

# Agenda Including Addeds

## Planning and Environment Committee

15th Meeting of the Planning and Environment Committee

September 24, 2018, 4:00 PM

Council Chambers

### Members

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

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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 9th Report of the Advisory Committee on the Environment	4
2.2 Application - Creekview Subdivision - Request for a Three Year Extension of Draft Plan of Subdivision Approval (39T-05512)	26
2.3 Application - 982 Gainsborough Road (H-8908)	52
2.4 Application - 1090, 1092 and 1096 Hamilton Road (H-8938)	61
2.5 Application - Part Lot Control -1245 Michael Street - Blocks 1 and 2 - 33M-745 (P-8858)	72
2.6 Amendment to By-law CP-1 – Expansion of Old East Village Business Improvement Area	79
2.7 Designation of an Improvement Area Under Section 204 of The Municipal Act, 2001 - Hamilton Road Business Improvement Area	96
<b>3. Scheduled Items</b>	
3.1 Delegation - Not to be heard before 4:00 PM - VersaBank Incentives - 1979 Otter Place - Request to Extend Airport Area Community Improvement Plan (CIP) Tax Increment Grant	121
a. <i>(ADDED) Letter of Withdrawal</i>	133
3.2 Public Participation Meeting - Not to be heard before 4:00 PM - Application - 1877 Sandy Somerville Lane - Request for Draft Plan of Subdivision Approval (39T-18503)	134
3.3 Public Participation Meeting - Not to be heard before 4:00 PM - Application - 418 Oxford Street East (SPA18-061)	149
a. <i>(ADDED) Replacement Pages 157-159</i>	162



3.4	Public Participation Meeting - Not to be heard before 4:30 PM - Application - 3425 Emily Carr Lane (39T-16508/Z-8697)	164
3.5	Public Participation Meeting - Not to be heard before 5:15 PM - Application - 745-747 Waterloo Street (Z-8921)	199
	a. (ADDED) B. and J. Baskerville, 319 Piccadilly Street	224
	b. (ADDED) C. Butler, 863 Waterloo Street	225
3.6	Public Participation Meeting - Not to be heard before 5:45 PM - Application - 723 Lorne Avenue (former Lorne Avenue Public School site) (Z-8454)	226
	a. (ADDED) R. N. R. Crossman, Old East Village	268
3.7	Public Participation Meeting - Not to be heard before 7:00 PM - Application - 900 King Street and 925 Dundas Street (OZ-8937)	270
3.8	Public Participation Meeting - Not to be heard before 7:30 PM - Application - 230 North Centre Road (OZ-8874)	316
	a. R. Warden, North Centre Road	398
	(Note: A copy of the petition signed by 210 people is available in the City Clerks Office for viewing)	
	b. (ADDED) Revised Map	399
	c. (ADDED) Revised Site Plan	400
	d. (ADDED) Additional Comments	401
	e. (ADDED) J. Cottle, 215 North Centre Road	415
	f. (ADDED) O. da Silva	416
	g. (ADDED) H. Morrison, McGarrell Drive	417
	h. (ADDED) A. Robin, R. Manuel Lopez Bajonero, 250 North Centre Road	418
	i. (ADDED) L. Neumann and D. Deane Cummings, Piccadilly Area Neighbourhood Association Co-Chairs	419
	j. (ADDED) S. Gliksman	421
	k. (ADDED) Main	423
	l. (ADDED) D. Hillis	424
	m. (ADDED) M. Ordonez	425
	n. (ADDED) M. Gajda	426
	o. (ADDED) P. Reath	427
	p. (ADDED) N. Cottle, 21-215 North Centre Road	428
	q. (ADDED) A. Watson	429



<i>r.</i>	<i>(ADDED) B. Auger, 6-145 North Centre Road</i>	<i>430</i>
<i>s.</i>	<i>(ADDED) C. MacKinnon, 203-235 North Centre Road</i>	<i>433</i>
<i>t.</i>	<i>(ADDED) J. Chemali, 1997 Valleyrun Blvd</i>	<i>434</i>
<i>u.</i>	<i>(ADDED) D. Stollar and D. Morrison, 31-145 North Centre Road</i>	<i>435</i>
<i>v.</i>	<i>(ADDED) G. McGinn-McTeer</i>	<i>436</i>
<i>w.</i>	<i>(ADDED) J. and S. Jackson</i>	<i>438</i>
<i>x.</i>	<i>(ADDED) J. Chestnut, 145 North Centre Road</i>	<i>439</i>
<i>y.</i>	<i>(ADDED) L. Ibrahim, 145 North Centre Road</i>	<i>441</i>
<i>z.</i>	<i>(ADDED) M. Bogdan Stanescu, 145 North Centre Road</i>	<i>443</i>
<i>aa.</i>	<i>(ADDED) R. and S. Sturdy, 9-230 North Centre Road</i>	<i>447</i>
<i>ab.</i>	<i>(ADDED) R. Croft</i>	<i>449</i>
<i>ac.</i>	<i>(ADDED) R. Marti</i>	<i>450</i>
<i>ad.</i>	<i>(ADDED) R. Whimster, 55-250 North Centre Road</i>	<i>451</i>
<i>ae.</i>	<i>(ADDED) V. Digby, 16-1890 Richmond Street</i>	<i>452</i>
<i>af.</i>	<i>(ADDED) B. Boss</i>	<i>457</i>
<i>ag.</i>	<i>(ADDED) Denis , 185 North Centre Road</i>	<i>458</i>

#### **4. Items for Direction**

4.1	9th Report of the London Advisory Committee on Heritage	459
4.2	Request for Delegation Status - D. Park, Halls Mill Place - Byron Valley Conceptual Nature Trail Plan	504

#### **5. Deferred Matters/Additional Business**

#### **6. Adjournment**



# **Advisory Committee on the Environment Report**

9th Meeting of the Advisory Committee on the Environment  
September 5, 2018  
Committee Room #3

Attendance                      PRESENT: S. Ratz (Chair), M. Bhavra, K. Birchall, S. Hall, M. Hodge, J. Howell, N. St. Amour and D. Szoller and J. Bunn (Secretary)

ABSENT: M. Bloxam, S. Brooks, L. Langdon, T. Stoiber and A. Tipping

ALSO PRESENT: V. Kinsley, A. Macpherson, L. McDougall, A. Powell and J. Stanford

The meeting was called to order at 12:16 PM.

## **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 Update on Pollinator Habitat Protection, Restoration and Stewardship**

That it BE NOTED that the attached presentation and handout, as well as the Memo dated August 22, 2018, as appended to the Agenda, from L. McDougall, Ecologist Planner, with respect to an update on pollinator habitat protection, restoration and stewardship, were received.

### **2.2 60% Waste Diversion Action Plan**

That it BE NOTED that the attached presentation from J. Stanford, Director, Environment, Fleet and Solid Waste, with respect to the 60% Waste Diversion Action Plan, was received.

## **3. Consent**

### **3.1 8th Report of the Advisory Committee on the Environment**

That it BE NOTED that the 8th Report of the Advisory Committee on the Environment, from its meeting held on July 4, 2018, was received.

### **3.2 7th Report of the Environment and Ecological Planning Advisory Committee**

That it BE NOTED that the 7th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on June 21, 2018, was received.

## **4. Sub-Committees and Working Groups**

None.



## **5. Items for Discussion**

### **5.1 Green in the City Update**

That it BE NOTED that the Green in the City Speaker Series Overview, dated August 28, 2018, from S. Ratz, was received.

### **5.2 The River Talks Update**

That it BE NOTED that The River Talks event update, dated August 28, 2018, from S. Ratz, was received.

### **5.3 Forestry Operations Request**

That it BE NOTED that the Advisory Committee on the Environment (ACE) held a general discussion related to the information the ACE would like to receive from Forestry Operations with respect to trees in the City of London.

### **5.4 Practices Related to the Watering of London Trees**

That it BE NOTED that the Advisory Committee on the Environment held a general discussion with respect to practices related to the watering of trees in London.

### **5.5 ACE Presentations / Events / Meeting List**

That it BE NOTED that the Advisory Committee on the Environment Presentations/Events/Meeting List, dated August 28, 2018, from S. Ratz, was received.

### **5.6 Call for Nominations - 2019 New Year's Honours List**

That it BE NOTED that the 2019 Mayor's New Year's Honour List Nomination Request letter, dated July 23, 2018, from the City Clerk, was received.

## **6. Deferred Matters/Additional Business**

### **6.1 (ADDED) Letter of Resignation**

That it BE NOTED that the letter of resignation, dated September 3, 2018, from G. Sass, was received.

## **7. Confidential**

### **7.1 (ADDED) 2019 Mayor's New Year's Honour List Nomination**

The Advisory Committee on the Environment convened in closed session from 1:58 PM to 2:02 PM after having passed a motion to do so, with respect to a personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2019 Mayor's New Year's Honour List.

## **8. Adjournment**

The meeting adjourned at 2:03 PM.





# Protecting and Enhancing Pollinator Habitat in London



Photo by Ben Porchuk 2018

Community planting prairie & native woodland species with Carolinian Canada, Friends of the Coves, City of London, 2017 at Elmwood Gateway/Coves ESA. Spicebush Swallowtail butterfly nectaring on Dense Blazing Star, 2018 at Elmwood Gateway/Coves ESA.

## Advisory Committee on the Environment - September 5, 2018

### Environmental & Parks Planning, Planning Services



# Protecting and Enhancing Pollinator Habitat in London



**Milkweed with monarch caterpillar on residential front yard in Old East Village in London, 2018**  
London City By-laws permit naturalizations, perennial gardens and wildflower gardens on private property including planting of pollinator species such as milkweed.

- **ACE's 10 "Plight of the Pollinator" Recommendations from 2014** were addressed
- Staff met with **ACE** in May **2017** to review in detail how ACE's 10 Recommendations were addressed
- **ACE** provided 3 new "Plight of the Pollinator" Recommendations in May **2018** – **Memo from City Staff is included on ACE's September agenda providing detailed responses and updates.**
- **ACE Council Resolution May 23, 2018:**i) the Civic Administration BE REQUESTED to research and report back to the Advisory Committee on the Environment (ACE) with respect to the City of London being certified with Bee City Canada; it being noted that ACE supports the initiatives of Bee City Canada; and,
- ii) the Managing Director, Planning and City Planner, BE REQUESTED to present at a future meeting of the ACE with respect to an update on pollination work being done by the City of London;





# Protecting and Enhancing Pollinator Habitat in London



**ACE Recommended that London be certified by Bee City Canada. *“In this way we can be recognized as a leader within Canada in the creation of bee-friendly cities.”***



**Agree that the City of London is already a leader in habitat and pollinator protection, demonstrating a proactive approach throughout the City**



*Ecological restoration of meadow habitat in Westminster Ponds & Coves ESAs*



# Protecting and Enhancing Pollinator Habitat in London

**Pottersburg Valley ESA**

**Enhancement of Oak Savannah and Creation of Prairie Habitat**



***Goal is to increase native vegetation diversity through a long term Oak Savannah and Prairie habitat management plan.***





# Protecting and Enhancing Pollinator Habitat in London

**Kilally Meadows ESA – Ecological Restoration Plan for 146 hectares of forest, wetlands and meadow habitats on both sides of Thames River**



*Adopt an ESA group asked for a long term, prioritized restoration plan, with opportunities for volunteers and restoration specialists to continue and enhance the extensive restoration work to date in the ESA.*



# Protecting and Enhancing Pollinator Habitat in London

**Westminster Ponds ESA – Ecological Restoration of area with 80% non-native invasive buckthorn and dead ash trees**



***Before picture 2016 – Buckthorn / Dead Ash Monoculture***

***2018 – Ecological Restoration underway & habitat is improving***

Canada 150 Grant from Federal Government helped fund restoration. Began in 2017 with wintertime mulching of the buckthorn and many standing dead ash trees. Project successfully restoring area back to healthy savannah, wetland & forest habitats, supporting a diversity of native species.





# Protecting and Enhancing Pollinator Habitat in London

## Ontario Nature Award

- 🐝 City of London was recognized with the [Lee Symmes Municipal Award by Ontario Nature](#).
- 🐝 The Award recognizes municipalities that demonstrate community leadership and exceptional achievement in planning or implementing programs that protect and regenerate the natural environment within a community.
- 🐝 Ontario Nature commended the City of London for ensuring a natural legacy for future generations.



Sifton Bog Environmentally Significant Area, drone photo of accessible AODA boardwalk 2018



# Protecting and Enhancing Pollinator Habitat in London

- 🐝 About 10% of the City is publically owned parkland, and over 60% of that area or about 1,400 hectares are naturalized, non-mowed areas that provide good pollinator habitat - this area increases every year.



*City restoration projects & signs improve awareness and protection of pollinator habitats.*





# Protecting and Enhancing Pollinator Habitat in London



Staff report to Planning and Environment Committee this fall will summarize how London will continue to meet Bee City Canada's requirements.



Staff report will include a draft "Bee City" Council Resolution for Council's consideration



**Adopt an ESA, Native Seed Collection Workshop, Common Milkweed Seeds**

POLLINATOR  
FRIENDLY  
GARDENS



*Make your garden  
and London  
a safe haven  
for pollinators*

**ACE Pollinator  
Brochure on  
City Website**



London will continue to lead in:

- ✓ Creating, maintaining and improving pollinator habitat.
- ✓ Educating about the importance of pollinators.
- ✓ Celebrating pollinators



# Protecting and Enhancing Pollinator Habitat in London



**ACE Recommendation 2: *Identify potential sites (on public land) across the city where pollinator habitat (garden, meadow) may be planted either by city staff or community groups. These sites may comprise parks or right-of-way areas next to roads and railways.***



**Staff Response - Ongoing:** London Plan policy 1378 "Potential naturalization areas...these areas may include lands suitable to create natural habitats such as wetland habitat, pollinator habitat...Locations are...identified as potential naturalization areas on [Map 5](#)."

## LEGEND

### NATURAL HERITAGE SYSTEM

	Provincially Significant Wetlands
	Wetlands
	Unevaluated Wetlands
	Significant Woodlands
	Woodlands
	Significant Valleylands
	Valleylands

	Areas of Natural and Scientific Interest
	Environmentally Significant Areas (ESA)
	Potential ESAs
	Upland Corridors
	Potential Naturalization Areas
	Unevaluated Vegetation Patches





# Protecting and Enhancing Pollinator Habitat in London

In addition to areas on Map 5, many naturalization projects are coordinated every year by City staff and other groups to include opportunities for the Community, “Adopt a ...” Groups, and others to enhance pollinator habitat across the City.



Coves ESA Before and After



# Protecting and Enhancing Pollinator Habitat in London

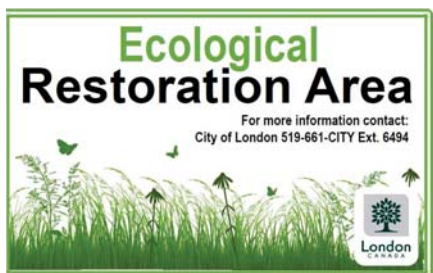
Many City programs empower community groups to plant pollinator habitats on a City property, private property, and right of ways:



[NeighbourGood London](#) programs: [TreeMe](#) and [Neighbourhood Decision Making](#) funded over half a million dollars in pollinator habitat projects since 2015.



The [Adopt a Park](#), [Adopt a Street](#) [Adopt a Pond Program](#) and [Adopt an ESA](#) programs offer more opportunities.







# Protecting and Enhancing Pollinator Habitat in London

Many City programs empower community groups to plant pollinator habitats on City property, private property and right of ways:



[Urban Agriculture Strategy](#)



[London Community Gardens](#) - 17 Community Gardens



[London Invasive Plant Management Strategy](#)



[The Growing Naturally Program](#)



[Active & Green Communities](#)



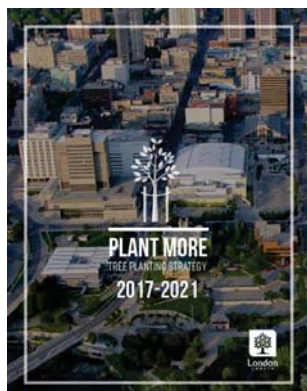
[Friends of the London Civic Garden Complex](#)



# Protecting and Enhancing Pollinator Habitat in London

**ACE Recommendation 3: Set aside funds in the next 4 year budget cycle to support the implementation of the pollinator-related policies identified in the London Plan.**

**Staff Response: Done.** All City policies and programs in today's presentation will be funded through the next 4 year budget cycle, and 10 year budget forecast (subject to Council's approval) to support all London Plan pollinator policies.







# Protecting and Enhancing Pollinator Habitat in London

## Did you know?

- 🐝 Trees are critical for pollinators and support a greater diversity of butterflies and moths than most herbaceous plants.
- 🐝 Trees provide most of the first available food for pollinators in the spring.
- 🐝 London's urban forest is a key element in provision of habitat and food for pollinators, and, is closely tied to achieving the London Plan pollinator policies.
- 🐝 The Council approved Tree Planting Strategy is on track and fully funded (\$450,000/year) to plant 20,000 trees from 2016 to 2019.
- 🐝 The strategy outlines the long term plan to increase London's tree canopy cover from 24% to 34%.



# Protecting and Enhancing Pollinator Habitat in London

**treeME Tree Matching Fund – \$200,000 available in 2018 and 2019**

🐝 Leverages City funding to get even more trees and good pollinator habitat on private property.

🐝 90% of land in City is private property



2016

3060 Trees Planted  
City Investment: \$30,000  
Matching Funds: \$205,894



2015

472 Trees Planted  
City Investment: \$30,000  
Matching Funds: \$71,211

2017

6213 Trees Planted  
City Investment: \$200,000  
Matching Funds: \$411,478

**Total to Date:**

9745 Trees Planted  
City Investment: \$260,000  
Matching Funds: \$688,583

2018

How many trees can we plant this year?





# Protecting and Enhancing Pollinator Habitat in London

**Neighborhood Decision Making Program – \$250,000/year available**

**Winning Projects 2016 & 2017 that support pollinator habitat include:**

-  **Plant Fruit Trees near Community Gardens**
-  **Community Garden at First Saint Andrew's United Church**
-  **Cedar Hollow Park Improvements and Plantings**
-  **Natural Landscape Playground in Kiwanis Park**
-  **Save the Bees Pollinator Garden in Byron**
-  **Gleaning Food Forest**

### Gleaning Food Forest

W13.008

**Idea Description**  
Plant a food forest to be gleaned by community groups for the benefit of people in need.



**Cost and Budget**  
\$5,000 for trees



**Community Impact**  
A gleaning food forest aligns with London's goal of ending poverty in the next generation. Hopefully this would set off a chain reaction where all of London's neighbourhoods would be planting food forests to increase food security and decrease poverty.

**Other Information**  
Sanctuary London, an agency that works with people experiencing homelessness, has agreed to support the gleaning of the food forest.

Vote on Saturday Nov. 3  
Online: <https://london.ca/ndm/decide>  
to your neighbourhood: see map

NeighbourGood PROUDLY



**Neighbourhood Decision Making**  
Food projects to help make your neighbourhood even better!














# Protecting and Enhancing Pollinator Habitat in London

**Neighborhood Decision Making Program – \$250,000/year available**

**Winning Projects that support pollinator habitat in 2018 included:**

-  **Nature Sanctuary in Hyde Park**
-  **Bat Boxes in Masonville**
-  **Trees for Accessible Playground**
-  **Cedar Hollow PS Outdoor Classroom - Raised Gardens**
-  **Bee Pollinator Garden**
-  **London's Free Fruit Trees**
-  **Pollinator Pathways Project**
-  **Community Beehives**
-  **F.D. Roosevelt Public School Yard Enhancements**


### Central

#### Bee Pollinator Garden


**IDEA SUMMARY**  
Installation of a Bee Pollinator Garden in Old East Village neighbourhood green space.

**COST SUMMARY**  
Total Cost = \$7,000  
Cost Breakdown:  
Installation of Garden - \$7,000

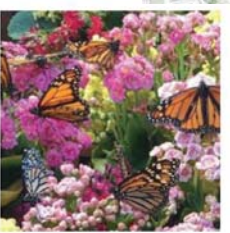
**COMMUNITY IMPACT**  
The world needs more bees. The park area, the public and all the people that live in the neighbourhood would realize the great value with the garden, the plants, the space and the extra work they do for the environment. The garden will be a visual pleasure adding beauty and will also be used as an educational feature.




Old East Village



**Neighbourhood Decision Making**  
Food projects to help make your neighbourhood even better!





NeighbourGood PROUDLY



**NEIGHBOURHOOD DECISION MAKING 2018**  
VOTE FOR THIS IDEA on Saturday June 16th  
Online (all-day) or at your local library (10 am - 4 pm)  
For more info & to vote, visit: [getinvolved.london.ca/NDM](https://getinvolved.london.ca/NDM)





# Protecting and Enhancing Pollinator Habitat in London

## Next Steps

-  **Staff report to Planning and Environment Committee this fall will summarize how London will continue to meet Bee City Canada's requirements.**
-  **Staff report will include a draft "Bee City" Council Resolution for Council's consideration**



**L. McDougall,  
Ecologist  
519-661-2489 Ext. 6494  
[lmcdouga@london.ca](mailto:lmcdouga@london.ca)  
Environmental and  
Parks Planning,  
Planning Services**



# UPDATE

Summer 2018



## City of London


A leader in Habitat and Pollinator Protection, Enhancement and Creation initiatives


- ✿ **NeighbourGood London** programs including **TreeMe** and the **Neighbourhood Decision Making** program, empower residents to plant trees, shrubs and pollinator gardens. The City has funded over half a million dollars in pollinator habitat projects since 2015 through these programs.
- ✿ London's urban forest is a key element in provision of habitat and food for pollinators. The **Tree Planting Strategy** is on track and fully funded to plant 20,000 trees from 2016 to 2019 and outlines the long term plan to increase London's tree canopy cover from 24% to 34%.
- ✿ The City's **Adopt-a-Park, Adopt-a-Street, Adopt an ESA** and **Adopt-a-Pond** programs engage communities to plant trees, shrubs and gardens that include milkweed on City property.
- ✿ About 10% of the City (inside the Urban Growth Boundary) is publicly owned parkland, and over 60% of that area or about 1,400 hectares (3,500 acres) is managed as naturalized, non-mowed areas. This area increases every year.
- ✿ **The Urban Agriculture Strategy** is one of the many related plans, policies, and strategies for pollinator protection in London and includes a section on Urban Pollinators.
- ✿ **London Community Gardens** - 17 community gardens on City property with a simple process for residents to start a new one.
- ✿ **Active & Green Communities** program promotes environmental awareness and stewardship on private property through community engagement.
- ✿ The Council approved **London Invasive Plant Management Strategy** improves the ecological integrity of our natural areas and restoration plantings improve the diversity of native species for pollinators.
- ✿ London City By-laws permit naturalizations, perennial gardens and wildflower gardens on private property including planting of pollinator species such as milkweed.








 City of London was recognized with the Lee Symmes Municipal Award by Ontario Nature. The Award recognizes municipalities that demonstrate community leadership and exceptional achievement in planning or implementing programs that protect and regenerate the natural environment within a community. Ontario Nature commended the City of London for ensuring a natural legacy for future generations.

 Many government agencies, Conservation Authorities and others are leading additional pollinator habitat initiatives in London, primarily on private property. Groups like Pollinative whose “mission is to restore, replant and preserve natural “Pollinative Pathways” to ensure the survival of bee, insect and bird populations.” has provided over 700 acres of pollinator habitat on private property in London since 2016.



 The Growing Naturally Program helps residents reduce their environmental footprint and provides resources for a healthier environment for pollinators and our watersheds.



