collver	City Directory
1937	C. E. Cooper	City Directory
1938	C. A. Cooper	City Directory
1943	C. Thompson	City Directory
1945	C. Thompson	City Directory
1955	Cameron C. & Pauline L. Thompson, butcher, Coleman Pkg.	City Directory (Streets and Alphabetical)
1960	C. Thompson	City Directory
1970	Pauline Thompson	City Directory
1981	Pauline Thompson	City Directory
1991	Paul Cartwright	City Directory
2000	J. Johnston	City Directory
2010	J. Johnston	City Directory





*Figure 3: Architectural drawings showing the façades of the proposed building at 491 English Street.*

**3RD REPORT OF THE  
ENVIRONMENTAL AND ECOLOGICAL PLANNING  
ADVISORY COMMITTEE**

Meeting held on February 15, 2018, commencing at 5:05 PM, in Committee Room #1 & #2, Second Floor, London City Hall.

**PRESENT:** S. Levin (Chair), E. Arellano, A. Boyer, C. Dyck, P. Ferguson, S. Hall, B. Krichker, C. Kushnir, K. Moser, N. St. Amour, S. Sivakumar, C. Therrien, R. Trudeau and I. Whiteside and H. Lysynski (Secretary).

**ABSENT:** E. Dusenge, C. Evans and S. Madhavji.

**ALSO PRESENT:** C. Creighton, J. MacKay, M. McKillop, A. Rameloo, J. Ramsay and A. Sones.

---

**I. CALL TO ORDER**

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

**II. SCHEDULED ITEMS**

2. Pollution Prevention and Control Plan

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the attached presentation from M. McKillop, Environmental Services Engineer, Wastewater and Drainage Engineering Division with respect to the Pollution Prevention and Control Plan.

3. Dingman Creek Subwatershed Environmental Assessment and Low Impact Development Stormwater Controls

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the attached presentation from A. Sones, Environmental Services Engineer, Stormwater Engineering Division, with respect to the Dingman Creek Subwatershed Environmental Assessment and Low Impact Development Stormwater Controls and reviewed and received a Notice of Project Commencement for the South London Wastewater Servicing Study, Municipal Class Environmental Assessment Master Plan from K. Oudekerk, Environmental Services Engineer, with respect to this matter.

4. Environmental Impact Study for London's Rapid Transit Project

That a Working Group consisting of S. Levin, B. Krichker, S. Sivakumar and C. Therrien BE ESTABLISHED to review the Environmental Impact Statement for the Rapid Transit Project; it being noted that the Environmental and Ecological Planning Advisory Committee received the attached presentation from J. Ramsay, Project Director, Rapid Transit and E. Fitzpatrick, WSP, with respect to this matter.

**III. CONSENT ITEMS**

5. 2nd Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on January 18, 2018, was received.



6. Municipal Council Resolution - 1st Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on January 16, 2018, with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee, was received.

#### **IV. SUB-COMMITTEES & WORKING GROUPS**

7. Issues for Investigation

That the attached Issues for Investigation Working Group comments BE APPROVED and BE INCORPORATED into the 2018 Environmental and Ecological Planning Advisory Committee's (EEPAC) Work Plan; it being noted that the EEPAC received the attached presentation from C. Therrien, with respect to research objectives and methods for pet interference in Environmentally Significant Areas (ESA), particularly the Medway Valley Heritage Forest ESA.

#### **V. ITEMS FOR DISCUSSION**

8. Workplan

That the following matters BE INCORPORATED into the 2018 Environmental and Ecological Planning Advisory Committee Work Plan:

- dogs off leash in Environmentally Significant Areas;
- the possible impacts of manufactured surfaces on trails; and,
- the creation of informal trails.

#### **VI. DEFERRED MATTERS/ADDITIONAL BUSINESS**

9. (ADDED) Green Standards for Light Pollution and Bird-Friendly Development

That the attached Green Standards for Light Pollution and Bird-Friendly Development brochure BE FORWARDED to Corporate Communications for approval.

#### **VII. ADJOURNMENT**

The meeting adjourned at 7:30 PM.

**NEXT MEETING DATE: March 15, 2018**

# Pollution Prevention and Control Plan

Environmental and Ecological Planning Advisory Committee  
February 15, 2018

[london.ca](http://london.ca)

## Pollution Prevention and Control Plan (PPCP)

- Overview
- Phases
- Mitigation Strategies
- Current Status

[london.ca](http://london.ca)

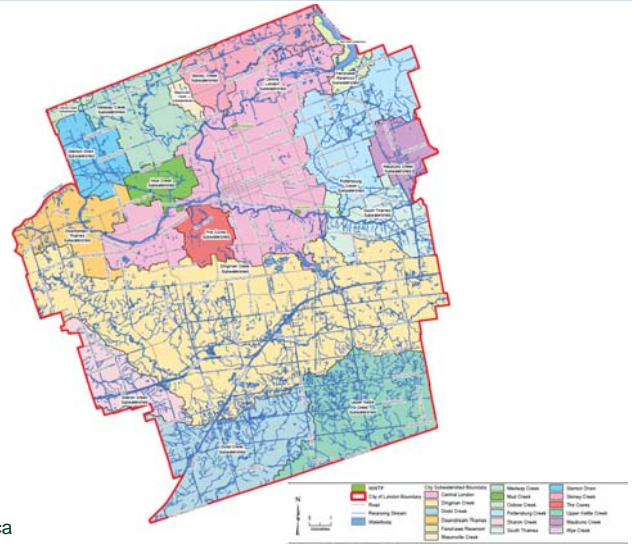
## PPCP Overview

- Long term strategy to identify, investigate, and reduce sewer system overflows (SSOs) in the City
- Initiated in 2012 in accordance with MOECC Procedure F-5-5
- Undertaken as a Master Plan in accordance with the Municipal Engineers Association Municipal Class Environmental Assessment
- Mission Statement:  
*The PPCP will provide the City of London with a road map for implementation of infrastructure improvement projects that will mitigate the impacts of wet weather system overflows on the Thames river and its tributaries, in alignment with the City's commitment to environmental stewardship and protection of water resources.*



Sanitary sewer manhole with overflow to storm sewer

[london.ca](http://london.ca)

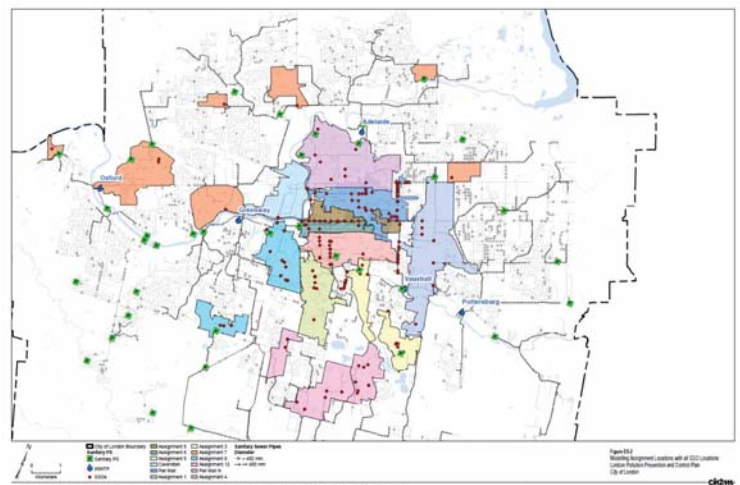


[london.ca](http://london.ca)

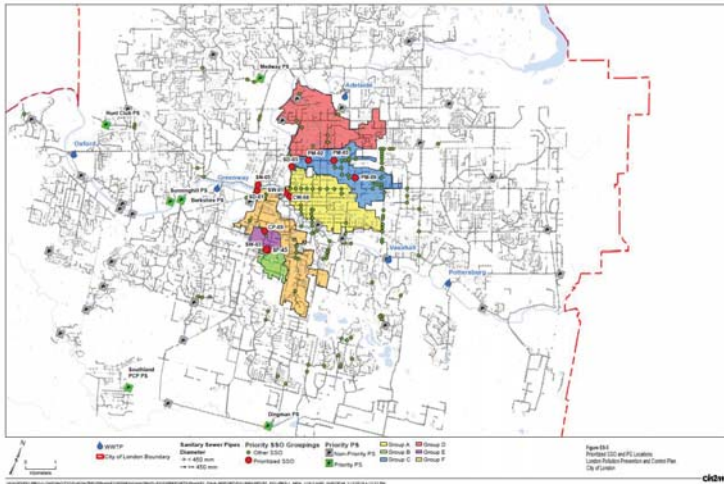
## PPCP Phases

- Focus: conveyance system including pumping stations
- Implemented in three phases:
  - Phase 1:
    - Develop an inventory of SSOs by sewershed
    - Assess available water quality data for the Thames River
  - Phase 2:
    - Complete benthic and water quality characterization of the Thames River
    - Characterize SSOs through 12 separate flow monitoring and hydraulic modelling assignments
    - Develop a priority list of SSOs based on:
      - Receiver water quality/level of impairment
      - Volume of overflow (for an average year)
    - Develop groups/families of related SSOs
  - Phase 3
    - Complete screening of prioritized SSO groups to identify preferred strategies for mitigation
    - Review alternatives strategies for prioritized SSO groups
    - Develop an implementation plan

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## PPCP – SSO Mitigation Strategies

- Source Control:
  - Best management practices to reduce wet weather flows from entering the sewer system (e.g. weeping tile disconnection)
- Conveyance and End-of-Pipe Controls:
  - Weir and overflow adjustments
  - Sewer separation
  - Real time flow control
  - Inline storage
  - Offline storage
  - Pumping station modifications and/or upgrades
  - High rate treatment

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## PPCP Current Status

- Phase 1:
  - Completed in 2014
- Phase 2:
  - Completed in early 2018
- Phase 3
  - Finalizing the report including the evaluation of alternative strategies for the prioritized overflows
  - To be completed in March 2018, including the implementation plan

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## Questions?

For more information:  
[www.london.ca/ppcp](http://www.london.ca/ppcp)

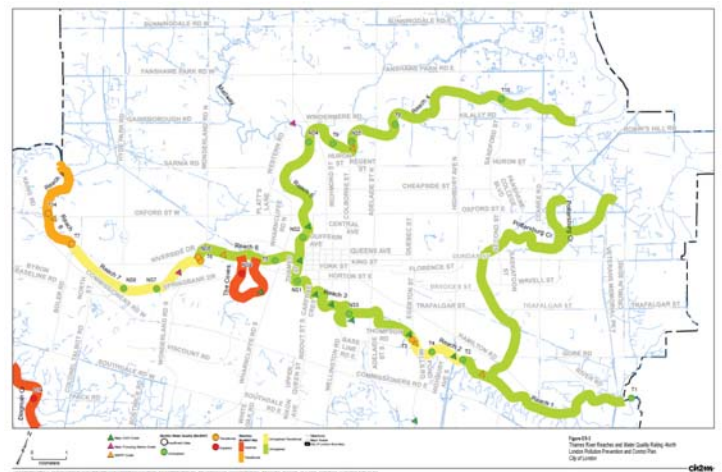
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Table ES-1. Priority SSOs and PIs

Group ID	SSO ID	Group Description	Typical Year Overflow Volume (m3)	BioMAP WQ Rating	Complies with F-5-5-90% Capture Rate (Y/N)
A	SW-01	King/River, York/Bidout	40251	Unimpaired	N
A	CW-04		2709	Unimpaired	Y
B	SP-45	Cathcart/Devonshire	146	Impaired	Y
B	SW-03		5	Impaired	Y
C	PM-02		10332	Unimpaired	N
C	PM-09	Pall Mall Relief System	7752	Unimpaired	N
C	SD-05		2531	Unimpaired	Y
C	PM-03		1397	Unimpaired	Y
D	SD-01	Cavendish	10070	Unimpaired	Y
E	CP-09	Edward/Tecumseh	325	Impaired	Y
F	SN-05	Evergreen/Riverview	3,337	Unimpaired	N
G	N/A	Berkshire PS	4667	Unimpaired - Transitional	N/A
H	N/A	Medway PS	1198	Unimpaired	N/A
I	N/A	Sunninghill PS	863	Unimpaired - Transitional	N/A
J	N/A	Hunt Club PS	343	Transitional	N/A
K	N/A	Dingman Creek PS	0	Impaired	N/A
L	N/A	Southland PS		Impaired	N/A

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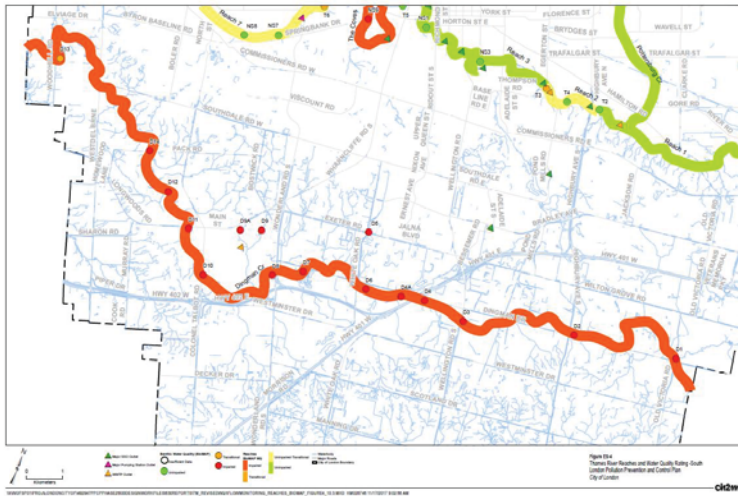


Table 8-2. Priority SSO Infrastructure Projects

Group ID	Group Description	SSO IDs	Infrastructure Project	Year
A	King/River, York/Ridout	SW-01, CW-04	Seven phases of sewer separation in the downcore, along York St. and King St. form the Thames River to Colborne St.	Commencing in 2018
D	Cavendish	SD-01	The planned construction of the new Cavendish Trunk in 2019 will replace the existing trunk with a larger capacity trunk. This new trunk would directly impact the overflow volume at SD-01. Additionally, any overflow from SSO SD-01 post construction will overflow to a storm sewer instead of directly to the Thames River, allowing any sanitary overflow to dilute before being discharged.	2019
F	Evergreen/Riverview	SN-05	The proposed Horton/Wharncliffe Sewer Realignment involves directing the flow at SN-05 along Riverview Avenue south instead of siphoning under the Thames River. Flows along Wharncliffe will also be diverted towards Horton, further reducing flows to SN-05. A new twin sanitary sewer along Horton Street would then convey the flows to the Greenway WWTP.	TBD

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Table 8-4. Priority PS Infrastructure Projects

Group ID	Priority PS	Infrastructure Project	Year
G	Berkshire PS	Planned adjustment to Westmount PS would allow flows from Westmount PS to toggle between Berkshire PS and Dingman PS and has the potential to remove 350 L/s of flow from Berkshire PS.	TBD
H	Medway PS	N/A	
I	Sunninghill PS	N/A	
J	Hunt Club PS	Flows to PS were reduced by redirecting Hyde Park PS out of the Hunt Club sewershed.	2016
K	Dingman PS	There is an EA being completed outside of the PPCP to investigate improvement alternatives for a new Dingman PS with increased capacity.	2017
L	Southland PS *	N/A	

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CH2M HILL CANADA LIMITED • COMPANY PROPRIETARY

B-5

#### SECTION 8 – SELECTION OF RECOMMENDED ALTERNATIVES

\* Southland PS was commissioned in early 2018.

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# DINGMAN CREEK SUBWATERSHED: STORMWATER SERVICING STRATEGY



FEBRUARY 15, 2018

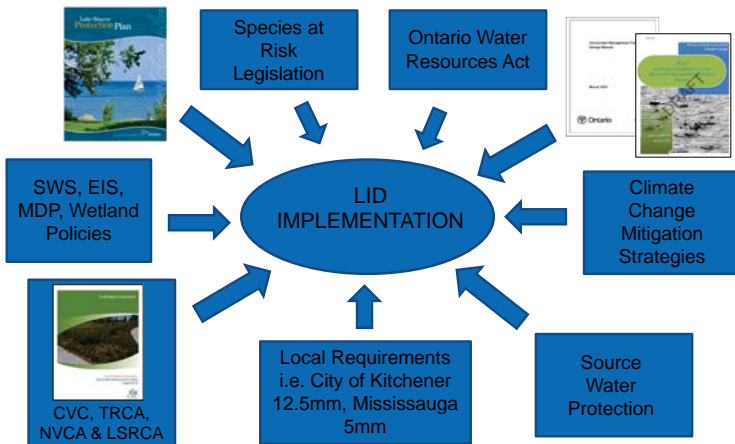


## AGENDA

1. Overview of new MOECC Low Impact Development Document
2. General Approach for LID
3. Discuss Preliminary Approach to Evaluating Management Strategies



## THE ONTARIO POLICY PUSH

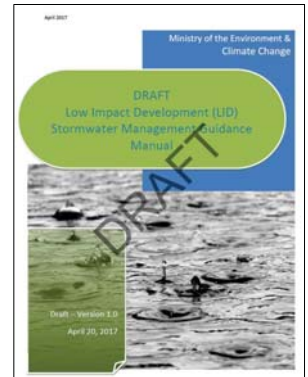


## GUIDELINES AND POLICES



### MOECC LID SWM Guidance Doc

- Volume control requirements for Ontario
- Model selection criteria
- Groundwater protection criteria
- Climate Change process
- Linked to other manuals:
  - Low Impact Development Planning and Design Manual (TRCA/CVC, 2010),
  - Grey to Green: LID Retrofit Guides (CVC as part of MOECC's SWI program) – (2014) CVC LID Construction Guide (v 1.0) – (2012) etc.



## WHAT IS LID?



**Simple, distributed and cost effective  
engineered landscaped features**

**Infiltrate, absorb, filter, evaporate and detain  
rainfall for re-use or release**

**Mimic natural systems**

**Treatment Train Approach**



## PRINCIPLES OF LID



**Rainwater is a resource**

**Treat stormwater as close to the source area  
as possible**

**Utilize and preserve existing natural systems**

**Focus on runoff prevention**

**Create multifunctional landscapes**

**Educate and maintain**





## RUNOFF VOLUME CONTROL TARGET (RVCT)

❖ The RVCT is not an 'infiltration target' .....  
.....it is a 'control target'

❖ **Key Principle: Treatment Train from 1991-2003 MOECC Manuals**

- Infiltration
- Evapotranspiration
- Re-use
- Filtration
- Detention
- Mechanical Treatment  
(i.e. hydro-dynamic separation)



Source: Team-creativity.com

7

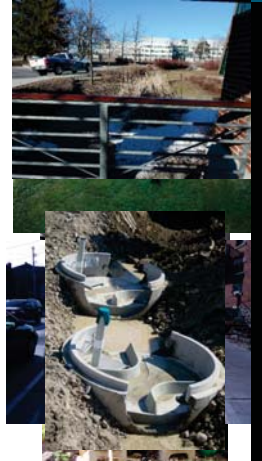
## MANDATORY CONTROL HIERARCHY

**Better Site Design** (reduced land clearing, preserve natural systems etc.) & Pollution Prevention

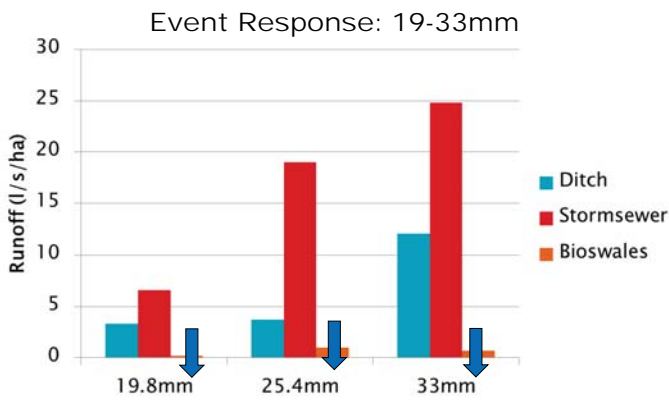
**Priority 1 (Retention)** – infiltration, evapotranspiration and or re-use. The volume does not become runoff.

**Priority 2 (LID Volume Capture and Release)** –utilize LID filtration. The controlled volume is filtered and released to the municipal sewer networks or surface waters at a reduced rate and volume (a portion may be infiltrated or evapotranspirated).

**Priority 3 (Other Volume Detention and Release)** – Other technologies which utilize filtration, hydrodynamic separation and or sedimentation (to detain and treat runoff. The controlled volume is treated and released to the municipal sewer networks or surface waters at a reduced rate.

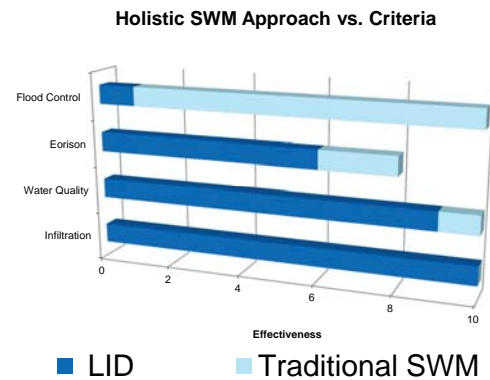


## WHY LID?



Mississauga, Ontario

## WHY LID?



■ LID

■ Traditional SWM

## WHY LID?

Water Quality

Influent



Effluent

Mississauga, Ontario

## LID Options by Landuse

## KEY PRINCIPLES

- ❖ City of London would like to be a 'practical partner' with the development industry to move towards LID in conformance with the pending MOECC direction
- ❖ Simple and cost effective approaches are being proposed
  - Better site design
  - Material substitutions
- ❖ Foster and support innovation
- ❖ Shared risk model – City and Developers

## LIDS - SINGLE FAMILY RESIDENTIAL

### Recommended LID Approaches

- ❖ Private property
  - Soil Amendments
- ❖ Municipal Property:
  - 3<sup>rd</sup> Pipe
  - Perforated pipe systems
  - Grassed Swale Perforated Pipe Systems (GSPP)



## SOIL AMENDMENTS

Waterridge Village – Ottawa, ON



## SOIL AMENDMENTS

### Proposed LIDs

- ❖ Soil Amendments on all single-family residential and townhomes



## PERFORATED PIPES

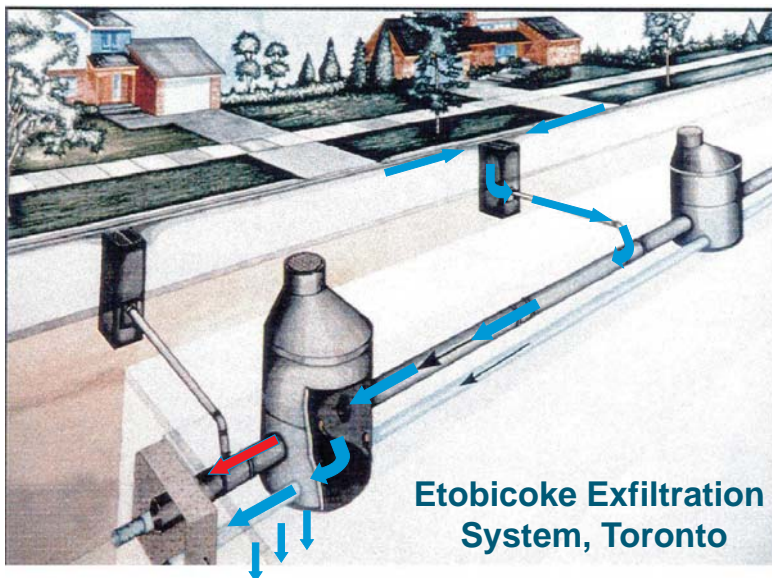
- ❖ Perforated pipe systems can be thought of as long infiltration trenches or linear soakaways that are designed for both conveyance and infiltration of stormwater runoff.
- ❖ They are composed of perforated pipes installed in gently sloping granular stone beds that are lined with geotextile fabric that allow infiltration of runoff into the gravel bed and underlying native soil while it is being conveyed from source areas or other BMPs to an end-of-pipe facility or receiving waterbody



## HOGG'S HOLLOW PERFORATED PIPE SYSTEM







## LIDS - MULTI-FAMILY (MED DENSITY)

### ❖ Condominium properties

- O&M is the responsibility of the Condo

### ❖ Recommended LID Approaches

- Soil Amendments
- Perforated Pipe Systems
- Permeable Pavements
- Bioretention & Bioswales
- Enhanced Swales
- Soakaway Pits, Infiltration Trenches and Chambers



## PERMEABLE PAVEMENTS



## BIORETENTION



## SOAKAWAYS, INFILTRATION TRENCHES & CHAMBERS

- ❖ Soakaways are rectangular or circular excavations lined with geotextile fabric and filled with clean granular stone or other void forming material, that receive runoff from a perforated pipe inlet and allow it to infiltrate into the native soil
- ❖ Can also provide a conveyance and or storage function



## LIDS - MULTI-FAMILY (HIGH DENSITY)

### ❖ Condominium properties

- O&M is the responsibility of the Condo

### ❖ Recommended LID Approaches

- Soil Amendments
- Perforated Pipe Systems
- Permeable Pavements
- Enhanced Swales
- Bioretention & Bioswales
- Soakaway Pits, Infiltration Trenches and Chambers
- Green Roofs
- Rainwater Harvesting





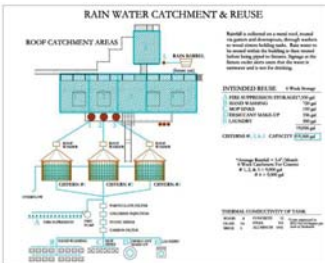
## BIORETENTION & BIOSWALES



## GREEN ROOFS



## RAINWATER HARVESTING (RWH)



## LIDS - ICI

### ❖ Recommended LID Approaches

- Soil Amendments
- Perforated Pipe Systems
- Permeable Pavements
- Enhanced Swales
- Bioretention & Bioswales
- Soakaway Pits, Infiltration Trenches and Chambers
- Green Roofs
- Rainwater Harvesting
- etc

## COMMERCIAL

### ❖ IMAX VIDEO



## SCHOOLS AND UNIVERSITIES



## REVIEW OF ALTERNATIVE SUBWATERSHED STRATEGIES PRESENTED AT LAST MEETING



### Subwatershed Management Strategies:

1. Do Nothing
2. Traditional SWM Strategy (end-of-pipe only)
3. Low Impact Development (LID) Strategy
4. Combined Traditional & LID
5. Integrated Dingman Creek Corridor

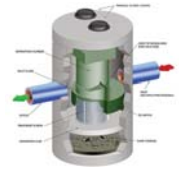
(examples of each on the following slides)

## SUBWATERSHED MANAGEMENT STRATEGY 2: TRADITIONAL STORMWATER MANAGEMENT OPTIONS



### Traditional end-of-pipe options:

- Wet pond
- Dry pond
- Constructed wetland
- Oil-grit separator



Recall: Traditional conveyance control SWM options are not proposed.



## SUBWATERSHED MANAGEMENT STRATEGY 3: LOW IMPACT DEVELOPMENT (LID) STORMWATER MANAGEMENT OPTIONS



### ❖ Source Control Options:

- Bioretention
- Rainwater Harvesting
- Permeable Pavement
- Infiltration Galleries



### ❖ Conveyance Control Options:

- Grassed swales
- Bioswales
- Perforated pipe / exfiltration systems
- Permeable pavement



## SUBWATERSHED MANAGEMENT STRATEGY 4: COMBINED TRADITIONAL & LID STORMWATER MANAGEMENT OPTIONS



### ❖ End-of-Pipe and Conveyance Control Options (select examples):

- Wet Pond
- Dry Pond
- Bioretention
- Grassed swales
- Bioswales
- Permeable pavement



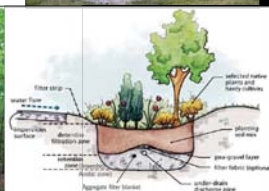
## SUBWATERSHED MANAGEMENT STRATEGY 5: INTEGRATED DINGMAN CREEK CORRIDOR



### Primary goal:

Integrate natural heritage, open space, recreational, and SWM opportunities into a continuous corridor while providing for the protection, maintenance, rehabilitation, and restoration of the corridor's ecological functions.

- ↳ Evaluate opportunities for the integration of SWM into NHS restoration areas and buffers.
- ↳ Unique opportunity for the City of London.



## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES



### Evaluation of Subwatershed Strategies based on the following categories:

1. Ability to meet targets
2. Natural Environment
3. Social
4. Economic
5. Implementation
6. Technical
7. Legislative

### Subwatershed Strategies:

1. Do Nothing
2. Traditional Strategy (end-of-pipe only)
3. Low Impact Development (LID) Strategy
4. Combined Traditional & LID
5. Integrated Dingman Creek Corridor



## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES



### Evaluation Criteria: **Relative Weighting:**

1. Ability to meet targets	30%
2. Environmental	12%
3. Social	12%
4. Economic	12%
5. Implementation	12%
6. Technical	12%
7. Legislative	10%
<b>Total: 100%</b>	

**Note:**  
Proposed scoring system  
will differ between that of  
EC #1 and ECs #2-7.

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Detailed Evaluation Criteria:

#### 1. Ability to Meet Targets:

- H1 – Minimize flood risk
- H2 – Re-establish hydrologic cycle
- H3 – Natural channel stability
- H4 – Protect/support aquatic communities
- H5 – Surface water withdrawals
- H6 – Support terrestrial communities

- WQ1 – Support human/wildlife uses
- WQ2 – Prevent algal growth
- WQ3 – Protect groundwater quality
- WQ4 – Support aquatic communities
- A1 – Healthy aquatic communities
- T1 – Protect/restore/enhance terrestrial resources
- T2 – Protect/restore/enhance watershed ecosystem

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Scoring for Evaluation Criterion #1 (Ability to meet targets):

THE SCORING SYSTEM	
Score	Condition
0	SS results in level worse than existing conditions
2	SS results in level same as existing conditions
3	↓
5	SS results in level mid-way between existing conditions and target
7	↓
10	SS results in level that meets target

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES



### Evaluation Criteria #1: Ability to Meet Targets

#### Example:

#### Objective H1 – Minimize Flood Risk

Flow target: Maintain existing peak flows ( $Q_{100} = 73 \text{ m}^3/\text{s}$  at Highway 401)

Target	Condition Resulting from Subwatershed Strategies				
	1: Do Nothing	2: Traditional SWM	3: LID	4: Traditional SWM + LID	5: Dingman Integrated Corridor
Maintain existing peak flows ( $Q_{100} = 73 \text{ m}^3/\text{s}$ )	$Q_{100} = 110 \text{ m}^3/\text{s}$	$Q_{100} = 95 \text{ m}^3/\text{s}$	$Q_{100} = 90 \text{ m}^3/\text{s}$	$Q_{100} = 70 \text{ m}^3/\text{s}$	$Q_{100} = 70 \text{ m}^3/\text{s}$
<b>Score:</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>8</b>

0 = worse than existing conditions, 10 = meets target

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES



### Evaluation Criterion 1: Ability to Meet Targets

Objectives	Targets	Condition Resulting from Subwatershed Strategies				
		1: Do Nothing	2: Traditional SWM	3: LID	4: Traditional SWM + LID	5: Dingman Integrated Corridor
H1: Minimize Flood Risk	Maintain existing peak flows ( $Q_{100} = 73 \text{ m}^3/\text{s}$ )	$Q_{100} = 110 \text{ m}^3/\text{s}$ Score: 0	$Q_{100} = 95 \text{ m}^3/\text{s}$ Score: 0	$Q_{100} = 90 \text{ m}^3/\text{s}$ Score: 0	$Q_{100} = 70 \text{ m}^3/\text{s}$ Score: 8	$Q_{100} = 70 \text{ m}^3/\text{s}$ Score: 8
H2: Re-establish Natural Hydrologic Cycle	<ul style="list-style-type: none"> <li><math>Q_{\text{peak}} / Q_{\text{baseflow}} = 24</math></li> <li><math>Q_{\text{bankfull}} / Q_{\text{baseflow}} = 8</math></li> </ul>	<ul style="list-style-type: none"> <li><math>Q_{\text{peak}} / Q_{\text{baseflow}} =</math></li> <li><math>Q_{\text{bankfull}} / Q_{\text{baseflow}} =</math></li> </ul> Score:	<ul style="list-style-type: none"> <li><math>Q_{\text{peak}} / Q_{\text{baseflow}} =</math></li> <li><math>Q_{\text{bankfull}} / Q_{\text{baseflow}} =</math></li> </ul> Score:	<ul style="list-style-type: none"> <li><math>Q_{\text{peak}} / Q_{\text{baseflow}} =</math></li> <li><math>Q_{\text{bankfull}} / Q_{\text{baseflow}} =</math></li> </ul> Score:	<ul style="list-style-type: none"> <li><math>Q_{\text{peak}} / Q_{\text{baseflow}} =</math></li> <li><math>Q_{\text{bankfull}} / Q_{\text{baseflow}} =</math></li> </ul> Score:	<ul style="list-style-type: none"> <li><math>Q_{\text{peak}} / Q_{\text{baseflow}} =</math></li> <li><math>Q_{\text{bankfull}} / Q_{\text{baseflow}} =</math></li> </ul> Score:
	Infiltration: 105 to 182 mm/year	125 mm/year Score:	90 mm/year Score:	130 mm/year Score:	165 mm/year Score:	180 mm/year Score:
H3: Ensure Natural Channel Stability and Protect Against Erosion and Sedimentation	Critical shear stress (CSS) below current level of # hrs/year	CCS= # hrs/year Score:	CCS= # hrs/year Score:	CCS= # hrs/year Score:	CCS= # hrs/year Score:	CCS= # hrs/year Score:
<b>Total Score:</b>		<b>#</b>	<b>#</b>	<b>#</b>	<b>#</b>	<b>#</b>

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Detailed Evaluation Criteria:

#### 2. Natural Environment:

- Water quality
- Flooding
- Erosion
- Water balance
- Terrestrial natural heritage
- Aquatic natural heritage
- Corridors
- Potential Naturalization Areas

#### 3. Economic:

- Capital cost
- O & M costs
- Land requirements
- Property values

#### 4. Social:

- Existing landuses
- Aesthetics
- Benefit to community
- Public acceptance

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Detailed Evaluation Criteria:

#### 5. Implementation

- Landowner participation
- Land acquisition

#### 6: Technical

- Feasibility

#### 7. Legislative

- City of London: London Plan
- UTRCA regs.
- MNRF
- MOECC
- DFO
- Etc.

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Scoring for Evaluation Criteria 2 – 7:

#### Score

#### Condition

- | Score | Condition   |
|-------|---|
| 0     | Subwatershed Strategy (SS) results in worse than existing conditions (i.e. negative impact) |
| 1     | SS results in level same as existing conditions   |
| 2     | SS results in minor improvement   |
| 3     | SS results in moderate improvement  |
| 4     | SS results in significant improvement   |

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Scoring for Evaluation Criteria 2 – 7:

Evaluation Criteria	Subwatershed Strategies				
	1: Do Nothing	2: Traditional SWM	3: LID	4: Traditional SWM + LID	5: Dingman Integrated Corridor
2: Natural Environment		2			
3: Social		2			
4: Economic		1			
5: Implementation		1			
6: Technical		1			
7: Legislative		2			
<b>Score:</b>		<b>9</b>			

0 = worse than existing conditions, 4 = significant improvement

## PRELIMINARY APPROACH TO EVALUATING ALTERNATIVE SUBWATERSHED STRATEGIES (CONT'D..)



### Recap:

#### 5 Subwatershed Strategies:

- Do Nothing
- Traditional SWM Strategy (end-of-pipe only)
- Low Impact Development (LID) Strategy
- Combined Traditional & LID
- Integrated Dingman Creek Corridor



#### Previously developed preliminary Targets (under objectives H1, H2, H3, etc.) will be discussed with City of London and UTRCA prior to being finalized.

#### 7 Evaluation Criteria:

- EC #1 (Ability to Meet Targets) score scaled from 0-10; weighted at 30%.
- ECs #2-7 score scaled from 0-4; collectively weighted at 70%.

## QUESTIONS?



Thank you for your participation and feedback!



# Environmental Impact Study

February 15, 2018

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## Introduction



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## Public Information Centre #5



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## What's next for TPAP

- Compile feedback from December and January engagement events.
- Refine designs and evaluate options to identify technical preferred design
- Present preferred Preliminary Design to public and stakeholders
- Bring forward draft Environmental Project Report to Council
- Initiate formal TPAP process with additional consultation opportunities.

We Are  
Here



## Today's Presentation



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## Presentation Overview



1. Background
2. Policy Context
3. Study Area
4. Infrastructure, potential impacts, mitigation and net effects
5. Net Environmental Gains Summary
6. Questions

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## Background

- SLSR published February 2017
- EIS Scoping Meeting April 2017
- 2017 Field Work
  - Route changes and additions
    - Western University
    - Site 7 – Park and Ride
  - Passive mussel searches
  - ELC refinement
  - Chimney Swift, Barn Swallow and Cliff Swallow



Monarch Caterpillar

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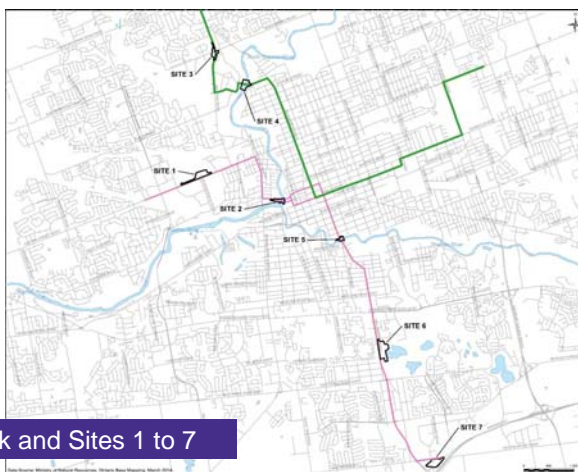
## Policy Context



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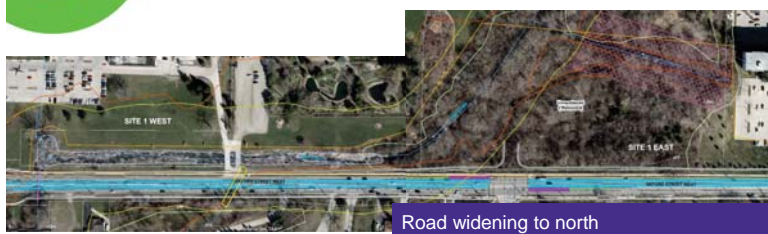


## Study Area



BRT Network and Sites 1 to 7

### Site 1: Mud Creek Crossing at Oxford Street West



Road widening to north

#### Natural Heritage System:

- significant valleyland
- significant woodlands
- unevaluated, unmapped wetlands
- habitat for endangered and threatened species
- fish habitat
- significant wildlife habitat

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### Site 1: Mud Creek Crossing at Oxford Street West



Road widening to north

- Mud Creek Subwatershed Environmental Assessment and land development projects
  - channel realignment, new culvert, enhancement of valley
- RT works to follow

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### Site 2: North Thames Crossing at Queens Ave and Riverside Drive



Widening Queens Avenue bridge to north

#### Natural Heritage System

- significant valleyland
- habitat for endangered or threatened species
- fish habitat
- significant wildlife habitat

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## Site 2: North Thames Crossing at Queens Ave and Riverside Drive



Widening Queens Avenue bridge to north

- In-water works are not anticipated
- Avoidance of direct impacts to natural heritage features, including SAR and their habitat

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## Site 3: Medway Creek Crossing at Western Road



Bridge widening to east

### Natural Heritage System

- Medway Valley Heritage Forest ESA
- significant valleyland
- significant woodlands
- habitat for endangered or threatened species
- fish habitat
- significant wildlife habitat

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## Site 3: Medway Creek Crossing at Western Road

- Avoidance of ESA and significant woodlands
- Endangered Species Act considerations (Overall Benefit Permit)
- Compensatory mitigation
  - Invasive species management strategy
  - Enhancement of existing features



Bridge widening to east

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## Site 4: North Thames Crossing at University Drive



Structural requirements under review

### Natural Heritage System

- significant valleyland
- significant woodlands
- habitat for endangered or threatened species
- fish habitat
- significant wildlife habitat

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## Site 4: North Thames Crossing at University Drive



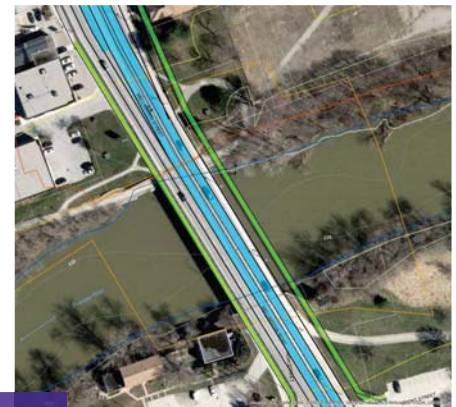
Structural requirements under review

- Endangered Species Act considerations
- Opportunity for nominal improvement in hydraulic capacity
- Compensatory mitigation
  - > 1:1 habitat replacement
  - Invasive species management strategy

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## Site 5: Thames River Crossing at Wellington Road



### Natural Heritage System

- significant valleyland
- significant woodlands
- habitat for endangered or threatened species (federal and provincial)
- fish habitat
- significant wildlife habitat

Bridge widening to east

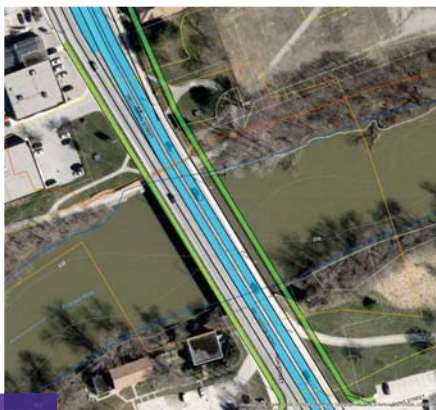
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## Site 5: Thames River Crossing at Wellington Road

- Endangered Species Act (provincial) and SARA (federal) considerations
- Compensatory mitigation
  - > 1:1 habitat replacement
  - Invasive species management strategy



Bridge widening to east

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## Site 6: Westminster Ponds East of Wellington Road

### Natural Heritage System

- ESA / ANSI
- provincially significant wetland
- significant wildlife habitat



Road widening and grading to east

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## Site 6: Westminster Ponds East of Wellington Road

- Footprint reduction
- Compensatory mitigation
  - > 1:1 habitat replacement
  - Invasive species management
  - Habitat enhancement with plantings



Road widening and grading to east

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## Site 7: Park and Ride at Exeter Road

Park and Ride Lot under consideration



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### Natural Heritage System:

- significant valleyland
- fish habitat
- unevaluated, unmapped wetland
- Habitat for endangered or threatened species
- Significant wildlife habitat

## Site 7: Park and Ride at Exeter Road

Park and Ride Lot under consideration



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- Avoidance of natural vegetation communities and SAR habitat
- Hydraulic modelling to assess possibility of reducing floodplain by re-sizing Wellington Road culvert

## Rapid Transit Corridor



Kentucky Coffeetree

- SAR Trees
  - Kentucky Coffeetree
  - Butternut
- Chimney Swift
- Significant Wildlife Habitat (rare vegetation community)
- Street trees

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## Net Environmental Gains Summary

- Reduction in greenhouse gases
- Concentrated development reduces urban sprawl
- Use of existing roadways - no further habitat fragmentation
- Modification to existing in-water features, no new
- Potential to improve flood capacity
- Low Impact Development (LID) features
- Invasive species management (*Phragmites*, Glossy and European Buckthorn, etc.)
- Habitat enhancement and overall benefit for Species at Risk
- Tree replacement and enhancement planting
- Monitoring plans

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25

## Questions?

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26

## Rare Vegetation Community: FODM6-2



### Provincially Rare Vegetation Community:

- FODM6-2: Fresh-Moist Sugar Maple-Black Maple Deciduous Forest within 50 m of Route
- listed as 'S3?' denoting uncertainty regarding its status as Vulnerable within the province

Lambton Drive, Western University

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2

## Possible Permits and Approvals

### UTRCA

- permits under O.Reg. 157/06 at each site

### DFO

- Fisheries Act Authorizations if serious harm to fish or fish habitat (Sites 3, 4 and 5)
- SARA permits (critical habitat at Site 5)

### MNRF

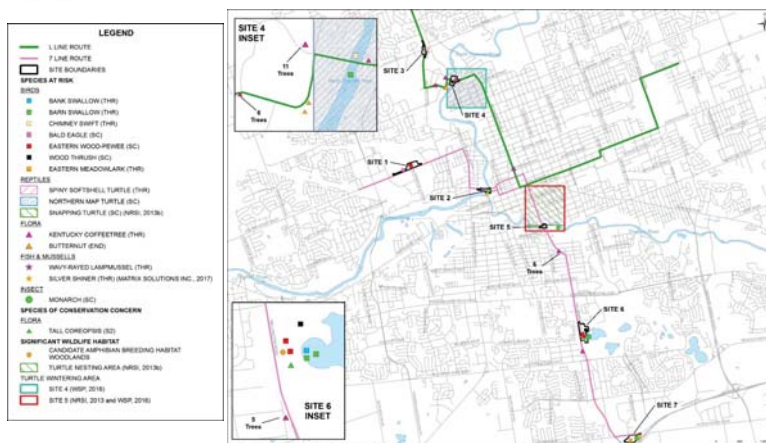
- Letter of Advice or Overall Benefit Permit under Endangered Species Act (Sites 2, 3, 4 and 5)
- New or modified Licence of Occupation under the Public Lands Act at Sites 2, 3, 4 and 5

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2

## Species at Risk – Field Observations





# GREEN STANDARDS FOR LIGHT POLLUTION & BIRD-FRIENDLY DEVELOPMENT

## Recommendations for the City of London

Prepared by the Ecological and Environmental Advisory Committee (EEPAC), the Advisory Committee on the Environment (ACE), & the Animal Welfare Advisory Committee (AWAC)

Third Draft

February 2018

### TABLE OF CONTENTS

1. DEFINITIONS	1	6. BIRD-FRIENDLY DESIGN	9-11
2. PURPOSE AND JUSTIFICATION	2	6.1 Visual Markers	9
2.1 Environmental Impacts	2	6.2 Glass Treatment	10
2.2 Carbon Footprint and Cost	2	6.3 Muting Reflections Options	11
3. GENERAL INFORMATION	3	6.4 External Lighting	11
3.1 Light Pollution	3	6.5 Interior Lighting	11
3.2 Bird-Friendly Design	3	7. REFERENCES	12
4. LIGHTING DESIGN CRITERIA	4-7	8. CONTRIBUTORS	13
4.1 Hours of Operation	4		
4.2 Universal Outdoor Light Fixture Requirements	4		
4.3 Residential	5		
4.4 Non-Residential	5		
4.5 Specific Use Design Considerations and Lumen Allowance Additions	6		
4.5.1 Entertainment Venues and Events	6		
4.5.2 Parking Lots and Garages	6		
4.5.3 Outdoor Sales Lots	6		
4.5.4 Service Stations and Gas Stations	7		
4.5.5 Sports Recreational Fields	7		
4.5.6 Architectural and Vanity Lighting	7		
4.5.7 Security Lighting	7		
4.5.8 Other	7		
5. EXEMPTIONS	8		
5.1 Grandfathered Lighting	8		
5.2 General Exemptions	8		
5.3 Temporary Exemptions	8		

Light pollution in London, Ontario. From [www.lightpollutionmap.info](http://www.lightpollutionmap.info)

## I. DEFINITIONS

Definitions were derived from pre-existing standard documents of other municipalities within Ontario<sup>1-5</sup>. For the purpose of this document, terms shall be defined as follows:

- Architectural lighting** - outdoor lighting to illuminate landscaping features (e.g. trees, stones, or water), building facades, etc. (excepting signage)
- Automatic timing device** - any device which controls light fixtures to automatically turn on and off at designed times
- City** - the City of London, Ontario
- Council** - the elected municipal council of the City
- Curfew** - a time defined by the City when outdoor lighting must be reduced or switched off
- Cut-off shielding** - a luminaire having a light distribution in which zero lux intensity occurs at or above and angle of 90° nadir
- Decorative lighting** - see vanity lighting (below)
- Diode** - a device allowing one-directional flow of current
- Direct light** - light directly emitted from the installed light fixture or off of its internal reflector or luminaires
- Emergency conditions** - lighting that is only switched on during an emergency, exit paths during an emergency situation, or security lighting used solely during alarms
- Glare** - undue brightness from a light source. Light emitted from fixtures which diminish a bystander's ability to see and/or causes discomfort
- Grandfathered** - existing light fixtures which may be exempt from these recommendations (Section 6)
- Hardscape** - permanent human-made elements of an outdoor landscape design
- Horizontal illuminance** - Amount of light energy landing on a horizontal surface (e.g. the ground)
- IESNA** - Illuminating Engineering Society of North America or any successor organization
- Indirect light** - light which is scattered or reflected off of other surfaces
- Lamp** - any artificial source of light
- LED (Light Emitting Diodes)** - a popular modern type of lamp
- Light fixture** - a complete lamp assembly which includes lamp, housing, reflector, mounting bracket, and/or pole socket
- Light pollution** - any adverse consequence of artificial light including, but not limited to, glare, light trespass, sky glow, energy waste, compromised safety and security, and impacts on the nocturnal environment
- Light trespass** - any light which falls beyond the property it is intended to illuminate
- Lumen** - a measurement unit that quantifies the amount of light produced by a lamp or emitted from a luminaire (distinct from "watt", a measure of power consumption). Conversion to lux is possible
- Luminaire** - see Light fixture (above)

- Lux** - an international unit used to measure light intensity. Conversion to lumen is possible
- Official Plan** - the City of London and Planning Area's Official Plan, revised periodically
- Outdoor lighting** - any outdoor installed or portable luminaire used for flood lighting, general illumination, or advertisement
- Outdoor recreational facilities** - an outdoor space or venue used for sporting events or entertainment purposes within the city
- Over-illumination** - lighting of an area beyond that which human vision is able to differentiate
- Owner** - the registered owner according to the land registry office or the person in the actual occupation of the land sold to the Director in accordance with the *Veterans' Land Act* (Canada)
- Point illuminance** - Amount of light energy measured at a given point
- Shielded luminaire** - refers to luminaires with an adjustable mounting device allowing aim in any direction and contains a shield, baffle, or baffle to reduce direct view of lamp
- Sky glow** - any brightening of the nighttime sky caused by light directed and/or reflected upwards and/or sideways that reduces the ability to view the night sky
- Sufficient daylight** - adequate natural lighting such that exterior artificial lighting is not required (approximately 30 minutes after sunrise or 30 minutes prior to sunset)
- Vanity lighting** - lighting for the purpose of drawing attention. For example, lighting to illuminate landscaping features (e.g. trees, stones, or water), building facades, etc. (excluding signage)
- Ventilation grate** - street grates or grills which disperse air from structures under roadways and/or sidewalks to reduce heat gain in the summer and allow for passive heating in winter
- Visual markers** - a physical design visible within a bird's optical wavelength to indicate a barrier is present

London, Ontario downtown at night. Photograph by Joanna Kurekova

## 2. PURPOSE & JUSTIFICATION

The City of London plans to become one of the greenest cities in Canada by reducing its impacts on the environment and its carbon footprint (direction 4, The London Plan)<sup>1</sup>. Specifically, The London Plan contains the goals of minimizing bird strikes on buildings and reducing negative environmental impacts of light pollution<sup>1</sup>. In Canada, it is estimated that 25 million birds die annually from collisions with buildings<sup>22</sup>. The purpose of this document is to provide guideline recommendations for by-law development to achieve these goals. Many specifications in this document are derived from pre-existing guidelines of other Ontario municipalities<sup>23</sup>, as well as from the Illuminating Engineering Society of North America (IESNA).