For more information on habitat and pollinator protection initiatives and opportunities, please contact:

**NeighbourGood London**

519-661-5336

[neighbourgood@london.ca](mailto:neighbourgood@london.ca)

[www.neighbourgoodlondon.ca](http://www.neighbourgoodlondon.ca)

**Environmental & Parks Planning**

Ecologist, Linda McDougall

519-661-2489 ext. 6494

[lmcdoug@london.ca](mailto:lmcdoug@london.ca)





**Presentation to the Advisory Committee on the Environment**

**September 5, 2018**

**Environmental & Engineering Services**

### 60% Waste Diversion Action Plan

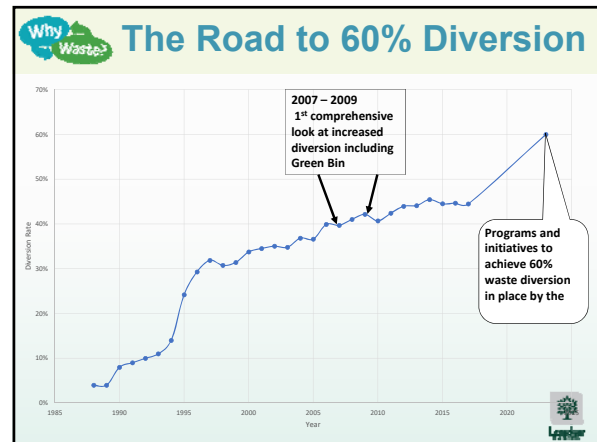
**What's in the garbage?**

Single Family Homes

Apartments

Waste Management Working Group: July 13, 2018  
 Civic Works Committee: July 17, 2018  
 Municipal Council: July 24, 2018  
 Community Engagement: July 25 – September 27, 2018

Why Waste? [getinvolved.london.ca](http://getinvolved.london.ca)



### Council Direction(s)

**October 30, 2017 Council direction:**  
*“The W12A Landfill expansion be sized assuming the residential waste diversion rate is 60% by 2022 noting this does not prevent increasing London’s residential waste diversion rate above 60% between 2022 and 2050.”*

**July 13, 2018 Waste Management Working Group:**  
*The action plan to achieve 60% waste diversion by 2022 BE SUPPORTED IN PRINCIPLE; and,*

*The release of the report for review and comment by the general public and other stakeholders BE SUPPORTED . .*

### Council Direction(s)

**Strategic Plan for the City of London (2015-2019):**  
*Increase efforts on more resource recovery, long-term disposal capacity, and reducing community impacts of waste management.*

**The London Plan (December 28, 2016):**  
**Direction #4** *Become one of the greenest cities in Canada*  
**#12** *Minimize waste generation, maximize resource recovery, and responsibly dispose of residual waste.*



### Why Waste? Provincial Direction(s)



**60% waste diversion goal is a key London commitment as part of the Environmental Assessment for the W12A Landfill expansion**

**Many Targets ("must")**

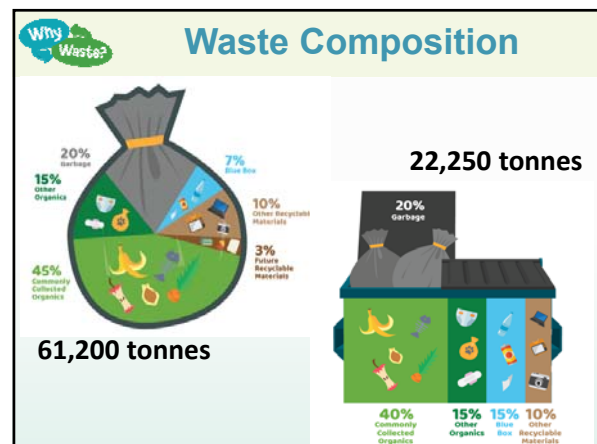
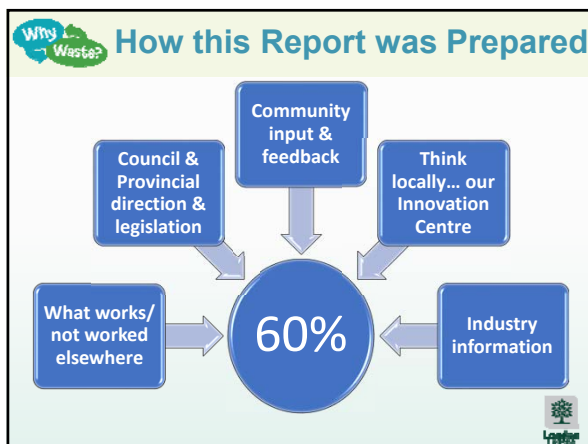
- 70% reduction/recovery of food and organic waste from SF homes by 2025
- 50% reduction/recovery of food and organic waste generated at the building by 2025

To mark our progress and keep on track, we have set three interim goals:

- 30% diversion rate by 2020
- 50% diversion rate by 2030
- 80% diversion rate by 2050

### Why Waste? How much waste and resources?

Category	Tonnes	Diverted
Single Family	129,900 tonnes	50% diverted
Multi-residential	29,400 tonnes	18% diverted
Industrial, Commercial & Institutional	~ 170,000 tonnes	~ 20% diverted
Construction, Renovation & Demolition	~ 120,000 tonnes	~ 50% diverted





**Why Waste?** **Composition – Did You Know!!**

Top 5 Diversion Opportunities	Estimated tonnes	% of Waste	Kg/hhld/year
1. Avoidable food waste	19,300	23%	107
2. Other organics	12,300	15%	68
3. Unavoidable food waste	10,100	12%	56
4. Pet waste	8,500	10%	47
5. Items for Blue Box/Cart	8,300	10%	46
Total	58,500	70%	324

**Why Waste?** **Blue Box – Blue Carts**

<b>Why is this important?</b>	<ul style="list-style-type: none"> <li>Provincial law - shifting to EPR is key</li> <li>Industry will be funding</li> </ul>
<b>How many actions?</b>	<ul style="list-style-type: none"> <li>None; Industry will be responsible</li> <li>Council/City staff to continue to push</li> </ul>
<b>How much will it divert?</b>	<ul style="list-style-type: none"> <li>1% to 3%</li> <li>1,600 to 4,800 tonnes</li> </ul>
<b>What is the cost/hhld estimate?</b>	<ul style="list-style-type: none"> <li>SAVINGS estimated at \$1.5 to \$1.8 million by 2022+</li> <li>SAVINGS \$8.00 to \$10.00 per year</li> </ul>


**Why Waste?** **New (or Expanded) Recycling**


<b>Why is this important?</b>	<ul style="list-style-type: none"> <li>Items are easy to identify/describe</li> <li>Identified in provincial direction</li> </ul>
<b>How many actions?</b>	<ul style="list-style-type: none"> <li>7; some pilot projects</li> <li>Support local jobs; potential for more</li> <li>New business opportunities</li> </ul>
<b>How much will it divert?</b>	<ul style="list-style-type: none"> <li>0.4% to 0.8%</li> <li>640 to 1,280 tonnes</li> </ul>
<b>What is the cost/hhld estimate?</b>	<ul style="list-style-type: none"> <li>Range \$2.00 to \$3.00 per year</li> <li>Likely \$2.50</li> </ul>

**Why Waste?** **Curbside Organics**


<b>Why is this important?</b>	<ul style="list-style-type: none"> <li>Largest portion of garbage (up to 60%)</li> <li>Proven programs (that have improved)</li> <li>Legislated</li> </ul>
<b>How many actions?</b>	<ul style="list-style-type: none"> <li>2</li> <li>Weekly Green Bin, recycling</li> <li>Biweekly, same day garbage pickup</li> </ul>
<b>How much will it divert?</b>	<ul style="list-style-type: none"> <li>8% to 12%</li> <li>13,000 to 20,000 tonnes</li> </ul>
<b>What is the cost/hhld estimate?</b>	<ul style="list-style-type: none"> <li>Range \$21.75 to \$30.50 per year</li> <li>Likely \$28 (curbside home only \$40)</li> </ul>



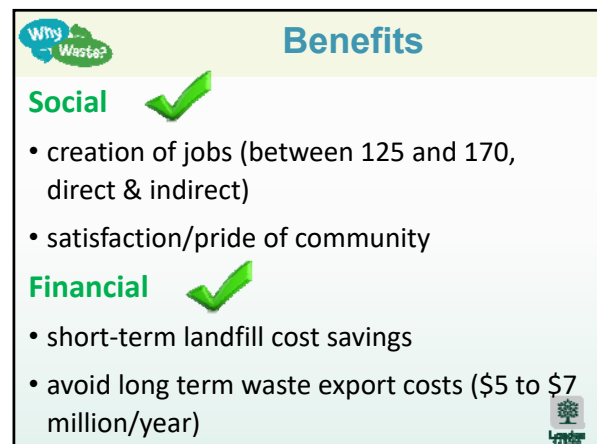
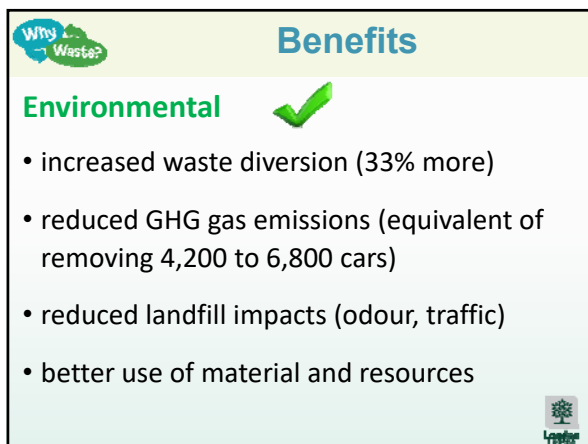
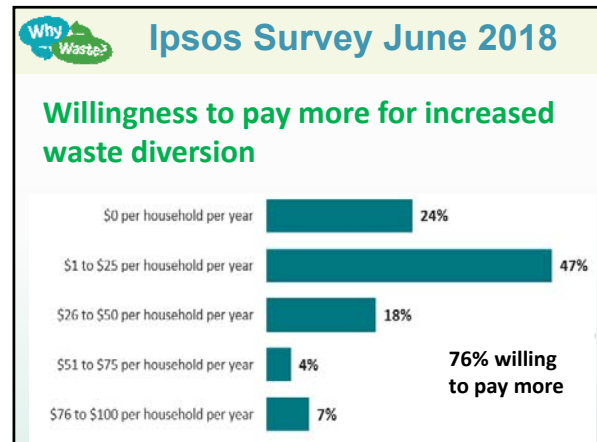
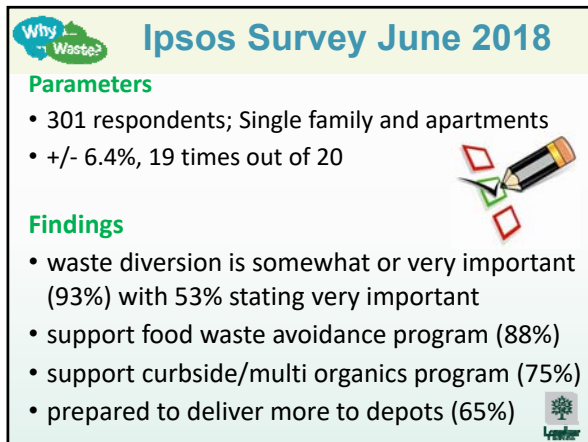
 <b>Multi-res Organics</b>	
<b>Why is this important?</b>	<ul style="list-style-type: none"> <li>• Largest portion of the waste stream</li> <li>• Legislated</li> </ul>
<b>How many actions?</b>	<ul style="list-style-type: none"> <li>• 1</li> <li>• Pilot project (15%) – mixed waste processing and composting/digestion</li> <li>• Follow progress of other communities</li> </ul>
<b>How much will it divert?</b>	<ul style="list-style-type: none"> <li>• 0.5% to 0.7%</li> <li>• 800 to 1,120 tonnes</li> </ul>
<b>What is the cost/hhld estimate?</b>	<ul style="list-style-type: none"> <li>• Range \$2.25 to \$4.00 per year</li> <li>• Likely \$2.75 (Multi-res unit only \$62.50)</li> </ul>

 <b>Other Organics Programs</b>	
<b>Why is this important?</b>	<ul style="list-style-type: none"> <li>• Food waste avoidance should be a priority</li> <li>• Lowers costs; community oriented</li> </ul>
<b>How many actions?</b>	<ul style="list-style-type: none"> <li>• 3</li> <li>• Builds on 2 existing actions, BYC and community composting</li> </ul>
<b>How much will it divert?</b>	<ul style="list-style-type: none"> <li>• 0.3% to 0.6%</li> <li>• 480 to 960 tonnes</li> </ul>
<b>What is the cost/hhld estimate?</b>	<ul style="list-style-type: none"> <li>• Range \$1.50 to \$2.00 per year</li> <li>• Likely \$1.75</li> </ul>

 <b>FOCUS – Food Waste Avoidance</b>	
	<b>Local Research (Western University), local Pilot Projects and experience in Canada, USA and Europe</b>
	<ul style="list-style-type: none"> <li>• <b>Audits – confirmed up to 2/3rds avoidable food waste</b></li> <li>• <b>\$450 to \$600 per household (\$80 to \$100 million/year) in avoidable food</b></li> <li>• <b>10% reduced = \$8 to 10 million saved locally</b></li> </ul> 


 <b>Reduction &amp; Reuse</b>	
<b>Why is this important?</b>	<ul style="list-style-type: none"> <li>• Lowers costs; community oriented</li> <li>• Council policies, directions and by-laws set stage</li> </ul>
<b>How many actions?</b>	<ul style="list-style-type: none"> <li>• 7, includes community investment</li> <li>• People are the driving force behind reduction and reuse</li> </ul>
<b>How much will it divert?</b>	<ul style="list-style-type: none"> <li>• 1% to 4%</li> <li>• 1,600 to 6,400 tonnes</li> </ul>
<b>What is the cost/hhld estimate?</b>	<ul style="list-style-type: none"> <li>• Range \$0.50 to \$2.00 per year</li> <li>• Likely \$1.50</li> </ul>








 <b>Estimated Annual Costs</b>		
Program Category	Cost Range	Likely Cost
Blue Box/Cart Recycling	\$0	\$0
New Recycling Programs and Initiatives	\$350,000 - \$550,000	\$450,000 (\$2.50)
Curbside Organics Management Program	\$3,900,000 - \$5,500,000	\$5,000,000 (\$27.75)
Multi-Res Organics Pilot Program	\$400,000 - \$700,000	\$500,000 (\$2.75)
Other Organic Programs	\$250,000 - \$350,000	\$300,000 (\$1.75)
Waste Reduction, Reuse Initiatives and Policies	\$150,000 - \$350,000	\$250,000 (\$1.50)
<b>Total</b>	<b>\$5,050,000 - \$7,450,000</b>	<b>\$6,500,000 (\$36.00)</b>

 <b>Estimated Capital Costs</b>		
Program Category	Items	Estimated Cost
New Recycling Programs and Initiatives	• EnviroDepot Improvements	\$500,000 to \$2,700,000
Curbside Organics Management Program	• Green Bin Carts • Kitchen Catchers • Collection Vehicles	\$12,000,000
Other Organic Management Programs	• Community composting	\$100,000
Waste Reduction, Reuse Initiatives and Policies	• Reuse facilities	\$200,000
<b>Total</b>	<b>\$12.5 - \$15 million</b>	

 <b>Potential Funding Sources</b>				
Source	Potential Amount	Possible Date	Who Controls	Level of Risk
Full EPR for Blue Box	\$1.5 M to \$1.8 M	2022 to 2025	Province	Low
Full EPR for Other Programs	\$50,000 to \$150,000	2023/ 2025	Province	High
W12A Landfill Levy	\$250,000 to \$1 M	2020/ 2022	City	Low
<b>Total</b>	<b>\$1,800,000 - \$3,000,000 (\$2,000,000 likely)</b>			

 <b>Annual Cost Summary</b>			
	Low	High	Likely (Anticipated)
Cost	\$5,050,000	\$7,450,000	\$6,500,000
Cost/hhld	<b>\$28.00</b>	<b>\$41.50</b>	<b>\$36.00</b>
Revenue	\$1,800,000	\$2,950,000	\$2,000,000
Revenue/hhld	<b>\$10.00</b>	<b>\$16.50</b>	<b>\$11.00</b>
Total Estimated Cost	Requires financing strategy as funding/revenues come later		\$4,500,000
Total cost/hhld			<b>\$25.00</b>



Why Waste? Multi-year Budget Outlook			
3 Year Investment	\$1,300,000	\$3,900,000	\$6,500,000
60% Multi-Year Budget	2020	2021	2022
Blue Box/Blue Cart Recycling	\$0	\$0	\$0
New Recycling Initiatives	\$150,000	\$300,000	\$0
Curbside Green Bin Program	\$200,000	\$2,200,000	\$2,600,000
Multi-Res Organics Pilot	\$500,000	\$0	\$0
Other Organics Programs	\$300,000	\$0	\$0
Reduction & Reuse Initiatives	\$150,000	\$100,000	\$0
<b>Totals</b>	<b>\$1,300,000</b>	<b>\$2,600,000</b>	<b>\$2,600,000</b>
Potential funding will lower these amounts			

Why Waste? 2016 Municipal Comparisons	
<ul style="list-style-type: none"> <li>• 49% - Ontario average waste diversion</li> <li>• 66% Region of York (inc. Markham at 71%)</li> <li>• 61% County of Simcoe</li> <li>• 60% County of Dufferin</li> <li>• 60% City of Kingston</li> <li>• 50-59% - 16 communities</li> </ul>	
Source: Resource Productivity & Recovery Authority	

Why Waste? MBNC Cost Comparisons			
2016 Municipality	Cost per Household		
	Collection & Disposal	Diversion	Total
London (existing)	\$89	\$50	\$139
Hamilton (lowest Diversion & GB)	\$150	\$69	\$218
Niagara (Lowest with GB)	\$90	\$102	\$192
Average of 9 GB municipalities	\$127	\$100	\$227
London (60% - likely cost)	\$87	\$87	\$174
London (60% - high cost)	\$87	\$92	\$179

Why Waste? Next Steps – 60%		
Next Steps	Comments	Timeline
CWC and Council "Approval for public comment"	<ul style="list-style-type: none"> <li>• CWC Meeting – July 17</li> <li>• Council - July 24</li> </ul>	July 2018
Seek Community Feedback on Action Plan	<ul style="list-style-type: none"> <li>• Interactive WhyWaste website</li> <li>• Circulate to Stakeholder Groups</li> <li>• Attend Gathering on the Green II</li> <li>• Presentations to WMCLC and ACE</li> </ul>	July to Sept., 2018



**Why Waste?** **TOR Development**

- **Early Draft – MECP**
- **Draft Proposed ToR – All Stakeholders**
  - Formal Notice in Newspaper, Project Website
  - Direct notice to stakeholders (Government Review Team, community groups including ACE, Indigenous Communities, etc.)

**Why Waste?** **Draft Proposed ToR Summary of Comments**

Stakeholder		Comments	
		#	Subject
GRT	MECP (EA)	40	EA Process/ General
	MECP (Air Quality)	10	Air Quality
	MTCS	6	Archaeology & Built Heritage
	MTO	5	Transportation
	KCCA	7	Surface Water
Public	Written comments (1 person)	12	General
	Project website (6 persons)	6	General
Total		86	

**Why Waste?** **Proposed TOR Summary of Changes from Draft**

No change/Minor Changes	(46)
Additional Details/Clarification	(35)
Change to Technical Studies	(1)
Change to EA Process	(1)
Change to List of Commitments	(2)
Change to Undertaking	(1)
• Reduction in waste from proposed regional service area	

**Why Waste?** **Next Steps – 60% & ToR**

60% Next Steps	Comments	Timeline
<b>Final Comments Action Plan</b>	• Public Participation Meeting at CWC	September 25, 2018
<b>CWC and Council Approval</b>	• To be determined	October 2018 to early 2019
ToR Next Steps	Comments	Timeline
<b>Final Comments ToR (EA)</b>	• Public Participation Meeting at CWC	September 25, 2018
<b>Council Approval</b>	• To be determined	October 2, 2018
<b>MECP Process</b>	• Submission and MECP process	Approval by Minister in 2019



## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** G. Kotsifas, P.ENG  
Managing Director, Development and Compliance  
Services And Chief Building Official

**Subject:** Application By: Landea North Developments Inc. and  
Landea Developments Inc.  
Creekview Subdivision  
Request for a Three (3) Year Extension of Draft Plan of  
Subdivision Approval  
Meeting on September 24, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Landea North Development Inc. and Landea Developments Inc., for the property located at 995 Fanshawe Park Road West:

- a) The Approval Authority **BE ADVISED** that Council supports the granting of a three (3) year extension of the draft plan of subdivision, submitted by Landea North Development Inc. and Landea Developments Inc. (File No. 39T-05512) prepared by Whitney Engineering Inc., certified by Jason Wilband (Drawing No. 2), which shows 20 low density residential blocks, two (2) multi family blocks, one (1) commercial block, two (2) stormwater management blocks and various reserve blocks served by one (1) new collector road and four (4) new local streets, **SUBJECT TO** the revised conditions contained in the attached Appendix “39T-05512”; and,
- b) The applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information in the attached Schedule “B”



### 2.0 Description of Proposal

Two applications (39T-05511 and 39T-05512) for Draft Plan of Subdivision Approval were accepted on in August 2005. The plans were draft approved in October 2009. Extension were granted in 2012 and again in 2015. The draft approval expiry date for both approved draft plans (39T-05511 and 39T-05512) is October 14, 2018 (three years after the last draft approval extension lapse date).

On July 18, 2016 the applicant submitted a design study package for the development of a second subdivision phase of draft plan 39T-05512 (995 Fanshawe Park Road West). The proposed phase limit included lands outside of the limits of draft plan 39T-05512 that is located in draft approved plan 39T-05111 (1196 Sunningdale Road West). At the time of Draft Approval, the subdivisions were in separate ownership. Landea North Development Inc. is now the owner of both draft approved subdivisions. The applicant requested that the two separate draft approved plans be consolidated for the purpose of design study approvals and for final subdivision registration.

The above-noted draft plan consolidation and redline revisions of draft plan of subdivision for 39T-05512 and 39T-05511 as one draft plan of subdivision 39T-05512 was approved by City of London Approval Authority on March 6, 2017, subject to the consolidated conditions. The October 14, 2018 lapse date was not changed through the consolidation process.

The first phase of this subdivision which was comprised of 48 single family lots, various part lots all served by four (4) new streets was registered on December 31, 2012 (33M-652). The second phase of subdivision which was comprised of 111 single family lots, various part lots all served by three (3) new streets was registered on November 7, 2017 (33M-729).

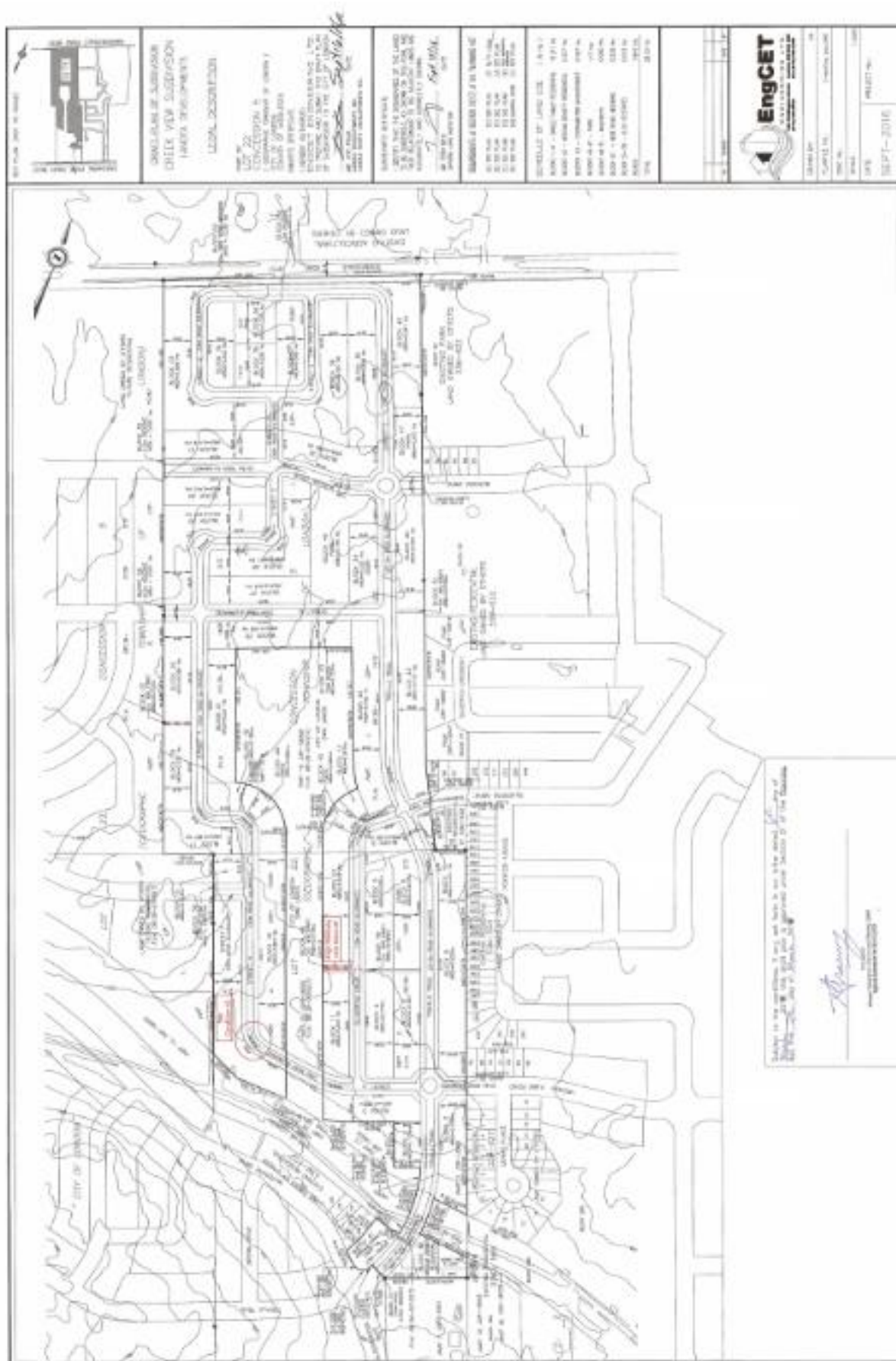
The City recently completed a required storm water management facility on the lands that was required prior to the registration of any further phases of this subdivision. The Applicant is currently in the process of obtaining detailed engineering design approval for the third phase of this subdivision which will consist of 125 single family lots. The final registration of the balance of the draft plan can proceed forward as the SWM facility is now complete.