### 2.1 Environmental Impacts

Light pollution impacts the behaviour and survival of birds, mammals, amphibians, fish, and arthropods, and diminishes ecological health both locally and nationally<sup>24</sup>. Specific threats to wildlife include disruption of movement and migration<sup>1-14</sup>, changes in communication and reproductive behaviours (e.g. songbird call times)<sup>25</sup>, shifts in species diversity, altered interactions among species<sup>16,17</sup>, disruption of foraging behaviour, and increased mortality<sup>18-21</sup>.

### 2.2 Carbon Footprint and Cost

Goals of the current London Community Energy Action Plan<sup>27</sup> include an 80% reduction in greenhouse emissions by 2050 and energy cost savings. Policy and design standards to reduce wasted lighting energy are crucial if the City of London is to achieve these goals. Reducing wasted energy is an easy way for the City of London to reduce its carbon footprint; total wasted light energy in the United States is estimated between 80 and 225 kg of CO<sub>2</sub> annually<sup>28</sup>. The negative economic impacts of light pollution on health, wildlife, and astronomy are estimated at \$7 billion each year in the United States<sup>19</sup>.

## 3. GENERAL INFORMATION

### 3.1 Light Pollution

The City of London's Advisory Committee on the Environment (ACE), Environmental and Ecological Protection Advisory Committee (EEPAC), and Animal Welfare Advisory Committee (AWAC) (or 'we the committees') collectively recognize that it is beneficial to protect dark skies through responsible city lighting policies. We the committees recognize that other Ontario municipalities have outdoor lighting ordinances to reduce glare and light intrusion while promoting energy conservation and healthy neighbourhoods.

Light pollution has been defined as "excessive or obtrusive artificial light caused by bad lighting design"<sup>29</sup>. Proper lighting design and illumination standards can reduce light pollution by<sup>30</sup>:

- Preventing lighting in specific areas
- Limiting lighting duration
- Reducing light trespass
- Reducing light intensity

### 3.2 Bird-Friendly Design

Bird-friendly design is critical for city-wide progressive green development standards. Designs to reduce bird mortality may be similar to light pollution reduction strategies, with further inclusion of non-reflective glass and ventilation grates. In accordance with The City of London's Humane Urban Wildlife Conflict Policy, the City of London can take the following measures to reduce bird fatalities:

- Placement of bird-friendly exterior light fixtures in conjunction with glass design elements
- Adoption of a migratory bird policy<sup>31</sup>
- Provision of a comprehensive list of design-based development strategy options to architects, planners, urban designers, building owners and managers, tenants, and homeowners that can be applied to new or existing buildings
- A campaign that promotes awareness of the dangers the urban environment poses to migrating birds such as the City of Toronto's "Lights Out Toronto" event
- Bird-friendly ventilation grates with a porosity no greater than 2 cm<sup>2</sup> or covered with netting to prevent injured birds from falling through
- If transparent noise barriers must be used, they shall have visual markers for birds to perceive and avoid them
- Eliminate reflective glass and mirrors from exterior landscape and building design. Birds are unable to distinguish between reflected and real habitat, which results in increased collision mortality

The night sky in Toronto, Ontario during a power outage in 2003 (left) and at night with power (right). Photograph by David Cohen

## 4. LIGHTING DESIGN CRITERIA

All general recommendations found in Section 4.1 are applicable to all newly installed lighting fixtures. Specific design details can be found in the following sections categorized by site usage type (residential, non-residential, special consideration sites). These recommendations and criteria are amalgamated from the design guideline recommendations of the Model Lighting Ordinance<sup>32</sup>, and various Ontario municipalities (e.g. Toronto, Burlington, and Richmond Hill).

### 4.1 Hours of Operation

Recommendations for luminaire and timing of lighting are intended to reduce or eliminate unnecessary light pollution. The IESNA and other documents typically use a light curfew to achieve this. The City of London's curfew begins **11 PM and ends 6 AM**.

- Facilities requiring a curfew adjustment (e.g. restaurants, bars, sports stadiums, hospitals) will be evaluated on a case-by-case basis. During curfew, outdoor lighting must adhere to Section 4.2, bullet 5 option A or B. All residential and non-residential areas, including illuminated signs, are subject to the curfew<sup>33</sup>. Some site uses may warrant a curfew extension (e.g. recreation or entertainment) (see Section 6, General Exemptions).

### 4.2 Universal Outdoor Light Fixture Requirements

The general recommendations laid out below apply to all properties and lots.

- All outdoor light fixture installations must use shielded or cut-off fixtures
- No installed light fixtures will emit light above 90° from a direct downward plane
- Light fixture mount/poles must have a non-reflective finish to reduce glare
- Maximum lumen levels for different light fixture heights must conform to Table 4.2
- All outdoor installed lighting (unless stated otherwise in Section 4.5) must incorporate one of the following:
  - An automatic switch (or automatic timing device) to extinguish all outdoor lighting curfew. These switches can include photoelectric, astronomic, programmable, or building automation systems. The switch must include a backup power device (battery or other).
  - Occupancy sensors/timers/motion sensors

- Light trespass at the property line will not exceed 11.6 lumens / ft<sup>2</sup> for commercial/industrial property boundaries or 5.8 lumens / ft<sup>2</sup> for residential property boundaries. In the case of a mixed residential/commercial boundary, the value for the residential shall take precedence
- Adjustable, or swivel fixtures, are prohibited
- Pole heights cannot exceed: **Height = Distance from pole to property line x 4** and should not exceed height of adjacent structures. Large parking lots and parking garages with >10 parking spaces are exempt from this recommendation. If a non-residential zone light fixture must be installed higher due to safety considerations, cut-off shielding greater than 90° must be installed
- Glare onto adjacent properties, roadways, and pedestrian thoroughways is prohibited. This may require the use of additional shielding
- All light sources (a.k.a bulbs, diodes) must be directed in such a way so that the light source is not directly visible from adjacent properties
- Openings in buildings which will contribute to light spillage must be blocked or shielded to transmit less than 10% light during the overnight hours (11 PM - 6 AM)
- The use of lasers, search lights, strobe lights, twinkle lights, or chasing lights are prohibited unless used for emergency services

Mounting Height Feet	Hours	Maximum Single Light Fixture Lumens
6	1.83	500 - 1000
8	2.44	600 - 1600
10	3.05	1000 - 2000
12	3.66	1600 - 2400

4. LIGHTING DESIGN CRITERIA

**4.3 Residential**

All residential zones (R1 through R11) must adhere to the requirements listed above. If the residential zone is combined with a non-residential zone, the property is strongly encouraged to meet both residential (Section 4.3) and non-residential (Section 4.4) guidelines. Residential guidelines are as follows:

- Maximum single fixture lumen allowance at a main entrance will not exceed 1,200 lumens.
- Maximum lumen allowance for each additional fixture (excluding main entrance, driveway/parking (Section 4.5.2), and motion sensed security lighting (Section 4.5.7), is 315 lumens/ fixture.
- In residential buildings with 5 or more stories, shielded directional fixtures with motion-sensors for security are not to exceed 1,200 lumens each.

Additional design criteria for specific types of sales or property uses (including parking lots and security lighting, which may be utilized for residential properties) are included in Section 4.5.

4.4 Non-Residential

For all non-residential sites, Table 4.4 must be followed. Site total lumen allowance will be determined by number of parking spaces (if site has fewer than 10) or total square footage of hardscape. These site lumens may be divided among all light fixtures on the property, so long as they adhere to the universal guidelines noted above (Section 4.2) and any specific site guidelines below. Some specific types of site usage (e.g. sale lots or service stations) will have additional design considerations or may receive additional lumen allowance (Section 4.5).

Table 4.4 Lumen Allowance					
Light Zone Code	City of London Property Zone Code(s)	Lumens / parking space (for sites <= 10 parking spaces)		Lumens / m² of hardscape (sites > 10 parking spaces)	
LZ-0	AG	ER	OS	350	0.5
	UR				
	C	OC	DC HER		
	OC	DC	RR		
LZ-1	T	TGS		490	1.25
	AC	GI	OF		
	ASA	HS	OR		
	BDC	LI	RSC		
LZ-2	CC	NF	NSA	630	2.5
	CF	CSA	OB		
	CR				
	DA	RF	SS		
LZ-3	EX	RSA		840	5
	HI	RT			

Values obtained from the IESNA. This table is intended for non-residential zones only.  
LZ0 - "Recommended default zone for wilderness areas, parks, and preserved, and undeveloped rural areas."  
LZ1 - "Recommended default zone for rural and low-density residential areas" (may include business parks).  
LZ2 - "Recommended default zone for light commercial business districts and high-density or mixed-use residential districts" (may include churches, schools, recreation facilities, light industrial zoning).  
LZ3 - "Recommended default zone for large cities' business district" (may include business zone districts, commercial mixed-use, and heavy industrial zones).



4. LIGHTING DESIGN CRITERIA

**4.5 Specific Use Design Considerations and Lumen Allowance Additions**

The following sections have been provided for specific-use zones and may be applicable to residential or non-residential areas.

**4.5.1 Entertainment Venues and Events**

Entertainment venues and specific events are to be evaluated individually on a case by case basis.

**4.5.2 Parking Lots and Garages**

Lighting in parking lots and garages are primarily for the safety of pedestrians. Parking structure lighting should be modulated so that they transition to match, but not exceed, adjacent roadway lighting levels at exits/entrances. All parking lots must adhere to maximum lumens at property line as described in Section 4.2.

In general, all parking lots shall have an average horizontal illuminance of no more than 25 lux with a maximum point illuminance not to exceed 40 lux. In the individualized case that a parking lot requires enhanced security due to the threat of vandalism or personal safety, the average horizontal illuminance and maximum point illuminance may be no greater than 75 lux.

These recommendations apply to any and all residential, institutional, customer, employee, or general use parking lots.

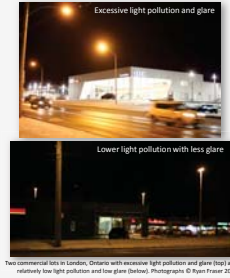
**4.5.3 Outdoor Sales Lots**

Sale lots are illuminated to draw attention to displayed products and/or for security purposes. The lighting requirements include a graduated illuminance level from the front row (between the roadway and the front row of merchandise) to the last row. In addition to the universal guidelines presented in Section 4.2, site maximum horizontal illuminance is not to exceed:

- 100 lux at the front row
- 50 lux at all other rows
- 20 lux at all pathways/drives on the property

In addition to the lumen allowance provided in Table 4.4, outdoor sales lots used exclusively for the sale of vehicles have an additional allowance of:  
LZ-1, additional 4 lumens / ft² hardscape  
LZ-2, additional 8 lumens / ft² hardscape  
LZ-3, additional 16 lumens / ft² hardscape

These recommendations apply to every outdoor sales lot to be illuminated and are to be incorporated into the light fixture design in accordance to the lumen allowance for non-residential areas.



4. LIGHTING DESIGN CRITERIA

**4.5.4 Service Stations and Gas Stations**

The purpose of lighting a service/gas station is to ensure patron safety and to draw attention and interest to the business. Over-illumination of the property is prohibited, and the illumination limits for property boundaries (Section 4.2) must be maintained. Installed fixtures are to be limited to a canopy whenever possible. In addition to adherence to the universal guidelines presented in Section 4.2, site average horizontal illuminance is not to exceed:  
100 lux for pump island/under canopy  
30 lux for service areas  
20 lux for pathways/drives

In addition to the allowance provided in Table 4.4A, service stations/gas stations have additional allowed lumens:  
LZ-1, 4000 additional lumens / pump  
LZ-2, 8000 additional lumens / pump  
LZ-3, 16,000 additional lumens / pump

These values are additional design criteria which need to be implemented in conjunction with the lumen allowance provided for non-residential sites.

**4.5.5 Sports Recreational Fields**

Outdoor sports fields require lighting for clear illumination of players. Sports/recreational fields have been divided into 4 classes:

- More than 5,000 attendance seats (e.g. universities, colleges, semi-pro players)
- 1,500 – 5,000 attendance seats (e.g. small universities or colleges, high-attendance high schools)
- 500 – 1,500 attendance seats (e.g. high schools, training clubs with spectator seats)
- Less than 500 attendance seats (e.g. leagues, elementary schools, little league, social events)

Using this classification system, illumination levels and lighting equipment must adhere to the IESNA Recommended Practice for Sports and Recreational Area Lighting (RP-6, latest edition). Illuminance values, fixture positioning, pole height, and curfew timing mandated in the IESNA RP-6 shall take precedence over the requirements outlined in this document.

**4.5.6 Architectural and Vanity Lighting**

Architectural lighting is used to highlight and attract attention to architectural features, heritage features, and municipal landscaping, monuments, or fountains. No fixture will be installed to emit light above the horizontal plane (e.g. directly upwards). No light fixture will be aimed at reflective or polished surfaces such as glass, smooth stone, glazed tile, etc. The maximum total illuminance shall not exceed 100 lux. Architectural/vanity lighting is must be extinguished at curfew, preferably by automatic switch (Section 4.2, bullet 5, option A).

Lumens from architectural light fixtures must be included in the site maximum lumen allowance for non-residential sites (Table 4.4).

**4.5.7 Security Lighting**

Lighting to ensure the safety of pedestrians shall be used as required. Light fixtures for this purpose shall:

- Reduce brightness contrast
- Ensure no light is directed 90° above the horizontal
- Employ motion sensors (Section 4.2, bullet 5, option B)

These guidelines shall apply to all pedestrian trafficked areas and will be included in the site/lot lumen allowance.

**4.5.8 Other**

- Vehicle and temporary emergency lighting required by Fire and Police departments, or other emergency services shall be exempt from the requirements of the By-law.
- Outdoor lighting utilizing fossil fuels, including torches, lanterns, and open flames.
- Lights used by contractors, providing the lights are located on the property where such work is taking place and only during hours where work is occurring.
- Specific instances where concern for public safety conflicts with the guidelines outlined in this document will be evaluated on a case-by-case basis.



5. EXEMPTIONS

**5.1 Grandfathered Lighting**

All existing light fixtures in place at the time of this policy shall be grandfathered. Grandfathered light fixtures which are determined to cause excessive glare or light trespass may be required to be shielded, redirected, or removed. Any modification, relocation, repair, or reinstallation of any grandfathered light fixture must meet the design criteria laid out below (Section 4). Should a property undergo a use or zoning change, all light fixtures must be updated to meet the design criteria in Section 4. All new fixtures installed after the date of this policy must meet the design criteria in Section 4.

**5.2 General Exemptions**

These guidelines do not take precedence over highway and road lighting bylaws.

**5.2.1 Recreational use - after 11 PM - limitation**

Where an outdoor recreational use in an outdoor recreational facility continues after 11 PM, outdoor light fixtures required to be on in connection with that use are permitted, but only while that use continues.

**5.2.2 Entertainment event - after 11 PM - limitation**

Where a concert, play or other entertainment event in a park or on other land owned by the Corporation and used for public purposes takes place or continues after 11 PM, outdoor light fixtures required to be on in connection with that event are permitted, but only while the event takes place or continues.

**5.2.3 Hospitals**

All hospitals shall be exempt to not disturb citizen access to health care.

**5.2.4 Temporary Exemptions**

Any person may submit a written request for temporary exemption from the recommendations by completing a written request form prepared by the City. The written request should include:

- Specific exemption request
- Type and use of exterior lighting involved
- Date(s) of the event
- Duration of the event
- Location of exterior lighting
- Size, wattage, and height of proposed lighting

The owner of the land upon which the prohibited light(s) will be placed shall apply to the city for an exemption. Plans for the location and future specifications for the specified light(s) shall be submitted with the application.

An exemption may be granted in whole or in part with terms and conditions. Any breach by the applicant of any of the terms or conditions will render the exemption null and void.



Kath Urban at Rock the Park music festival, London Ontario Photograph © Steve Ruppel 2013



6. BIRD-FRIENDLY DESIGN

Mortality rates of birds are increasing due to collisions with buildings, especially during the migratory season. Each year nearly 25 million birds die in Canada from building collisions alone, making reflected light from buildings one of the most deadly threats to birds. With new guidelines in place, a building that emits reflected light which injures or kills birds is now a violation of the provincial Environmental Protection Act (EPA) and the federal Species At Risk Act (SARA). Due to these legal offenses, it is important for buildings to follow bird-friendly design guidelines across Canada.

The following strategies outline recommendations for achieving green standards for bird-friendly development, and are derived from the City of Toronto Green Development Standard: Bird-Friendly Development Guidelines (2007), City of Toronto Green Development Standard Version 2.0 (2015) and City of Toronto Bird-Friendly Development Guidelines Best Practices Glass (2016). These documents work together to reduce the threat of death from buildings by making glass less dangerous to birds and by mitigating light pollution. Options for creating visual markers, treating glass, and muting reflection shall be applied to 85% of glass features and windows for the first 12 m above grade (dimensions relate to typical tree height). Dimensions for visual markers and muting reflection applications are subject to building design and site conditions.

6.1 Visual Markers

Visual markers are the most effective technique to reduce window strikes and shall be used on exterior surface glass. Window ratings, fly-through conditions and parallel glass within the first 12 m of the building. The distance between patterns or applications on glass must be a distance of 10 cm by 10 cm or less and at least 5 mm in diameter. Visual markers should have high contrast and be applied to low reflectance, exterior surface glass.



A window with visual marker stripes and a bird decal to prevent bird strikes Photograph from www.smith.edu/new/preventing-bird-collisions-at-mccormick/



6. BIRD-FRIENDLY DESIGN

**6.2 Glass treatments**

Glass treatments shall be applied above 12 m to the height of or anticipated height of the surrounding tree canopy and vegetation at maturity in sites close to natural areas such as ravines or woodlots. Glass treatments must also be applied to glass adjacent to or in the vicinity of elevated landscapes such as podium gardens and green roofs. Glass treatment options must also be applied to windbreaks, solariums and greenhouses in order to create sufficient visual markers for birds.

**UV glass** can be effective since birds are able to see into the UV spectrum, making UV treated glass opaque to birds but translucent to humans. Such UV glass must be tested and approved by a third party for effectiveness as outlined in the 2014 Toronto Green Standard version 2.0.

**Patterned or 'fritted' glass** refers to glass which contains opaque or translucent images or abstract patterns. The images are created by using dots in a variety of sizes and densities which are most effective on the exterior surface of the glass. Only non-reflective glass should be used when combined with fritted patterns. Pattern design should follow the outlines in 6.1: Visual Markers.

**Film products** refers to external film applications or laminates which contain images or patterns and can be designed to enhance the architectural design of the building. **Decals** with no more than 5 to 10 cm of clear spaces between patterns can be used. Decals must be located on the exterior glass.

**Decorative Grilles and Louvers** refer to exterior grille features which if applied must be 10 cm by 10 cm or less.

**Framestrusion Patterns** refers to multiple paned glass containing horizontal and vertical mullions. Panes must be no more than 28 cm with 10 cm or less the most effective visual marker.

**Art work** applied to the interior or exterior of windows can be used to provide sufficient visual markers while allowing for natural light.



Effective glass treatments for bird-friendly building design. Photographs from Toronto Bird-Friendly Best Practices Glass ©



## 6. BIRD-FRIENDLY DESIGN

### 6.3 Muting Reflections Options

**Awnings and overhangs** to mute images at ground floor level.  
**Sunshades** refer to applications to reduce direct sunlight, while allowing indirect light into rooms. This feature mutes reflection thus reducing window strikes.

### 6.4 External Lighting

**Decorative Lighting** should be eliminated wherever possible. For existing buildings, decorative lighting should be projected downward and turned off during migratory season (September – November, March – May)

**Advertising Lighting** must be lit from above to reduce the volume of light being projected unnecessarily into the night sky.

**Event and Festival Lighting** such as spotlights and search lights must be prohibited during bird migration season.

**Roof Top Lighting** that should be prohibited. Vanity lighting may be allowed only if the following conditions are met:

- Exterior light fixtures are installed to prevent unnecessary light spillage.
- Vanity lighting is turned off from 11 PM - 5 AM year-round without exception utilizing an automatic device.

Overides afterhours may be provided by a manual or occupant sensing device with a limit of 30 minutes.

### 6.5 Interior Lighting

**Bird Friendly Operational Systems and Practices** refers to the use of operating and system practices by residents, tenants, building owners, and managers to help reduce migratory bird fatalities. The following strategies can be used:

- **Installation of interior task lighting** at work stations be the recommended light source during evening work hours, increasing energy efficiency, reducing light pollution, and migratory bird fatalities. Overhead lighting be turned off at night and focused lighting such as task lighting be used during bird migration season.
- **Provision of shielding from interior generated light** with less than 10 % transmittance overnight for all fenestrations (windows, doors, skylights, curtained walls), for example blinds and curtains.
- **Motion-Sensitive Lighting** to be installed and retrofitted in lobbies, walkways, corridors, and operating systems that automatically turn off lights during after work hours.
- **Internal Location of Greenery:** Building owners and managers must locate greenery away from clear glass and minimize lighting levels through motion sensing lighting in ground floor lobbies, walkways and corridors and retrofit glass in these areas wherever possible with bird friendly window applications in order to meet the Bird Friendly Green Standard (birds drawn into cityscapes by light pollution seek safety by flying towards greenery and are extremely dangerous in these areas.)



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## 8. CONTRIBUTORS

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The Summer Triangle and Milky Way, from Prepel, Ontario. Photograph © Ryan Fraser and Tamar McLaughlin 2012





## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** George Kotsifas, P.ENG  
Managing Director, Development & Compliance Services and  
Chief Building Official  
**Subject:** Application By: West Coronation Developments Limited  
499 Sophia Crescent  
**For:** Removal of Holding Provisions (h, and h-34) and the  
Deferral of Holding Provision (h-100)  
**Meeting on:** March 19, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Planning, based on the application of West Coronation Developments Limited relating to the property located at 499 Sophia Crescent the following actions be taken:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 27, 2018 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 499 Sophia Crescent **FROM** a Holding Residential R5/R6/R8 (h\*h-34\*h-100\*R5-4/R6-4/R8-2) Zone **TO** a Holding Residential R5/R6/R8 (h-100\*R5-4/R6-4/R8-2) Zone, to remove the h. and h-34 holding provisions.
- b) the application to change the zoning of the properties located at 499 Sophia Crescent **FROM** a Holding Residential R5/R6/R8 (h\*h-34\*h-100\*R5-4/R6-4/R8-2) Zone **TO** Residential R5/R6/R8 (R5-4/R6-4/R8-2) Zone, to remove the h-100, holding provision **BE DEFERRED** until such time as a second public access is made available to permit 21 unit townhouse development whereas 43 units are requested.
- c) through the preparation of the 2019 Development Charges Background Study staff **BE DIRECTED** to review opportunities to include a project to complete the road connection for Coronation Drive south of Gainsborough Drive.

## Executive Summary

### Purpose and the Effect of Recommended Action

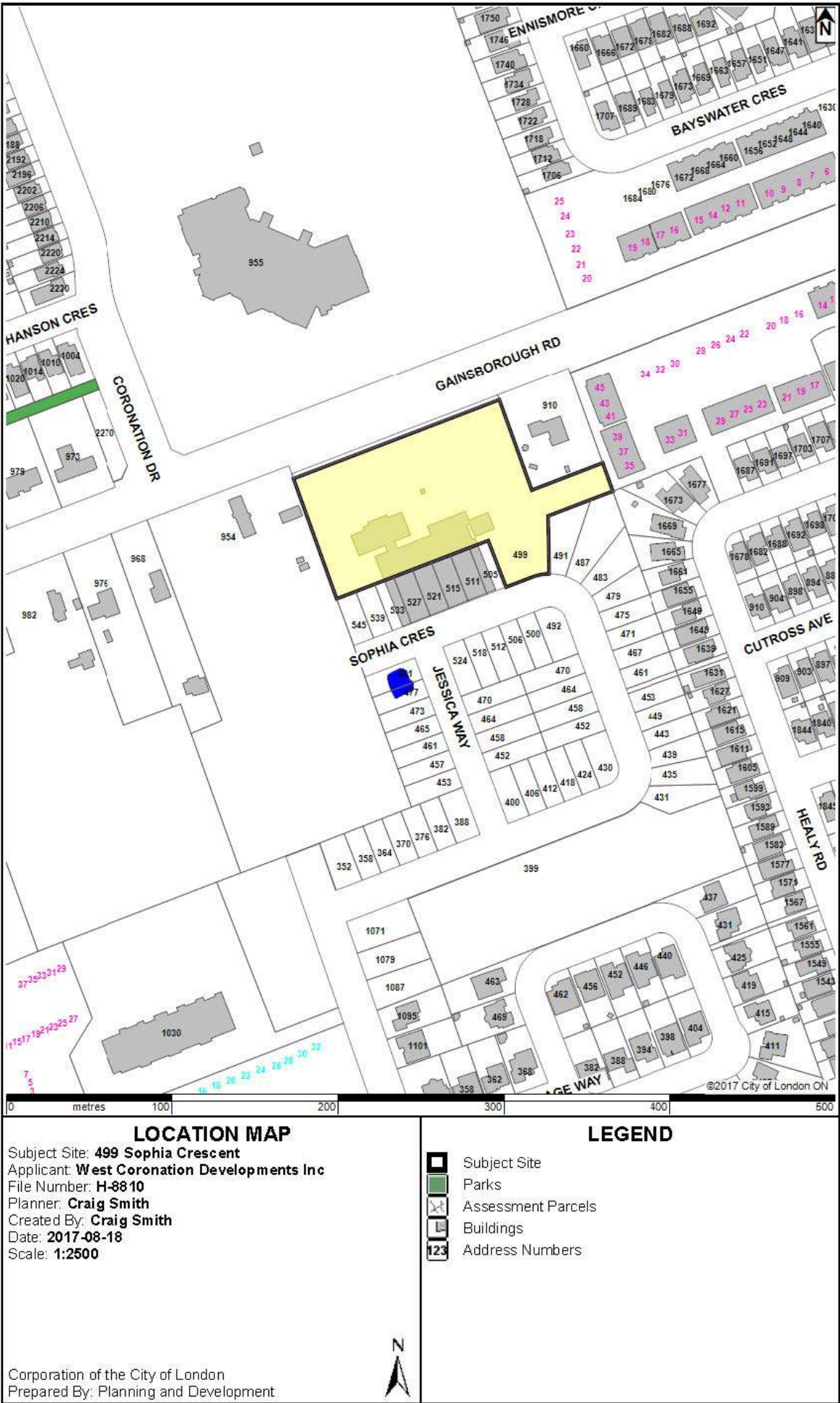
The purpose and effect of this zoning change is to remove the h. and h-34 holding provisions and to defer the h-100 holding provision. The proposed amendment will permit the development of 21 townhouse dwellings and defer the development of an additional 22 townhouse dwellings pending the completion of a second public access to the subdivision.

### Rationale of Recommended Action

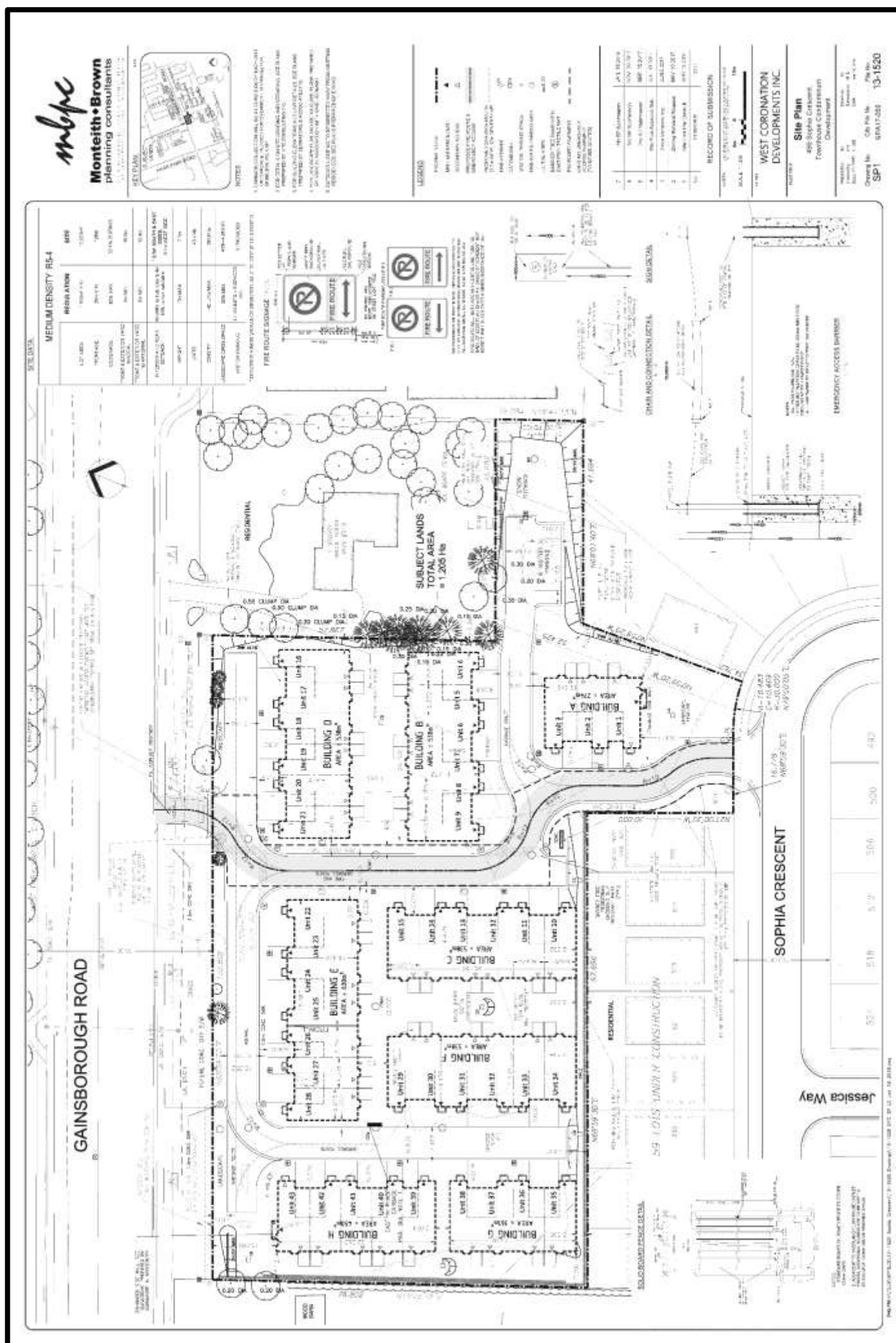
1. The removal of the holding provisions, (h. and h-34) will allow for development in conformity with the Zoning By-law.
2. Through the site plan approval process, the required security has been submitted to the City of London, the execution of the site plan approval agreement is imminent and the h, holding provision is no longer required.
3. Through the site plan approval process, the 43 unit townhouse development is street-oriented and a noise attenuation wall is not required along the arterial road (Gainsborough Road), the h-34 holding provision is no longer required.
4. The proposed 59 single detached lot and 43 unit townhome block subdivision does not have a second public access. Removal of the h-100 holding provision is not appropriate at this time.

Analysis

1.1 Location Map



## 1.2 Site Plan- Proposed



## 2.0 Description of Proposal

The proposed request is to remove the h., h-34 and h-100 holding provisions from the lands that were put in place that requires that a development agreement shall be entered into with the City, is street-oriented development, discourages the use of noise attenuation walls along the arterial road and that adequate water service and appropriate access is provided to the satisfaction of the City. The removal of the h. and h-34 holding provisions will allow for the construction of 21 townhouse dwelling units.

## 3.0 Revelant Background

### 3.1 Planning History

**39T-15505/Z-8308-** The complete application for Draft Plan of Subdivision Approval was accepted on October 21, 2013. It was circulated to the required agencies and municipal departments. The City of Development Services, Engineering provided the following comment at that time:

*A new holding provision be implemented with respect to water services and appropriate emergency access that no more than 80 units may be developed until a looped watermain system and an emergency access is constructed to the satisfaction of the City Engineer (similar to the h-100 provision but with the restriction to an emergency access);*

Included in the Staff Report the requirement of the h-100 holding provision was noted:

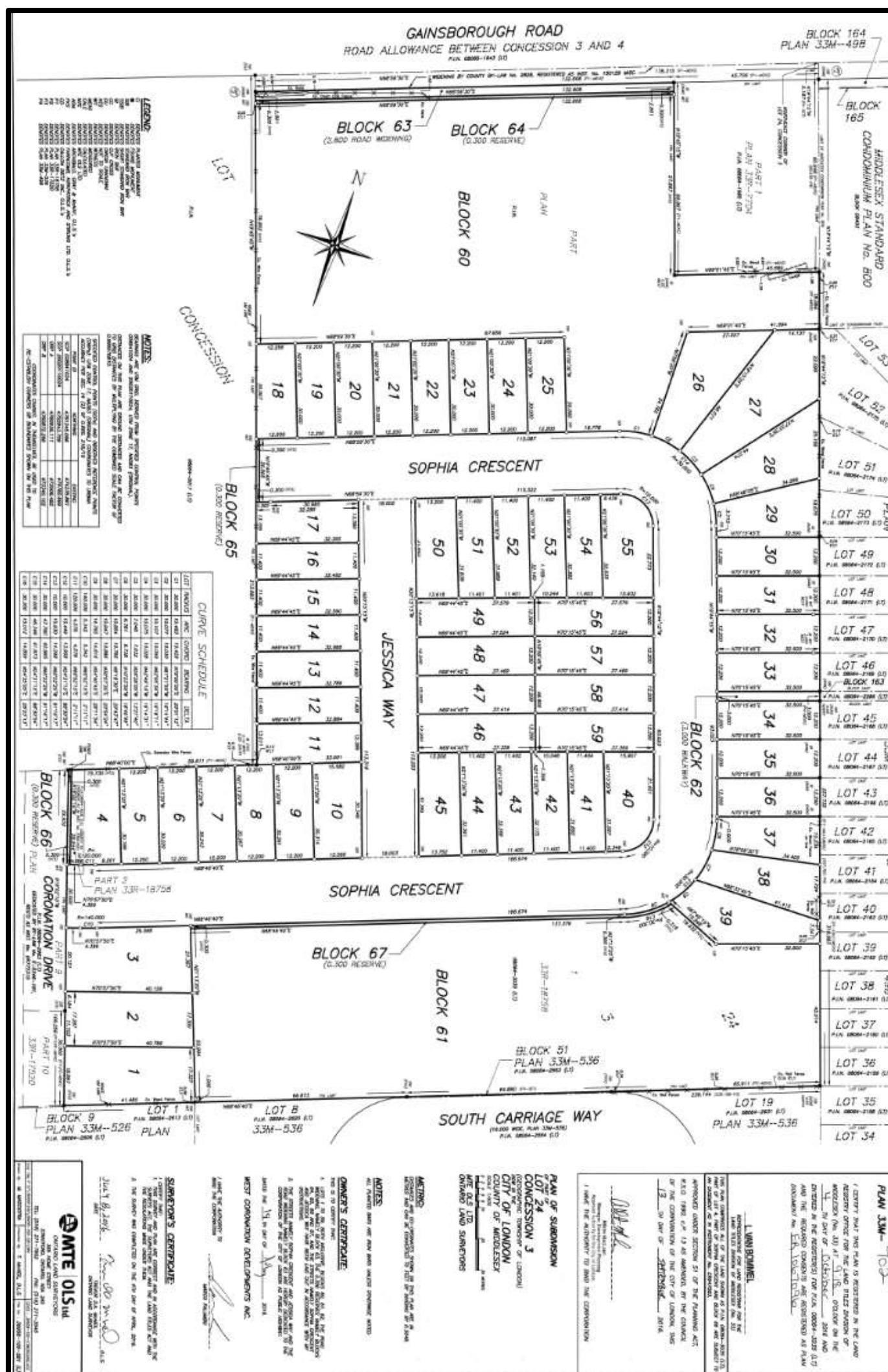
*“The proposed access to the subdivision will be from the extension of Coronation Drive. Prior to the development of the balance of Coronation Drive through lands not owned by the subdivider to Gainsborough Road, the subdivision will have only one public access and cannot provide for a looped water system. The proposed holding provision will allow for a maximum of 80 units to be developed in the subdivision prior to a second public access being provided.”*

The Public Meeting was held on July 22, 2014. The subdivision was draft approved and Council amended the Zoning By-law that includes the h-100 holding provision requiring that a second public access be provided or a maximum of 80 units be permitted on one public access.

**H-8627-** The registered plan of subdivision was registered on October 4, 2016. The applicant applied to remove the h. and h.-100 holding provisions from the single detached dwelling lots in June of 2016. On July 26, 2016 Council removed the h holding provision as security was deposited and the registration of the subdivision and subdivision agreement was imminent. The completion of Coronation Drive on the lands located to the west to provide a second access to subdivision to the satisfaction of the City Engineer has not been completed. Without a second access in place, the h-100 holding provision was not removed from the subdivision. The single detached phase of subdivision is for 59 units and building permits can be issued to a maximum of 80 units.



# Registered Plan of Subdivsion 33M-702





## 4.0 Key Issues and Considerations

### **Why is it Appropriate to remove these Holding Provisions?**

The h. holding provision states that:

*To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.*

The imminent execution of the development agreement combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

### **h-34 Holding Provision**

The h-34 holding provision states that:

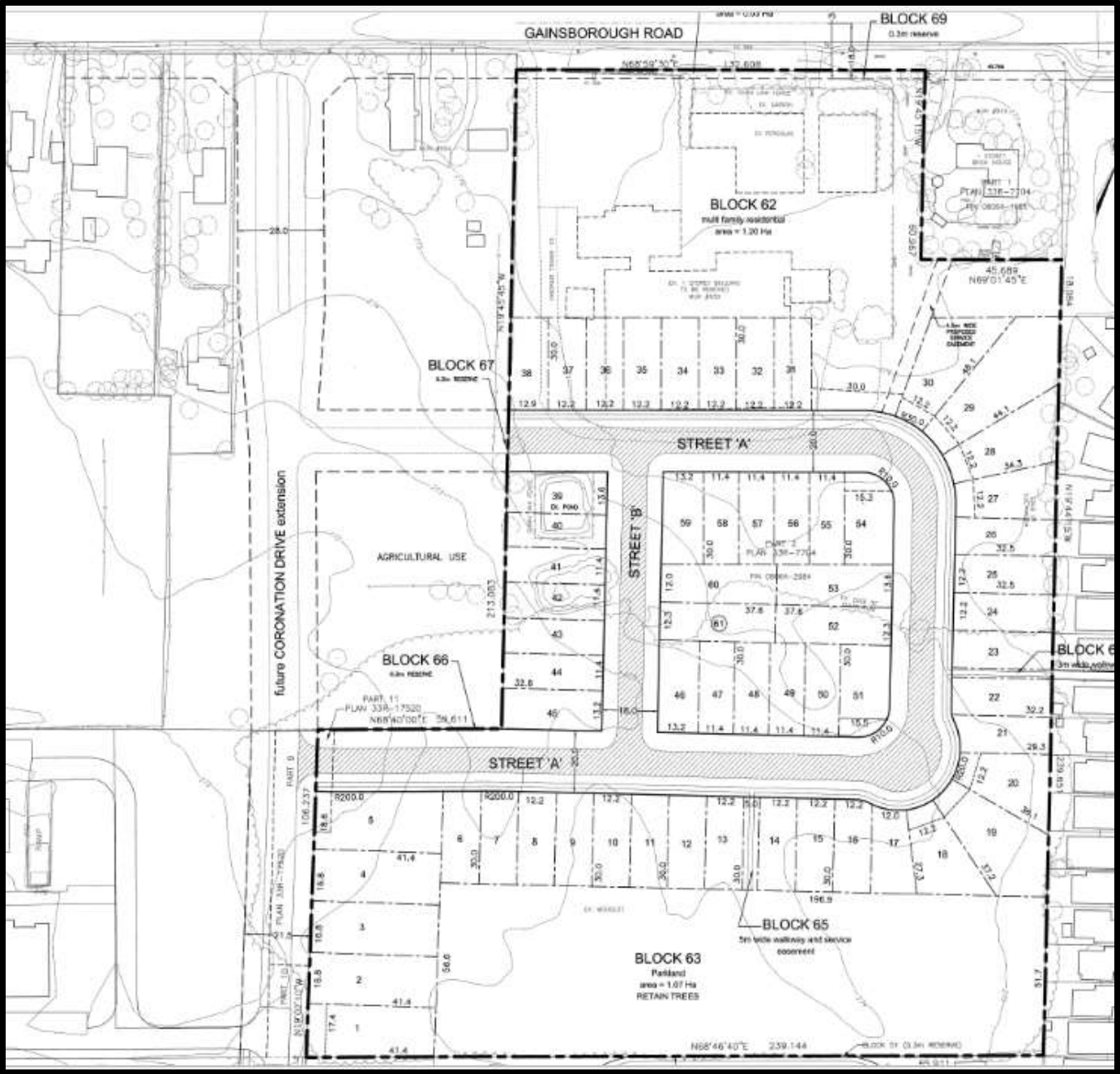
*To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the design guidelines in the Hyde Park Community Plan, to the satisfaction of the City of London, prior to removal of the "h-34" symbol.*

The proposed development has been designed to discourage a continuous noise wall adjacent to Gainsborough Road. The proposed site plan incorporates a window street along Gainsborough Road and the units are oriented towards Gainsborough Road. A Noise and Vibration Report dated July 21, 2017 prepared by Development Engineering (London) Limited was reviewed and accepted by the City. The site plan and executed development agreement includes the accepted mitigation measures (warning clauses) for this development and also ensures that the design is consistent with the Hyde Park Area Plan. It is appropriate to remove the h-34 holding provision at this time.

### Elevations Fronting Gainsborough (Typical)



**Future Coronation Drive Extension**



**h-100 Holding Provision**

The (h-100) holding provision states that:

*To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.*

*Permitted Interim Uses: A maximum of 80 residential units*

The h-100 holding provision requires that a looped watermain system be constructed and a second public access is available for these lands. A looped watermain will be constructed by connecting to a watermain in both the Gainsborough Road and Sophia Crescent road allowances. A second public access to this subdivision will be from the completion of Sophia Crescent westerly to the future extension of Coronation Drive. The single detached phase of subdivision has 59 single detached dwelling units and the multi-family block is proposed for 43 townhome units for a total of 102 dwelling units in the subdivision. The h-100 holding provisions allows building permits to be issued to a maximum of 80 units.

**Extension of Coronation Drive**

Prior to the development of all 43 townhouse units on the multi-family, medium density block, Sophia Crescent requires a connection to a future extension of Coronation Drive. However, the lands required for the new road are not owned by the City or the subdivider. At this time the subdivision has only one public access. The City Engineer has not been satisfied that the construction of 102 dwelling units in the subdivision with one public access is appropriate. The applicant can construct 21 townhouse units prior to the completion of a second public access. Once a second public access is constructed the balance of the townhome units can be constructed. It is not appropriate to remove the h-100 holding provision from the lands at this time.

Staff are seeking direction to review options to fund and construct the Coronation Drive. The extension of the road would provide a logical connection for the development in the area and should be considered a growth need. At this time there is no Development Charge funding available to cover the cost of these works. Through the review and development of the 2019 Development Charges Background Study, the City can review opportunities to fund these works from the City Services Reserve Fund.

More information and detail about public feedback, zoning, the history of the h-100 Holding Provision and the Coronation Drive constraints is available in Appendix B & C.

**5.0 Conclusion**

It is appropriate to remove the h. and h-34 holding provisions from the subject lands at this time as no noise walls are required along Gainsborough Road, noise and vibration mitigation measures will be implemented, the required security has been submitted to the City of London and registration of the site plan agreement is imminent. The removal of the h-100 holding provision will be dealt with in the future once the second public access is provided. The removal of the h-100 holding provision is recommended to be deferred until such time.

<b>Prepared and Recommended by:</b>	<b>C. Smith MCIP, RPP Senior Planner, Development Planning</b>
<b>Reviewed by:</b>	<b>Lou Pompili, MCIP, RPP Manager, Development Planning</b>
<b>Reviewed by:</b>	<b>Matt Feldberg Manager Development Services (Subdivisions)</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official</b>

March 12, 2018  
CS/  
Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\H-8810 - 499 Sophia Crescent (CS)\AODAPECreport-H-8810.docx

## Appendix A

Bill No. (Number to be inserted by Clerk's Office)  
2018

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 499 Sophia Crescent.

WHEREAS West Coronation Developments Limited. have applied to remove the holding provisions from the zoning for the lands located at 499 Sophia Crescent, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 499 Sophia Crescent, as shown on the attached map, to remove the h. and h-34 holding provisions so that the zoning of the lands as a Holding Residential R5/R6/R8 (h-100\*R5-4/R6-4/R8-2) Zone
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 27, 2018.