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards. The changes to conditions are to address engineering issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and bold italic lettering (additions) on the attached Appendix. If granted, the new draft approval lapse date would be October 14, 2021.

As a result of these minor changes to the conditions of draft approval, an extension may be granted and there is no requirement for public notice of the changes (in accordance with Section 50 (33) & (47) of the Planning Act).



**Approved Draft Subdivision Plan**





<b>5.0 Conclusion</b>
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The attached revised conditions of draft approval are appropriate to ensure that this subdivision is developed under current City standards.

<b>Prepared and Recommended by:</b>	<b>C. Smith MCIP, RPP Senior Planner, Development Planning</b>
<b>Reviewed by:</b>	<b>Lou Pompilii, MCIP, RPP Manager, Development Planning</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>
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CS/



Conditions of Draft Approval

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-05512 ARE AS FOLLOWS:

No.	Condition
1.	This draft approval applies to the draft plan submitted by Landea North Developments Inc. (File No. 39T-05512 prepared by EngCET Engineering Ltd., certified by Terry Dietz, which shows 41 low density residential blocks, one (1) multifamily block, one (1) stormwater management block four (4) park blocks and various reserve, walkway and road widening blocks served by two (2) new collector roads and six (6) new local streets.
2.	This approval of the draft plan applies until <del>October 14, 2018</del> , <b>October 14, 2021</b> and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4.	<del>Street 'A' from the east limit of the draft plan to the roundabout shall be named Medway Park Drive.</del> The Owner shall within 90 days of draft approval submit proposed street names for all other streets within this subdivision to the City.
5.	<del>The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.</del>
6.	Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8.	The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9.	The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
10.	In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications, within this plan and external to this plan, as needed, (eg. 0.3 metre reserve blocks) as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City Engineer, at no cost to the City.
11.	<del>Phasing of this subdivision (if any) shall be to the satisfaction of the City. If phasing is to occur, a Phasing plan must be submitted by the Owner as part of the Design Studies Submission. Phase 1 must include Aldersbrook Gate and lands south and east of this street up to Medway Park Drive acceptable to the Manager of Parks Planning and Design, for the temporary park.</del>



- ~~12. In conjunction with the Design Studies submission, the Owner shall develop an erosion/sediment control plan (ESCP) that will identify all erosion and sediment control measures for the subject lands in accordance with the Functional SWM and/or Drainage Servicing Report for these lands, the City of London and Ministry of the Environment standards and requirements, for review and acceptance by the City (SWM unit). This Plan is to include measures to be used during all phases of construction. Prior to any work on the site, the Owner shall implement these measures satisfactory to the City. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.~~
13. In conjunction with the Design Studies **Engineering Drawing** submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:
- i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - ii) identify any abandoned wells in this plan
  - iii) assess the impact on water balance in the plan
  - iv) any fill required in the plan
  - v) provide recommendations for foundation design should high groundwater be encountered
  - vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions
  - vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
  - ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
  - x) ***To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken.***

all to the satisfaction of the City.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

14. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
- ~~15. Prior to the submission of engineering drawings, the Approval Authority shall be satisfied that sufficient sewage treatment and conveyance capacity is available to service the subdivision.~~
16. The Owner's professional engineer shall provide inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and have its professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
17. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.



18. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.
19. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
20. Prior to final approval for the registration of the subdivision the Approval Authority, is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.
21. Prior to any work on the site, the Owner shall obtain and submit to the Director, Development and Compliance Division prior to any work on the site a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.

Sanitary:

22. In accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - ~~i) construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 600 mm (24") diameter sanitary sewer located on Medway Park Drive at Tokala Trail;~~
  - i) **construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 450 mm diameter sanitary sewer located on Bridgehaven Drive at Tokala Trail;**
  - ii) construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City Engineer;
  - iii) make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - iv) where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
23. In conjunction with the ~~Design Studies~~ **Engineering Drawing** submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
  - i) provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;



- ii) ~~propose a suitable routing for the sanitary sewers to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer; and~~
  - iii) ~~provide an analysis of the water table levels of the lands within the subdivision with respect to the depth of the sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.~~
  - iv) ~~Should street townhouses be proposed, demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements~~
- 24. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
  - i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
  - iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - iv) Implementing any additional measures recommended through the Design Studies **Engineering Drawing** stage
  - v) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.
- 25. Prior to registration of this plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway/Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserve sewage treatment capacity reassigned to the subdivision.

#### Storm and Stormwater Management:

- 26. In conjunction with the Design Studies **Engineering Drawings** submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
  - a. ~~Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;~~
  - b. ~~Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;~~



- ~~c. ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.~~
  - ~~d. Providing a preliminary plan demonstrating how the proposed grading will match the grading of the proposed Stormwater Management Facility to be built by the City; and~~
  - ~~e. Providing a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to construction, grading and drainage of this subdivision and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan and the adequacy of outlet systems conveyance capacities during post development conditions, excluding works completed by others, if necessary; to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback.~~
  - i.) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;**
  - ii.) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;**
  - iii.) Ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.**
  - iv.) Providing supporting overland route capacity calculations and associated drawings for the conveyance of the major overland flows from this plan of subdivision to the intended receiving system to the south of this plan;**
  - v.) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction; and**
  - vi.) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.**
- ~~27. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit report(s) describing the functional designs of the stormwater servicing confirming that the upstream connections are adequate to serve any upstream lands in the sewershed, satisfactory to the City. Further, at the same time, the Owner shall provide copies of the report(s) to the upstream landowners (stakeholders) for an opportunity to comment. Development Services will consider any comments received from third parties up to the time of acceptance of the design studies.~~
- 28. The Owner shall connect the proposed storm sewers to serve this plan to the storm outlet, located within the Medway Creek Subwatershed, via the existing Stormwater Management (SWM) Facility # 4 and proposed Stormwater Management (SWM) Facility # 2, which are exterior to this plan, in accordance with the Council accepted preferred servicing option of the Fox Hollow Municipal Class Environmental Assessment (EA) Study and any addendum, , all to the specifications and satisfaction of the City Engineer.**
- ~~29. The Owner shall construct the proposed storm/drainage servicing works for the subject land and connect to the relevant SWM Facility(s) and the Heard Drain Channel Remediation/Reconstruction Servicing works, in accordance with the~~



~~accepted preferred servicing option of the Fox Hollow Municipal Class EA Study and any addendum, including the major storm overflow/conveyance system, all to the specifications and satisfaction of the City Engineer.~~

***The Owner shall connect the proposed storm sewers to serve this plan to the storm outlet, located within the Medway Creek Subwatershed, via the Stormwater Management (SWM) Facility # 3 in accordance with the Council accepted preferred servicing option of the Fox Hollow Municipal Class Environmental Assessment (EA) Study and any addendum, , all to the specifications and satisfaction of the City Engineer***

~~30. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct and have his professional engineer design and oversee the construction for the proposed storm/drainage to service the total catchment area, including the major storm overflow/conveyance system, with the exception of SWM Facility 2, SWM Facility # 3 and the north/south channel which is to be designed and constructed by others, all to the satisfaction of the City Engineer and according to the requirements of the following:~~

- ~~i. The City's SWM criteria and the environmental targets for the Medway Creek Subwatershed Study.~~
- ~~ii. The preferred storm/drainage and SWM servicing option of the Municipal Class EA and any addendum for the Fox Hollow lands as accepted by all applicable agencies.~~
- ~~iii. The accepted Functional Report for the proposed SWM Facility # 2~~
- ~~iv. The accepted Functional Report for the proposed SWM Facility # 3~~
- ~~v. The accepted Functional Report for the existing SWM Facility # 4~~
- ~~vi. The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012.~~
- ~~vii. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;~~
- ~~viii. The Ministry of Environment and Climate Change's (MOECC) SWM Practices Planning and Design Manual (2003) and the City of London's Design Specifications and Requirements Manual (Environmental and Engineering Services Department - October 2003).~~
- ~~ix. The City's Waste Discharge and Drainage By-laws and lot grading standards, policies, requirements and practices; and~~
- ~~x. All applicable Acts, Policies, Guidelines, Standards and Requirements of the relevant SWM agencies, including the City, the Ministry of the Environment and the Upper Thames River Conservation Authority.~~

***Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct and have his professional engineer design and oversee the construction for the proposed storm/drainage to service the total catchment area, including the major storm overflow/conveyance system, all to the satisfaction of the City Engineer and according to the requirements of the following:***

- i.) The City's SWM criteria and the environmental targets for the Medway Creek Subwatershed Study.***
- ii.) The preferred storm/drainage and SWM servicing option of the Municipal Class EA and any addendum for the Fox Hollow lands as accepted by all applicable agencies.***
- iii.) The accepted Functional Report for the proposed SWM Facility # 3***
- iv.) vi. The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012.***
- v.) The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites***



***are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;***

- vi.) The Ministry of Environment and Climate Change's (MOECC) SWM Practices Planning and Design Manual (2003) and the City of London's Design Specifications and Requirements Manual (Environmental and Engineering Services Department – October 2003).***
- vii.) The City's Waste Discharge and Drainage By-laws and lot grading standards, policies, requirements and practices; and***
- viii.) All applicable Acts, Policies, Guidelines, Standards and Requirements of the relevant SWM agencies, including the City, the Ministry of the Environment and the Upper Thames River Conservation Authority.***

- ~~31. A Certificate of Conditional Approval shall not be issued for the subject lands until the Heard Drain Channel Reconstruction/Remediation and Servicing and the relevant SWM Facility(s) works are constructed and operational and the proposed storm/drainage servicing works for the subject site can be connected, all to the specifications and satisfaction of the City Engineer.~~
- ~~32. The Owner shall provide the design and construction of the proposed storm/drainage servicing works for the subject lands (excluding the channel works) and connect to the relevant existing SWM Facility(s) and the Heard Drain Channel Remediation/Reconstruction Servicing works with the approved Fox Hollow functional and detailed design for the proposed storm/drainage and SWM servicing works for the subject lands, including the major storm overflow/conveyance system, all to the specifications and to the satisfaction of the City Engineer~~
- 33. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
- ~~34. The Owner shall promote the implementation of SWM soft measure Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and the approval of the City Engineer.~~
- 35. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
  - i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ii) ~~The SWM Facility, to be built by the City, to serve this plan must be constructed and operational;~~
  - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
  - iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report, ~~excluding works completed by others,~~ accepted by the City;
- 36. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:



- i) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan;
  - ii) ~~Grade and drain the blocks abutting the SWM Facility to blend in with the abutting SWM Facility, at no cost to the City;~~
  - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
  - iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
37. ~~The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process."~~
38. ~~The Owner shall provide the land dedications for the City construction of the Fox Hollow functional and detailed design for proposed storm/drainage and SWM servicing works for the subject lands, all to the specifications and to the satisfaction of the City Engineer for proposed storm/drainage servicing works for the subject lands and connect to the relevant SWM Facility and the Heard Drain Channel Remediation/Reconstruction Servicing works, in accordance with the accepted preferred servicing option of the Fox Hollow Municipal Class EA Study and any addendum or its the accepted Fox Hollow Functional Design all to the specifications and to the satisfaction of the City Engineer~~
39. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

## Water

40. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i. ~~Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm (12") diameter watermain on Aldersbrook Gate and the existing 300 mm (12") diameter watermain on Medway Park Road when it becomes available, the 300 mm (12") diameter watermain on Silverfox Drive and to other future municipal watermains to the east and south of this plan as identified in the accepted water servicing report, satisfactory to the City Engineer. This plan of subdivision shall be serviced from the Hyde Park Water Pump Station; and~~  
**Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm diameter watermain on Tokala Trail and to other future municipal watermains to the east and west of this plan as identified in the accepted water servicing report, satisfactory to the City Engineer. This plan of subdivision shall be serviced from the Hyde Park Water Pump Station; and**
  - ii. Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units.



- iii. The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;
  - iv. The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval
41. ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:~~
- ~~i) A water servicing report which addresses the following:~~
    - ~~— Identify external water servicing requirements;~~
    - ~~— Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;~~
    - ~~— Confirm capacity requirements are met;~~
    - ~~— Identify need to the construction of external works;~~
    - ~~— Identify the effect of development on existing water infrastructure – identify potential conflicts;~~
    - ~~— Water system area plan(s)~~
    - ~~— Water network analysis/hydraulic calculations for subdivision report;~~
    - ~~— Phasing report and identify how water quality will be maintained until full built-out;~~
    - ~~— Oversizing of watermain, if necessary and any cost sharing agreements.~~
    - ~~— Water quality~~
    - ~~— Identify location of valves and hydrants~~
    - ~~— Identify location of automatic flushing devices as necessary~~
    - ~~— Looping strategy~~

***In conjunction with the Engineering Drawing submission the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:***

- a) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;***
- b) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;***
- c) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;***
- d) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);***
- e) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;***
- f) Develop a looping strategy when development is proposed to proceed beyond 80 units;***
- g) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots, if necessary, which demonstrates separation requirements for all services in being achieved;***
- h) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;***
- i) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;***
- j) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;***
- k) Identify the effect of development on existing water infrastructure – identify potential conflicts;***
- l) Include full-sized water distribution and area plan(s);***



***m) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices);***

Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.

42. ~~Prior to the issuance of a Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on engineering drawings. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their assumption removal. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.~~

***Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc. shall be shown clearly on the engineering drawings.***

***# The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:***

- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until assumption/removal;***
- ii) any incidental and/or ongoing maintenance, periodic adjustments, repairs, replacement of broken, defective or ineffective product(s), poor workmanship, etc., of the automatic flushing devices;***
- iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;***
- iv) all works and the costs of removing the devices when no longer required; and***
- v) ensure the automatic flushing devices are connected to an approved outlet.***

***# The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging plan as set-out in the accepted engineering drawings and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging as set out in the accepted water servicing report, and the watermains are not installed to the stage limits, the Owner would be required to submit revised plan and hydraulic modeling as necessary to address water quality.***



43. ~~The Owner shall construct all roads shown in this plan of subdivision such that alignments match joining roads outside this plan.~~
44. The Owner shall ensure a minimum of 5.5 metres (18') will be required along the curb line between the projected property lines of irregular shaped lots around the bends in this plan.
45. The Owner shall eliminate/limit the bulge in the curb line on Street 'A', Street 'C' and Street 'D' to only a maximum offset from the standard radius required to achieve the minimum curb distance for lands, as approved by the City Engineer. Further, the bulge in the street line is only to be to the extent required to achieve the minimum frontage for the abutting lots.
46. The Owner shall construct a 1.5 metres (5') sidewalk on both sides of the following streets:
  - i. Tokala Trail – from south limit of plan to Buroak Drive
  - ii. ~~Medway Park Drive – east limit of plan to Tokala Trail~~
  - iii. Buroak Drive
47. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
  - i. Street 'A' – west of Silverfox Drive – north and east boulevard
  - ii. ~~Silverfox Drive – east boulevard~~
  - iii. Street 'B' – south boulevard
  - iv. Street 'C' – north and east boulevards
  - v. Street 'D' – south, east and west boulevards
  - vi. Street 'E' – east boulevard
  - vii. Street 'F' – south boulevard
48. The Owner shall ensure that all pedestrian walkways are constructed to the "City Standard for Pedestrian Walkways", including lighting if necessary, in accordance with City requirements and standards.
49. ~~As part of the Design Studies submission, the Owner shall submit a transportation study in accordance with the Transportation Impact Study Guideline to determine the impact of this development on the abutting arterial roads to the satisfaction of the City Engineer. Prior to undertaking this study, the Owner shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study. The Owner shall undertake any recommendations of the study as required by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.~~
50. The Owner shall install the following traffic calming measures along the secondary collector road network:
  - i) Curb extensions along the east and south side of Tokala Trail with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.
  - ii) ~~Curb extensions along the south side of Medway Park Drive with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.~~
  - iii) Curb extension along the north side of Buroak Drive with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.
  - iv) Reduced curb radii (6.0m) on the inbound approach to all local road



intersecting the secondary collector road network.

The traffic calming measures selected for these locations are subject to the approval of the Transportation Planning & Design Division and are to be designed and constructed to the satisfaction of the City Engineer.

51. The Owner shall provide sufficient land for and construct a roundabout at the intersection of ~~Tokala Trail and Street 'A' / Medway Park Drive~~ and at Tokala Trail, Buroak Drive and Street 'E' in accordance with City standards. The Owner shall ensure that driveways for lots that abut the roundabout are located in accordance with the EESD Design Specification and Requirements Manual. The Owner shall install street lights at this intersection to the satisfaction of the City Engineer.
52. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Sunningdale Road West, Fanshawe Park Road West or other routes as designated by the City Engineer.
53. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
54. The Owner shall construct a temporary turning facility for vehicles at the following locations:
  - i) Buroak Drive - west limit

to the specifications of the City Engineer.

Temporary turning circles for vehicles shall be provided to the City as required by the City Engineer, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

55. All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City.
56. In conjunction with the ~~Design Studies~~ **Engineering Drawing** submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
57. In conjunction with the ~~Design Studies~~ Engineering Drawing submission, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
58. ~~Within one year of registration of the plan, the Owner shall install street lights on all streets and walkways in this plan in accordance with the accepted engineering drawings. Where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro~~



for the City of London.

***Within one year of registration of the plan, the Owner shall install street lights on all streets and walkways in this plan in accordance with the accepted engineering drawings, at no cost to the City to the satisfaction of the City***

59. The Owner shall be required to make minor boulevard improvements on Sunningdale Road West adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
60. ~~In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.~~
61. ~~The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:~~
- ~~i) Tokala Trail, Buroak Drive and Medway Park Drive have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').~~
  - ~~ii) Street 'A' (west of Tokala Trail), Street 'B', Street 'C', and Street 'F' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').~~
  - ~~iii) Silverfox Drive, Street 'D' (with the exception of the window street portion) and Street 'E' have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').~~
  - ~~iv) Street 'D' (window street portion) has a minimum road pavement width (excluding gutters) of 7.0 metres (22.9') with a minimum road allowance of 15.5 metres (50.8').~~

***The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:***

- i) Tokala Trail and Buroak Drive have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').***
  - ii) Street 'A' (west of Tokala Trail), Street 'B', Street 'C', and Street 'F' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').***
  - iii) Street 'D' (with the exception of the window street portion) and Street 'E' have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62').***
  - iv) Street 'D' (window street portion) has a minimum road pavement width (excluding gutters) of 7.0 metres (22.9') with a minimum road allowance of 15.5 metres (50.8').***
62. ~~Should the Owner direct any servicing within any of the walkway(s) or the walkway(s) is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.~~
63. ~~In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a conceptual design of the proposed traffic calming measures along Tokala Trail and Medway Park Drive/Street 'A', including roundabout, parking bays, curb extensions and other measures, to the satisfaction of the City.~~



***In conjunction with the engineering drawings, the Owner shall have its professional engineer provide a design of the proposed traffic calming measures along Tokala Trail and Buroak Drive, including roundabout, parking bays, curb extensions and other measures, to the satisfaction of the City.***

64. ~~Should a temporary emergency access be required for this draft plan of subdivision, in conjunction with the Design Studies submission, the Owner shall provide a conceptual design and the location of the temporary emergency access, to the satisfaction of the City.~~

65. Should any temporary turning circle exist on any abutting streets at the time this plan is registered, the Owner shall remove any existing temporary turning circles and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.

If funds have been provided to the City by the Owner of adjacent lands for the removal of the temporary turning circle and the construction of any section of road and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that roads adjacent to this plan are constructed as a fully serviced road by the Owner of adjacent plans, then the Owner shall be relieved of this obligation.

66. ~~The Owner shall include and construct the streets from Aldersbrook Gate to Medway Park Drive in the next phase of subdivision approval.~~

67. The Owner shall provide sidewalk links from Street 'D' to the proposed sidewalk on Sunningdale Road West, ***in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City. Breaks in the 0.3 metre reserve are to be identified on the survey plan when submitted to the City.***

68. Prior to any work on the site the Owner shall install signage advising construction traffic that loads on Sunningdale Road West are restricted to a maximum weight of five (5) tonnes per axle for any vehicle traveling on this road during the period March 1 to April 30, inclusive, in any year.

69. The Owner shall dedicate sufficient land to widen Sunningdale Road West to 18.0 metres (59.06') from the centerline of the original road allowance.

70. The Owner shall ensure that no vehicular access is permitted to Blocks 33 and 40 directly from Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.

71. The Owner shall ensure any emergency access is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of site lines, provision of channelization, adequacy of road geometries and structural design etc.

72. If an emergency access is required to accommodate development, the Owner shall ~~locate~~, ***design*** construct, maintain and close the access to the satisfaction of the City Engineer. If it is necessary to locate this access onto Sunningdale Road West, the Owner shall ensure that it will be restricted to emergency vehicle use only.

73. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

Road Allowance	S/L Radius
20.0 m	9.0 m



19.0 m  
18.0 m

9.5 m  
10.0 m

74. The Owner shall have the common property line of Sunningdale Road West graded in accordance with the City of London Standard “Subdivision Grading Along Arterial Roads” at no cost to the City, except as permitted otherwise by the Urban Works Reserve Fund By-law.

Further, the grades to be taken as the centerline line grades on Sunningdale Road West are the future centerline of road grades as determined by the Owner’s professional engineer satisfactory to the City Engineer. From these, the Owner’s professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City Engineer

75. At ‘tee’ intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the City.

In conjunction with Design Studies submission, the Owner shall have its professional engineer prepare a conceptual design for the window street for Street ‘D’ to consider such issues as grading the common boulevard between Sunningdale Road West and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.

- # ***The Owner shall construct the window street portion of Street ‘D’ abutting Sunningdale Road West in accordance with the City’s window street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.***

#### Planning

77. All lots/blocks abutting park blocks shall be fenced with 1.5meter high chain link fence without gates in accordance with current City park standards (SPO 4.8) or approved alternate. Fencing shall be completed to the satisfaction of the Manager of Parks Planning and Design within one (1) year of registration of the plan of subdivision.
78. All lots/blocks abutting Open Space blocks used primarily for stormwater management facilities and or conveyance systems shall be monumented as per City standards and to the satisfaction of the City Engineer. Further, the subdivision agreement shall include a clause that should the property owner desire to construct a fence at the interface(on the property line) with the Open Space SWM blocks, fencing shall be limited in accordance with current City park standards (SPO 4.8) or approved alternate.
79. All park blocks lands shall be sufficiently protected from sediment throughout the construction period. A sediment barrier shall be established along the park block limits to the satisfaction of EESD and ***Manager of Parks*** Planning and Design.
80. No grading shall occur within proposed parkland blocks except where determined to be appropriate by the Manager of Parks Planning and Design.
81. At the time of registration of this plan, the Owner shall convey Blocks 44, 45, 46 and 47 to the City ~~leaving an under dedication of 0.235ha of parkland dedication. A onetime lump sum payment of \$87,101.58 or cash in lieu of parkland for 77 lots shall be provided~~ to satisfy the required 5% parkland dedication for this plan of subdivision.