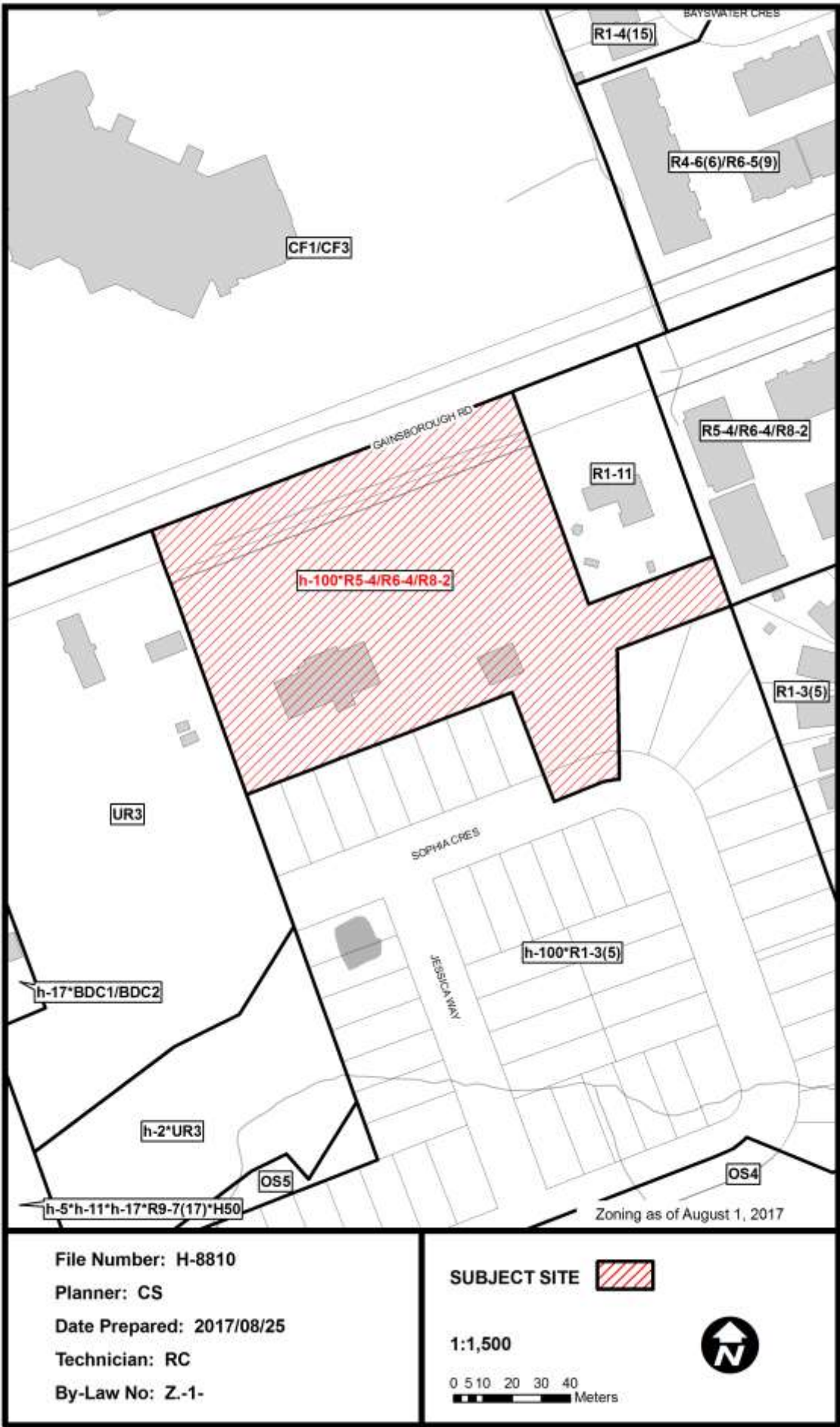
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading -March 27, 2018  
Second Reading –March 27, 2018  
Third Reading - March 27, 2018



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



## Appendix B – Public Engagement

### Community Engagement

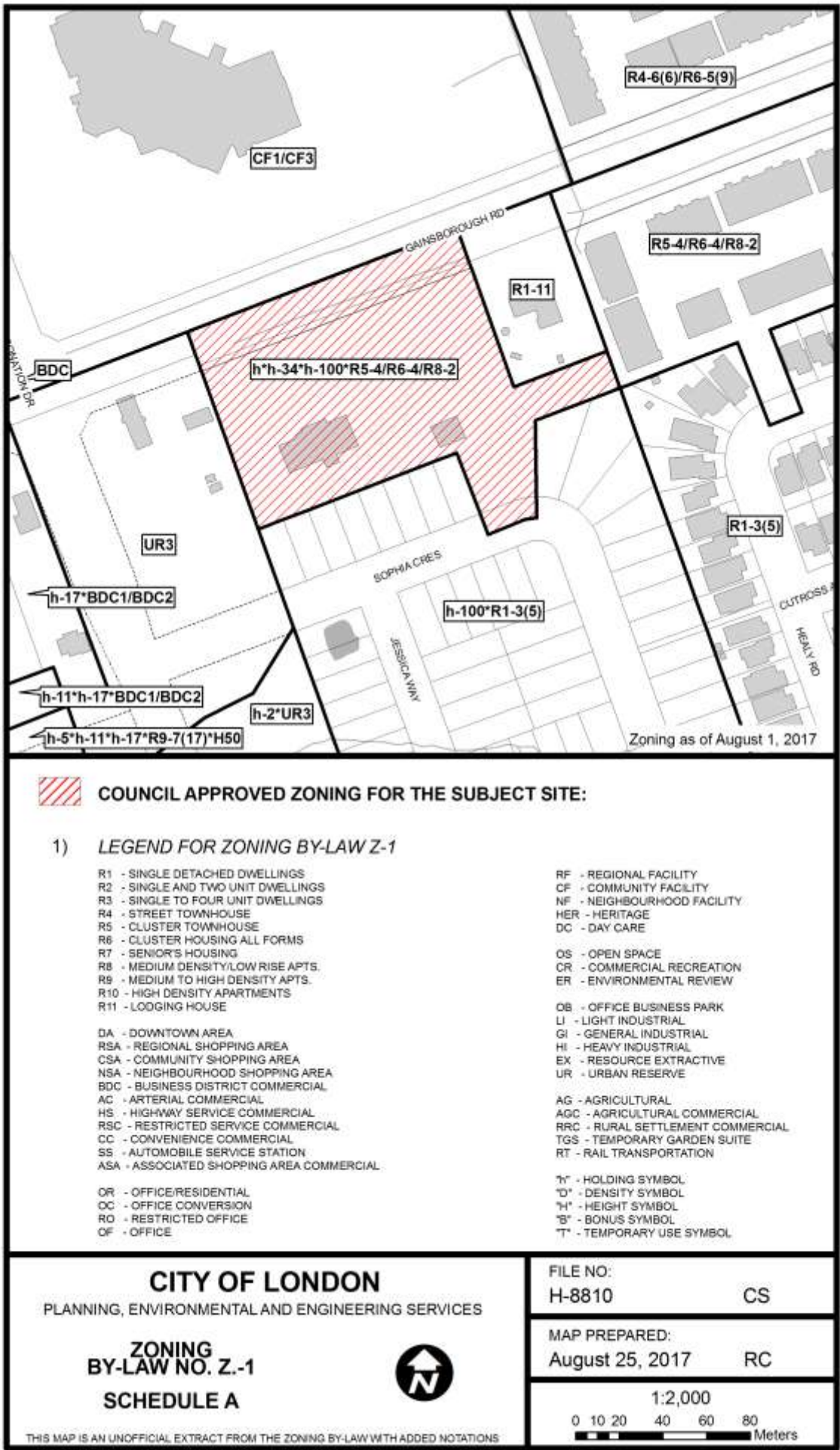
**Public liaison:** Notice of the application was published in the Londoner on August 24, 2017

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the h., h-34, and h-100 holding provisions from the lands that ensures for the orderly development of land, street-oriented development and the discouragement of noise attenuation walls along arterial roads and for the provision of adequate water service and appropriate access a development agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than September 11, 2017.

Appendix C – Relevant Background

Existing Zoning Map



## **h-100 a Holding Provision History**

To ensure that safe water and public access is provided this holding provision has been applied since 2008 to all applications for draft plan of subdivisions with greater than 80 lots.

**39T-04513/Z-6842-** A public participation meeting was held at the City of London Planning Committee on June 17, 2008 to permit a draft plan of subdivision approval and zoning by-law amendments to develop the lands located at 2135 and 2253 Richmond Street for a subdivision with 169 single detached lots, six medium density residential blocks, two high density residential blocks, one commercial block, two park blocks, three open space blocks, three stormwater management blocks, one walkway block, road widening, easement and reserve blocks served by nine new streets subdivision.

The 2008 staff report provided the following recommendation:

### **Water**

*Prior to the issuance of a Certificate of Conditional Approval for this subdivision, all water servicing works for the subject lands must be completed and operational, all to the specification and satisfaction of the City Engineer. To ensure that there is sufficient water services available to service this site a new holding provision is recommended that will require water looping prior to the issuance of the 81st building permit.*

### **Transportation**

*To ensure that there is sufficient access available to service this site a new holding provision is recommended that will require a second emergency access prior to the issuance of the 81st building permit.*

Council on February 11, 2008 amended the Z.-1 Zoning By-law by adding the new holding provision:

*www) h-100 Purpose: To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the “h-100” symbol.*

**Z-7973-** A public participation meeting was held at the City of London Planning Committee on January 16, 2012 on the application by the City of London to amend the h-100 holding provision to provide clarity to the Chief Building Official on the number of units which may be constructed prior to the removal of this holding provision.

The City circulated the proposed zoning amendment to all internal and external agencies including the London Home Builders Association and the London Development Institute for comment. Council amended the h.100 holding provision on January 31, 2012 to include the clarifying line “*Permitted Interim Uses: A maximum of 80 residential units*”.

## **Coronation Drive Extension**

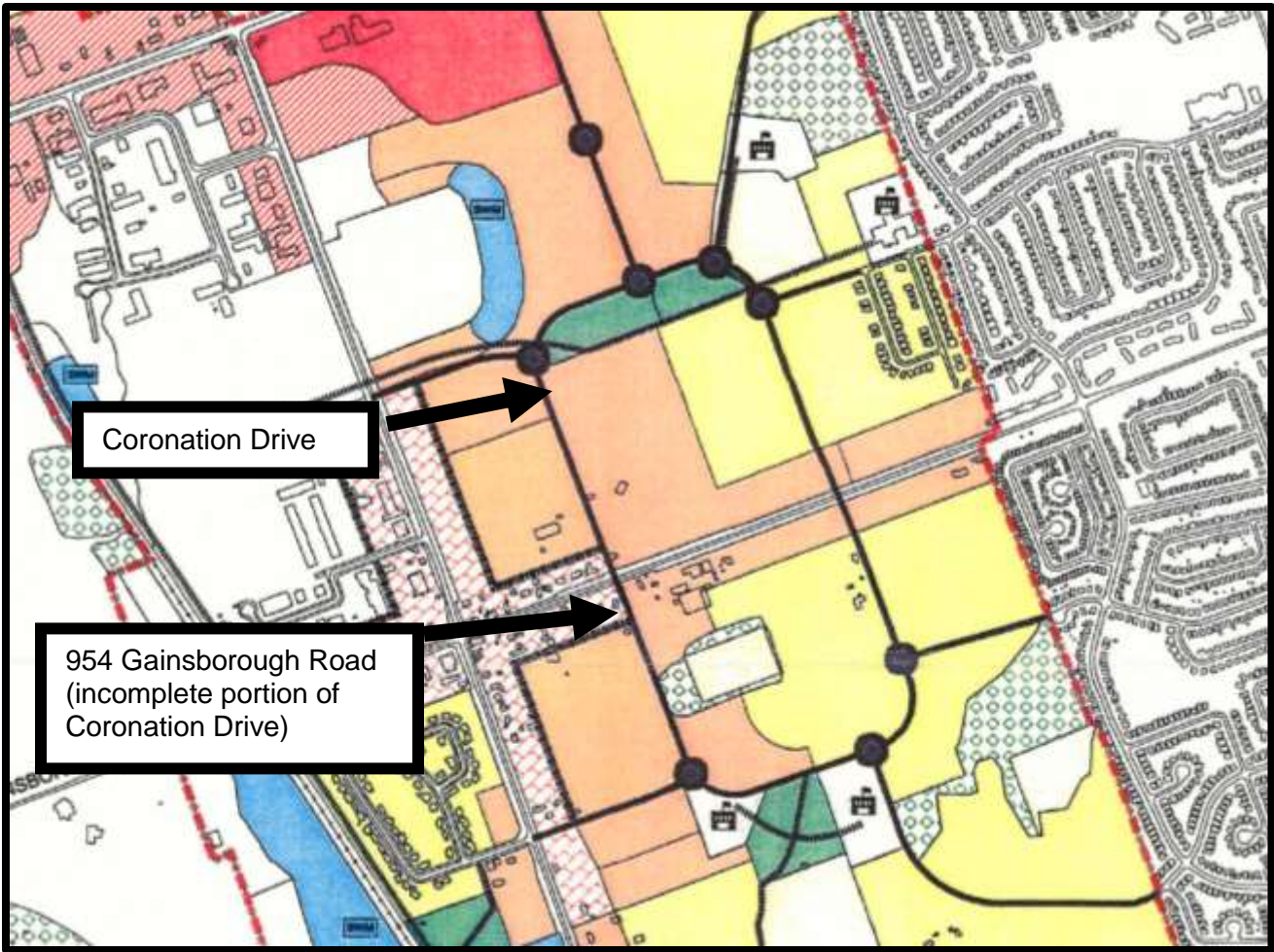
In November 2001, Council adopted the Hyde Park Community Plan. A Primary Collector loop (Coronation Drive) was included in the Area Plan to provide access from the subdivisions to the abutting arterial roads. Coronation Drive is substantively complete except for the small portion that is located on 954 Gainsborough Road. 954 Gainsborough Road is not owned by the developer of 499 Sophia Crescent.

The property owner of 954 Gainsborough Road is required to construct the final section of Coronation Drive when the lands are brought forward for development. The cost of constructing Coronation Drive on 954 Gainsborough Road is the obligation of the property owner excepting for costs of any possible oversizing of the required services. As shown below, once Coronation Drive is constructed on 954 Gainsborough Road the property owner has two (2) Multi Family Medium Density blocks and one (1) small Multi Family High Density block that would require consolidation with the High Density lands to the west for development. There are no current development applications for 954 Gainsborough Road. There is no obligation for the current owner to construct or incur the cost of constructing Coronation Drive at this time. The property owner of 499 Sophia Crescent cannot compel



the owner of 954 Gainsborough Road to construct Coronation Drive on his lands and will be required to wait until a development is proposed on 954 Gainsborough Drive to fulfill its obligation to provide a second access.

**Hyde Park Community Plan- Collector Streets Locations**



**954 Gainsborough Road- Development Blocks**





March 5, 2018

Heather Lysynski  
Committee Secretary  
City Clerk's Office  
City of London

**Reference: Planning Committee Meeting (March 19, 2018)  
Delegation Requested for Application for Removal of Holding Provisions  
499 Sophia Crescent (SPC17-060) & Subdivision 39T-13505**

---

**As the owner of West Coronation Developments, I would like to request delegation to speak at the Planning Committee Meeting Scheduled for March 19<sup>th</sup> 2108, in support of the holding removals to permit a Medium Density residential block to be fully constructed as per the approved Site Plan with 43 townhouse units. West Coronation Developments Inc. submitted a Holding Removal Application for lands at 499 Sophia Crescent and the newly constructed Subdivision 39T-13505 off Gainsborough Road near Hyde Park Road including 59 single detached lots.**

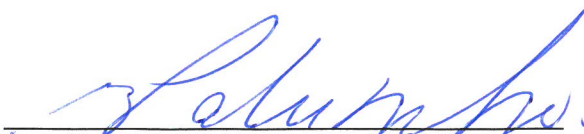
A secondary emergency access has been provided though the Medium Density block along with a pedestrian sidewalk for pedestrians to access Gainsborough Road from the subdivision to the south. This along with the watermain looping are in keeping with the general intent and purpose of the City's requirements for removal of h-100.

There is no estimation of timing on the extension of Coronation Drive for the planned second access to the subdivision and numerous requests with the land owner at 954 Gainsborough Road who is not willing to develop his property in his lifetime. As per the approved Site Plan for 499 Sophia Crescent, we have provided watermain looping and emergency secondary access to the satisfaction of the City Engineers and are asking for 22 units more than the City's standard practise.

The purpose for this request is so the Condominium Development doesn't have to wait 20 or more years to finalize. Demand for housing in this area is great and along with the speed of fulfilment.

- The owner of the lands at 954 Gainsborough Road plans to live out the rest of his life in his house rendering it not for sale in his life time. Extension of Coronation Drive timing is unknown.
- A looped watermain and secured emergency access has been provided and accepted by engineering. We request a total of 102 units.
- The applicant would like to avoid a half built townhouse block for an unknown number of years until the westerly property (MN #954) is developed and Coronation Drive extended.
- Results in a minor change to transportation volumes.
- Proposed cluster townhomes dwelling units will reduce noise from arterial road for single detached dwellings to the south.
- The emergency second access through the site remains chained along Gainsborough Road for emergency use only until Coronation Drive is extended.
- Attempts have been made with that land owner who has no interest in selling his property.

Respectfully,



Marco Palumbo

**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Old East Village Business Improvement Area Request for  
Boundary Expansion

**Public Participation Meeting on: March 19, 2018**

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, Civic Administration BE DIRECTED to take the necessary steps in 2018 to expand the boundary of the Old East Village Business Improvement Area in response to the communication dated December 19, 2016 from Jennifer Pastorius, Manager, Old East Village Business Improvement Area attached hereto as Appendix "A".

**Executive Summary**

The communication dated December 19, 2016 from Jennifer Pastorius, Manager, Old East Village Business Improvement Area (BIA) was received by Planning Services. While the expansion of the Old East Village BIA boundary has previously been added to the 2017-2018 Planning Services Work Program, it is customary for the documented request for the creation or expansion of a BIA to be brought independently to Council. This report formalizes this action and seeks Council direction to proceed with the steps necessary to expand the boundary of the Old East Village BIA.

**Analysis**

**1.0 Background**

The communication dated December 19, 2016 from Jennifer Pastorius, Manager, Old East Village Business Improvement Area (BIA) was received by Planning Services. In response, "OEV BIA Expansion" was added to the Planning Services Work Program adopted by Council on October 17, 2017. The work program identifies the target completion date for the expansion of the Old East Village BIA as the end of 2018. The communication from Old East Village BIA was not independently presented to Council, but was indirectly approved through the work program. This report is intended to formalize the process and to obtain Council direction for City staff to proceed with the steps necessary for the expansion of the Old East Village BIA boundary.

The Old East Village BIA is requesting that their boundary be expanded to correspond to Old East Village Community Improvement Plan (CIP) area boundary (Appendix "B"). It is customary that Planning Services staff work with BIA representatives to refine their boundary selection in the initial stages of creation or expansion. Following confirmation of the boundary, City staff will present the proposed BIA By-law and associated schedules to Council for direction. In accordance with section 210 of the *Municipal Act, 2001*, the City will then proceed with notification to rateable properties within the prescribed business class located within the geographic area of the proposed BIA. City staff will then return to Council to report the results of any objections received during the 60 day voting period and to adopt the BIA By-law if insufficient objections were received.

## 2.0 Conclusion

It is customary that a formal communication from a Business Improvement Area (BIA) representative is presented to Council requesting that City staff provide the support necessary for the creation or expansion of a BIA. This report acknowledges the communication received by Jennifer Pastorius, Manager, Old East Village BIA and seeks Council direction for City staff to proceed with the steps necessary for the expansion of the Old East Village BIA boundary.

<b>Prepared by:</b>	<b>Kerri Killen, MCIP, RPP Senior Planner, Urban Regeneration</b>
<b>Submitted by:</b>	<b>Jim Yanchula, MCIP, RPP Manager, Urban Regeneration</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>

March 9, 2018  
KK/kk

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Report Old East Village BIA Expansion.docx

## Appendix A – Old East Village BIA Communication



Mr. John Fleming  
City Planner,  
Planning Division  
206 Dundas Street,  
London ON  
N6A 1G7

December 19, 2016

Dear Mr. Fleming,

The Old East Village BIA was created to provide support to the ongoing development of our business community. Specifically, it identified the Community Improvement Plan (CIP) area of Dundas Street between Adelaide and Charlotte Streets as the focus of revitalization. Initially, it was agreed that the area with the greatest concentration of businesses, located on Dundas between Adelaide and Lyle would be designated as the levy paying "BIA area". It was understood that once the revitalization of the area resulted in a stronger commercial corridor, the BIA would be expanded to conform to the Community Improvement Plan (CIP) area.

With the successful utilization of the Incentive Programs by local businesses, the CIP area currently not included in the BIA, areas identified as the Village Annex and The Area of Transition have shown significant improvements. These improvements can be measured by a decrease in vacancies and an increase in viable rental spaces, productive owner occupancy and building improvements. There is still much more work to be done and the expansion of the BIA will assist to further the objectives which have resulted in area renewal to date.

Therefore, the Old East Village BIA would like to formally request that City of London Planning staff initiate the steps to expand the BIA from Adelaide Street to Lyle Street in order to conform to the CIP area ending at Charlotte Street. Please consider adding this request to the 2018 Work Plan with a target to be completed in 2019. The Old East Village BIA will support this process and we look forward to working with City of London Planning to facilitate this request.

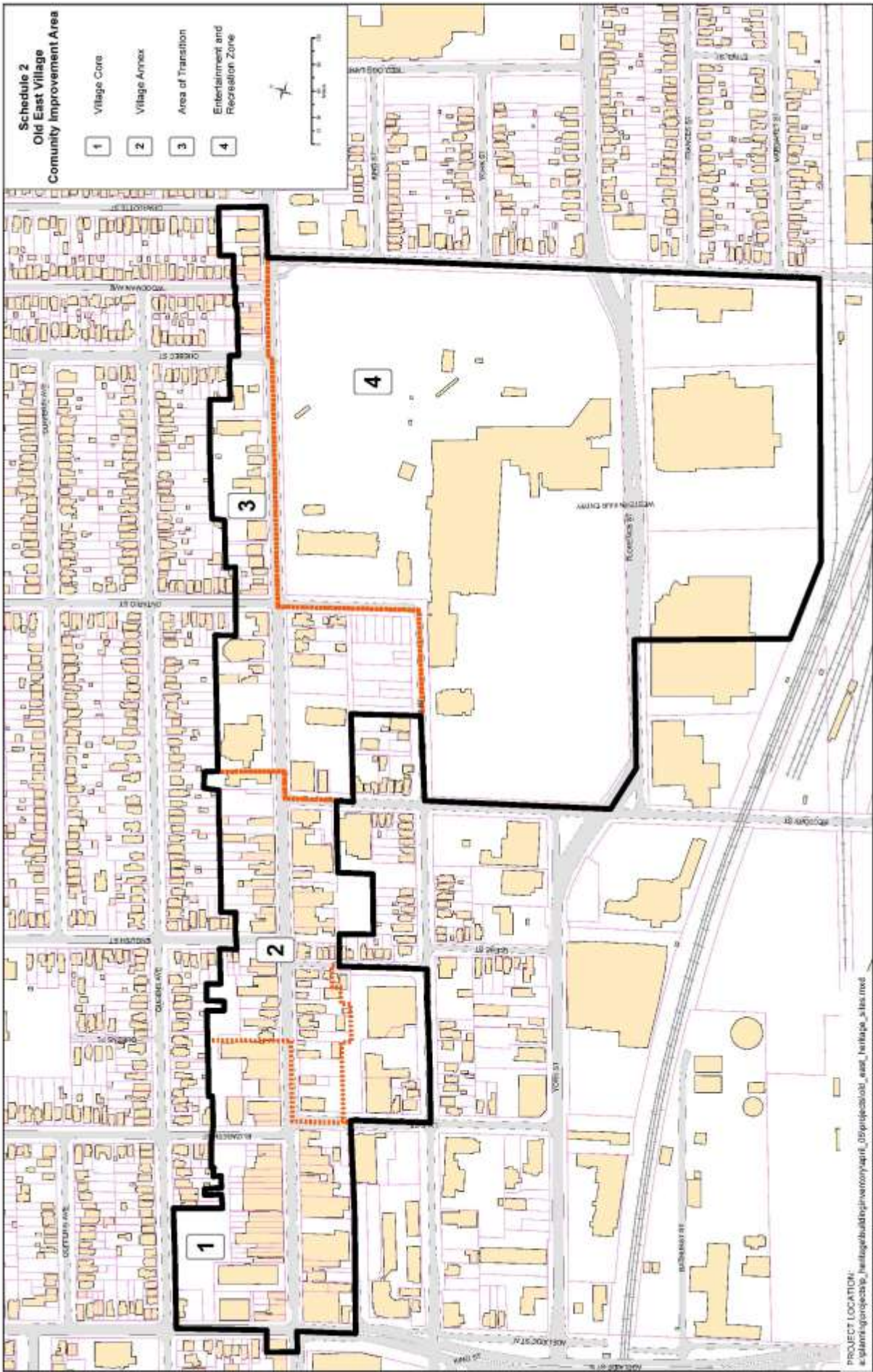
Kind regards,

A handwritten signature in dark ink, appearing to read 'J. Pastorius'.

Jennifer Pastorius, Manager  
Old East Village Business  
Improvement Area 519-645-7662  
jen@oldeastvillage.com



Appendix B – Old East Village CIP Boundary





## DEFERRED MATTERS

### PLANNING AND ENVIRONMENT COMMITTEE (AS OF FEBRUARY 20, 2018)

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	Alternative Planning and Zoning Tools to Holding Provisions – report back on options to redefine and reduce the use of redundant or unnecessary holding provisions in Z.-1.	Dec 3/13 12/25/PEC	Part 1 complete  Part 2 - 2019	Fleming/ Kotsifas	Part 1 of the response is completed – report was prepared and new practice significantly reduces need for the general “h” holding provision. Part 2, the remainder, must be deferred until the London Plan is approved – when the zoning by-law update will occur
2	Staff to report back on types of species able to plant on boulevard	Feb 24/15	Q2, 2018	Fleming/Macpherson	Staff will coordinate with ESD and provide an update on suitable species for street tree planting that address key issues of survivability, canopy cover, maintenance requirements, etc. Revised date per Tree Protection by-Law Implementation Review Report to PEC on November 20, 2017
3	Development and Compliance Services Inspection Fee – <b>Statutory PPM</b> – Receive comments and feedback from industry stakeholders relating to proposed changes to the D&C Services Inspection fee within By-law A-7, Fees and Charges	July 22/14 14/13/PEC	Q2 2018 (Completion of Fees Review) September 2018 implementation (Fees and Charges By-law)	Kotsifas/Yeoman	Project was delayed as a result of organizational changes in Development Services and could not be completed prior to the intake window for the 2017 Fees and Charges By-law update. Work will resume in late 2017 with community consultants to occur in Spring 2018. <b>On track as per the timelines provided.</b>  Both Development Services and Planning Services fees review will occur in parallel due to fee linkages.
4	Variances that are granted by the Committee of Adjustment – report annually on nature of variances granted	Feb 17/15 9/5/PEC	Annually <b>March 19</b> , 2018 PEC	Kotsifas/Yeoman	Information compiled for 2015, 2016 and up to Q3 2017. Report <b>received by PEC on March 19</b> , 2018 to provide a 3 year overview and analysis of trends. Annual reports

<b>File No.</b>	<b>Subject</b>	<b>Request Date</b>	<b>Requested/ Expected Reply Date</b>	<b>Person Responsible</b>	<b>Status</b>
					will commence subsequently, with further delivery in February 2019.
5	Review of commercial corridor along Commissioners Road East	March 2/15 13/6/PEC	2019	Fleming/Barrett	Revised date per the Planning Services Work Plan Update report received by PEC on October 10, 2017.
6	EEPAC Terms of Reference – Civic Admin to report allowing EEPAC to work with staff during the collaboration of reports, electronic distribution of files and to provide advice directly to PEC	May 12/15 (7/11/PEC)	Q4 2015	Saunders	Preparing initial report to PEC to seek Council direction.
7	Civic Administration BE DIRECTED to review and report back to a future meeting on how Development Agreements could be modified to include a mechanism for the Civic Administration to undertake compliance investigations to ensure that conditions set out in Environmental Impact Statements are and will be met; it being noted that the Planning and Environment Committee reviewed and received a communication dated January 18, 2016, from Councillor T. Park.	Jan 26/16 (11/2/PEC)	Q2 2018	Kotsifas/Yeoman	This matter has been merged with a review of subdivision agreement conditions associated with the Subdivision Process Reforms and Council's request regarding unassumed subdivisions. Scoping meetings regarding EIS compliance have commenced and information is being gathered. This matter will be reported out to PEC no later than the end of Q2 of 2018.
8	Civic Administration BE REQUESTED to report back at a future meeting with respect to potential policy and/or by-law changes that would provide a mechanism by which green roofs could be included in the calculation of required landscape open space.	May 18/16 (13/19/PEC)	2019	Fleming/Kotsifas	A future report will be brought to PEC.  Revised date per the Planning Services Work Plan Update report received by PEC on October 10, 2017.
9	Sanitary Servicing to Arva and Water Servicing to Delaware – City Planner and City Engineer to report back with draft agreement that reflects Option 2 and to pursue a reduction in the sewage	October 3/17 (13/18/PEC)	Q4 2018	Fleming/Mathers	To be added to the Planning Services work plan, recognizing staff resource constraints.

[Type here]

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	servicing area to match the current Arva settlement area boundary.				
10	Dundas Place Management and Dundas Place Field House – City Planner to report back on results of monitoring all aspects of Dundas Place Management by mid-2019 in order to inform the development of the 2020-2023 Multi-Year Budget.	November 28/17 (17/22/PEC)	Mid-2019	Fleming/Yanchula	Phase 1 of Dundas Place construction to be completed Q4, 2018 at which time Dundas Place Management will commence.
11	White Oak/Dingman Area Secondary Plan – draft Official Plan policies to be brought forward following consultation with stakeholders, agencies and the public.	December 12/17 (4/1/PEC)	Q4, 2018	Fleming/Barrett	In progress – secondary plan on Planning Services Work Plan update received b Planning Committee on October 10, 2017. Expected completion date Q4, 2018

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# London Advisory Committee on Heritage

## Report

4th Meeting of the London Advisory Committee on Heritage  
March 14, 2018  
Committee Rooms #1 and #2

Attendance                      PRESENT: D. Dudek (Chair), J. Cushing, H. Elmslie, H. Garrett, S. Gibson, T. Jenkins, J. Manness, B. Vazquez and M. Whalley and J. Bunn (Secretary).

ABSENT: S. Adamsson, D. Brock and K. Waud.

ALSO PRESENT: J. Dent, L. Dent, K. Gonyou, K. Ouderkirk and A. Rammeloo.

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that H. Garrett disclosed a pecuniary interest in clauses 2.1 and 3.2 of this report, having to do with a Heritage Alteration Permit by D. Lansink with respect to the property located at 67 Euclid Avenue and a Notice of Application by Paramount Developments (London) Inc. related to the property located at 809 Dundas Street, respectively, by indicating that her employer was contacted by the applicant for advice on item 2.1 and her employer is the agent on the file for item 3.2.

### 2. Scheduled Items

#### 2.1 Heritage Alteration Permit - 67 Euclid Avenue, Wortley Village - Old South Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to erect a new building on the property located at 67 Euclid Avenue, within the Wortley Village – Old South Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the attached presentation from L. Dent, Heritage Planner and the attached handout from D. Lansink, were received with respect to this matter.

#### 2.2 Demolition Request and Heritage Alteration Permit Application by 2436069 Ontario Ltd - 504 English Street, Old East Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 504 English Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report

dated March 14, 2018, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;
- the property owner demonstrate, to the satisfaction of the Heritage Planner, that sufficient quantity and quality of brick may be salvaged from the existing building for reuse to clad the proposed building as shown in Appendix D;
- the property owner be requested to salvage any elements of the existing building that may be suitable for reuse;
- the property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the attached presentation from K. Gonyou, Heritage Planner, was received with respect to this matter.

#### 2.3 Demolition Request and Heritage Alteration Permit Application by Kapland Construction Inc. - 491 English Street, Old East Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;
- the property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the London Advisory Committee on Heritage requests that the City of London not use chain link fence along the north façade of the subject property;

it being further noted that the attached presentation from K. Gonyou, Heritage Planner was received with respect to this matter.

#### 2.4 Cultural Heritage Evaluation Report - 3544 Dingman Drive

That the Cultural Heritage Evaluation Report for the property located at 3544 Dingman Drive, dated March 2018, from AECOM, BE REFERRED to the Stewardship Sub-Committee to review the Statement of Cultural Heritage Value or Interest and report back to the London Advisory Committee on Heritage (LACH) with respect to this matter;

it being noted that the LACH recommends that the cultural heritage resource at 3544 Dingman Drive be designated and be incorporated into the future expansion of the Dingman Creek Pumping Station;

it being further noted that the attached presentation from M. Greguol, AECOM was received.



### **3. Consent**

#### **3.1 3rd Report of the London Advisory Committee on Heritage**

That it BE NOTED that the 3rd Report of the London Advisory Committee on Heritage, from its meeting held on February 14, 2018, was received.

#### **3.2 Notice of Application - Paramount Developments (London) Inc. - 809 Dundas Street**

That the following actions be taken with respect to the Notice of application dated February 21, 2018, from S. Wise, Planner II, related to the application by Paramount Developments (London) Inc., with respect to the property located at 809 Dundas Street:

a) S. Wise, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research contained in the Heritage Impact Statement dated January 2018, prepared by Zelinka Priamo Ltd. for the adjacent property located at 795 Dundas Street; and,

b) the LACH recommends that the property located at 432 Rectory Street BE ADDED to the Register (Inventory of Heritage Resources) for physical/design and historical/associative reasons.

#### **3.3 Notice of Application - City of London - City-Wide - Low-Density Residential Zones (R1, R2, R3) within the Primary Transit Area as shown on Schedule A**

That M. Knieriem, Planner II, BE REQUESTED to attend the April meeting of the London Advisory Committee on Heritage to provide clarification with respect to the Notice of application dated March 7, 2018, related to an application by the City of London with respect to City-wide - Low-density residential zones (R1, R2, R3) within the Primary Transit Area.

#### **3.4 Request for Delegation - G. Hodder - Fugitive Slave Chapel Preservation Project**

That the delegation request from G. Hodder related to the Fugitive Slave Chapel Preservation Project BE APPROVED for the April 2018 meeting of the London Advisory Committee on Heritage.

### **4. Sub-Committees and Working Groups**

#### **4.1 Stewardship Sub-Committee**

That the following actions be taken with respect to the Stewardship Sub-Committee Report from its meeting held on February 28, 2018:

a) further cultural heritage work BE COMPLETED for the revised attached list of properties, including Cultural Heritage Evaluation Reports (CHER) and/or Heritage Impact Assessments (HIA), with respect to the Draft Cultural Heritage Screening Report – London Bus Rapid Transit System;

b) the Terms of Reference for HIAs and CHERs BE PREPARED;

c) the properties requiring further cultural heritage review that are not yet listed on the Register (Inventory of Heritage Resources) BE ADDED to the Register;

d) further review BE UNDERTAKEN to identify specific properties that may be affected within the Downtown Heritage Conservation District, West Woodfield Heritage Conservation District and Blackfriars/Petersville Heritage Conservation District to identify where property-specific HIAs may be required; and,

e) the remainder of the Stewardship Sub-Committee report BE RECEIVED.

## **5. Items for Discussion**

### **5.1 Heritage Alteration Permit Application by: M. Telford - 200 Wharncliffe Road North, Blackfriars/Petersville Heritage Conservation District**

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the porch of the building located at 200 Wharncliffe Road North, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;
- all exposed wood be painted;
- square spindles, set between a top and bottom rail, be installed as the guard;
- the top rail of the guard be aligned with the height of the capstone of the cast concrete plinths; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the attached presentation from K. Gonyou, Heritage Planner, was received with respect to this matter.

### **5.2 Heritage Planners' Report**

That it BE NOTED that the attached submission from K. Gonyou and L. Dent, Heritage Planners, with respect to various updates and events, was received.

### **5.3 Work Plan**

That the following actions be taken with respect to the London Advisory Committee on Heritage (LACH) Work Plans:

- a) the revised, attached 2018 Work Plan for the LACH BE FORWARDED to the Municipal Council for consideration; and,
- b) the attached 2017 LACH Work Plan Summary BE FORWARDED to the Municipal Council for their information.

## **6. Deferred Matters/Additional Business**

None.

## **7. Adjournment**


The meeting adjourned at 8:05 PM.


 

## Heritage Alteration Permit 67 Euclid Avenue

London Advisory Committee on Heritage  
Wednesday March 14, 2018

[london.ca](http://london.ca)

 **Property Location**



67 Euclid Avenue  
severed from 66 Byron Ave E

 **Property Description**

  
Existing garage at 67 Euclid Avenue

  
View of adjacent properties at 68, 70 and 72 Euclid Avenue

  
Adjacent property at 2 Birch Street

 **Surrounding Context**

  
Euclid Avenue Streetscape

  
64 and 66 Euclid Avenue

  
60 Euclid Avenue

- Wide date range from 1880s-1950
- Reflect an eclectic mix of 1, 1 ½ and 2-storey structures
- Common heritage features include;
  - prevalence of brick (in red, white/buff)
  - street facing gables
  - vertically oriented windows
  - elevated front porches



## Heritage Alteration Permit



Site Plan – aerial view, showing proposed building and setbacks



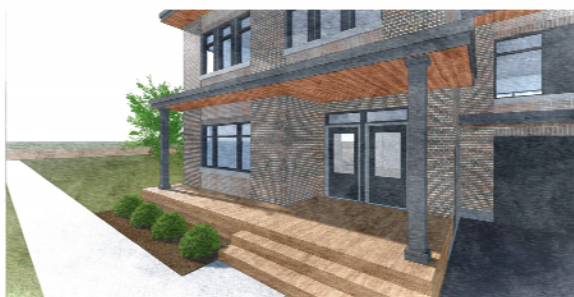
## Proposal Rendering



Front elevation showing proposed building at 67 Euclid Avenue with its front façade in alignment with the abutting property at 2 Birch Street



## Proposed Rendering



Front elevation showing proposed details of porch and entrance



## Proposal Rendering



Front elevation showing proposed building at 67 Euclid Avenue with its front façade in alignment with the abutting property at 2 Birch Street



## Wortley Village-Old South HCD Guidelines for New Buildings

- ✓ Consistent with setbacks
- ✓ Compatibility of footprint, size, height and massing patterns
- ✓ Compatible use of materials, colours, texture and palette
- ✓ Reflect (in a contemporary way) some traditional details from the area
- mitigated Windows to reflect common building patterns and styles (i.e. size, shape, proportion, number, placement)
- mitigated Garages discouraged at the front of properties
- mitigated Roof shape consistent with surrounding properties



Compare the proposed design to existing buildings in the area. The proposed design is contemporary, yet subtly reflects the materiality, palette, texture and aesthetic styling of the surrounding properties.



## Staff Recommendation

Erection of a new building on the property located at 67 Euclid Avenue, within the Wortley Village-Old South HCD, BE PERMITTED subject to the following terms and conditions:

- (a) The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,
- (b) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.



## Executive Summary

### Summary of Request

- staff seeking approval from Municipal Council for a Heritage Alteration Permit to allow the construction of a new building on the property located at 67 Euclid Avenue, within the WV-OS HCD, in accordance with Section 42 of the *Ontario Heritage Act*

### Purpose and the Effect of Recommended Action

- classes of alterations identified in the WV-OS HCD Plan require a heritage alteration permit for the alteration for the erection any structures or buildings on the property
- to permit the construction of a new building at 67 Euclid Avenue.
- terms and conditions are attached to ensure compatibility with the WV-OS HCD Plan
- applicant cannot obtain a Building Permit without an approved Heritage Alteration Permit

### Rationale of Recommended Action

- proposed new building demonstrates that heritage attributes of the WV-OS HCD will be conserved, and complies with the policies and guidelines of the District Plan
- its construction should be permitted with terms and conditions



## Revised & Previous Proposal





## Heritage Alteration Permit Application

Site Address: 67 Euclid Ave London Ont



Existing building to be re moved.



Proposed new single family 2 story home.



Date: Feb 27 2017

To: Laura Dent Heritage Planner

Kyle Gonyou Heritage Planner

Dear Laura and Kyle

Please accept this updated complete application for a heritage alteration permit for 67 Euclid Ave  
London Ont.

This complete application includes ten copies of the items listed below.

**Pages 1 to 2** Neighbourhood Character Statement.

**Pages 3 to 4** Urban Design Peer Review Panel – Evaluation Summary

**Pages 5 to 10** Conceptual Drawings

**Pages 11 to 13** Elevations

**Pages 14 and 15** Exterior Material List

Please contact me regarding any questions.

Thank you

Doug Lansink

66 Byron Ave East London Ont

N6C1C7

# Exterior Material List

**Site:** 67 Euclid Ave. London Ont

**Applicant/owner:** Doug Lansink

## Bricked Area



67 EUCLID AVENUE



- Proposed Iron Spot Brick

## Siding Areas

- This will be a horizontal or vertical siding type.
- Material to be a vinyl or better.
- Colour is Windswept smoke or similar



- WINDSWEPT SMOKE

## Soffit and Porch ceiling and front porch decking

- Soffit/ceiling To be a wood look product
- Colour to compliment the brick

- Decking to be wood material or better

#### **Fascia:**

- Aluminum will be Gentek Black or Iron ore colour
- [REDACTED] Iron ore Gentek

#### **Windows:**

- Vinyl Gentek Regency 400
- With meticulous attention to every detail, Regency 400 Series merges timeless beauty with best-in-class technology to achieve superior energy efficiency, enduring style, easy upkeep and excellent value
- Renovation Masterframe 400 Heavy -duty 4-1/2" welded ridged vinyl multi-chamber frame construction
- IntegraWeld Fusion Welding, Welded sashes with triple weather-stripping for superior insulation
- Superior Energy Efficient Design Available in 7/8" double-glazed Low-E and argon (standard) and 1-3/8" triple-glazed sealed units with Low-E and argon or Krypton for ultra-energy efficiency.
- Custom Thermal Performance EnergyPlus and Solar Shield glass packages available
- Environmentally Friendly Designed for superior thermal performance and smaller carbon footprint
- All windows to be a casement or awning type
- All Black or Iron ore exterior

#### **Entry Doors:**

- All to be a steel Door painted at factory.
- Manufactured by Novatech
- Door Model will match the provided proposed elevation sketch

#### **Garage door:**

- Door to be a steel type flush panel with four offset windows
- Door Manufactured by CHI Garage Door (example my not be exactly as shown)



**Pol Associates Inc.**  
Land Use Planning Consultants  
94 Rollingwood Circle  
London ON N6G 1P7

## **REVISED NEIGHBOURHOOD CHARACTER STATEMENT**

**Euclid Avenue and 66 Byron Avenue East; Part lot 14 S/S Registered Plan 391**

**October 3, 2017**

### **Introduction**

This revised Neighbourhood Character Statement has been prepared in fulfillment of a condition of the consent B18/16 for 66 Byron Avenue. The zoning has been approved for the subject site and is proceeding through the site plan approval process.

The following sections of this report provide descriptions of the character and image of the neighbourhood, the site design and the proposed servicing as per the requirements of the Official Plan. The final page includes two renderings of the property from Euclid Avenue.

### **Character and Image**

The neighbourhood is comprised of 1, 2 and 2 ½-storey brick dwellings with a variety of architectural styles. There are examples of Queen Anne, Romanesque, Ontario cottage and Italianate buildings in the area. Many of the buildings include a combination of such traditional design details with more recent and eclectic features. Along Euclid Avenue there are a broad range of single storey, two storey dwellings constructed in the 1800's up to the 1970's.

The proposed development replaces a three bay garage with a two storey building and a single bay attached garage. The dwelling is a modern design with wood \ brick cladding, and large first and second windows and flat roof. The building features parking in an attached one bay garage. Single detached infill dwellings are consistent with properties to the east and west of this site which have similar design characteristics.

The materials and style of the proposed building are intended to reflect design features similar to single detached dwellings along Euclid Avenue. It acknowledges the existence of a variety of design styles found in older neighbourhoods generally and specifically in this area.

### **Site Design**

The proposed single detached dwelling is located close to Euclid Avenue to enhance the pedestrian streetscape environment established with the sidewalk and existing residential development near the street line. In combination with the street-level entrance and large window openings, the streetscape environment promotes pedestrian activity. Private outdoor recreation space is provided to the rear of the building. Parking is provided within the garage and one space between the street line and the garage. The abutting parking area is sufficient to park a car on private property in front of the garage. The proposed landscaping will soften the front of the building and provide a transition between the public sidewalk and the entrance to the dwelling. Building setbacks are consistent with the narrow setbacks provided on adjacent properties and is similar to the overall character of the area.



**Building Design**

The building is two storeys with a flat roof. It has large picture windows providing connection from the street to the building. The entrance is recessed from the street to provide a transition into the building. The main floor is raised slightly from grade but cannot be raised further due to the shallow depth of the lot. There is sufficient depth at the front of the building to allow eyes on the street and privacy for the residents.

The building colours and exterior finish are appropriate for the character of the area. The wood accents are consistent with other examples on the street and provides an interesting contrast with the solid exterior finish.

**Servicing**

The removal of the three bay garage with a single detached dwelling and one bay garage will not interfere with traffic on Euclid Avenue. The existing municipal storm, sanitary and water services are sufficient for the proposed single detached dwelling. The location in the neighbourhood gives it a high degree of 'walkability'. The subject property is reasonably close to the major transit services provided along Bruce Street to the south. See attached for a complete engineered site grading and servicing plan.

**Conclusion**

Based on the review of the neighbourhood character, the proposed single detached dwelling is in keeping with the established neighbourhood character of and Euclid Avenue. It is consistent with the Official Plan policies regarding the character and image of the neighbourhood.



Front view looking south from Euclid Avenue



Front view looking east along Euclid Avenue



## City of London Urban Design Peer Review Panel - Evaluation Summary

**Date:** June 15, 2016

**To:** Proponents

- Doug Lansink, Land Owner
- William Pol, Planner, Pol Associates Inc.

City of London Personnel

- Britt O'Hagan, Urban Designer
- Brian Turcotte, Senior Planner - Site Plan Approval Officer

**From:** Urban Design Peer Review Panel (UDPRP)

- David Yuhasz, Architect, Chair
- Julie Bogdanowicz, Architect
- Adrian Dyer, Architect
- Sung Ae Sim, Landscape Architect
- Blair Scorgie, Urban Designer
- Jason McIntyre, Architect

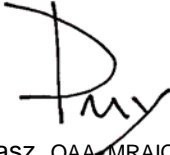
**RE: Zoning By-Law Amendment  
66 Byron Avenue – Residential Development**

### *Building and Site Design*

1. City of London staff, in this instance Heritage appear to be making specific design recommendations which serves to confuse and lead proponents towards approval oriented solutions and not urban design. The proponents' original concept has more Architectural merit and will be of greater significance and value to the built fabric of the neighbourhood compared to the design revisions suggested by City staff that literally create confusion in the architectural concept. Precedent buildings in the design brief have proven to be quite successful enhancements to the neighbourhood in which they are built.
2. The contemporary approach is an acceptable direction however it would be useful to see further design development to ensure a quality design is achieved. At this stage there are a number of issues that if addressed would improve the design and enhance the urban fabric.
3. The driveway does not appear to be long enough on site plan drawing to accommodate a vehicle. Graphic representation of automobile is touching the building. Recommended is a further review of garage wall setback to avoid possibility of car / truck parked in driveway overhanging the sidewalk.
4. Having a front entry path can enhance privacy and streetscape.
5. Raising the front porch elevation and increasing its size for outdoor use would provide an active covered front porch that is prevalent on the existing streetscape improving the transition from public to private space.
6. Narrowing the garage width relative to the house would provide a more balanced façade.
7. Consider tree planting in the boulevard.
8. The development approach is seen as appropriate for this area that allows for further intensification without imposing pocket density increases.

This UDPRP review is based on City planning and urban design policy, the submitted brief and noted presentation. It is intended to inform the ongoing planning and design process and in this instance the proposed development based upon the review by the panel is suitable for the site and provides for a satisfactory level of architectural design with an appropriate level of infill development.

Sincerely on behalf of the UDPRP,

A handwritten signature in black ink, appearing to read 'D. Yuhasz', with a stylized 'D' and 'Yu'.

David Yuhasz, OAA, MRAC, BFA, B.ARCH  
Chair, City of London Urban Design Peer Review Panel





67 EUCLID AVENUE





67 EUCLID AVENUE





67 EUCLID AVENUE



Proposed Iron Spot Brick





67 EUCLID AVENUE





67 EUCLID AVENUE





67 EUCLID AVENUE









## Demolition Request & Heritage Alteration Permit 504 English Street, Old East Heritage Conservation District

London Advisory Committee on Heritage  
March 14, 2018

london.ca



## Property Location





## 504 English Street





## 504 English Street

- Altered Ontario Cottage
- Vernacular
- Built about 1876
- First occupant: George Pratley, milkdealer
- D-Ranked, *Old East HCD Plan*





## Heritage Policy Framework

- *Provincial Policy Statement (2014)*
- *Ontario Heritage Act*
- *Official Plan (1989, as amended)/The London Plan (approved 2016)*
- *Old East Heritage Conservation District Plan*
  - Encourage retention and adaptation
  - Recognize demolition may be necessary: partial destruction (fire or catastrophic event), severe structural instability, occasionally redevelopment in keeping with appropriate City policies
  - Guidelines for New Development



## First Proposal



## Proposed Building – Front Façade



## Proposed Building – Side Facades





## Proposed Streetscape



PCBUCK

STREETSCAPE



## Proposed Site Plan



PCBUCK

SITE PLAN



## Analysis

### Section 4.4, *Old East HCD Plan*:

- Match setback, footprint, size and massing
- Respond to unique locations
- Roof shapes and major design elements
- Materials and colours of heritage palette
- Standard elements of Old East
- Discourage front drive garages



## Conclusion

- D-ranked by *Old East HCD Plan*
- No significant historical associations identified
- Heritage integrity and authenticity of existing structure
- Streetscape compatibility
- Compatibility of proposed design



## Consultation

- Mail out to property owner within 120m, including Old East Village Community Association
- Advertised in *The Londoner*
- Stewardship Sub-Committee
- Phone calls: 3
- Written Inquiry/Comment: 2



## Recommendation Options

### Options under the *Ontario Heritage Act*

Within 90 days after notice of receipt is served on the applicant... the Council may give the applicant,

- The permit applied for;
- Notice that the Council is refusing the application for the permit;
- The permit applied for, with terms and conditions attached



## Staff Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 504 English Street, within the Old East Heritage Conservation District, **BE PERMITTED** as proposed in the drawings attached as Appendix D, subject to the following terms and conditions:

- The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;
- The property owner demonstrate to the satisfaction of the Heritage Planner that sufficient quantity and quality of brick may be salvaged from the existing building for reuse to clad the proposed building as shown in Appendix D;
- The property owner be requested to salvage any elements of the existing building that may be suitable for reuse;
- The property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.