82. Within one (1) year of registration of the plan, the Owner shall prepare and deliver to all homeowners adjacent to lands zoned as Open Space, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the Director, Development and Compliance Division.
83. Prior to any work on the site and as part of the ~~Design Studies~~ **Engineering Drawing** submission, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision and submitted to the City. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the preservation of quality specimen trees within Lots and Blocks and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree Preservation Reports and Tree Preservation Plans to the satisfaction of the Director, Development and Compliance Division. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.
84. Prior to the submission of Engineering Drawings, the Owner shall submit for approval an on-street parking plan (if necessary), whereby one on street parking space for each two dwelling units is to be used as the basis for the design, to the satisfaction of the Director, Development and Compliance Division. The approved parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
85. As part of the ~~Design Studies~~ **Engineering Drawing** submission, the Owner shall submit a plan to the Approval Authority proposing the lotting pattern for all residential Blocks, which shall be consistent with the approved zoning for these blocks and acceptable to the Director, Development and Compliance Division. The lotting plan shall also provide for lots which front Sunningdale Road for Blocks 34, 36, 37, 38, and 39. The accepted lotting pattern shall be reflected on the final registered plan.
86. Within one (1) year of registration of the plan, the Owner shall prepare and deliver to all homeowners an education package which advises potential purchasers of the ongoing agricultural activities occurring in the vicinity. The educational package shall be prepared to the satisfaction of the Director, Development and Compliance Division.
87. ~~For residential blocks proposed for street townhouse dwellings, the Owner shall as part of the registration of the plan make the necessary legal arrangements to establish a minimum of a one (1.0) metre rear yard maintenance easement where the units to be built do not provide direct access to the rear yard from the garage for "internal unit" (not "end unit") Owners. (Planning)~~
88. The Owner shall obtain all necessary permits from the UTRCA prior to the commencement of any soil disturbance within the regulated area under the jurisdiction of the UTRCA.
89. The Owner agrees to register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior side yard road frontage. Further, the owner shall obtain approval of their proposed design from the Managing Director of Planning and City Planner and his/her designate prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.



**# In conjunction with the Engineering Drawing, the owner shall include a grading and servicing plan for park blocks 46 and 47 that will also include pathways and bench locations to the satisfaction of the City Planner.**

**# Within one (1) year of registration, the owner shall grade, service and seed park blocks 46 and 47 as per the approved engineering drawings.**

#### GENERAL CONDITIONS

90. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
91. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.
92. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
93. In conjunction with the ~~Design Studies~~ **Engineering Drawing** submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall complete the following:
- i) Submit a phasing plan, all to the specifications and satisfaction of the City.
  - ii) If any temporary measures are required in conjunction with the phasing, these temporary measures shall be constructed to the specifications and satisfaction of the City, at no cost to the City.
  - iii) Identify the routing of services which are necessary to service lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, to the satisfaction of the City.
  - iv) identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase
94. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
95. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

- i) In the event discharge is to unassumed services, the unassumed services must be completed and Conditionally Accepted by the City;
- ii) The Owner must provide a video inspection on all affected unassumed sewers;



Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

96. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the Owner is connecting. The above-noted proportional share of the cost shall be based on contributing flows for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties, shall:

- i. commence upon completion of the Owner's service work connections to the existing unassumed services; and
- ii. continue until the time of assumption of the affected services by the City.

97. With respect to any services and/or facilities constructed in conjunction with this plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

The connection into and use of the subject services by an outside Owner will be conditional upon the outside Owner satisfying any requirements set out by the City, and agreement by the outside Owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

98. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City Engineer and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City Engineer, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the plan.

99. In conjunction with the ~~Design Studies~~ **Engineering Drawings** submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this plan. All class EA's must be completed prior to the submission of engineering drawings.

100. The Owner shall have its engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".



101. The Owner shall not commence construction or installations of any services including clearing or servicing of lands within this plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing; (eg. Ministry of the Environment Certificates; City/Ministry/Government permits: Approved Works, water connection, water-taking, crown Land, navigable waterways; approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of Environment, City; etc.)
102. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
103. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
104. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City Engineer.
105. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
106. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
- ~~107. Prior to the issuance of a Certificate of Conditional Approval for any part lots/blocks that cannot be developed independently within the plan, these part lots/blocks shall be combined with abutting external lands to create developable lots/blocks, to the satisfaction of the City.~~
- ~~108. In conjunction with the Design Studies submission, the proposed block lotting plan shall be reviewed and accepted with respect to City services, road geometries, easements requirements, driveway and lots abutting roundabouts, etc., to the satisfaction of the City.~~
- ~~109. In conjunction with Design Studies Submission, the Owner shall have it's professional engineer demonstrate how the proposed municipal services, utilities and roadworks will be built to cross the Heard Drain culvert, to the satisfaction of the City.~~
110. In conjunction with the Design Studies **Engineering Drawings** submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
  - i) servicing, grading and drainage of this subdivision
  - ii) road pavement structure
  - iii) dewatering
  - iv) foundation design
  - v) removal of existing fill (including but not limited to organic and deleterious materials)
  - vi) the placement of new engineering fill
  - vii) any necessary setbacks related to slope stability for lands within this plan
  - vii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions (as recommended by the Geotechnical Engineer),**



and any other requirements as needed by the City, all to the satisfaction of the City.

The Owner shall implement all geotechnical recommendations to the satisfaction of the City.

111. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminants within the proposed Streets, Lot and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City.

In the event no evidence of contamination is encountered on the site, the geotechnical engineer shall provide certification to this effect to the City.

- ~~112. Should street townhouses be proposed, in conjunction with Design Studies submission, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/townhouses indicated any streets in this plan. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.~~

113. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing, if necessary, for the street townhouse units on any streets in this plan, to the satisfaction of the City Engineer. It is noted that services may need replaced if they are not in an acceptable location.

114. In conjunction with the Design Studies submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to the Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement

# ***The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.***



***Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.***

- # *Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on street abutting this Plan, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the City Engineer, at no cost to the City.***



Schedule B

Creekview Subdivision - Clarke/Landea  
Draft Plan Extension  
39T-05512

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF <ul style="list-style-type: none"><li>- Watermain oversizing - 1250m of 300mm (DC14-WD01001)</li><li>- Sanitary Sewer oversizing (DC14-WW02001)</li><li>- Storm Sewer oversizing (DC14-MS01001)</li></ul>	\$75,000 \$140,125 \$1,958,725
Claims for City led construction from CSRF <ul style="list-style-type: none"><li>- None identified.</li></ul>	\$0
Total	\$2,173,850
Estimated Total DC Revenues (2018 Rates)	Estimated Revenue
CSRF	\$13,132,128
UWRF	\$1,179,950
TOTAL	\$14,312,078

- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 2 Estimated Revenues are calculated using 2018 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
- 3 The revenues and costs in the table above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
- 4 The extent of pipe sizes and length of oversized sewers and watermain will be finalized through the detailed design process which may change the values noted.
- 5 The servicing costs referenced above are for the entire draft plan. It should be noted that phases 1,2 & 3 are already or are in the process of being under agreement and the values expressed above may be duplicated from what is already contained those prior agreements.

Reviewed by:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Matt Feldberg  
Manager, Development Services  
(Subdivisions)



## 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: Highland Homes.  
982 Gainsborough Road  
Removal of Holding Provisions (h-11 and h-17)  
**Meeting on:** September 24, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Highland Homes relating to the property located at 982 Gainsborough Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 982 Gainsborough Road **FROM** a Holding Business District (h-11\*h-17\*BDC1/BDC2) Zone **TO** a Business District (BDC1/BDC2)) Zone to remove the h-11 and h-17 holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h-11 and h-17 holding symbols to permit the development of a two storey 2,670m<sup>2</sup> medical/dental office building and a two storey 772m<sup>2</sup> office building.

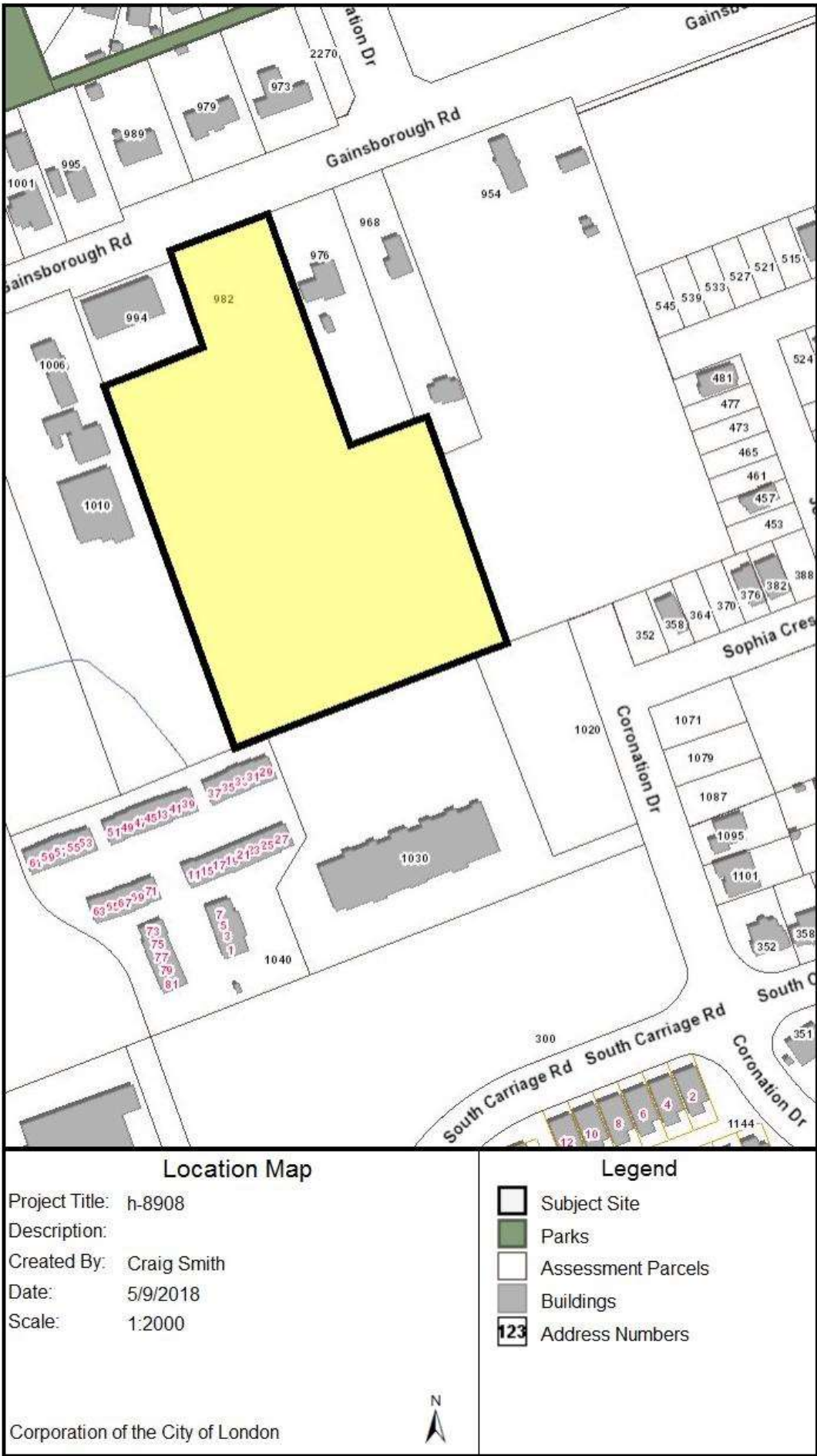
### Rationale of Recommended Action

1. The removal of the holding provisions 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 development agreement is imminent and the h-11 holding provision is no longer required.
3. The full municipal services are available are available to service the site and the h-17 holding provision is no longer required.



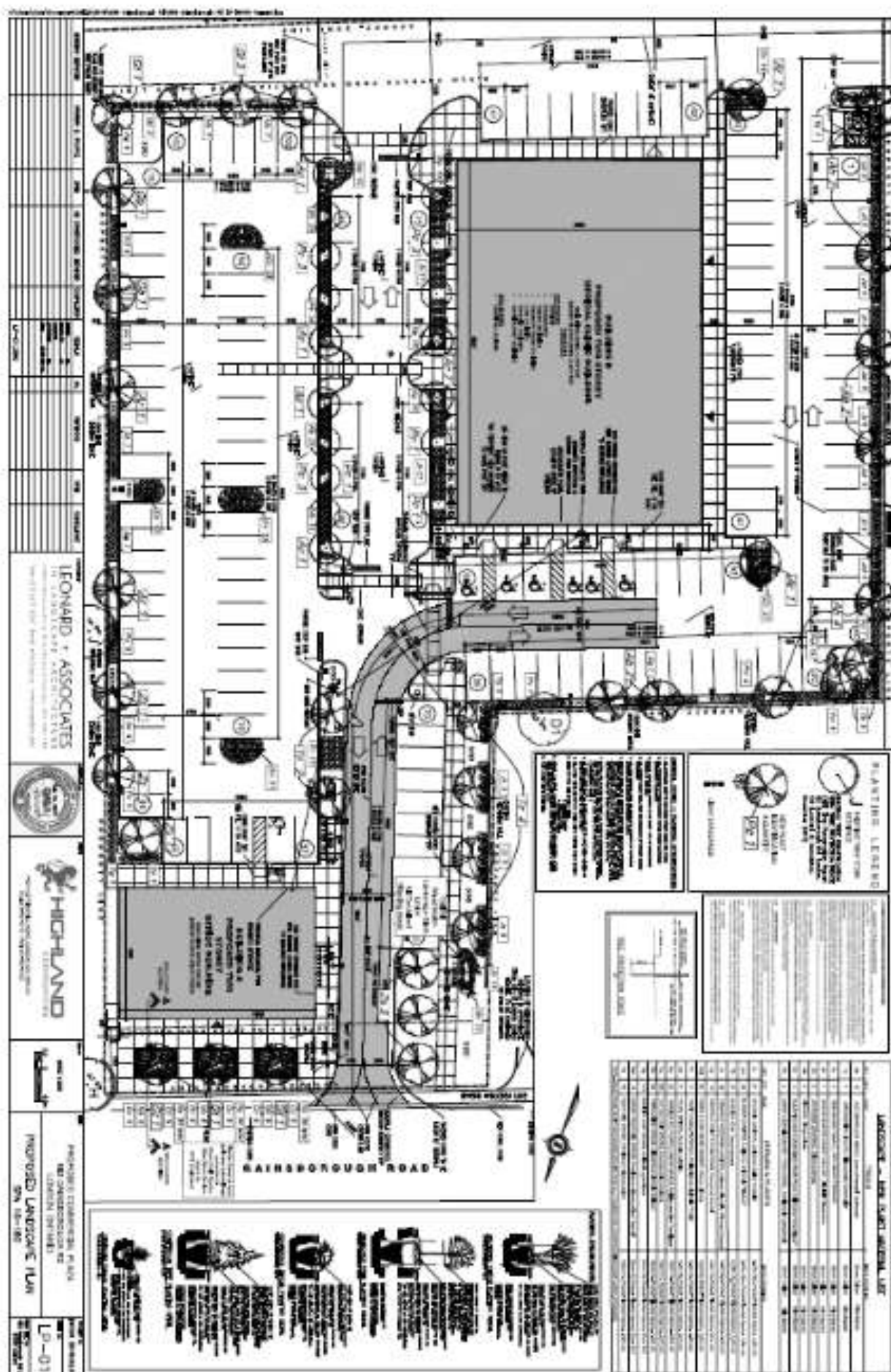
Analysis

1.1 Location Map





## 1.2 Site Plan- 982 Gainsborough Road





## 2.0 Description of Proposal

To remove the h-11 and h-17 holding provisions from the lands these provisions are applied requires that all services and access arrangements are provided, and an agreement be entered into to the satisfaction of the City. The removal of the h-11 and h-17 holding provision at 982 Gainsborough Road will allow for the construction of a two storey 2,670m<sup>2</sup> medical/dental office building and a two storey 772m<sup>2</sup> office building.

## 3.0 Revelant Background

### 3.1 Planning History

Hyde Park Community Plan, December 15, 1999

Z-7399 – Planning Committee Report, December 10, 2007 and January 14, 2008

Z-817- Planning Committee Report, August 20, 2013.

## 4.0 Key Issues and Considerations

### Why is it Appropriate to remove these Holding Provision?

The h.-11 holding provision states that:

*h-11 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.*

The Owner has provided the necessary security and the execution of the Development Agreement is imminent. Access to the site is from Gainsborough Road and provisions in the development agreement will permit access to the proposed commercial laneway when constructed. This satisfies the requirement for removal of the “h-11” holding provision.

### **h-17 Holding Provision**

The (h-17 holding provision states that:

*“h-17 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-17" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site.*

The h-17 holding provision requires that full municipal sanitary sewer and water service systems are available for these lands. A 600mm municipal sanitary sewer and a 450mm watermain are located in the Gainsborough Road right-of-way. Through the Development Agreement this development will be required to connect to the existing water and sanitary systems. This satisfies the requirement for removal of the “h-17” holding provision.

More information and detail about public feedback and zoning is available in Appendix B.

## 5.0 Conclusion

It is appropriate to remove the h-11 and h-17 holding provisions from the subject lands at this time as full municipal sanitary and water services are available and the required security has been submitted to the City of London and registration of the Development Agreement is imminent.



<b>Prepared and Recommended by:</b>	<b>C. Smith MCIP, RPP Senior Planner, Development Planning</b>
<b>Reviewed by:</b>	<b>Lou Pompilii, MCIP, RPP Manager, Development Planning</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>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

September 17, 2018

CS/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8908 - 982 Gainsborough Road (CS)\AODAPECreport-H-8908.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 982 Gainsborough Road.

WHEREAS Highland Homes have applied to remove the holding provisions from the zoning for the lands located at 982 Gainsborough 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 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 982 Gainsborough Road, as shown on the attached map, to remove the h-11 and h-17 holding provisions so that the zoning of the lands as a Business District Commercial (BDC1/BDC2) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 2, 2018.

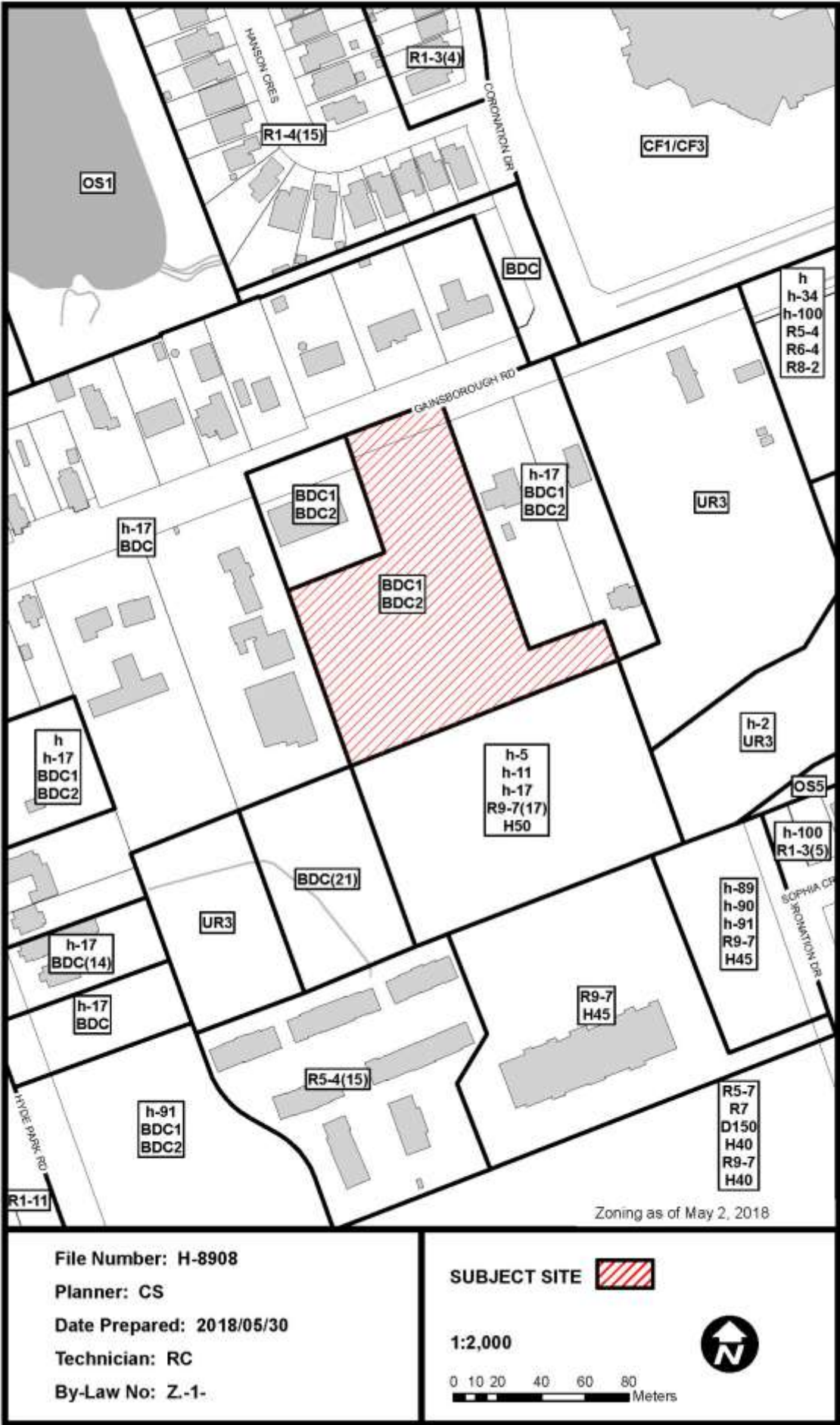
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading - October 2, 2018  
Second Reading – October 2, 2018  
Third Reading - October 2, 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 May 31, 2018

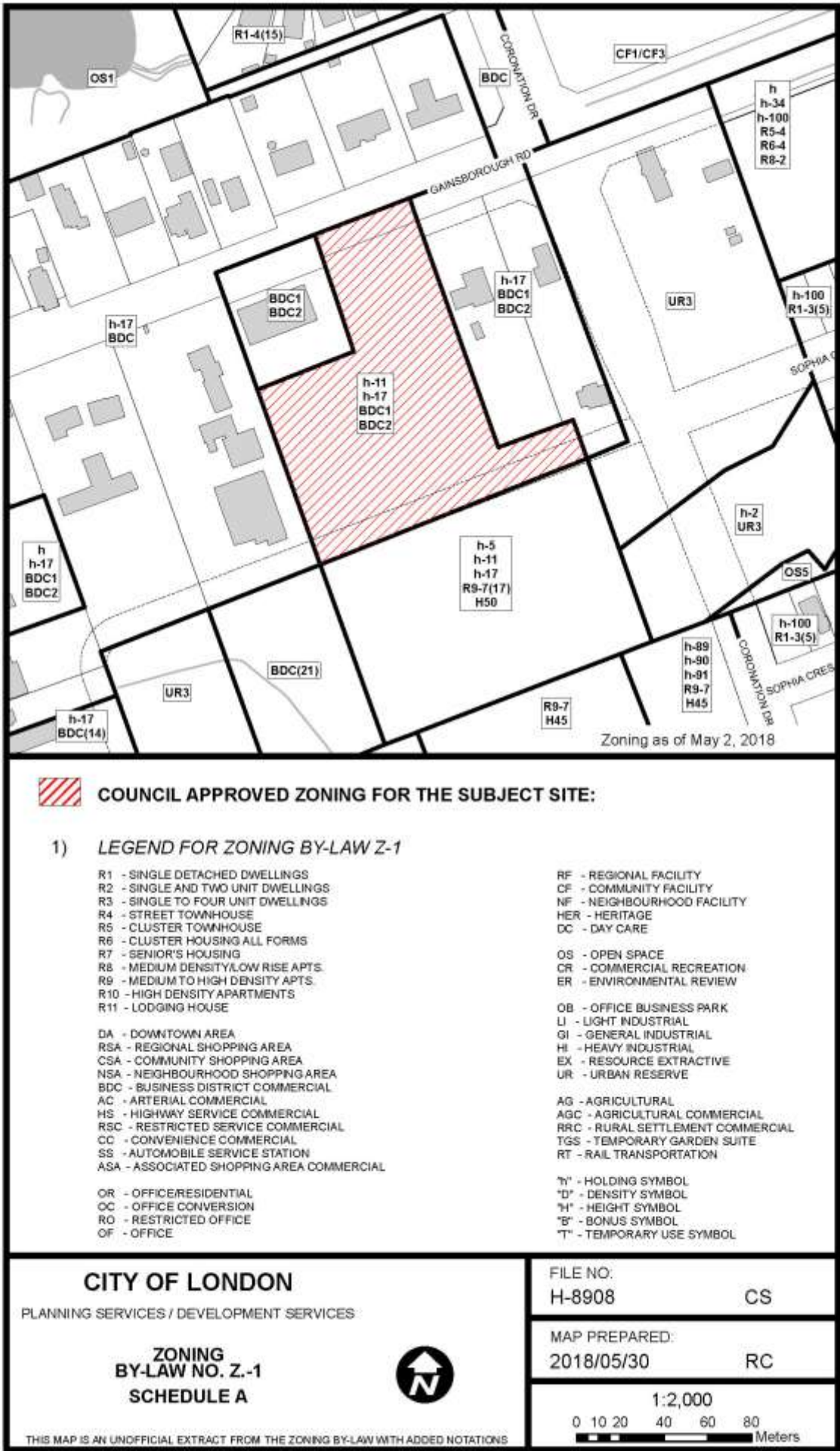
0 replies were received

**Nature of Liaison:** City Council intends to consider removing the h-11 and h-17 holding provisions from the lands which requires that all services and access arrangements are provided, and an 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 June 18, 2018.