## Old East HCD Palette


Darkwood Brown HC-49	Darkwood Taupe HC-60	Darkwood Taupe HC-75	Darkwood Taupe HC-104	Darkwood Taupe HC-117	Darkwood Taupe HC-128	Darkwood Taupe HC-139	Darkwood Taupe HC-140	Darkwood Taupe HC-141	Darkwood Taupe HC-142
Darkwood Taupe HC-153	Darkwood Taupe HC-164	Darkwood Taupe HC-175	Darkwood Taupe HC-186	Darkwood Taupe HC-197	Darkwood Taupe HC-208	Darkwood Taupe HC-219	Darkwood Taupe HC-220	Darkwood Taupe HC-221	Darkwood Taupe HC-222
Darkwood Taupe HC-233	Darkwood Taupe HC-244	Darkwood Taupe HC-255	Darkwood Taupe HC-266	Darkwood Taupe HC-277	Darkwood Taupe HC-288	Darkwood Taupe HC-299	Darkwood Taupe HC-300	Darkwood Taupe HC-301	Darkwood Taupe HC-302





## Demolition Request & Heritage Alteration Permit 491 English Street, Old East Heritage Conservation District

London Advisory Committee on Heritage  
March 14, 2018

london.ca




Property Location






491 English Street





491 English Street

- Side hall plan cottage
- Vernacular
- Built about 1884
- First occupant:  
Joseph Sanders,  
painter, shoemaker,  
Secretary/Inspector  
Children's Aid Society  
and Humane Society
- C-Ranked, *Old East  
HCD Plan*







## Heritage Policy Framework

- *Provincial Policy Statement (2014)*
- *Ontario Heritage Act*
- *Official Plan (1989, as amended)/The London Plan (approved 2016)*
- *Old East Heritage Conservation District Plan*
  - Encourage retention and adaptation
  - Recognize demolition may be necessary: partial destruction (fire or catastrophic event), severe structural instability, occasionally redevelopment in keeping with appropriate City policies
  - Guidelines for New Development



## Proposed Building



## Proposed Building – East Façade

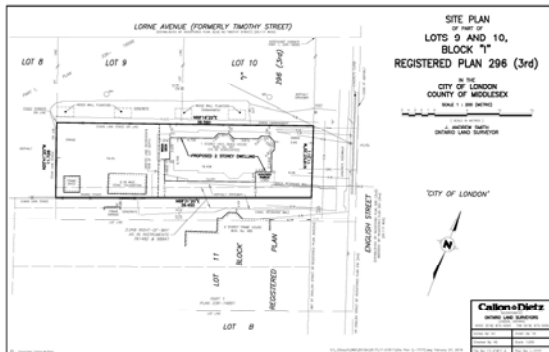


## Proposed Building – North Façade

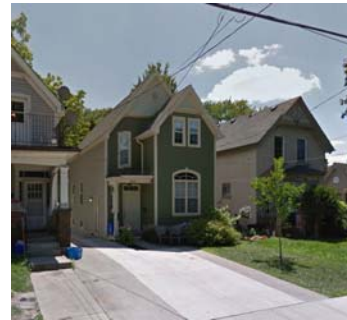




## Proposed Site Plan



## Other Infill Examples



643 Lorne Avenue, Old East HCD  
(Noted by designer)



## Other Infill Examples



86 Cartwright Street, West Woodfield HCD  
(Noted by property owner)



## Other Infill Examples



587 and 589 Oxford Street East  
(Noted by property owner)



## Analysis

### Section 4.4, *Old East HCD Plan*:

- Match setback, footprint, size and massing
- Respond to unique locations
- Roof shapes and major design elements
- Materials and colours of heritage palette
- Standard elements of Old East
- Discourage front drive garages



## Conclusion

- No significant historical associations identified
- Contextual value of existing C-ranked property
- Compatibility of proposed design
- Unique location fronting future park space



## Consultation

- Mail out to property owner within 120m, including Old East Village Community Association
- Advertised in *The Londoner*
- Stewardship Sub-Committee
- Phone calls: 3
- Written Inquiry/Comment: 2



## Recommendation Options

### Options under the *Ontario Heritage Act*

Within 90 days after notice of receipt is served on the applicant... the Council may give the applicant,

- (a) The permit applied for;
- (b) Notice that the Council is refusing the application for the permit;
- (c) The permit applied for, with terms and conditions attached



## Staff Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, **BE PERMITTED** as proposed in the drawings attached as Appendix D, subject to the following terms and conditions:

- The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;
- The property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.



## Old East HCD Palette

Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01	Darkwood Shutter Bene HC-01
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# 3544 Dingman Drive Cultural Heritage Evaluation Report South London Wastewater Servicing Study

Michael Greguol, Cultural Heritage Specialist

March 14, 2018

**AECOM**


## 2 Introduction and Study Purpose

**– Project Context**

- South London Wastewater Servicing Study
  - Existing Wonderland Wastewater Pumping Station does not have sufficient capacity to service anticipated growth
  - Municipal Class EA to determine strategies for South London
- Expansion or new Dingman Creek Pumping Station as potential strategy

**– Cultural Heritage Evaluation Report**

- 3544 Dingman Drive
- To address potential heritage-related concerns for potential expansion or new facility
- Included on City of London's *Inventory of Heritage Resources*
- Priority 2



**AECOM**

## 3 Study Area

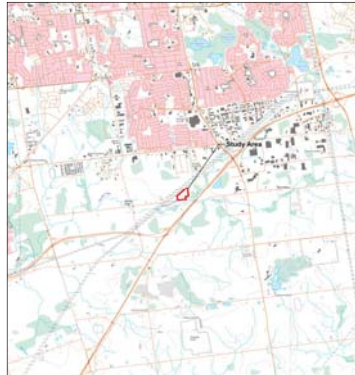
**– 3544 Dingman Drive**

- North side of Dingman Drive
- Adjacent to Hwy 401
- 40 Acres (16 ha)
- Residential and TRY Recycling Facility




**AECOM**

## 4 Study Area



**AECOM**



5


**Study Area**




6

**Site History**


- Lot 18, Concession 3, Westminster
- 200 acres granted to Richard Dicey, in 1850
  - 1868 – 200 acres divided equally amongst family (Hiram, John Alexander, Ira)
  - 1869 – John Alexander builds existing farmhouse
- 1899 - Harriet Somerville (Dicey) Millson
  - 1924 – Caleb Millson
- 1958 – Stanley Millson
  - 1964/1971 – Raymond Millson
- 2007 – TRY Recycling



7


**Site Description – Farmhouse**

- Property Access
  - 2003 – *Stage 1 Archaeological and Built Heritage Assessment* for Dingman Drive Area Plan
- Farmhouse
  - Gothic Revival Ontario Farmhouse
  - Three bays, 1 ½ storeys
  - Centre door, gable roof, cross gable for pointed arch window
  - Terra cotta panel above pointed arch window
  - Front door – fielded panels and mouldings, sidelights and transoms
  - Minor exterior alterations since 2003



8

**Site Description – Farmhouse**



2003

2018

9 **ASDM**

### Site Description – Farmhouse



10 **ASDM**

### Site Description – Barn, outbuildings, and landscape

- Barn
  - 2003 – *Stage 1 Archaeological and Built Heritage Assessment* for Dingman Drive Area Plan
  - Timber frame barn
  - Mortise and tenon joints
  - Vertical plank exterior
  - Demolished in 2015
- Outbuilding/Garage
- Landscape
  - Agricultural history
  - 1.75 acres
  - Driveway
  - Rows of trees



11 **ASDM**

### Site Description – Barn, outbuildings, and landscape



12 **ASDM**

### Evaluations

- 2002, 2003
  - 2002 LACH recommendation for designation
  - 2003 Council recommendation
    - Barn to be added to the Register
    - "Every effort be made to encourage retention..."
    - Efforts to consult with property owned at the time halted designation process
- 2018 – O. Reg. 9/06
  - Design/Physical
  - Historic/Associative
  - Contextual



13

**Statement of Cultural Heritage Value**

*The property at 3544 Dingman Drive consists of a late-19<sup>th</sup> century farmhouse, a garage/outbuilding, footprint of a former barn structure, and a series of landscape components that are historically associated with and connected to Richard Dickey, the original grantee of Lot 18, Concession 3 in Westminster Township. Having received the grant for this lot, Dickey farmed the property and eventually subdivided the lot to his three sons who continued to farm the property in the 19<sup>th</sup> and early-20<sup>th</sup> century. John Alexander Dickey, son of Richard, constructed the Gothic Revival Ontario Farmhouse on the south part of the lot in 1869, on what would eventually become municipally known as 3544 Dingman Drive. The property remained within the Dickey family, later passed to Harriet Millson (daughter of John Alexander), Stanley Millson (son of Harriet), and eventually Raymond Millson (son of Stanley). The farmhouse and the small portion of surrounding property that is not part of the recycling facility to the north represent over 150 years of continued family ownership that came to an end when the property was sold for its current industrial use. The property was sold by descendants of the original property owners in March 2007. The property represents a small fragment of the once agricultural landscape along what is now Dingman Drive.*

**Heritage Attributes**

- 1869 front portion of the Gothic Revival Ontario Farmhouse:
  - Form, scale and mass of the historic front portion of the farmhouse
  - Three-bay symmetrical façade
  - Central front doorway and door with sidelights and transoms
  - 2/2 sash windows
  - Pointed arch window in cross gable
  - Brick exterior, including voussiors and flat arch brick lintels
  - Gable roof with central peak
  - Field stone foundation of the historic portion of the house
- Landscape components:
  - Gravel driveway from Dingman Drive leading to the rear of the house
  - Rows of trees located on the east and west sides of the house, defining the views of the farmhouse from Dingman Drive

**AECOM**

14

**Recommendations and Next Steps**

- Designation under Section 29, Part IV of the OHA
  - Statement of Cultural Heritage Value and Heritage Attributes to be adopted
- Heritage Impact Assessment required for Detail Design, if property is identified for new facility
  - To address potential impacts of new facility
  - To consider adaptive re-use potential
  - To address landscaping plan
- Additional Research/Site Investigation
  - Further research and site investigation, if available

**AECOM**

**Thank You!**

Michael Greguol  
Michael.greguol@aecom.com

March 14, 2018

**AECOM**

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-1	1455 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-10	1160 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-11	1368 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-12	1156 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-13	1142 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-14	1140 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-15	1144 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-16	1150 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-17	250 Paardeberg Cres	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-18	246 Paardeberg Cres	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-21	1232 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-22	1114 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-23	240 Huron St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-24	1110 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-25	955 Highbury Ave N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-26	951 Highbury Ave N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-27	847 Highbury Ave N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-28	1340 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-29	1260 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-30	1250 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-31	744 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-32	1224 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-33	1230 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-34	1226 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-35	746 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-36	1232 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-37	1240 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-38	1228 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-39	1242 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-40	1244 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-41	1140 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-42	724 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-43	742 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-44	740 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-45	736 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-46	998 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-47	1014 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-48	876 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-52	1565 Western Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-54	1536 Western Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-58	1151 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-59	1134 The Parkway	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-60	1129 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-61	1131 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-62	1111 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-63	1123 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-64	1109 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-65	1113 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-66	1137 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-67	1121 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-68	1135 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-69	1129 The Parkway	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-72	127 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-78	107 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-80	103 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-81	101 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-83	99 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-84	56 Palmer St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-89	105 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-92	156 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-93	154 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-98	152 Oxford St W	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-103	97 Wharnccliffe Rd N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-104	93 Wharnccliffe Rd N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-105	95 Wharnccliffe Rd N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-106	44 Wharnccliffe Rd N	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-107	1287 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-108	1285 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-110	1295 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-111	1281 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-112	1291 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-114	1205 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-115	396 Oakland Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-117	1195 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-118	1223 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-119	1233 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-120	1225 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-121	1229 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-122	1153 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-124	1033 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-125	865 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-126	859 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-127	774 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-128	762 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-129	786 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-130	764 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-131	790 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-132	768 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-133	796 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-134	794 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-135	347 Lyle St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-136	689 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-137	1 Kennon Pl	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-138	72 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-139	98 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-140	30 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-141	32 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-142	78 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-143	26 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-144	74 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-145	28 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-146	90 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-147	88 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-148	92 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-149	34 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-150	142 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-151	138 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-152	134 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-153	120 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-154	122 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-155	126 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-156	140 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-157	136 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-158	118 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-159	166 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-160	266 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-161	268 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-162	292 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-163	298 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-164	712 Whetter Ave	Potential Heritage Property	CHER Recommended	CHER Recommended



<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-165	294 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-166	296 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-167	300 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-168	302 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-169	355 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-170	247 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-171	205 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-172	199 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-173	219 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-174	115 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-175	91 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-176	6 Front St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-177	162 Grand Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-181	1 Colgrove Pl	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-182	247 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-183	49 Foxbar Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-184	255 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-185	261 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-186	263 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-187	251 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-188	249 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-189	267 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-190	269 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-191	275 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-192	273 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-193	271 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-194	265 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-195	289 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-196	287 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-197	285 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-198	307 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-199	301 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-200	297 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-201	303 Wellington Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-202	321 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-203	317 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-204	315 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-205	319 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-206	323 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-207	333 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-208	331 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-209	335 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-210	327 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-212	University Dr Bridge	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-213	The Queen's Bridge	Potential Provincial Heritage	CHER Recommended	CHER Recommended
CHR-214	Clark's Bridge	Potential Provincial Heritage	CHER Recommended	CHER Recommended
CHR-215	Wellington St Underpass	Potential Provincial Heritage	CHER Recommended	CHER Recommended
CHR-217	Highbury Ave N Overpass	Potential Provincial Heritage	CHER Recommended	CHER Recommended
CHR-219	1376 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-223	252 Paardeberg Cres	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-224	1226 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-225	1228 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-226	1220 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-227	1224 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-228	1222 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-229	1218 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-230	1230 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-231	243 Huron St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-232	1084 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-233	1094 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-234	1090 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-235	1088 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-236	1086 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-237	1092 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-238	1096 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-239	1074 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-240	1082 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-241	1070 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-242	1072 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-243	1068 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-244	1066 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-245	1054 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-246	1000 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-247	994 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-248	996 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-249	988 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-250	992 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-251	966 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-252	980 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-253	956 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-254	958 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-255	954 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-256	860 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-257	862 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-258	848 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-259	854 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-260	846 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-261	250 Sydenham St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-547	1108 Dundas St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-263	782 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-264	228 Oxford St E	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-265	414 Ashland Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-266	416 Ashland Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-267	418 Ashland Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-268	1042 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-271	1066 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-273	1048 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-274	980 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-275	1050 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-276	1044 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-278	984 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-279	1068 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-280	982 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-281	1030 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-282	1038 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-283	1046 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-284	880 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-285	976 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-286	900 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-289	1609 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-298	1521 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-299	1515 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-301	1517 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-304	1507 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-305	368 Windermere Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-313	1163 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-314	1103 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-316	1085 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-317	1087 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-319	1093 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-321	1079 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-322	1073 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-323	1077 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-324	1071 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-325	1075 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-326	1035 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-327	1039 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-328	1051 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-329	1049 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-330	925 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-332	897 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-333	200 College Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-334	759 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-335	781 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-336	761 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-338	739 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-339	735 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-340	713 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-341	733 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-342	717 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-343	711 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-344	649 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-345	645 Richmond St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-346	208 Central Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-348	205 Central Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-360	258 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-361	1277 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-362	1273 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-363	1239 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-364	1269 Dundas St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-365	713 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-367	721 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-368	757 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-369	765 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-370	769 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-371	763 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-373	723 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-374	773 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-375	771 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-376	631 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-377	478 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-378	413 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-379	386 Colborne St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-380	454 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-381	414 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-382	466 King St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-384	362 Waterloo St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-386	152 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-387	140 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-388	142 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-389	92 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-390	3 Kennon Pl	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-391	2 Kennon Pl	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-392	14 Raywood Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-393	174 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-394	12 Raywood Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-395	10 Raywood Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-396	256 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-397	246 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-398	262 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-399	260 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-400	252 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-401	250 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-402	254 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-403	248 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-409	237 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-411	233 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-413	189 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-414	223 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-415	185 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-416	181 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-418	137 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-419	135 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-420	75 Wellington St	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-421	119 McClary Ave	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-422	36 Frank Pl	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-423	139 Wellington Rd	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR-424	1148 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-425	962 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-426	960 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-427	984 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-428	268 Grosvenor St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-429	220 St James St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-430	836 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-431	834 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-432	840 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-433	249 Sydenham St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-434	1156 Dundas St	Heritage Designated Property	CHER Recommended	HIA Recommended
CHR-435	251 Sydenham St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-436	700 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-437	940 Dundas St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-438	664 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-439	620 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-440	640 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-441	71 Fanshawe Park Rd W	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-442	1400 Western Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-443	1379 Western Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-444	1373 Western Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-445	1105 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-446	1117 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-447	1285 Western Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-448	1083 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-450	1061 Richmond St	Heritage Designated Property	CHER Recommended	HIA Recommended
CHR-451	1033 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-452	1037 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-453	1053 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-454	1055 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-455	929 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-456	1029 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-457	931 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-458	927 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-459	1031 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-460	909 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-461	205 Cheapside St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-462	893 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-463	887 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-464	895 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-465	827 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-466	825 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-467	829 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-468	831 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-469	813 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-470	791 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-471	789 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-472	795 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-473	787 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-474	753 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-475	783 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-476	757 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-477	727 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-478	731 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-479	651 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-480	611 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-481	621 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-482	619 Richmond St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-483	164 Oxford St W	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-484	303 Riverside Dr	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-485	390 Oxford St W	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-486	665 Proudfoot Lane	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-487	515 Oxford St W	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-488	30 Wharnccliffe Rd N	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-489	1127 Dundas St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-490	100 Kellogg Lane	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-491	900 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-492	701 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-493	697 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-494	525 Dundas St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-495	360 Adelaide St N	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-496	649 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-497	474 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-498	470 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-499	546 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-500	567 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-501	551 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-502	434 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-503	440 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-505	460 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-506	463 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-508	387 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-509	469 King St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-510	300 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-511	184 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-512	190 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-513	154 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-514	156 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-515	138 Wellington St	Heritage Designated Property	CHER Recommended	CHER Recommended
CHR-516	146 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-517	16 Wellington Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-518	261 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-519	213 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-520	231 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-521	203 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-522	215 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-523	171 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-524	139 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-525	111 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-526	267 Hill St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-527	129 Wellington St	Heritage Designated Property	CHER Recommended	HIA Recommended
CHR-528	119 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-529	117 Wellington St	Heritage Listed Property	CHER Recommended	CHER Recommended



Cultural Heritage Resource	Address	Cultural Heritage Status	CHSR Recommendation	Stewardship Sub-Committee Recommendation
CHR-530	131 Wellington Rd	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-531	1 Frank Pl	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-532	850 Highbury Ave N	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-533	1132 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-534	1058 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-535	986 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-536	866 Dundas St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-537	West Woodfield HCD	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-538	Downtown HCD	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-539	1603 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-540	835 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-541	805 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-542	623 Richmond St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-543	163 Oxford St W	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-544	Blackfriars-Petersville HC	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-545	871 Dundas St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-546	389 Dundas St	Heritage Designated Proper	HIA Recommended	HIA Recommended
CHR-549	741 Base Line Rd East	Potential Heritage Property	CHER Recommended	CHER Recommended
CHR- 548	1173 Dundas St	Heritage Listed Property	CHER Recommended	CHER Recommended
CHR-77	96 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-2	1390 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-3	1581 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-4	1388 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-5	1459 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-6	1457 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-7	1453 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-8	1451 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-9	1449 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-19	1118 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-20	209 Broughdale Ave	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-49	1611 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-50	1607 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-51	1547 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-53	1524 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-55	1534 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-56	1530 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-57	1532 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-70	1119 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-71	1115 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-73	108 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-74	125 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-75	6 Gower St	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-76	90 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-79	110 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-82	116 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-85	94 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-86	92 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-87	102 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-88	106 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-90	104 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-91	158 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-94	150 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-95	165 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-96	126 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-97	122 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-99	146 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-100	148 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-101	226 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-102	124 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommende
CHR-109	1301 Dundas St	Potential Heritage Property	CHER Recommended	No Further Work Recommende

<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-113	1235 Dundas St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-116	1203 Dundas St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-123	1051 Dundas St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-178	57 Wellington Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-179	63 Wellington Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-180	85 Wellington Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-211	375 Wellington Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-216	Richmond St Underpass	Potential Provincial Heritage	CHER Recommended	No Further Work Recommended
CHR-218	Western Rd Bridge	Potential Provincial Heritage	CHER Recommended	No Further Work Recommended
CHR-220	1384 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-221	1374 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-222	1380 Oxford St E	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-270	996 Dundas St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-277	1072 Dundas St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-287	1619 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-288	1623 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-290	1543 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-291	540 Canterbury Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-292	1545 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-293	1537 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-294	1541 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-295	1522 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-296	1525 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-297	1519 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-300	1529 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-302	1527 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-303	1523 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-306	1511 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-307	1503 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-308	1512 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-309	1514 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-310	1516 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-311	1520 Western Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-312	61 Westchester Dr	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-315	1095 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-318	1101 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-320	1097 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-331	201 Cromwell St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-337	737 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-347	224 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-349	189 Woodward Ave	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-350	230 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-351	181 Foster Ave	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-352	236 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-353	360 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-354	368 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-355	412 Oxford St W	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-356	121 Mount Pleasant Ave	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-357	951 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-358	937 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-359	945 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-366	690 King St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-372	698 King St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-383	291 King St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-385	216 Wellington St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-404	712 St Stephens Dr	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-405	907 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-406	915 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-407	981 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-408	973 Glenbanner Rd	Potential Heritage Property	CHER Recommended	No Further Work Recommended

Stewardship Sub-Committee Recommendations on  
draft CHSR


<b>Cultural Heritage Resource</b>	<b>Address</b>	<b>Cultural Heritage Status</b>	<b>CHSR Recommendation</b>	<b>Stewardship Sub-Committee Recommendation</b>
CHR-410	243 Wellington St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-417	225 Wellington St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
CHR-449	1057 Richmond St	Potential Heritage Property	CHER Recommended	No Further Work Recommended
	1576 Richmond St	Heritage Designated Property		HIA Recommended
	Gates at East side of Rich	Potential Heritage Property		CHER Recommended
	1080 Richmond St	Potential Heritage Property		CHER Recommended
	242 Huron St	Heritage Listed Property		CHER Recommended
	642 Richmond St	Potential Heritage Property		CHER Recommended
	644 Richmond St	Potential Heritage Property		CHER Recommended
	646 Richmond St	Potential Heritage Property		CHER Recommended
	209-211 John St	Heritage Listed Property		CHER Recommended
	609 Richmond St	Potential Heritage Property		CHER Recommended
	143 Wellington St	Potential Heritage Property		CHER Recommended
	147-149 Wellington St	Potential Heritage Property		CHER Recommended
	197 Wellington Rd	Potential Heritage Property		CHER Recommended
	1152 Dundas St	Potential Heritage Property		CHER Recommended
	1120 Dundas St	Potential Heritage Property		CHER Recommended
	1034-1036 Dundas St	Potential Heritage Property		CHER Recommended
	992 Dundas St	Potential Heritage Property		CHER Recommended
	884-890 Dundas St	Potential Heritage Property		CHER Recommended
	892-898 Dundas St	Potential Heritage Property		CHER Recommended
	874 Dundas St	Potential Heritage Property		CHER Recommended
	583 King St	Potential Heritage Property		CHER Recommended
	371 King St	Potential Heritage Property		CHER Recommended
	430 King St	Potential Heritage Property		CHER Recommended
	87 Oxford St West	Potential Heritage Property		CHER Recommended
	89 Oxford St West	Potential Heritage Property		CHER Recommended
	91 Oxford St West	Potential Heritage Property		CHER Recommended
	93 Oxford St West	Potential Heritage Property		CHER Recommended
	151 Oxford St West	Potential Heritage Property		CHER Recommended
	284 Oxford St West	Potential Heritage Property		CHER Recommended
	905-907 Richmond St	Potential Heritage Property		CHER Recommended
	1069 Richmond St	Potential Heritage Property		CHER Recommended
	1081 Richmond St	Potential Heritage Property		CHER Recommended
	<b>CHER/HIA Recommended</b>		<b>439</b>	
	<b>No further work recommended</b>		<b>104</b>	
	<b>CHER/HIA Recommended (Not Identified by CHSR)</b>		<b>30</b>	





## Heritage Alteration Permit 200 Wharncliffe Road North


London Advisory Committee on Heritage  
March 14, 2018

[london.ca](http://london.ca)




## 200 Wharncliffe Road North





## April 2015





## July 2016





March 16, 2017



February 26, 2018



February 26, 2018



Heritage Alteration Permit

Heritage Alteration Permit:

- Removed the unapproved wood baluster; and,
- Replace it with a new baluster with the following details:
  - Wood material;
  - Painted finish; and,
  - Square spindles set between a top and bottom rail at the existing height.