Appendix C – Relevant Background

Existing Zoning Map





## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** G. Kotsifas, P. Eng  
Managing Director, Development & Compliance Services and  
Chief Building Official  
**Subject:** Application By: Italian Seniors Project  
1090, 1092 & 1096 Hamilton Road  
**Meeting on:** September 24, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Italian Seniors Project relating to the properties located at 1090, 1092 & 1096 Hamilton Road, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on October 2, 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 R8 Special Provision (h-213•R8-4(41)) Zone **TO** a Residential R8 Special Provision (R8-4(41)) Zone to remove the h-213 holding provision.

## Executive Summary

### Summary of Request

The request is to remove the holding provision from the zoning on 1090, 1092 & 1096 Hamilton Road.

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (“h-213”) symbol from the zoning to permit the construction of a 3 storey senior’s apartment building/residence, with a total of 62 units.

### Rationale of Recommended Action

The condition for removing the holding provision have been met, as the Applicant has worked with the City’s Wastewater and Drainage Engineering (WADE) Division and further discussions have resulted in a servicing solution that is acceptable to WADE and the City Engineer.

## 1.0 Site at a Glance

### 1.1 Property Description

The subject lands are located on the north side of Hamilton Road between Watmar Avenue to the east and Fairmont Avenue to the west. The subject lands are comprised of three (3) parcels, municipally known as 1090, 1092, and 1096 Hamilton Road, that have a combined total area of 0.85 hectares (2.1 acres). 1090 Hamilton Road is currently occupied by a 1-storey single detached dwelling with a large detached garage. 1092 Hamilton Road is currently vacant, but was formally occupied by a single detached dwelling. 1096 Hamilton Road is currently occupied by a 1-storey commercial building; and the property was formerly used as a gas station.

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods, with frontage on a Civic Boulevard (Hamilton Road)
- Existing Zoning – Holding Residential R8 Special Provision (h-213•R8-4(41)) Zone



Location Map





**1.3 Site Characteristics**

- Current Land Use – Single Detached Dwelling, Vacant (Formerly Single Detached Dwelling), & Commercial Building (Formerly Gas Station)
- Frontage – 54.8 metres (180 feet)
- Depth – 170.0 metres (558 feet)
- Area – 0.846 hectares (2.1 acres)

**1.4 Surrounding Land Uses**

- North – Low Density Residential (Single Detached Dwellings)
- East – Low Density Residential (Single Detached Dwellings), & Commercial
- South – Low Density Residential (Single Detached Dwellings), Medium Density Residential (Cluster Townhouses & Low-Rise Apartment Building), & Open Space
- West – Low Density Residential (Single Detached Dwellings), & Community & Neighbourhood Facilities (Bob Hayward YMCA & Fairmont Public School)

**2.0 Description of Proposal**

**2.1 Development Proposal**

The requested amendment will permit a three storey, 62 unit apartment building geared towards seniors.

The Applicant has not submitted a site plan application at this time.

**3.0 Revelant Background**

**3.1 Planning History**

In 1990, the Hamilton Road Area Study was undertaken to determine the development potential of larger, underutilized single detached residential lots in this area. The study concluded that the properties located at 1073, 1077, 1081 and 1121 Hamilton Road could be rezoned, upon receipt of an application, to permit townhouse uses to a maximum density of 30 units per hectare. This density was considered appropriate at the time to ensure compatibility with existing residential uses in the area.

Provincial policy direction has changed since the Hamilton Road Area Study. The 2014 Provincial Policy Statement more readily provides for, and encourages compact form, redevelopment, and intensification.

In 2007, an application for a Zoning By-law Amendment was approved for 1109 Hamilton Road (formerly part of 1121 Hamilton Road) on the south side of Hamilton Road, opposite the subject lands. The Zoning By-law Amendment applied a Residential R7 Zone to permit the development of a 4-storey, 52 unit seniors lodging home that has since been constructed and is commonly known as Residenza Italia. The 3-storey apartment building proposed for the subject lands is intended as a “sister” building to Residenza Italia, and is proposed by the same applicant.

A Zoning By-law Amendment to permit the three storey senior’s apartment residence on the subject sites was approved by Municipal Council on January 30, 2018 (file Z-8827). Through this amendment, the h-213 holding provision was added. Planning Staff recommended this holding provision for sanitary servicing as the proposed servicing strategy submitted by the Applicant was not supported by the City’s Wastewater and Drainage Division (“WADE”).

**4.0 Key Issues and Considerations**

**4.1 Issue and Consideration # 1- “h-213” holding provision**

The “h-213” holding provision states that:

*“Purpose: To ensure the orderly development of the lands the “h-213” symbol shall not be deleted until a sanitary servicing capacity report has been prepared and confirmation*



*that a municipal sanitary sewer outlet is available to service the site to the satisfaction of the City Engineer.”*

Comments from the City’s Wastewater and Drainage Engineering Division (WADE) indicated that although there is no fronting municipal sanitary sewer on Hamilton Road for the subject property, further discussions with the applicants engineer have resulted in a proposed temporary sanitary servicing strategy of bisecting Hamilton Road through 1093 and 1109 Hamilton Road with a 200mm sanitary PDC and connecting to the 400mm sanitary sewer which outlets to the Pottersburg Pollution Control Plant (PCP). It should be noted that both 1093 and 1109 Hamilton Road are also owned by the applicant and joint use and maintenance agreements/easements may be required for the applicants lands in which this sanitary sewer connection traverses. The Applicant will be required to connect to the ultimate sanitary sewer on Hamilton Road when it becomes available, at no cost to the City. WADE has no objections to removing the holding provision and allowing the temporary servicing strategy.

This satisfies the requirement for removal of the “h-213” holding provision.

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

5.0 Conclusion

The condition for removing the holding provision have been met, as further discussions has resulted in a temporary servicing strategy, to the satisfaction of the City. Therefore, it is appropriate to remove the holding provisions from the site.

Recommended by:	<div>Nancy Pasato, MCIP, RPP Senior Planner, Development Services</div>
Reviewed by:	<div>Lou Pompilii, MCIP RPP Manager, Development Planning (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>
<div>Note: This report was prepared by or under the supervision of a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994 qualified to provide opinions on planning matters to Municipal Council.</div>	

August 31, 2018  
NP/np



## 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 1090,  
1092 & 1096 Hamilton Road.

WHEREAS Italian Seniors Project have applied to remove the holding provision from the zoning for the lands located at 1090, 1092 & 1096 Hamilton 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 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 1090, 1092 & 1096 Hamilton Road, as shown on the attached map, to remove the h-213 holding provisions so that the zoning of the lands as a Residential R8 Special Provision (R8-4(41)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 2, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



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





Appendix B – Public Engagement

Community Engagement

**Public liaison:** Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 16, 2018.

No replies were received.

**Nature of Liaison:** City Council intends to consider removing the holding (h-213) provision which was put in place to ensure adequate sanitary sewer capacity. The h-213 shall not be deleted until a sanitary servicing capacity report has been prepared and confirmation that a municipal sanitary sewer outlet is available to service the site to the satisfaction of the City Engineer. Council will consider removing the holding provision as it applies to these lands no earlier than September 18, 2018.

**Responses:** No comments received.

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

Telephone	Written

Agency/Departmental Comments

Wastewater and Drainage Engineering Division (WADE)

“There is no fronting municipal sanitary sewer on Hamilton Road for the subject property. However, WADE has been in discussions with the applicants engineer and accepts the proposed temporary sanitary servicing strategy of bisecting Hamilton Road through 1093 and 1109 Hamilton Road with their 200mm sanitary PDC and connecting to the 400mm Sanitary Sewer which outlets to the Pottersburg PCP. It should be noted that both 1093 and 1109 Hamilton Road are also owned by the applicant and joint use maintenances and easements may be required for the applicants lands in which this sanitary sewer connection traverses.

The owner will be required to connect to the ultimate sanitary sewer on Hamilton Road when it becomes available, at no cost to the City.

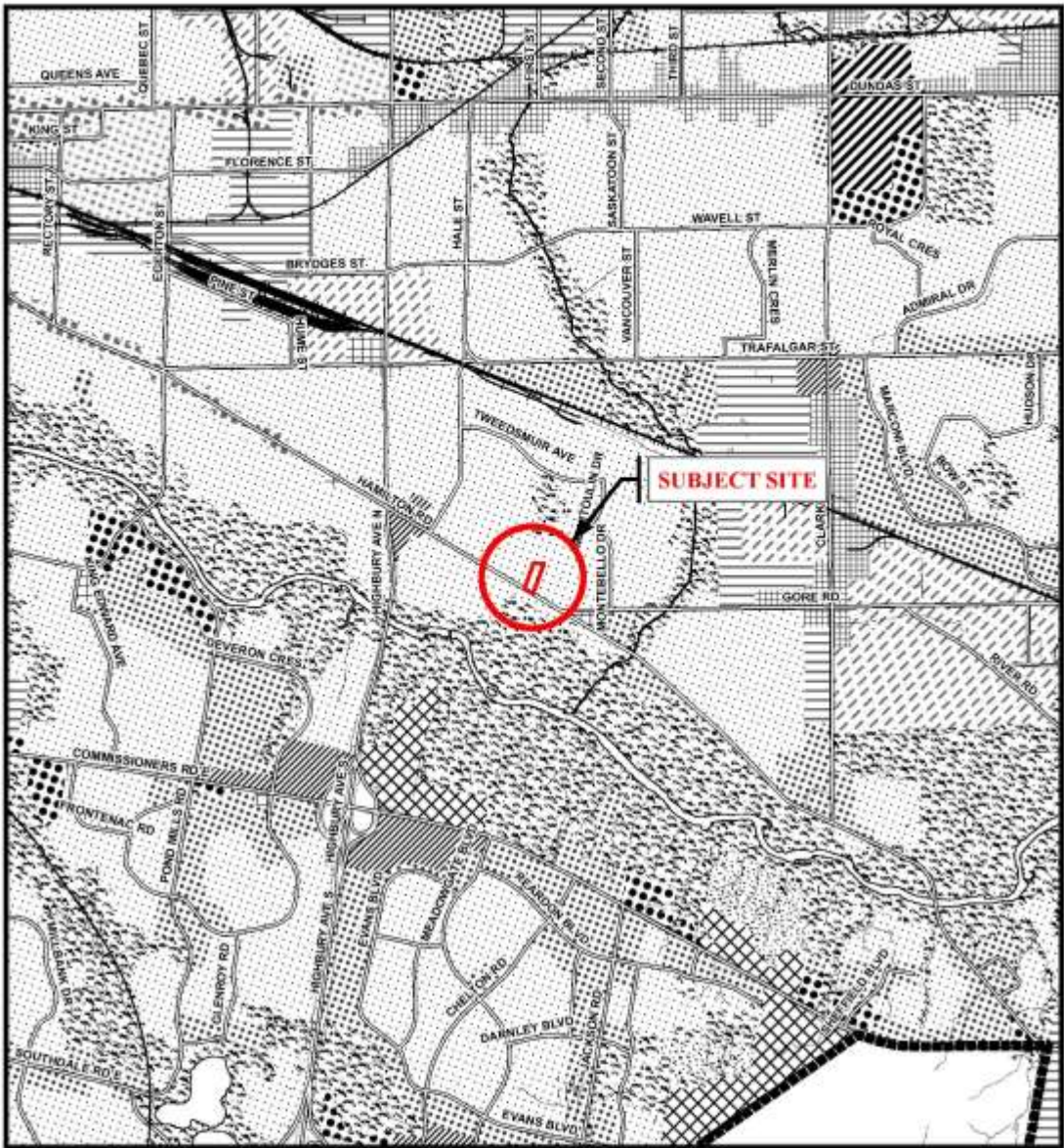
WADE has no objections to removing the holding provision and allowing the temporary servicing strategy.”



Appendix C – Relevant Background

Additional Maps

Official Plan Schedule “A” Excerpt



**Legend**

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

**CITY OF LONDON**  
Planning Services /  
Development Services  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER: H-8938

PLANNER: NP

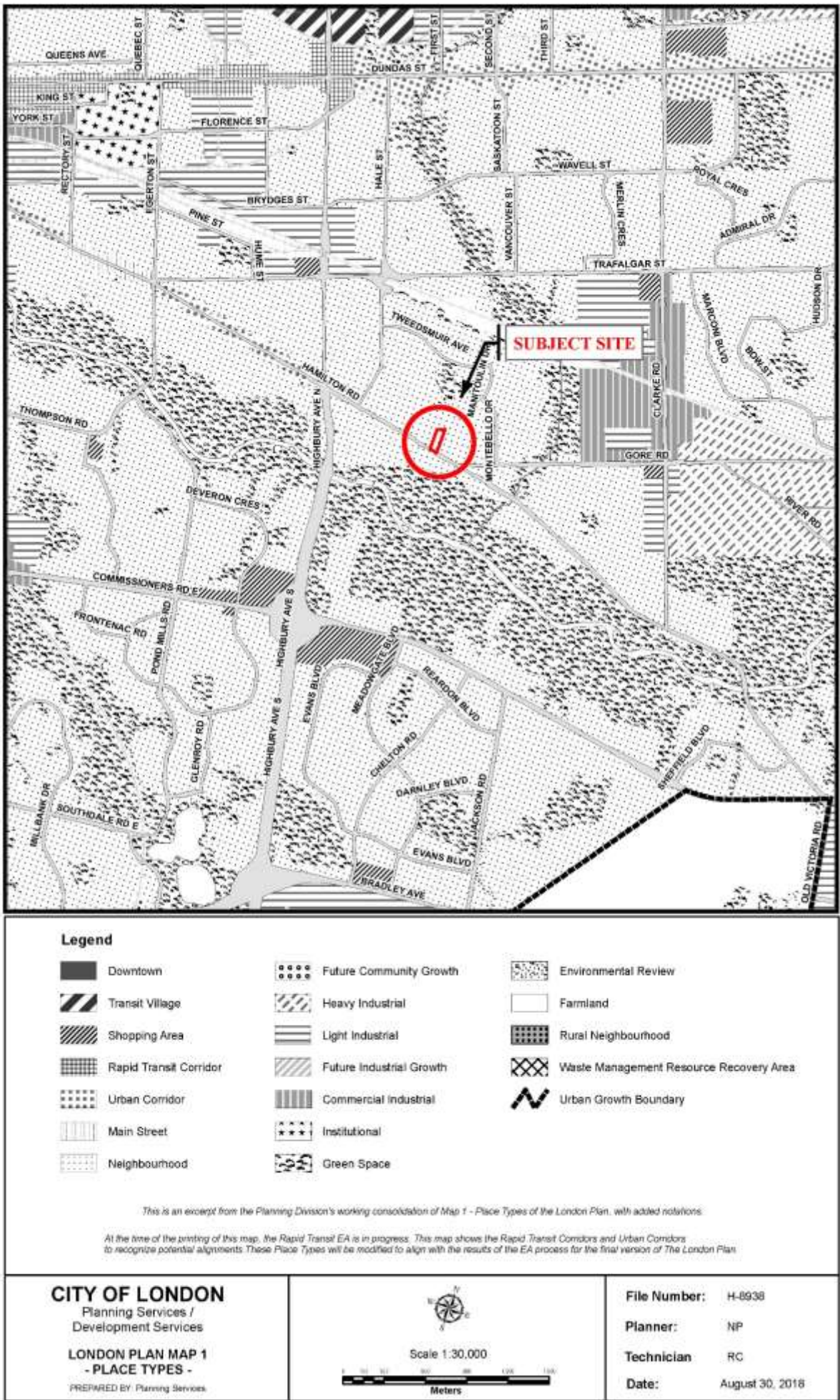
TECHNICIAN: RC

DATE: 2018/08/30

PROJECT LOCATION: e:\planning\projects\ip\_officialplan\work\consec00\excerpts\mxd\_templates\scheduleA\_b5w\_fx14\_with\_SWAP.mxd



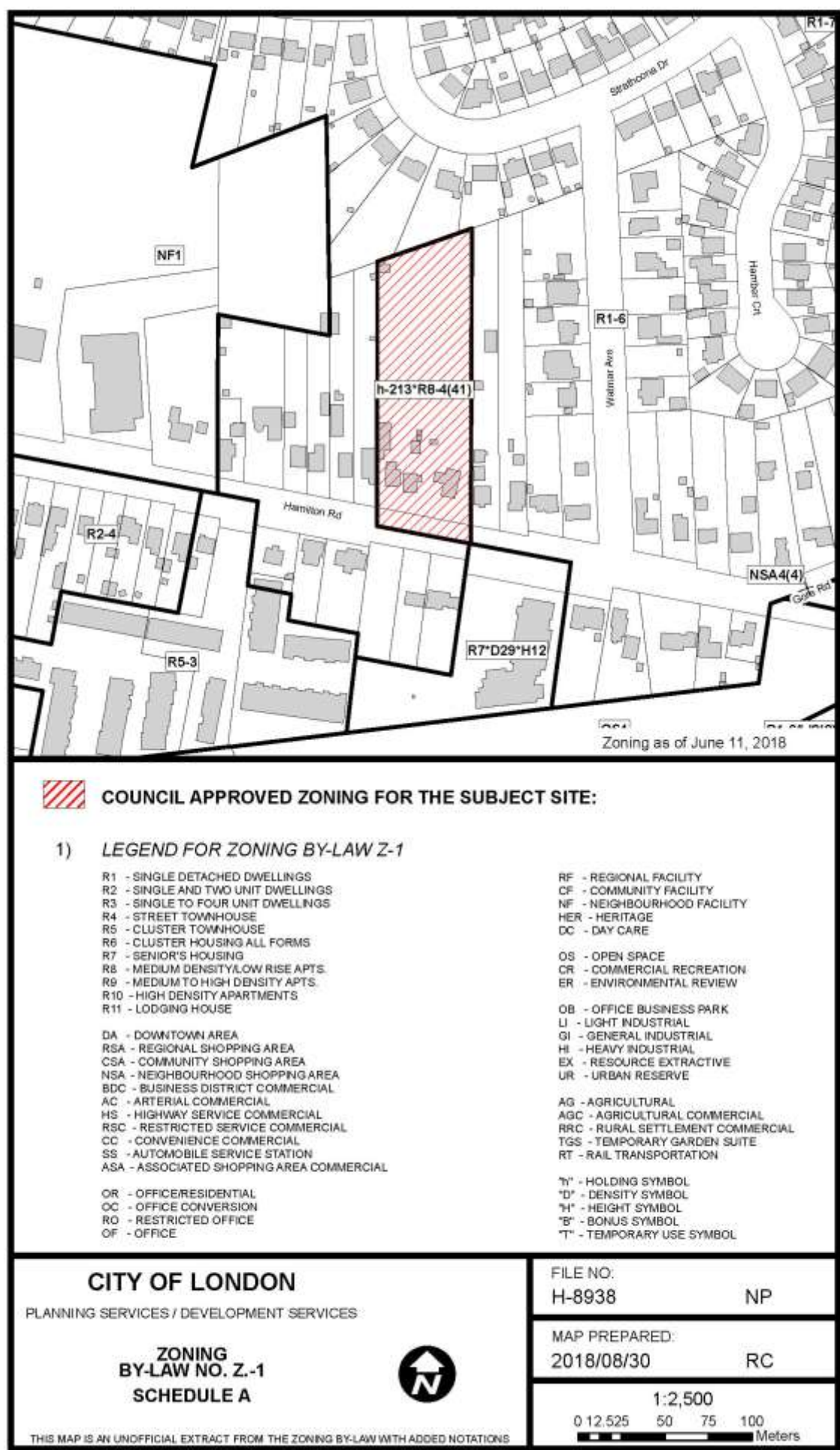
London Plan Place Types Excerpt



Project Location: E:\Planning\Projects\p\_official\plan\workconsolid\00\excerpts\_LondonPlan\10.3.1 Versions\mxd\H-8931-EXCERPT\_Map1\_PlaceTypes\_b&w\_8x14\_Arc10.3.1.mxd



Zoning By-law Map Excerpt





## **Previous Reports/Applications**

### **Z-88827**

A zoning by-law amendment to permit the development of a three storey senior's apartment building with 62 units was approved by Municipal Council on January 30, 2018.



## 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: Wastell Builders (London) Inc.  
Part Lot Control  
1245 Michael Street, Blocks 1 and 2, 33M-745

**Meeting on:** September 24, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, with respect to the application by Wastell Builders (London) Inc., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to exempt Blocks 1 and 2, Registered Plan 33M-745 from the Part Lot Control provisions of Subsection 50(5) of the Planning Act, for a period not exceeding three (3) years.

## Executive Summary

### Summary of Request

This report is a request for approval to exempt Blocks 1 and 2 in Registered Plan 33M-745 from the Part-Lot Control provisions of the *Planning Act*.

### Purpose and Effect of Recommended Action

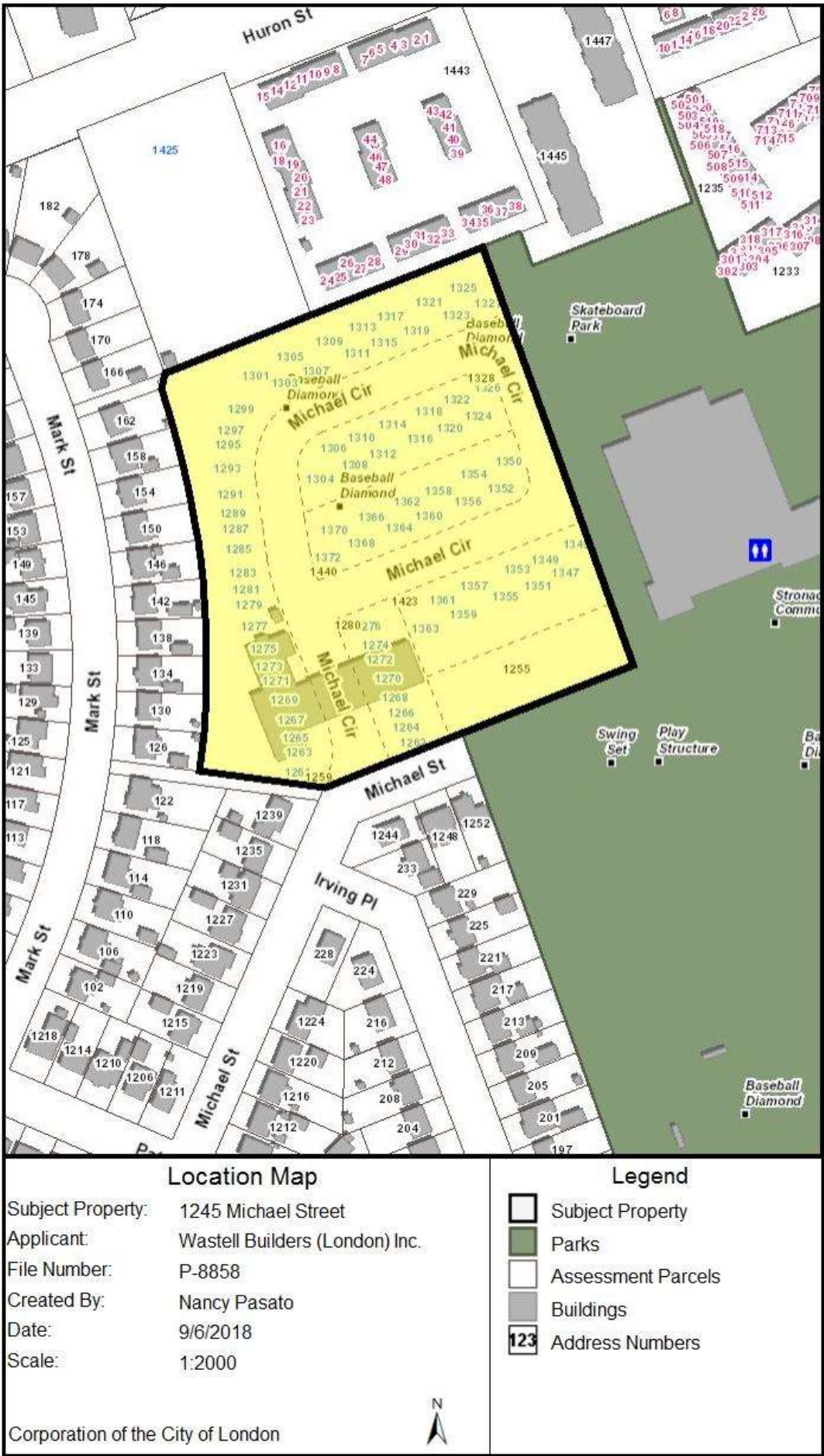
Exemption from Part-Lot Control will allow the developer to divide the blocks into freehold townhouse lots, consisting of forty-six (46) attached townhomes, with access provided via a public street (Michael Circle).

### Rationale for Recommended Action

The conditions for passing the Part-Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution.



Location Map





## Analysis

At its meeting held on September 18, 2018, Municipal Council resolved:

*“That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Wastell Builders (London) Inc. to exempt lands from Part Lot Control:*

- (a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Blocks 1-5, Plan 33M-745 from the Part Lot Control provisions of subsection 50(5) of the said Act, for a period not to exceed three (3) years, **IT BEING NOTED** that the Applicant has requested that three separate exemption by-laws/reference plans for approval be brought forward to future meetings of the Planning and Environment Committee and Council;*
- (b) the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control Bylaw for Blocks 1-5, Plan 33M-745 as noted in clause (a) above:*
  - i. The Applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*
  - ii. The Applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
  - iii. The Applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;*
  - iv. The Applicant submit to the City for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*
  - v. The Applicant shall enter into any amending subdivision agreement with the City, if necessary;*
  - vi. The Applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*
  - vii. The Applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited;*
  - viii. The Applicant shall obtain approval from Development Services for each reference plan to be registered prior to the reference plan being registered in the land registry office;*
  - ix. The Applicant shall submit to the City confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*
  - x. The site plan and development agreement be registered prior to passage of the exemption from part lot control by-law;*
- (c) the Approval Authority (Municipal Council) **BE REQUESTED** to approve this by-*



law; and,

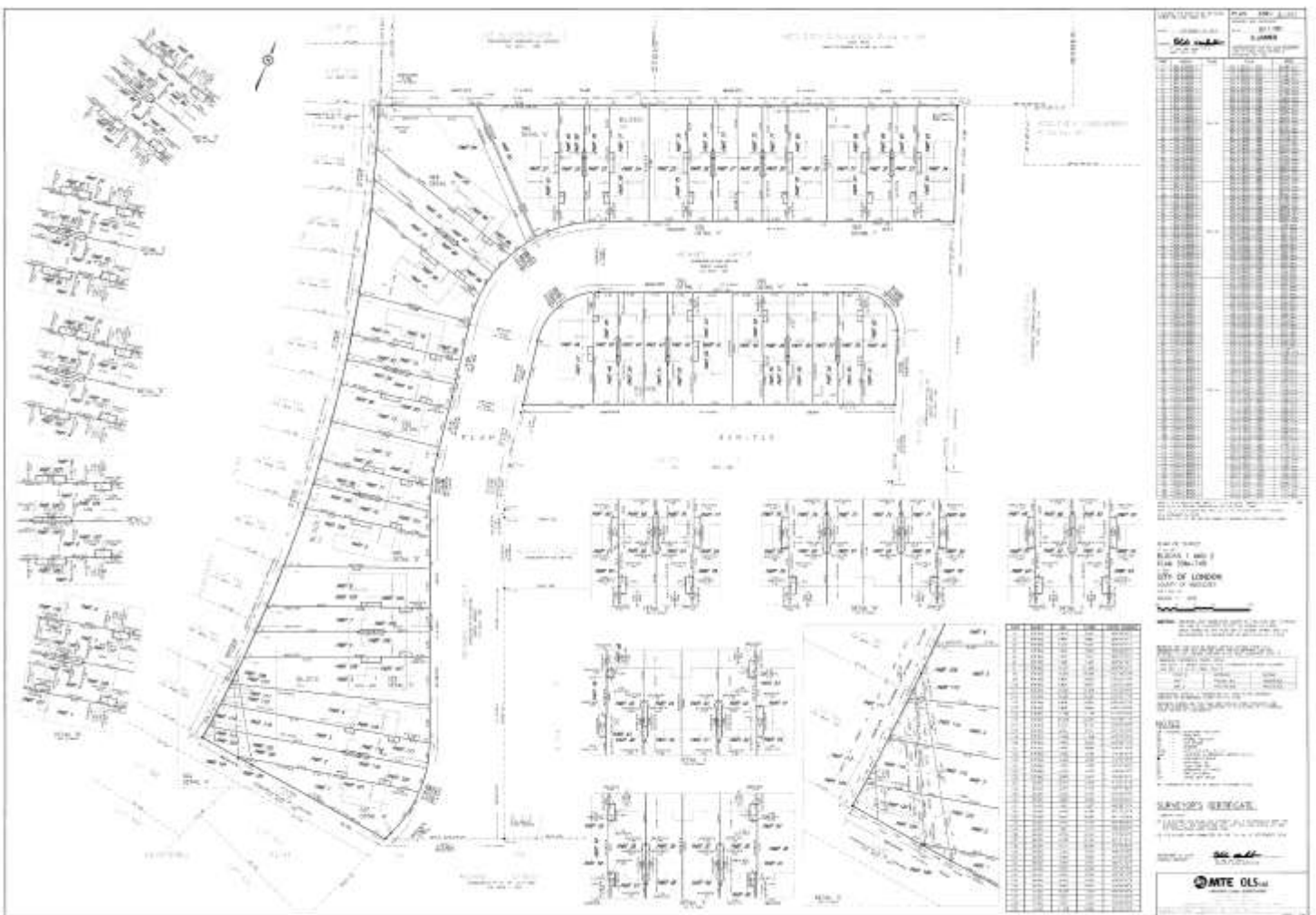
- (d) the Applicant **BE ADVISED** that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy.”

The exemption from Part Lot Control will allow for lot lines for individual units (lots) to be established on registered blocks in a registered plan of subdivision. The conditions noted above have been satisfied as follows:

- zoning is in place;
- the proposed lots comply with the approved zoning;
- a reference plan and digital copy of the plan have been deposited with the Land Registry Office and received by the City;
- municipal addressing has been assigned;
- sign off from London Hydro has been provided;
- no amendment is required to the subdivision agreement;
- no revised lot grading or servicing plan is required; and,
- the development agreement has been registered for the site.

The attached recommended by-law to implement Council’s September 18, 2018 resolution will allow the conveyance of individual lots within Blocks 1 and 2, Plan 33M-745, as per the attached reference plan. This development proposal will consist of forty-six (46) attached townhouse lots with access via a public street (Michael Circle).

### Reference Plan 33R-20211





# Conclusion

In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant.

<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>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>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

September 17, 2018  
NP/

\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\P-8858 - 1245  
Michael Street (NP)\draft 1245 Michael Street Part Lot Control By-law Blocks 1 and 2.docx



## Appendix A

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

By-law No. C.P. (number to be inserted  
by Clerk's Office)

A by-law to exempt from Part Lot Control  
lands located on Michael Circle, north of  
Michael Street, formerly known as 1245  
Michael Street, legally described as  
Blocks 1 and 2 in Registered Plan 33M-  
745, more accurately described as Parts  
1-126 inclusive on Reference Plan 33R-  
20211 in the City of London and County  
of Middlesex.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Wastell Builders (London) Inc., it is expedient to exempt lands located on Michael Circle, north of Michael Street, formerly known as 1245 Michael Street; being composed of all of Blocks 1 and 2 Plan 33M-745 from Part Lot Control;

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

1. Lands located on Michael Circle, north of Michael Street, formerly known as 1245 Michael Street, being composed of all of Blocks 1 and 2, Plan 33M-745, in the City of London and County of Middlesex, more accurately described as Parts 1 to 126 inclusive on Reference Plan 33R-20211, are hereby exempted from Part Lot Control pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on October 2, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



## Appendix B – Relevant Background

### Additional Reports

**39T-16509/Z-8664-** Planning and Environment Committee Meeting on January 23, 2017 – Report on application by Wastell Builders (London) Inc. requesting approval of a draft plan of subdivision to permit 76 street townhouses on a public street and associated zoning by-law amendment at 1245 Michael Street.

**P-8858** – Planning and Environment Committee Meeting on September 10, 2018 – Report on application by Wastell Builders (London) Inc. requesting an exemption from Part Lot Control for Blocks 1-5 Plan 33M-745, known municipally as 1245 Michael Street.



<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON SEPTEMBER 24, 2018</b>
<b>FROM:</b>	<b>ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER AND JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>AMENDMENT TO BY-LAW CP-1 – EXPANSION OF OLD EAST VILLAGE BUSINESS IMPROVEMENT AREA</b>

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

That, on the recommendation of The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the Managing Director, Planning and City Planner the attached proposed by-law ( Appendix “B”) being a by-law to amend By-law CP-1 “A by-law to provide for the Improvement Area to be known as the Old East Village Business Improvement Area and to establish a Board of Management therefore” **BE INTRODUCED** at the council meeting on October 2, 2018 regarding the Old East Village Business Improvement Area request for expansion.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

- Planning and Environment Committee Report – May 14, 2018- Expansion of and Amendment to By-law CP-1 – Old East Village Business Improvement Area.

<b>BACKGROUND</b>
-------------------

On May 14, 2018 Municipal Council passed the following resolution:

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer the following actions be taken regarding the Old East Village Business Improvement Area request for expansion:

- (a) The proposed by-law, attached hereto as Appendix “B”, being a by-law to amend CP-1 “A by-law to provide for the Improvement Area to be known as The Old East Village Business Improvement Area and to Establish a Board of Management” BE APPROVED IN PRINCIPLE to:
- i) expand the area designated as an improvement area;
  - ii) amend the board of management; and,
  - iii) amend by-law wording for consistency with current legislation and other City Business Improvement Area By-laws;
- (b) that Civic Administration BE DIRECTED to proceed with issuing notices in accordance with section 210 of the *Municipal Act, 2001* to every person who on the last returned assessment roll is assessed for rateable property that is in a prescribed business property class which is located in the proposed expanded business improvement area; and,



- (c) that Civic Administration BE DIRECTED to provide notice of the proposed amendments to the board of management and certain procedures to the Old East Village Business Improvement Area Board of Management in accordance with the City's Public Notice Policy.

In accordance with the above resolution, City staff issued the notices required under section 210 of the *Municipal Act, 2001* to all the property owners in the existing improvement area and the area proposed for expansion on June 28, 2018. The notices indicated that the property owners were required to give a copy of the notice to all tenants who were required to pay all or part of the taxes on the property and provide a list of all such tenants to the City Clerk within 30 days. A form for listing tenants, a copy of the draft by-law, and a form for submitting an objection to the draft by-law were included with the notice

The notice issued by the City indicated that property owners and tenants who were responsible for property taxes had the right to object to the creation of the improvement area. The notice described the process for objecting, the deadline date for submitting objections of August 28, 2018, and the objection threshold which would prevent council from having the legal authority to pass a by-law to expand the improvement area. In accordance with section 210 of the *Municipal Act, 2001* Council cannot enact a by-law to expand an improvement area if at least one third of the total number of landlords and tenants responsible for property taxes in the combined existing and proposed areas file objections, provided those landlords and tenants also represent at least one third of the total local general municipal levy either in the existing improvement area or in the area proposed for expansion.

City staff have tabulated all the objections and performed the calculations as required under section 210 of the *Municipal Act, 2001*. The results are summarized on the attached Appendix "A". Fewer than one third of the persons eligible to object have filed a notice to object. As indicated on Appendix "A" 3.45% of the persons eligible to object have done so. In accordance with subsection 210(5) of the *Municipal Act, 2001* the City Clerk will determine that the objections received are not sufficient to prevent the enactment of a by-law to expand the improvement area and will issue a certificate affirming that fact prior to the introduction of a by-law to Council. In accordance with section 209 of the *Municipal Act, 2001* the expansion of the improvement area is at the discretion of Council.

We would like to acknowledge the significant contribution of staff in City Solicitor's Office, City Clerk's Office, Planning Services, Information Technology Services and other departments who have participated in the preparation of this report and attachment.

<b>SUMMARY</b>
----------------

In summary, it is recommended that the attached by-law, Appendix "B", be introduced at the council meeting of October 2, 2018.



<b>PREPARED BY:</b>	<b>CONCURRED BY:</b>
<b>JIM LOGAN, CPA, CA DIVISION MANAGER – TAXATION &amp; REVENUE</b>	<b>IAN COLLINS, CPA, CMA DIRECTOR, FINANCIAL SERVICES</b>
<b>RECOMMENDED BY:</b>	<b>RECOMMENDED BY:</b>
<b>ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER/CHIEF FINANCIAL OFFICER</b>	<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>

Attach.

- c. Lynn Marshall, Solicitor II, Legal & Corporate Services
- Catharine Saunders, City Clerk, Legal & Corporate Services
- Kerri Killen, Senior Planner, Planning Services
- Britt O’Hagan, Interim Manager - Urban Regeneration
- Jim Edmunds, Manager, Customer Service & Assessment, Finance & Corporate Services



## APPENDIX A

### OBJECTIONS SUMMARY - OLD EAST VILLAGE - BIA

	Total proposed area	Area not currently in BIA	
Number of owners	82	55	
Number of tenants	5	3	
Total eligible objectors	87	58	
Number of owner objections	3	3	
Number of tenant objections	0	0	
Total number of objections	3	3	
Objector number as % of total eligible	3.45%	5.17%	persons
Total municipal taxes	\$483,024.13	\$308,433.65	
Taxes of owner objectors	\$31,714.30	\$31,714.30	
Taxes of tenant objectors (if owner did not object)	\$0.00	\$0.00	
Objector taxes as % of total taxes	6.57%	10.28%	taxes



Bill No.  
2018

By-law No.

A by-law to amend by-law CP-1 “A by-law to provide for the Improvement Area to be known as The Old East Village Business Improvement Area and to Establish a Board of Management Therefor” to expand the area designated as an improvement area; to amend the board of management; and to amend certain procedures for the purpose of managing the Old East Village Business Improvement Area.

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

AND WHEREAS section 9 of the *Municipal Act, 2001* 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 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001* provides a local municipality may designate an area as an improvement area and may establish a board of management, (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and (b) to promote the area as a business or shopping area.

AND WHEREAS subsection 209 of the *Municipal Act, 2001* provides for the municipality to alter the boundaries of an improvement area and the board of management for that improvement area is continued as the board of management for the altered area;

AND WHEREAS subsection 216(1) of the *Municipal Act, 2001* provides for a local municipality to dissolve or change a local board;

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

1. The Old East Village Business Improvement Area Board of Management is continued as a body corporate with all of the powers, rights and privileges vested in it except as modified and amended by this By-law.
2. By-law CP-1 being “A by-law to provide for the Improvement Area to be known as the ‘Old East Village Business Improvement Area’ and to establish a Board of Management



Therefor", as amended ("By-law CP-1") is amended by deleting the recitals and replacing them with the following new recitals:

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

*AND WHEREAS section 9 of the Municipal Act, 2001 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 10(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;*

*AND WHEREAS subsection 10(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);*

*AND WHEREAS subsection 204(1) of the Municipal Act, 2001 provides a local municipality may designate an area as an improvement area and may establish a board of management,*

- (a) To oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and*
- (b) To promote the area as a business or shopping area;*

*AND WHEREAS section 208 of the Municipal Act, 2001 provides that a local municipality shall annually raise the amount required for the purposes of a board of management, including any interest payable by the municipality on money borrowed by it for the purposes of the board of management;*

*AND WHEREAS subsection 208(2)(a) of the Municipal Act, 2001 provides that a municipality may establish a special charge for the amount to be raised by levy upon rateable property in the improvement area that is in a prescribed business property class;*

3. By-law CP-1 is amended by deleting the By-law Index, and by deleting sections 1.1 through 4.4 (including Parts 1 through 4), in their entirety, and replacing them with the following new sections:

## **1.0 Definitions**

1.1 For the purpose of this by-law,

**"Board of Management"** means the corporation established under this by-law under the name The Old East Village Business Improvement Area Board of Management;

**"Old East Village Business Improvement Area"** means the area as described in section 2.1.

**"City"** means The Corporation of the City of London;

**"Council"** means the Council of the City;

**"Member"** means the persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

## **2.0 Designation of the Business Improvement Area**

2.1 The area comprising those lands in the City of London indicated within the boundary shown on Schedule "A" attached to this by-law and described below, is



designated as an Improvement Area to be known as the Old East Village Business Improvement Area: commencing at a point at the intersection of the centerline of Adelaide Street North and westerly projection of the north limit of Marshall Street; thence easterly along the north limit of Marshall Street and its projection to the intersection of centerline of Lyle Street; thence southerly along the centerline of Lyle Street to the intersection of the centerline of King Street; thence easterly along the centerline of King Street to the intersection of the centerline of Hewitt Street; thence northerly along the centerline of Hewitt Street to the intersection of the westerly projection of the northerly limit of the property known municipally as 390 Hewitt Street; thence easterly along the aforesaid projection and along the northerly limit of the property known municipally as 390 Hewitt Street to the north-east angle thereof; thence southerly along the easterly limits of the properties known municipally as 390 to 380 Hewitt Street, inclusive, to the south-easterly angle of 390 Hewitt Street; thence easterly along the southerly limit of the property known municipally as 763 Dundas Street to the south-easterly angle thereof; thence northerly along the easterly limit of the property known municipally as 763 Dundas Street to the north-westerly angle of the property known municipally as 425 Rectory Street; thence easterly along the northerly limit of the property known municipally as 425 Rectory Street to the west limit of Rectory Street; thence south-easterly in a straight line across Rectory Street to the south-west angle of the public lane mid-way between King and Dundas Streets; thence easterly along the southerly limit of the aforesaid public lane to the north-easterly angle of the property known municipally as 826 King Street; thence southerly along the easterly limit of the property known municipally as 826 King Street and its projection to the centreline of King Street; thence westerly along the centerline of King Street to the intersection of the centerline of Rectory Street; thence southerly along the centerline of Rectory Street to the intersection of centerline of Florence and York Streets; thence south-easterly and easterly along the centerline of Florence Street to the intersection of the northerly projection of the westerly limit of the property known municipally as 845 Florence Street; thence southerly along the aforesaid projection and along the westerly limit of the property known municipally as 845 Florence Street to the northerly limit of the CNR right-of-way; thence south-easterly and easterly along the northerly limit of the CNR right-of-way and its projection to the intersection of the centreline of Egerton Street; thence northerly along the centerline of Egerton Street to the intersection of the centerline of Dundas Street; thence easterly along the centerline of Dundas Street to the intersection of the centerline of Charlotte Street; thence northerly along the centerline of Charlotte Street to the intersection of the easterly projection of the southerly limit of the property known municipally as 431 Charlotte Street; thence westerly along the aforesaid projection and along the southerly limit of the property known municipally as 431 Charlotte Street to the south-westerly angle thereof; thence southerly along the easterly limits of the properties known municipally as 432 and 430 Woodman Avenue to the south-easterly angle of 430 Woodman Avenue; thence westerly along the southerly limit of the property known municipally as 430 Woodman Avenue to the east limit of Woodman Avenue; thence westerly in a straight line across Woodman Avenue to the north-east angle of the property known municipally as 996 Dundas Street; thence westerly following along the northerly limits of the properties known municipally as 996 to 972 Dundas Street, inclusive, to the easterly limit of Quebec Street; thence westerly in a straight line across Quebec Street to the north-east angle of the property known municipally as 956 Dundas Street; thence westerly along the northerly limits of the properties known municipally as 956 to 920 Dundas Street, inclusive, to the north-east angle of the property known municipally as 900B Dundas Street; thence southerly along the easterly limit of the property known municipally as 900B Dundas Street to the south-easterly angle thereof; thence westerly along the southerly limit of the property known municipally as 900B Dundas Street and its westerly projection to the north-east angle of the property known municipally as 424 Ontario Street; thence southerly along the easterly limit of the property known municipally as 424 Ontario Street to the south-east angle thereof; thence westerly along the southerly limit of the property known municipally as 424 Ontario Street to the easterly limit of Ontario Street; thence westerly in a straight line across Ontario Street to the south-east angle the property known municipally as 423 Ontario Street; thence westerly along the southerly limit of the property known municipally as 423 Ontario Street to the south-west angle thereof; thence northerly along the easterly limit of the property known municipally as 858 Dundas Street to the north-east angle thereof; thence westerly and following along the northerly limits of the properties known municipally as 858 to 754 Dundas Street, inclusive, to the easterly limit of English Street; thence south-westerly in a straight line across English Street to the south-east angle of the property known municipally as 423 English Street; thence northerly along the westerly limit of English Street to the south-easterly angle of the property known municipally as 431 English Street; thence westerly along the



southerly limit of the property known municipally as 431 English Street to the south-west angle thereof; thence northerly along the westerly limit of the properties known municipally as 431 and 435 English Street to the south-east angle of the property known municipally as 729 Queens Avenue; thence westerly and following along the southerly limits of the properties known municipally as 729 to 693 Queens Avenue, inclusive, to the south-westerly angle of 693 Queens Avenue; thence southerly along the easterly limit of the property known municipally as 436 Elizabeth Street to the south-east angle thereof; thence westerly along the southerly limit of the property known municipally as 436 Elizabeth Street to the east limit of Elizabeth Street; thence westerly in a straight line across Elizabeth Street to the south-east angle of the property known municipally as 437 Elizabeth Street; thence westerly along the southerly limit of the property known municipally as 437 Elizabeth Street to the south-westerly angle thereof; thence southerly along the easterly limit of the property known municipally as 655 Queens Avenue to the south-easterly angle thereof; thence westerly and following along the southerly limits of the properties known municipally as 655 to 647 Queens Avenue, inclusive, to the south-westerly angle of 647 Queens Avenue; thence northerly along the westerly limit of the property known municipally as 647 Queens Avenue to the southerly limit of Queens Avenue; thence westerly along the southerly limit of Queens Avenue and its projection to the centerline of Adelaide Street North; thence southerly along the centerline of Adelaide Street North to the intersection of the easterly projection of the northerly limit of the property known municipally as 604 and 606 Dundas Street; thence westerly along the northerly limit of the property known municipally as 604 and 606 Dundas Street to the north-west angle thereof; thence southerly along the westerly limit of the property known municipally as 604 and 606 Dundas Street and its projection to the intersection of the centreline of Dundas Street; thence easterly along the centerline of Dundas Street to the centerline of Adelaide Street North; thence southerly along the centerline of Adelaide Street North to the point of commencement.

**3.0 Board of Management Established**

- 3.1 A Board of Management is established under the name The Old East Village Business Improvement Area Board of Management.
- 3.2 The Board of Management is a corporation.
- 3.3 The Board of Management is a local board of the City for all purposes.
- 3.4 The objects of the Board of Management are:
  - (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
  - (b) to promote the area as a business or shopping area.
- 3.5 The Board of Management is not authorized to:
  - (a) acquire or hold an interest in real property; or
  - (b) to incur obligations or spend money except in accordance with section 6.
- 3.6 The head office for the Board of Management shall be located in the City of London.