## Blackfriars/Petersville HCD

Section 11.2.9 of the *Blackfriars/Petersville Heritage Conservation District Plan* provides guidelines on the conservation of porches. It discourages the removal or substantial alteration of existing porches in their size, shape, and design, as well as removing or covering original porches or porch details. It states,

*When restoring a porch that is either intact or completely demolished, some research should be undertaken to determine the original design which may have been much different from its current condition and decide whether to restore the original.*

Guidelines recommend the use of wood, while discouraging fiberglass and plastic versions or imitations, and paint to protect the finished product.



## Staff Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the porch of the building located at 200 Wharncliffe Road North, within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

- (a) The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;
- (b) All exposed wood be painted;
- (c) Square spindles set between a top and bottom rail be installed as the guard;
- (d) The top rail of the guard be aligned with the height of the capstone of the cast concrete plinths; and,
- (e) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.



## Compatible Porches

149 Wharncliffe Road North



197 Wharncliffe Road North



## Heritage Planners' Report to LACH: March 14, 2018

1. Heritage Alteration Permits processed under Delegated Authority By-law:
  - a. 203-205 Dundas Street (Downtown HCD): signage
2. Ministry of Tourism, Culture and Sport: *Telling Ontario's Stories in the 21<sup>st</sup> Century: A Discussion Paper for Community Museums and Heritage*
  - a. Comments and responses to discussion questions by March 20, 2018 via email to MTCS [culture@ontario.ca](mailto:culture@ontario.ca)
3. Update: HAP17-068-D – 194 Dundas Street (Century Theatre)
4. New Heritage Planner
5. New Management – Heritage Planning is now part of the Long Range Planning and Research Team, manager Gregg Barrett

## Upcoming Heritage Events

- Ontario Heritage Conference – June 7-9, 2018 in Sault Ste. Marie. More information: [www.ontarioheritageconference.ca/program](http://www.ontarioheritageconference.ca/program)
- Eldon House – Events of Interest <http://www.eldonhouse.ca/events/>
  - April 15, 2018 at 2:00pm – Breaking Barriers in Medicine: Doctors Emily Stowe, Jenny Trout, Augusta Stowe, and Elizabeth Bagshaw
- ACO London Region – Events of Interest [http://www.acolondon.ca/acoLondon/News\\_Events.html](http://www.acolondon.ca/acoLondon/News_Events.html)
  - March 21, 2018 at 7:30pm (399 Ridout Street N) – Documenting Heritage: The Dominion Public Building, presentation by London film-maker Juan Andres Bello
  - March 13-April 20, 2018 (Fanshawe Pioneer Village, Spriet Family Visitor Centre) – Women's Work is Never Done, exhibition
- Tourism London – History & Heritage. More information: [www.londontourism.ca/Events/History-and-Heritage](http://www.londontourism.ca/Events/History-and-Heritage)
- Thames Valley Regional Heritage Fair – April 26, 2018 at 9:30-3:30 – Fanshawe Pioneer Village (2609 Fanshawe Park Rd E). More information: [https://www.ohhfa.ca/-\\_Thames\\_Valley.php](https://www.ohhfa.ca/-_Thames_Valley.php)

**LONDON ADVISORY COMMITTEE ON HERITAGE  
2018 WORK PLAN  
(March 14, 2018)**

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
1.	<p>-Recurring items as required by the Ontario Heritage Act (consider and advise the PEC (Planning and Environment Committee) and Municipal Council on matters related to HAPs (Heritage Alteration Permits), HIS (Heritage Impact Statement) reviews, HCD (Heritage Conservation District) designations, individual heritage designations, (etc.);</p> <p>-Research and advise the PEC and Municipal Council regarding recommendations for additions to the Register (Inventory of Heritage Resources);</p> <p>-Prioritize and advise the PEC and Municipal Council on top recommendations for heritage designation (final number to be determined by available time – taken from the Register and elsewhere as appropriate);</p> <p>-Consider and advise the PEC on ad hoc recommendations from citizens in regard to individual and Heritage Conservation District designations and listings to the Register (refer to Stewardship for advice);</p> <p>-Perform all other functions as indicated in the LACH Terms of Reference.</p>	<ul style="list-style-type: none"> <li>Section 28 of the Ontario Heritage Act mandates that the City shall establish a municipal heritage committee. Further, Council shall consult with that committee in accordance with the Ontario Heritage Act;</li> <li>Please see the <u>London Advisory Committee on Heritage: Terms of Reference</u> for further details;</li> <li>The LACH supports the research and evaluation activities of the LACH Stewardship Subcommittee, Policy and Planning Subcommittee, Education Subcommittee, Archaeological Subcommittee, and all other LACH Subcommittees which may serve from time to time.</li> </ul>	LACH (main) and subcommittees	As required	None	Strengthening our Community 4d; Building a Sustainable City 1c, 6b; Growing our Economy 1f, 2d	Ongoing
2.	Introduce all represented organisations and individuals on LACH at the first meeting of the new year, discuss member background and areas of knowledge/ expertise, and consider possible changes or additions.	<ul style="list-style-type: none"> <li>The LACH is made of a diverse and knowledgeable group of engaged individuals, professionals and representatives of various organizations. Once per year (or when a new member joins the committee) each member will introduce themselves to the committee and provide his/her relevant background.</li> </ul>	LACH (main)	January meeting	None	Building a Sustainable City 6b	<b>Completed</b>

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
3.	Ontario Heritage Act enforcement.	<ul style="list-style-type: none"> <li>The LACH will assist in identifying properties that have not obtained necessary approvals, and refer these matters to civic administration. The LACH will assist in monitoring alterations to HCD and heritage designated properties and report deficiencies to civic administration.</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing
4.	Great Talbot Heritage Conservation District	<ul style="list-style-type: none"> <li>The St George Grosvenor HCD Study is complete resulting in the Great Talbot HCD and Gibbons Park HCD. The LACH will monitor, assist and advise in the preparation of the both plans, following the timeline as approved by Council.</li> </ul>	LACH (main)	2018 Plan Completion	None	Building a Sustainable City 6b	Ongoing
5.	Heritage Places Review	<ul style="list-style-type: none"> <li>The LACH will participate and support the review of <i>Heritage Places</i> (1994), the guidelines document which identifies potential Heritage Conservation Districts</li> </ul>		2018	None	Building a Sustainable City 6b	
6.	Property insurance updates.	<ul style="list-style-type: none"> <li>The LACH will monitor, assist and advise on matters pertaining to the securing of property insurance for heritage designated properties in the City of London.</li> </ul>	Policy and Planning Sub-Committee	Ongoing.	None	Building a Sustainable City 6b	With Policy and Planning Sub-Committee
7.	City Map updates.	<ul style="list-style-type: none"> <li>The LACH will work with City staff to ensure that 'City Map' and searchable City databases are up to date in regard to the heritage register/ designations/ districts/ etc.</li> </ul>	Policy and Planning Sub-Committee	Ongoing	None	Building a Sustainable City 6b	With Policy and Planning Sub-Committee
8.	Heritage Impact Assessment Terms of Reference	<ul style="list-style-type: none"> <li>The LACH will support staff in their efforts to formalize an approach to reviewing and advising on HIS reports (including what triggers the reports, expectations, and who completes them.</li> </ul>	Policy and Planning subcommittee	2018	None	Building a Sustainable City 6b	Partially Complete
9.	Review of Delegated Authority	<ul style="list-style-type: none"> <li>The LACH will participate and support the review of the Delegated Authority for Heritage Alteration Permits</li> </ul>	LACH (main)	2018	None	Building a Sustainable City 6b	

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
10.	New and ongoing heritage matters.	<ul style="list-style-type: none"> <li>Through its connections to various heritage groups, and the community at large, the LACH is aware of emerging and ongoing heritage matters in the City of London. The LACH will monitor and report to City staff and PEC on new and ongoing cultural heritage matters where appropriate. (ex. Ontario Cultural Strategy, Community Economic Roadmap, etc.).</li> </ul>	LACH (main)	As required	None	Building a Sustainable City 6b	As required
11.	Archaeological Master Plan completion.	<ul style="list-style-type: none"> <li>The LACH will work with City staff to complete the Archaeological Master Plan currently underway.</li> </ul>	Archaeological subcommittee	Q2 2018	None	Building a Sustainable City 6b	Partially complete
12.	The Mayor's New Year Honour List recommendation.	<ul style="list-style-type: none"> <li>For a number of years, members of the LACH have been asked to provide advice to Council on the heritage addition to the "Mayor's New Year Honour List". The LACH will continue to serve this function as requested to do so by Council.</li> </ul>	Ad hoc committee of the LACH	Generally in the fall of each year	None	Building a Sustainable City 6b	Annually
13.	Provide advice to the London Community Foundation on heritage grant distribution.	<ul style="list-style-type: none"> <li>For a number of years, members of the LACH have been asked to provide advice to the London Community Foundation on heritage grant distribution: "The London Endowment for Heritage". The LACH will continue to serve this function as requested to do so by the Foundation.</li> </ul>	Ad hoc committee of the LACH	Generally in April of each year	None	Building a Sustainable City 6b	Annually
14.	Conference attendance.	<ul style="list-style-type: none"> <li>For a number of years, members of the LACH have attended the Ontario Heritage Conference when available. This conference provides an opportunity for LACH members to meet with other heritage committee members and heritage planning professionals, and to learn about current and ongoing heritage matters in the Province of Ontario (and beyond). Up to four (4) members of the LACH will attend the Ontario Heritage Conference.</li> </ul>	LACH (main)	May 2016	Up to \$2000 (if 4 members attend)	Building a Sustainable City 6b	Annually



	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
15.	Public awareness and education (& possible heritage fair/ day/ symposium).	<ul style="list-style-type: none"> <li>The LACH initiates, assists and/or advises on education and outreach programs to inform the citizens of London on heritage matters. This year, the LACH will also consider contributing to the organization of a city wide heritage fair/ day/ symposium (to provide information and outreach including – HAP process, professional advice on repairs and maintenance, current research on heritage matters, insurance advice, real estate matters, and a general exchange of ideas (etc.)). The LACH will coordinate with the efforts of the Historic Sites Committee of the London Public Library.</li> </ul>	Education subcommittee	Ongoing	\$2000	Building a Sustainable City 6b	Ongoing – in progress
16.	Public awareness and education collaboration with the London Heritage Council.	<ul style="list-style-type: none"> <li>The LACH will be supported by the London Heritage Council in its role to promote public awareness of and education on the community's cultural heritage resources. Collaborative initiatives may include LACH-related news updates in the LHC newsletter, LACH involvement in LHC programming and events (i.e. Heritage Fair), outreach support, and/or school-related programming as part of Citizen Culture: Culture-Infused LEARNING (LHC and London Arts Council).</li> </ul>	LACH (main) and Education subcommittee in collaboration with the London Heritage Council	Ongoing	\$2000	Building a Sustainable City 6b	Annually
17.	LACH member education/ development.	<ul style="list-style-type: none"> <li>Where possible, the LACH will arrange an information session for LACH members to learn more about the Ontario Heritage Act, and the mandate and function of Heritage Advisory Committees. The LACH will also explore ongoing educational opportunities for LACH members (such as walking tours, meetings with heritage experts/ professionals, meetings with community leaders, etc.).</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing
18.	City of London Archives.	<ul style="list-style-type: none"> <li>The LACH will continue to discuss and advise on possible locations (and contents) for a City of London Archives.</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
19.	LACH subcommittee member outreach.	<ul style="list-style-type: none"> <li>The LACH will continue to reach out to heritage and planning professionals/ experts to serve on LACH subcommittees (and advise the LACH on certain matters).</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing
20.	Heritage signage and plaque placement/funding.	<ul style="list-style-type: none"> <li>Through its connections to various heritage groups, and the community at large, the LACH is generally aware of potential locations for heritage signage and plaques. The LACH will consult with City Staff and heritage groups in regard to the occasional placement of heritage signage and/or plaques (and assist with funding where deemed appropriate by the committee). These efforts will be considered in the context of the City of London Heritage Interpretative Signage Policy.</li> </ul>	Education subcommittee	Ongoing	\$2000	Building a Sustainable City 6b	Ongoing
21.	Council outreach.	<ul style="list-style-type: none"> <li>If requested, the LACH will arrange an information session for Council members to learn more about the mandate and function of the LACH, the Ontario Heritage Act, and other City heritage matters.</li> </ul>	LACH (main) and Education subcommittee	TBD	None	Building a Sustainable City 6b	Ongoing
22.	Work Plan review.	<ul style="list-style-type: none"> <li>The LACH will review items on this Work Plan on a quarterly basis, and will thoroughly review this Work Plan at least once annually.</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing (March, June, Sept, Dec 2018)
23.	Rapid Transit EA	<ul style="list-style-type: none"> <li>The LACH will participate in heritage related matters associated with the Rapid Transit (Shift) EA including review of properties identified the Cultural Heritage Screening Report; identifying where further work is or is not required for potential cultural heritage resources; and identifying properties along rapid transit corridors that have not yet been identified and merit further consideration for cultural heritage evaluation</li> </ul>	LACH (main) and Stewardship subcommittee	Ongoing	None	Building a Sustainable City 6b	Ongoing
					\$8000		

**LONDON ADVISORY COMMITTEE ON HERITAGE  
2017 WORK PLAN  
(as at April, 2017)**

	<b>Project/Initiative</b>	<b>Background</b>	<b>Lead/ Responsible</b>	<b>Proposed Timeline</b>	<b>Proposed Budget (in excess of staff time)</b>	<b>Link to Strategic Plan</b>	<b>Status</b>
1.	<p>-Recurring items as required by the Ontario Heritage Act (consider and advise the PEC (Planning and Environment Committee) on matters related to HAPs (Heritage Alteration Permits), HIS (Heritage Impact Statement) reviews, HCD (Heritage Conservation District) designations, individual heritage designations, (etc.);</p> <p>-Research and advise the PEC regarding recommendations for additions to the heritage register;</p> <p>-Prioritize and advise the PEC on top recommendations for heritage designation (final number to be determined by available time – taken from the heritage registry and elsewhere as appropriate);</p> <p>-Consider and advise the PEC on ad hoc recommendations from citizens in regard to individual and district heritage designations and listings to the heritage register (refer to Stewardship for advice);</p> <p>-Perform all other functions as indicated in the LACH Terms of Reference.</p>	<ul style="list-style-type: none"> <li>Section 28 of the Ontario Heritage Act mandates that the City shall establish a municipal heritage committee. Further, Council shall consult with that committee in accordance with the Ontario Heritage Act;</li> <li>Please see the <u>London Advisory Committee on Heritage: Terms of Reference</u> for further details;</li> <li>The LACH supports the research and evaluation activities of the LACH Stewardship Subcommittee, Policy and Planning Subcommittee, Education Subcommittee, Archaeological Subcommittee, and all other LACH Subcommittees which may serve from time to time.</li> </ul>	LACH (main) and subcommittees	As required	None	Strengthening our Community 4d; Building a Sustainable City 1c, 6b; Growing our Economy 1f, 2d	Ongoing
2.	Introduce all represented organisations and individuals on LACH at the first meeting of the new year, discuss member background and areas of knowledge/ expertise, and consider possible changes or additions.	<ul style="list-style-type: none"> <li>The LACH is made of a diverse and knowledgeable group of engaged individuals, professionals and representatives of various organizations. Once per year (or when a new member joins the committee) each member will introduce themselves to the committee and provide his/her relevant background.</li> </ul>	LACH (main)	January meeting	None	Building a Sustainable City 6b	<b>Completed</b>

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
3.	Ontario Heritage Act enforcement.	<ul style="list-style-type: none"> <li>The LACH will assist in identifying properties that have not obtained necessary approvals, and refer these matters to civic administration. The LACH will assist in monitoring alterations to HCD and heritage designated properties and report deficiencies to civic administration.</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing
4.	The St George Grosvenor HCD (Heritage Conservation District) Study and Plan, Great Talbot HCD Plan, Gibbons Park HCD Plan.	<ul style="list-style-type: none"> <li>The St George Grosvenor HCD Study is complete resulting in the Great Talbot HCD and Gibbons Park HCD. The LACH will monitor, assist and advise in the preparation of the both plans, following the timeline as approved by Council.</li> </ul>	LACH (main)	2017 Plan Completion	None	Building a Sustainable City 6b	Ongoing
5.	The Soho HCD (Heritage Conservation District) Study.	<ul style="list-style-type: none"> <li>The Soho HCD Study will begin in 2017. The LACH will monitor, assist and advise in the preparation of the Soho HCD study.</li> </ul>	LACH (main)	2017 Study Completion	None	Building a Sustainable City 6b	Ongoing
6.	Property insurance updates.	<ul style="list-style-type: none"> <li>The LACH will monitor, assist and advise on matters pertaining to the securing of property insurance for heritage designated properties in the City of London.</li> </ul>	Policy and Planning Sub-Committee	Ongoing.	None	Building a Sustainable City 6b	With Policy and Planning Sub-Committee
7.	City Map updates.	<ul style="list-style-type: none"> <li>The LACH will work with City staff to ensure that 'City Map' and searchable City databases are up to date in regard to the heritage register/ designations/ districts/ etc.</li> </ul>	Policy and Planning Sub-Committee	Ongoing	None	Building a Sustainable City 6b	With Policy and Planning Sub-Committee
8.	HIS (Heritage Impact Statement) reporting changes.	<ul style="list-style-type: none"> <li>The LACH will support staff in their efforts to formalize an approach to reviewing and advising on HIS reports (including what triggers the reports, expectations, and who completes them.</li> </ul>	Policy and Planning subcommittee	TBD	None	Building a Sustainable City 6b	Partial Complete
9.	New and ongoing heritage matters.	<ul style="list-style-type: none"> <li>Through its connections to various heritage groups, and the community at large, the LACH is aware of emerging and ongoing heritage matters in the City of London. The LACH will monitor and report to City staff and PEC on new and ongoing cultural heritage matters where appropriate. (ex. Ontario Cultural Strategy, Community Economic Roadmap, etc.).</li> </ul>	LACH (main)	As required	None	Building a Sustainable City 6b	As required

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
10.	Archaeological Master Plan completion.	<ul style="list-style-type: none"> <li>The LACH is generally aware of ongoing archaeological matters in the City of London through the Archaeological subcommittee, and connections to the archaeological community in London. The LACH will work with City staff to complete the Archaeological Master Plan currently underway.</li> </ul>	Archaeological subcommittee	Q2 2017	None	Building a Sustainable City 6b	The Archaeological Master Plan has been initiated
11.	The Mayor's New Year Honour List recommendation.	<ul style="list-style-type: none"> <li>For a number of years, members of the LACH have been asked to provide advice to Council on the heritage addition to the "Mayor's New Year Honour List". The LACH will continue to serve this function as requested to do so by Council.</li> </ul>	Ad hoc committee of the LACH	Generally in the fall of each year	None	Building a Sustainable City 6b	Annually
12.	Provide advice to the London Community Foundation on heritage grant distribution.	<ul style="list-style-type: none"> <li>For a number of years, members of the LACH have been asked to provide advice to the London Community Foundation on heritage grant distribution: "The London Endowment Fund for Heritage". The LACH will continue to serve this function as requested to do so by the Foundation.</li> </ul>	Ad hoc committee of the LACH	Generally in April of each year	None	Building a Sustainable City 6b	Annually
13.	Conference attendance.	<ul style="list-style-type: none"> <li>For a number of years, members of the LACH have attended the Ontario Heritage Conference when available. This conference provides an opportunity for LACH members to meet with other heritage committee members and heritage planning professionals, and to learn about current and ongoing heritage matters in the Province of Ontario (and beyond). Up to four (4) members of the LACH will attend the Ontario Heritage Conference.</li> </ul>	LACH (main)	May 2016	Up to \$2000 (if 4 members attend)	Building a Sustainable City 6b	Annually
14.	Public awareness and education (& possible heritage fair/ day/ symposium).	<ul style="list-style-type: none"> <li>The LACH initiates, assists and/or advises on education and outreach programs to inform the citizens of London on heritage matters. This year, the LACH will also consider contributing to the organization of a city wide heritage fair/ day/ symposium (to provide information and outreach including –</li> </ul>	Education subcommittee	Ongoing	\$500	Building a Sustainable City 6b	Ongoing – in progress



	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
		HAP process, professional advice on repairs and maintenance, current research on heritage matters, insurance advice, real estate matters, and a general exchange of ideas (etc.)). The LACH will coordinate with the efforts of the Historic Sites Committee of the London Public Library.					
15.	Public awareness and education collaboration with the London Heritage Council.	<ul style="list-style-type: none"> <li>The LACH will be supported by the London Heritage Council in its role to promote public awareness of and education on the community's cultural heritage resources. Collaborative initiatives may include LACH-related news updates in the LHC newsletter, LACH involvement in LHC programming and events (i.e. Heritage Fair), outreach support, and/or school-related programming as part of Citizen Culture: Culture-Infused LEARNING (LHC and London Arts Council).</li> </ul>	LACH (main) and Education subcommittee in collaboration with the London Heritage Council	Ongoing	\$500	Building a Sustainable City 6b	Annually
16.	LACH member education/ development.	<ul style="list-style-type: none"> <li>Where possible, the LACH will arrange an information session for LACH members to learn more about the Ontario Heritage Act, and the mandate and function of Heritage Advisory Committees. The LACH will also explore ongoing educational opportunities for LACH members (such as walking tours, meetings with heritage experts/ professionals, meetings with community leaders, etc.).</li> </ul>	LACH (main)	Ongoing	\$500	Building a Sustainable City 6b	Ongoing
17.	City of London Archives.	<ul style="list-style-type: none"> <li>The LACH will continue to discuss and advise on possible locations (and contents) for a City of London Archives.</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing
18.	LACH subcommittee member outreach.	<ul style="list-style-type: none"> <li>The LACH will continue to reach out to heritage and planning professionals/ experts to serve on LACH subcommittees (and advise the LACH on certain matters).</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing

	Project/Initiative	Background	Lead/ Responsible	Proposed Timeline	Proposed Budget (in excess of staff time)	Link to Strategic Plan	Status
19.	Heritage signage and plaque placement/funding.	<ul style="list-style-type: none"> <li>Through its connections to various heritage groups, and the community at large, the LACH is generally aware of potential locations for heritage signage and plaques. The LACH will consult with City Staff and heritage groups in regard to the occasional placement of heritage signage and/or plaques (and assist with funding where deemed appropriate by the committee). These efforts will be considered in the context of the City of London Heritage Interpretative Signage Policy.</li> </ul>	Education subcommittee	Ongoing	\$4500	Building a Sustainable City 6b	Ongoing
20.	Council outreach.	<ul style="list-style-type: none"> <li>If requested, the LACH will arrange an information session for Council members to learn more about the mandate and function of the LACH, the Ontario Heritage Act, and other City heritage matters.</li> </ul>	LACH (main) and Education subcommittee	TBD	None	Building a Sustainable City 6b	Ongoing
21.	Work Plan review.	<ul style="list-style-type: none"> <li>The LACH will review items on this Work Plan on a quarterly basis, and will thoroughly review this Work Plan at least once annually.</li> </ul>	LACH (main)	Ongoing	None	Building a Sustainable City 6b	Ongoing (March, June, Sept, Dec 2017)
					\$8000		