**4.0 Board Composition**

- 4.1 The Board of Management shall consist of twelve (12) directors as follows:
  - (a) at least one director appointed by Council; and
  - (b) the remaining directors selected by a vote of the Members and then appointed by Council.
- 4.2 Council may refuse to appoint a Member selected under section 4.1(b) in which case Council may:
  - (a) leave the position vacant; or



- (b) direct that a meeting of the Members be held to select another candidate for Council's consideration.
- 4.3 Directors shall serve for a term that is the same as the term of the Council that appoints them or until their successors are appointed.
- 4.4 The seat of a director becomes vacant if a director is absent from the meeting(s) of the Board of Management for three consecutive meetings without being authorized to do so by a resolution of Council.
- 4.5 If the seat of a director becomes vacant for any reason, the Council may fill the vacancy for the remainder of the vacant director's term.
- 4.6 A director may be reappointed to the Board of Management.
- 4.7 Council may, by a resolution passed by a majority of its members, remove a director at any time.
- 4.8 Directors shall serve without remuneration.
- 5.0 Board Procedures**
- 5.1 Council may pass by-laws governing the Board of Management and the affairs of the Board of Management and the Board of Management shall comply with such by-laws.
- 5.2 By-laws passed by the Board of Management must not conflict with City by-laws passed under section 5.1.
- 5.3 The Board of Management shall pass by-laws governing its proceedings, the calling and conduct of meetings, and the keeping of its minutes, records and decisions consistent with any requirements set out in a by-law of the City.
- 5.4 A majority of the directors constitutes a quorum at any meeting of the Board of Management.
- 5.5 Despite any vacancy among the directors, a quorum of directors may exercise the powers of the Board of Management.
- 5.6 A director has only one vote.
- 5.7 The meetings of the Board of Management and the meetings of the Members shall be open to the public and only those persons that the Board of Management considers to have engaged in improper conduct at a meeting may be excluded from the meeting.
- 5.8 The Board of Management may close a meeting, or a part of the meeting to the public only in accordance with section 239 of the *Municipal Act, 2001*.
- 5.9
  - (1) The Board of Management shall hold at least ten (10) meetings during each fiscal year and the interval between one meeting and the next shall not exceed sixty (60) days.
  - (2) A majority of directors may requisition a special meeting of the Board of Management by serving a copy of the requisition on the chair or vice-chair of the Board of Management.
  - (3) The chair of the Board of Management may call a special meeting of the Board of Management at any time whether or not he or she has received a requisition under subsection (2).
- 5.10
  - (1) The Board of Management shall elect from its directors a chair and vice-chair.
  - (2) The chair and vice-chair are eligible for re-election.
- 5.11
  - (1) The Board of Management shall appoint a secretary who shall:
    - (a) give notice of the meetings of the Board of Management;



- (b) keep all minutes of meetings and proceedings of the Board of Management;
  - (c) record without note or comment all resolutions, decisions and other proceedings at a meeting of the Board of Management whether it is closed to the public or not; and
  - (d) perform such duties, in addition to those set out in clauses (a), (b) and (c) as the Board of Management may from time to time direct.
- 5.12 (1) The Board of Management may appoint such committees as it determines necessary to conduct the business of the Board of Management.
- (2) Each committee appointed shall be composed of not fewer than three (3) directors of the Board of Management and shall perform such duties and undertake such responsibilities as the Board of Management specifies and shall report only to the Board of Management.
  - (3) Any director may be the chair or vice-chair of a committee.
- 5.13 The *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50* applies to the directors and Members.
- 5.14 Council may designate an appointed official of the City who shall have the right to attend meetings of the Board of Management and its committees and to participate in their deliberations but is not entitled to vote, be the chair or vice-chair or act as the presiding officer at a meeting.
- 5.15 The Board of Management shall comply with all applicable provisions of the *Municipal Act, 2001* including, but not limited to, those relating to business improvement areas, meetings, records, remuneration and expenses, the development of policies and procedures and financial administration.
- 6.0 Financial**
- 6.1 (1) The Board of Management shall prepare and submit to the Council annually a budget of its estimated revenues and expenditures by the date and in such form and detail as required by the City Treasurer.
- (2) The Board of Management shall hold a meeting of the Members for discussion of the budget.
  - (3) Prior to submitting the budget to the Council, the Board of Management shall hold a meeting of the Members for discussion of the budget.
  - (4) Council may approve the budget in whole or in part and may make such changes to it as Council considers appropriate, but Council may not add expenditures to it.
- 6.2 The Board of Management shall not:
  - (a) spend any money unless it is included in the budget approved by the Council or in a reserve fund established by the Council under section 417 of the *Municipal Act, 2001*;
  - (b) incur any indebtedness extending beyond the current year without the prior approval of the Council; or
  - (c) borrow money.
- 6.3 The fiscal year of the Board of Management is the same as the fiscal year of the City.
- 6.4 The accounts and transactions of the Board of Management shall be audited annually by the auditor of the City.
- 6.5 The Board of Management shall prepare and submit to Council, not later than March 31<sup>st</sup> each year an annual report for the preceding year which shall include the audited financial statements.



- 6.6 The Board of Management shall provide the City Treasurer with such financial information as the City Treasurer may require.
- 6.7 (1) The Board of Management shall keep proper books of account and accounting records with respect to all financial and other transactions of the Board of Management, including, and without limiting the generality of the foregoing:
- (a) records of all sums of money received from any source whatsoever and disbursed in any manner whatsoever; and
  - (b) records of all matters with respect to which receipts and disbursements take place in consequence of the maintenance, operation and management of the Board of Management.
- (2) The Board of Management shall keep or cause to be kept and maintained all such books of accounts and accounting records as the City Treasurer may require.
- 6.8 The Board of Management shall make all of its books and records available at all times to such persons as the City Treasurer may require and shall provide certified true copies of such minutes, documents, books, records or any other writing as the City Treasurer may require.
- 6.9 (1) Council may require the Board of Management:
- (a) to provide information, records, accounts, agendas, notices or any paper or writing; and
  - (b) to make a report on any matter, as Council determines, relating to the carrying out of the purposes and objects of the Board of Management.
- (2) The Board of Management shall:
- (a) file with the City Treasurer all such information records, accounts, agendas, notices, paper and all other materials as the City Treasurer may require; and
  - (b) make such reports within the time specified by the City Treasurer and containing such content as the City Treasurer may require.
- 6.10 (1) The Board of Management shall from time to time provide the City Treasurer as requested with statements of:
- (a) revenues and expenditures;
  - (b) profit and loss; and
  - (c) such financial matters or operating expenditures as the City Treasurer may require.
- (2) The statements referred to in subsection (1) shall be in such form as the City may require.
- 6.11 (1) The City is entitled to receive any profits resulting from the operations of the Board of Management and is responsible for any losses incurred by the Board of Management.
- (2) Council may determine what constitutes profits for the purpose of subsection (1).
- 6.12 (1) Upon dissolution of the Board of Management, the assets and liabilities of the Board of Management become the assets and liabilities of the City.
- (2) If the liabilities assumed under subsection (1) exceed the assets assumed, the Council may recover the difference by imposing a charge on all rateable property in the former improvement area that is in a prescribed business property class.

## **7.0 Indemnification & Insurance**



- 7.1 (1) Subject to subsection (2), every director or officer of the Board of Management and his or her heirs, executors, administrators and other legal personal representatives may from time to time be indemnified and saved harmless by the Board of Management from and against,
- (a) any liability and all costs, charges and expenses that he or she sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him or her for or in respect of anything done or permitted by him or her in respect of the execution of the duties of his or her office; and
  - (b) all other costs, charged and expenses that he or she sustains or incurs in respect to the affairs of the Board of Management.
- (2) No director or officer of the Board of Management shall be indemnified by the Board of Management in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of any duty or responsibility imposed upon him or her under any Act unless, in an action brought against him or her in his or her capacity as director or officer, he or she has achieved complete or substantial success as a defendant.
- (3) The Board of Management may purchase and maintain insurance for the benefit of a director or officer thereof, except insurance against a liability, cost, charge or expense of the director or officer incurred as a result of his or her failure to exercise the powers and discharge the duties of his or her office honestly, in good faith and in the best interests of the Board of Management, exercising in connection therewith the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.
- 7.2 The Board of Management shall obtain and maintain at all times insurance coverage in a form acceptable to the City of the types and amounts appropriate for a Board of Management of its size and business type which coverage shall include the City with respect to any loss, claims or demands made against the Board of Management.
- 8.0 Meetings of Members**
- 8.1 The Board of Management shall call at least one (1) meeting of the Members in each calendar year.
- 8.2 Notice for all Members' meetings shall be:
- (a) Sent by prepaid mail to each Member not less than 15 days prior to the meeting. Notice shall be mailed to the address last provided by the Member to the Board of Management or, where no address is provided, to the property address of the owner(s) indicated on the last municipal assessment roll; or
  - (b) Delivered personally to each Member.
- 8.3 Notice of a meeting of the Members shall include an agenda.
- 8.4 Each Member has one vote regardless of the number of properties that the Member may own or lease.
- 8.5 A Member that is a corporation may nominate in writing one individual to vote on its behalf.
- 8.6 A majority of the Members constitutes a quorum at any meeting of the Members.
- 8.7 The Board of Management has the authority to call any special meeting of the Members it deems necessary.
- 9.0 General**
- 9.1 Council may by by-law dissolve the Board of Management and any property of the Board of Management remaining after its debts have been paid vests in the City.
- 9.2 This by-law may be referred to as the "Old East Village Business Improvement Area By-law".



4. Part 5 of By-law CP-1 is amended by deleting the heading and replacing it with “10.0 Repeal – Enactment” and by renumbering section 5.1 to “10.1”.
5. By-law CP-1 is amended by deleting Schedule ‘A’ in its entirety and replacing it with Schedule A attached to this By-law.
6. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council October 2, 2018.

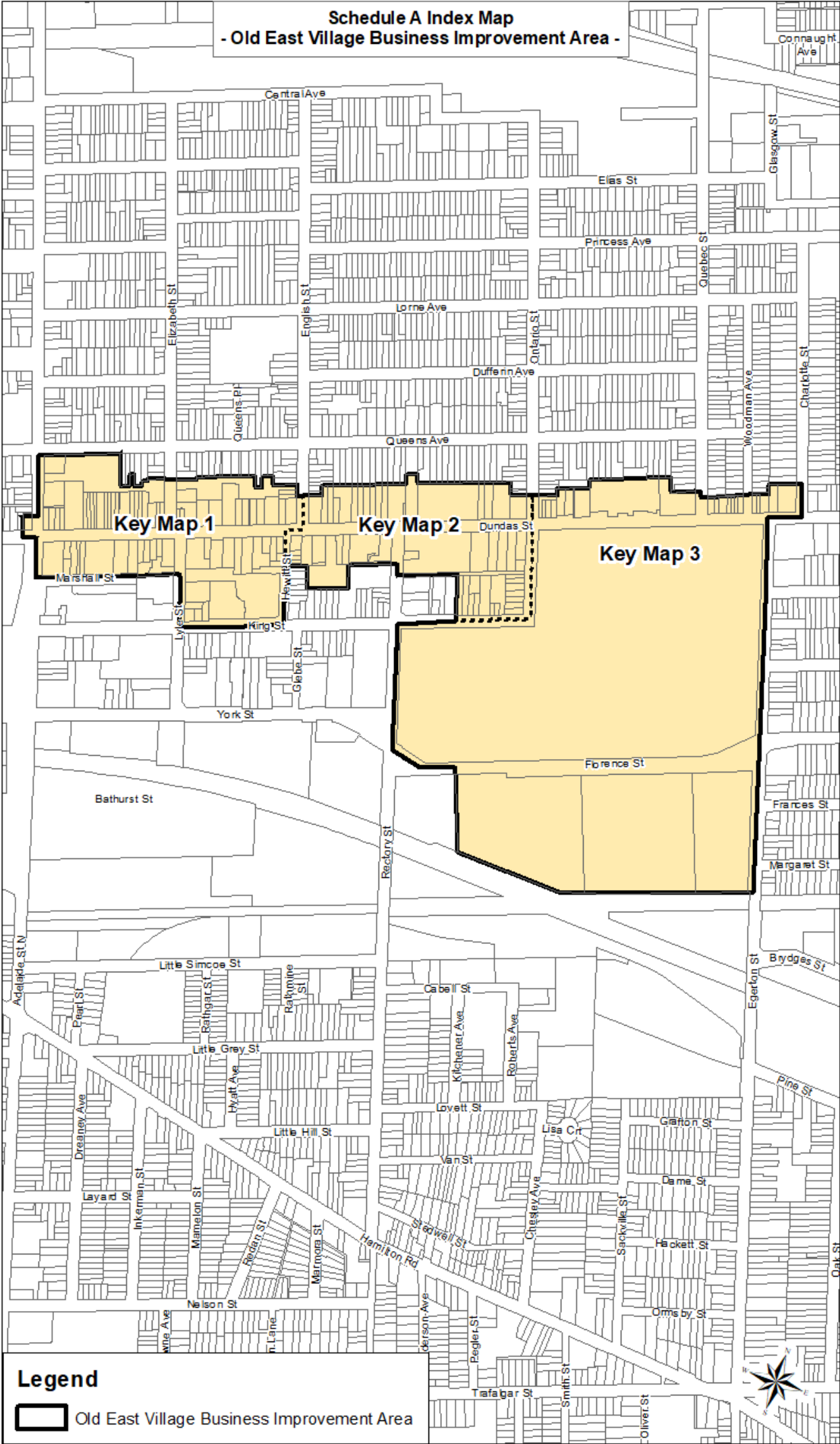
Matt Brown  
Mayor

Catherine Saunders  
City Clerk

First reading –  
Second reading –  
Third reading –



Schedule A – Old East Village Business Improvement Area



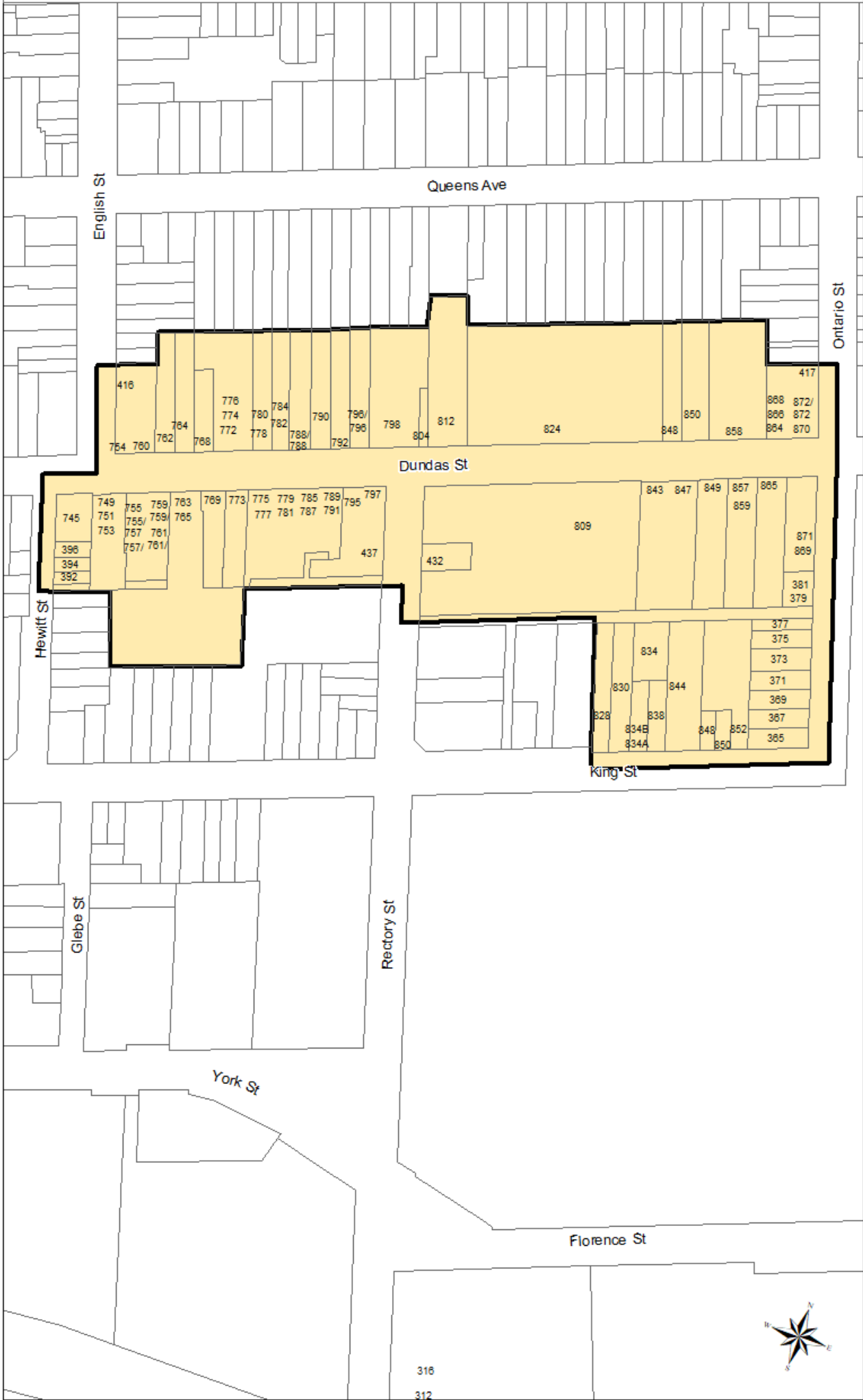






**Schedule A - Old East Village Business Improvement Area**

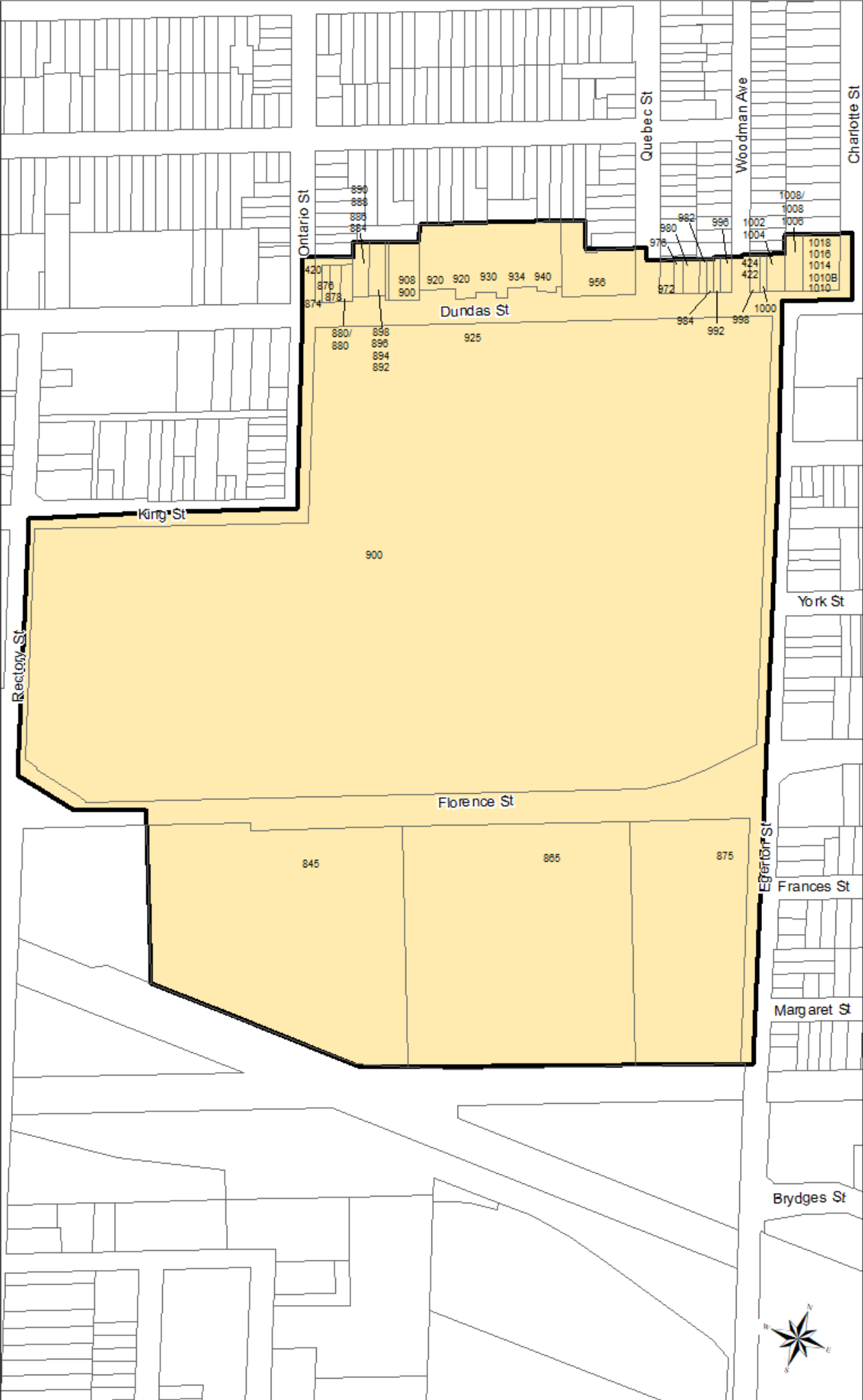
**Key Map 2**





**Schedule A - Old East Village Business Improvement Area**

**Key Map 3**





<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON SEPTEMBER 24, 2018</b>
<b>FROM:</b>	<b>ANNA LISA BARBON MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER AND JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>DESIGNATION OF AN IMPROVEMENT AREA UNDER SECTION 204 OF <i>THE MUNICIPAL ACT, 2001</i> – HAMILTON ROAD BIA</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Planning and City Planner the attached proposed by-law (Appendix “B”) being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” **BE INTRODUCED** at the Municipal Council meeting to be held on October 2, 2018 to designate the Hamilton Road Business Improvement Area in accordance with section 204 of the *Municipal Act, 2001*.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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- Planning and Environment Committee Report – May 14, 2018 – Hamilton Road Business Improvement Area – Authorization to Initiate Creation

<b>BACKGROUND</b>
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At its session held on May 22 2018, the Municipal Council approved the following resolution of the Planning and Environment Committee:

“That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer the following actions be taken regarding the establishment of the Hamilton Road Business Improvement Area (BIA):

- a) The proposed by-law attached here to as Appendix “B” to designate an area as an improvement area in accordance to Section 204 of the *Municipal Act, 2001* BE APPROVED IN PRINCIPLE; and,
- b) that Civic Administration BE DIRECTED to proceed with issuing notices in accordance with Section 210 of the *Municipal Act, 2001* to every person who on the last returned assessment roll is assessed for rateable property that is in a prescribed business property class which is located in the proposed improvement area.”

In accordance with the above resolution, on June 28, 2018, the Civic Administration issued the notices required under section 210 of the *Municipal Act, 2001* to every person who owns property in the proposed improvement area. The notices indicated that these persons were required to give a copy of the notice to all tenants who were required to pay all or part of the taxes on the property and provide a list of all such tenants to the City Clerk within 30 days. A form for listing tenants, a copy of the draft by-law, and a form for submitting an objection to the draft by-law were included with the notice.



The notice issued by the City indicated that persons who were responsible for property taxes had the right to object to the creation of the improvement area. The notice described the process for objecting, the deadline date for submitting objections of August 28, 2018, and the objection threshold which would prevent Municipal Council from having the legal authority to pass a by-law to establish the proposed improvement area. In accordance with section 210 of the *Municipal Act, 2001*, the Municipal Council cannot enact a by-law to establish an improvement area if at least one-third of the total number of persons responsible for property taxes in the proposed improvement area, file objections, provided those persons also represent at least one-third of the total local general municipal levy in the proposed improvement area.

Civic Administration has tabulated all the objections and performed the calculations as required under section 210 of the *Municipal Act, 2001*. The results are summarized on the attached Appendix “A”. Fewer than one-third of the persons eligible to object have filed a notice to object. As indicated on the attached Appendix “A” 8.47% of the persons eligible to object have done so. In accordance with subsection 210(5) of the *Municipal Act, 2001*, the City Clerk will determine that the objections received are not sufficient to prevent the enactment of a by-law to establish the proposed improvement area and will issue a certificate affirming that fact prior to the introduction of a by-law to Council. In accordance with section 209 of the *Municipal Act, 2001*, the establishment of the proposed improvement area is at the discretion of Municipal Council.

The significant contribution of staff in the in City Solicitor’s Office, City Clerk’s Office, Planning Services, Information Technology Services and other Service Areas who have assisted in the preparation of this report and attachment is acknowledged.

<b>SUMMARY</b>
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In summary, it is recommended that the attached proposed by-law (Appendix “B”) be introduced at the Municipal Council meeting to be held on October 2, 2018 to designate the Hamilton Road Business Improvement Area and establish the related board of management.



<b>PREPARED BY:</b>	<b>CONCURRED BY:</b>
<b>JIM LOGAN, CPA, CA DIVISION MANAGER – TAXATION &amp; REVENUE</b>	<b>IAN COLLINS, CPA, CMA DIRECTOR, FINANCIAL SERVICES</b>
<b>RECOMMENDED BY:</b>	<b>RECOMMENDED BY:</b>
<b>ANNA LISA BARBON, CPA, CGA MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER</b>	<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>

Attach.

Cc.  
Lynn Marshall, Solicitor II, Legal & Corporate Services  
Catharine Saunders, City Clerk, Legal & Corporate Services  
Britt O'Hagan, Interim Manager - Urban Regeneration  
Charles Parker, Senior Planner, Planning Services  
Jim Edmunds, Manager, Customer Service & Assessment, Finance & Corporate Services



## APPENDIX A

### OBJECTIONS SUMMARY - HAMILTON ROAD - BIA

Number of owners	147
Number of tenants	26
Total eligible objectors	173

Number of owner objections	13
Number of tenant objections	2
Total number of objections	15

Objector number as % of total eligible	8.67%	persons
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Total municipal taxes	\$893,156.52
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Taxes of owner objectors	\$128,602.92
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Taxes of tenant objectors (if owner did not object)	\$0.00
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Objector taxes as % of total taxes	14.40%	taxes
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## Appendix B

Bill No.  
2018

By-law No.

A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area.

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

AND WHEREAS section 9 of the *Municipal Act, 2001* 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 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001* provides a local municipality may designate an area as an improvement area and may establish a board of management,

- (a) To oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- (b) To promote the area as a business or shopping area.

AND WHEREAS Section 208 of the *Municipal Act, 2001* provides that a local municipality shall annually raise the amount required for the purposes of a board of management, including any interest payable by the municipality on money borrowed by it for the purposes of the board of management;

AND WHEREAS subsection 208(2) of the *Municipal Act, 2001* provides that a municipality may establish a special charge for the amount to be raised by levy upon rateable property in the improvement area that is in a prescribed business property class;

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

### 1.0 Definitions

1.1 For the purpose of this by-law,



**“Board of Management”** means the corporation established under this by-law under the name The Hamilton Road Business Improvement Area Board of Management;

**“Hamilton Road Business Improvement Area”** means the area as described in section 2.1.

**“City”** means The Corporation of the City of London;

**“Council”** means the Council of the City;

**“Member”** means the persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

## **2.0 Designation of the Business Improvement Area**

2.1 The area comprising those lands in the City of London indicated within the boundary shown on Schedule “A” attached to this by-law being described as all of the properties abutting the north and south sides of Hamilton Road, from Burwell Street to Meadowlily Road, known municipally as:

1 to 972, inclusive, 985, 987, 993, 995, 999, 1001, 1003, 1005, 1015,  
1017, 1019, 1021, 1023, 1031 Hamilton Road  
453 Bathurst Street  
245, 265 Maitland Street  
485, 495, 504, 506, 508, 511, 513 Horton Street East  
215, 219, 221 William Street  
580 Grey Street  
658 Little Grey Street  
170 Adelaide Street North  
169 Dreaney Avenue  
135 Inkerman Street  
96, 109 Rectory Street  
22 Pegler Street  
209 Egerton Street  
10 Elm Street  
152 Pine Lawn Avenue

## **3.0 Board of Management Established**

3.1 A Board of Management is established under the name The Hamilton Road Business Improvement Area Board of Management.

3.2 The Board of Management is a corporation.

3.3 The Board of Management is a local board of the City for all purposes.

3.4 The objects of the Board of Management are:

- (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- (b) to promote the area as a business or shopping area.

3.5 The Board of Management is not authorized to:

- (a) acquire or hold an interest in real property; or



- (b) to incur obligations or spend money except in accordance with section 6.
- 3.6 The head office for the Board of Management shall be located in the City of London.

#### **4.0 Board Composition**

- 4.1 The Board of Management shall consist of twelve (12) directors as follows:
  - (a) at least one director appointed by Council; and
  - (b) the remaining directors selected by a vote of the Members and then appointed by Council.
- 4.2 Council may refuse to appoint a Member selected under section 4.1(b) in which case Council may:
  - (a) leave the position vacant; or
  - (b) direct that a meeting of the Members be held to select another candidate for Council's consideration.
- 4.3 Directors shall serve for a term that is the same as the term of the Council that appoints them or until their successors are appointed.
- 4.4 The seat of a director becomes vacant if a director is absent from the meeting(s) of the Board of Management for three consecutive meetings without being authorized to do so by a resolution of Council.
- 4.5 If the seat of a director becomes vacant for any reason, the Council may fill the vacancy for the remainder of the vacant director's term.
- 4.6 A director may be reappointed to the Board of Management.
- 4.7 Council may, by a resolution passed by a majority of its members, remove a director at any time.
- 4.8 Directors shall serve without remuneration.

#### **5.0 Board Procedures**

- 5.1 Council may pass by-laws governing the Board of Management and the affairs of the Board of Management and the Board of Management shall comply with such by-laws.
- 5.2 By-laws passed by the Board of Management must not conflict with City by-laws passed under section 5.1.
- 5.3 The Board of Management shall pass by-laws governing its proceedings, the calling and conduct of meetings, and the keeping of its minutes, records and decisions consistent with any requirements set out in a by-law of the City.
- 5.4 A majority of the directors constitutes a quorum at any meeting of the Board of Management.
- 5.5 Despite any vacancy among the directors, a quorum of directors may exercise the powers of the Board of Management.
- 5.6 A director has only one vote.



- 5.7 The meetings of the Board of Management and the meetings of the Members shall be open to the public and only those persons that the Board of Management considers to have engaged in improper conduct at a meeting may be excluded from the meeting.
- 5.8 The Board of Management may close a meeting, or a part of the meeting to the public only in accordance with section 239 of the *Municipal Act, 2001*.
- 5.9 (1) The Board of Management shall hold at least ten (10) meetings during each fiscal year and the interval between one meeting and the next shall not exceed sixty (60) days.
- (2) A majority of directors may requisition a special meeting of the Board of Management by serving a copy of the requisition on the chair or vice-chair of the Board of Management.
- (3) The chair of the Board of Management may call a special meeting of the Board of Management at any time whether or not he or she has received a requisition under subsection (2).
- 5.10 (1) The Board of Management shall elect from its directors a chair and vice-chair.
- (2) The chair and vice-chair are eligible for re-election.
- 5.11 (1) The Board of Management shall appoint a secretary who shall:
- (a) give notice of the meetings of the Board of Management;
- (b) keep all minutes of meetings and proceedings of the Board of Management;
- (c) record without note or comment all resolutions, decisions and other proceedings at a meeting of the Board of Management whether it is closed to the public or not; and
- (d) perform such duties, in addition to those set out in clauses (a), (b) and (c) as the Board of Management may from time to time direct.
- 5.12 (1) The Board of Management may appoint such committees as it determines necessary to conduct the business of the Board of Management .
- (2) Each committee appointed shall be composed of not fewer than three (3) directors of the Board of Management and shall perform such duties and undertake such responsibilities as the Board of Management specifies and shall report only to the Board of Management.
- (3) Any director may be the chair or vice-chair of a committee.
- 5.13 The *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50* applies to the directors and Members.
- 5.14 Council may designate an appointed official of the City who shall have the right to attend meetings of the Board of Management and its committees and to participate in their deliberations but is not entitled to vote, be the chair or vice-chair or act as the presiding officer at a meeting.
- 5.15 The Board of Management shall comply with all applicable provisions of the *Municipal Act, 2001* including, but not limited to, those relating to business improvement areas, meetings, records, remuneration and expenses, the development of policies and procedures and financial administration.



## **6.0 Financial**

- 6.1 (1) The Board of Management shall prepare and submit to the Council annually a budget of its estimated revenues and expenditures by the date and in such form and detail as required by the City Treasurer.
- (2) The Board of Management shall hold a meeting of the Members for discussion of the budget.
- (3) Prior to submitting the budget to the Council, the Board of Management shall hold a meeting of the Members for discussion of the budget.
- (4) Council may approve the budget in whole or in part and may make such changes to it as Council considers appropriate, but Council may not add expenditures to it.
- 6.2 The Board of Management shall not:
- (a) spend any money unless it is included in the budget approved by the Council or in a reserve fund established by the Council under section 417 of the *Municipal Act, 2001*;
  - (b) incur any indebtedness extending beyond the current year without the prior approval of the Council; or
  - (c) borrow money.
- 6.3 The fiscal year of the Board of Management is the same as the fiscal year of the City.
- 6.4 The accounts and transactions of the Board of Management shall be audited annually by the auditor of the City.
- 6.5 The Board of Management shall prepare and submit to Council, not later than March 31<sup>st</sup> each year an annual report for the preceding year which shall include the audited financial statements.
- 6.6 The Board of Management shall provide the City Treasurer with such financial information as the City Treasurer may require.
- 6.7 (1) The Board of Management shall keep proper books of account and accounting records with respect to all financial and other transactions of the Board of Management, including, and without limiting the generality of the foregoing:
- (a) records of all sums of money received from any source whatsoever and disbursed in any manner whatsoever; and
  - (b) records of all matters with respect to which receipts and disbursements take place in consequence of the maintenance, operation and management of the Board of Management.
- (2) The Board of Management shall keep or cause to be kept and maintained all such books of accounts and accounting records as the City Treasurer may require.
- 6.8 The Board of Management shall make all of its books and records available at all times to such persons as the City Treasurer may require and shall provide certified true copies of such minutes, documents, books, records or any other writing as the City Treasurer may require.



- 6.9 (1) Council may require the Board of Management:
- (a) to provide information, records, accounts, agendas, notices or any paper or writing; and
  - (b) to make a report on any matter, as Council determines, relating to the carrying out of the purposes and objects of the Board of Management.
- (2) The Board of Management shall:
- (a) file with the City Treasurer all such information records, accounts, agendas, notices, paper and all other materials as the City Treasurer may require; and
  - (b) make such reports within the time specified by the City Treasurer and containing such content as the City Treasurer may require.
- 6.10 (1) The Board of Management shall from time to time provide the City Treasurer as requested with statements of:
- (a) revenues and expenditures;
  - (b) profit and loss; and
  - (c) such financial matters or operating expenditures as the City Treasurer may require.
- (2) The statements referred to in subsection (1) shall be in such form as the City may require.
- 6.11 (1) The City is entitled to receive any profits resulting from the operations of the Board of Management and is responsible for any losses incurred by the Board of Management.
- (2) Council may determine what constitutes profits for the purpose of subsection (1).
- 6.12 (1) Upon dissolution of the Board of Management, the assets and liabilities of the Board of Management become the assets and liabilities of the City.
- (2) If the liabilities assumed under subsection (1) exceed the assets assumed, the Council may recover the difference by imposing a charge on all rateable property in the former improvement area that is in a prescribed business property class.

## **7.0 Indemnification & Insurance**

- 7.1 (1) Subject to subsection (2), every director or officer of the Board of Management and his or her heirs, executors, administrators and other legal personal representatives may from time to time be indemnified and saved harmless by the Board of Management from and against,
- (a) any liability and all costs, charges and expenses that he or she sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him or her for or in respect of anything done or permitted by him or her in respect of the execution of the duties of his or her office; and
  - (b) all other costs, charged and expenses that he or she sustains or



incurs in respect to the affairs of the Board of Management.

(2) No director or officer of the Board of Management shall be indemnified by the Board of Management in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of any duty or responsibility imposed upon him or her under any Act unless, in an action brought against him or her in his or her capacity as director or officer, he or she has achieved complete or substantial success as a defendant.

(3) The Board of Management may purchase and maintain insurance for the benefit of a director or officer thereof, except insurance against a liability, cost, charge or expense of the director or officer incurred as a result of his or her failure to exercise the powers and discharge the duties of his or her office honestly, in good faith and in the best interests of the Board of Management, exercising in connection therewith the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

7.2 The Board of Management shall obtain and maintain at all times insurance coverage in a form acceptable to the City of the types and amounts appropriate for a Board of Management of its size and business type which coverage shall include the City with respect to any loss, claims or demands made against the Board of Management.

## **8.0 Meetings of Members**

8.1 The Board of Management shall call at least one (1) meeting of the Members in each calendar year.

8.2 Notice for all Members' meetings shall be:

(a) Sent by prepaid mail to each Member not less than 15 days prior to the meeting. Notice shall be mailed to the address last provided by the Member to the Board of Management or, where no address is provided, to the property address of the owner(s) indicated on the last municipal assessment roll; or

(b) Delivered personally to each Member.

8.3 Notice of a meeting of the Members shall include an agenda.

8.4 Each Member has one vote regardless of the number of properties that the Member may own or lease.

8.5 A Member that is a corporation may nominate in writing one individual to vote on its behalf.

8.6 A majority of the Members constitutes a quorum at any meeting of the Members.

8.7 The Board of Management has the authority to call any special meeting of the Members it deems necessary.

## **9.0 General**

9.1 Council may by by-law dissolve the Board of Management and any property of the Board of Management remaining after its debts have been paid vests in the City.

9.2 This by-law may be referred to as the "Hamilton Road Business Improvement Area Board of Management By-law".

9.3 This by-law comes into force and effect on the day it is passed.



PASSED in Open Council October 2, 2018.

Matt Brown  
Mayor

Catherine Saunders  
City Clerk

First reading –  
Second reading –  
Third reading –



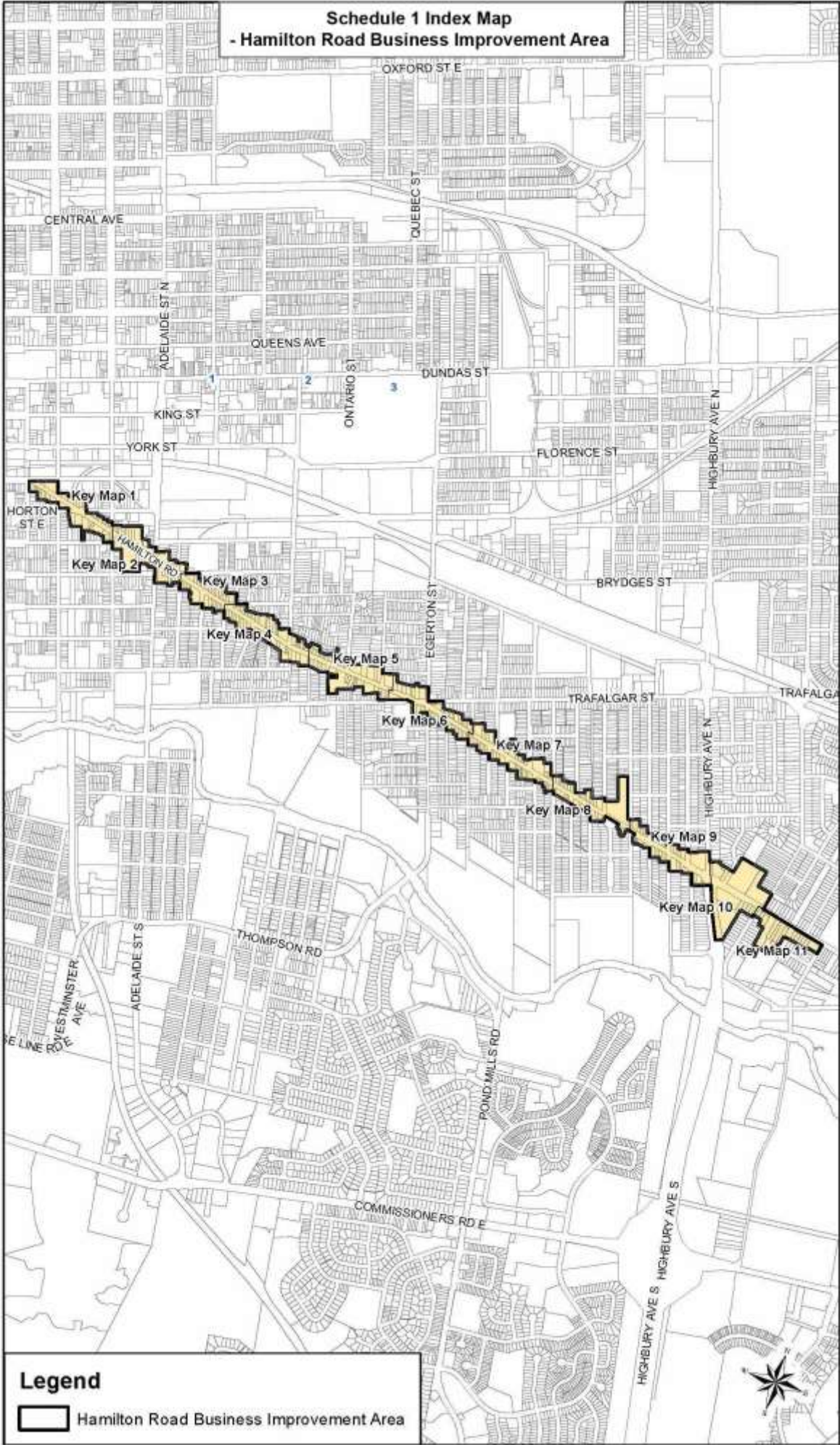
## Schedule '1'

### Hamilton Road Business Improvement Area

Being described as all of the properties abutting the north and south sides of Hamilton Road, from Burwell Street to Meadowlily Road, known municipally as:

1 to 972, inclusive, 985, 987, 993, 995, 999, 1001, 1003, 1005, 1015, 1017, 1019, 1021, 1023, 1031 Hamilton Road  
453 Bathurst Street  
245, 265 Maitland Street  
485, 495, 504, 506, 508, 511, 513 Horton Street East  
215, 219, 221 William Street  
580 Grey Street  
658 Little Grey Street  
170 Adelaide Street North  
169 Dreaney Avenue  
135 Inkerman Street  
96, 109 Rectory Street  
22 Pegler Street  
209 Egerton Street  
10 Elm Street  
152 Pine Lawn Avenue

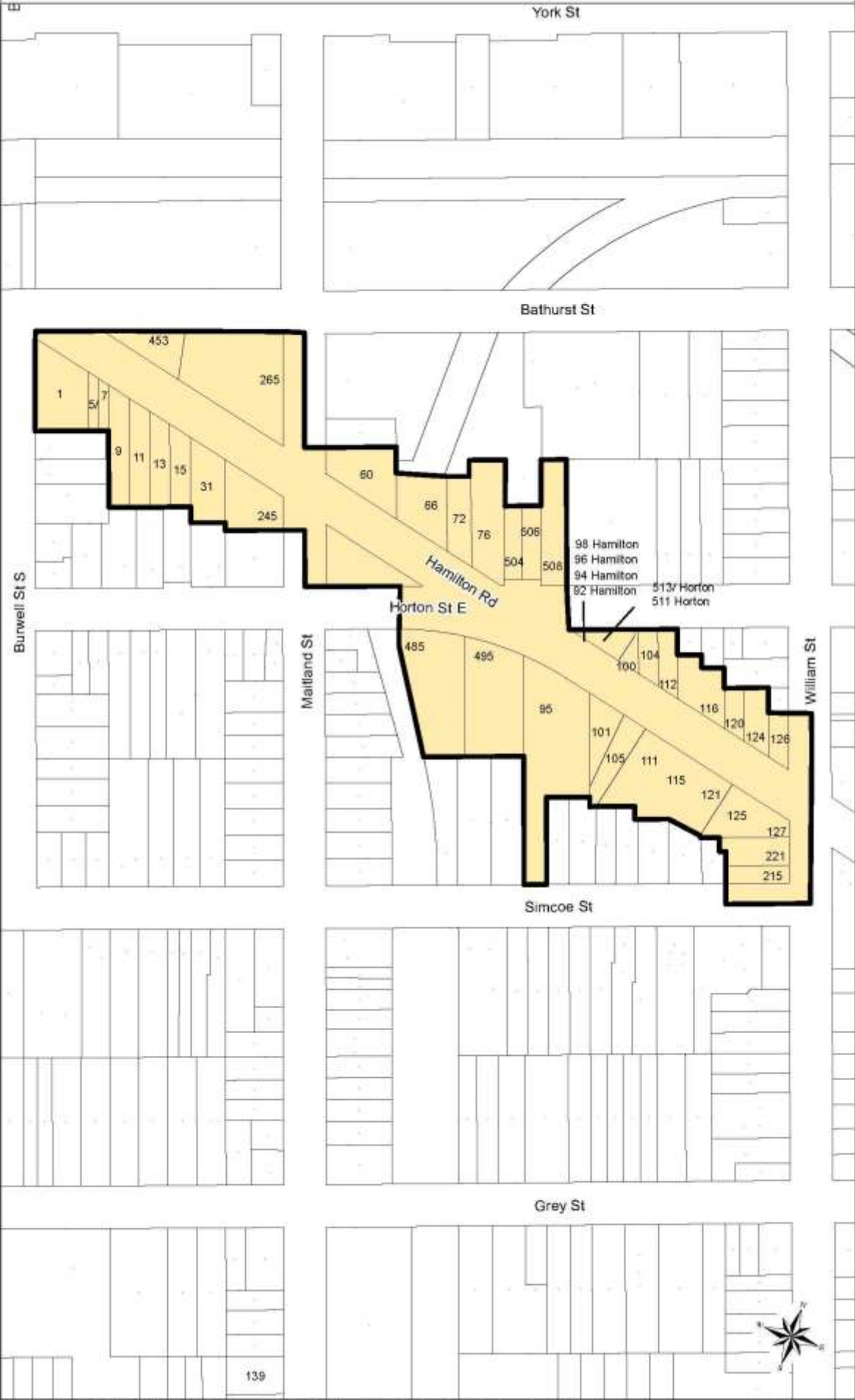






Schedule 1 - Hamilton Road Business Improvement Area

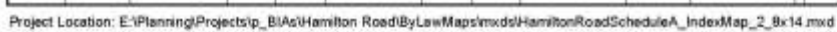
Key Map 1



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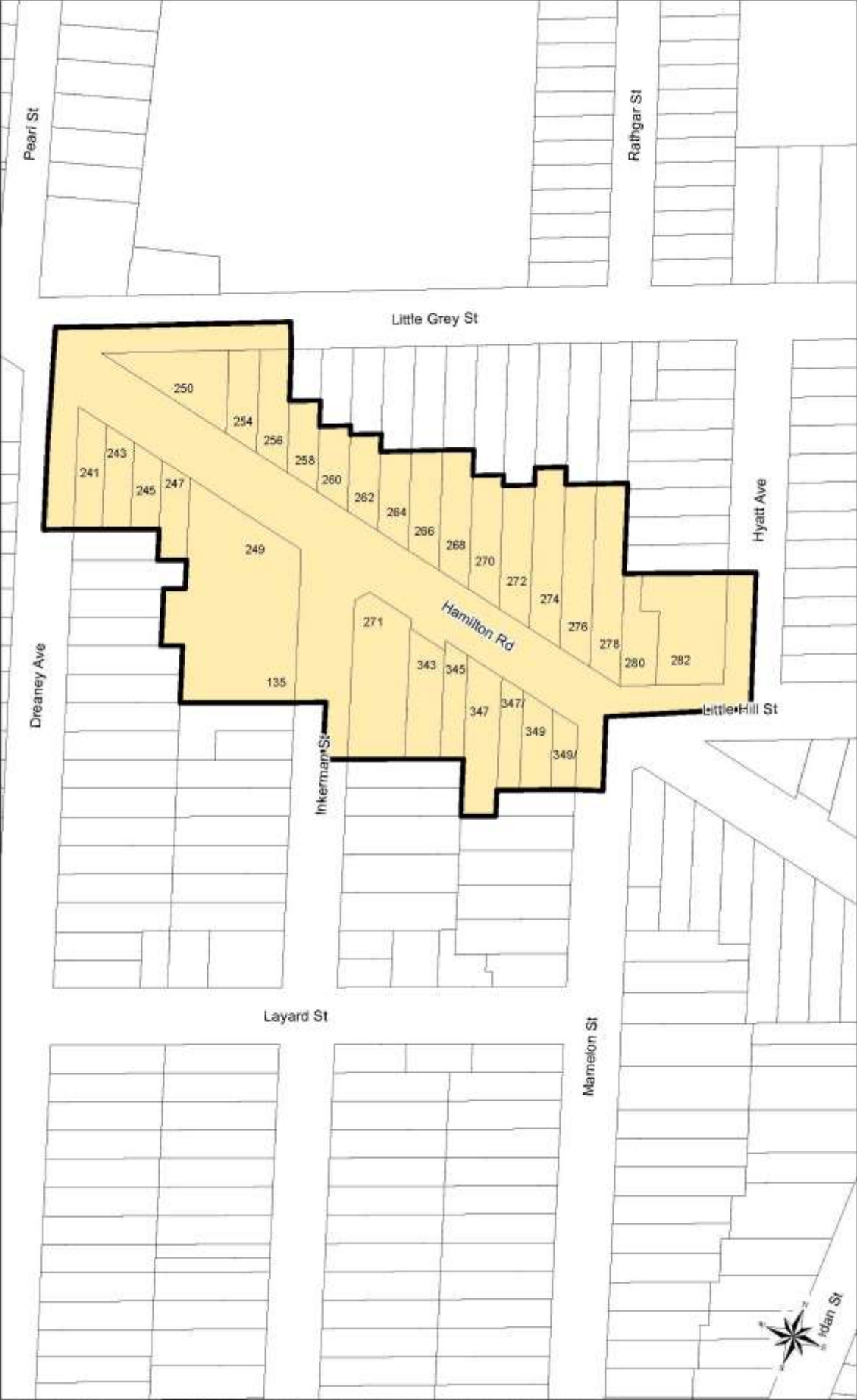
### Key Map 2





Schedule 1 - Hamilton Road Business Improvement Area

Key Map 3

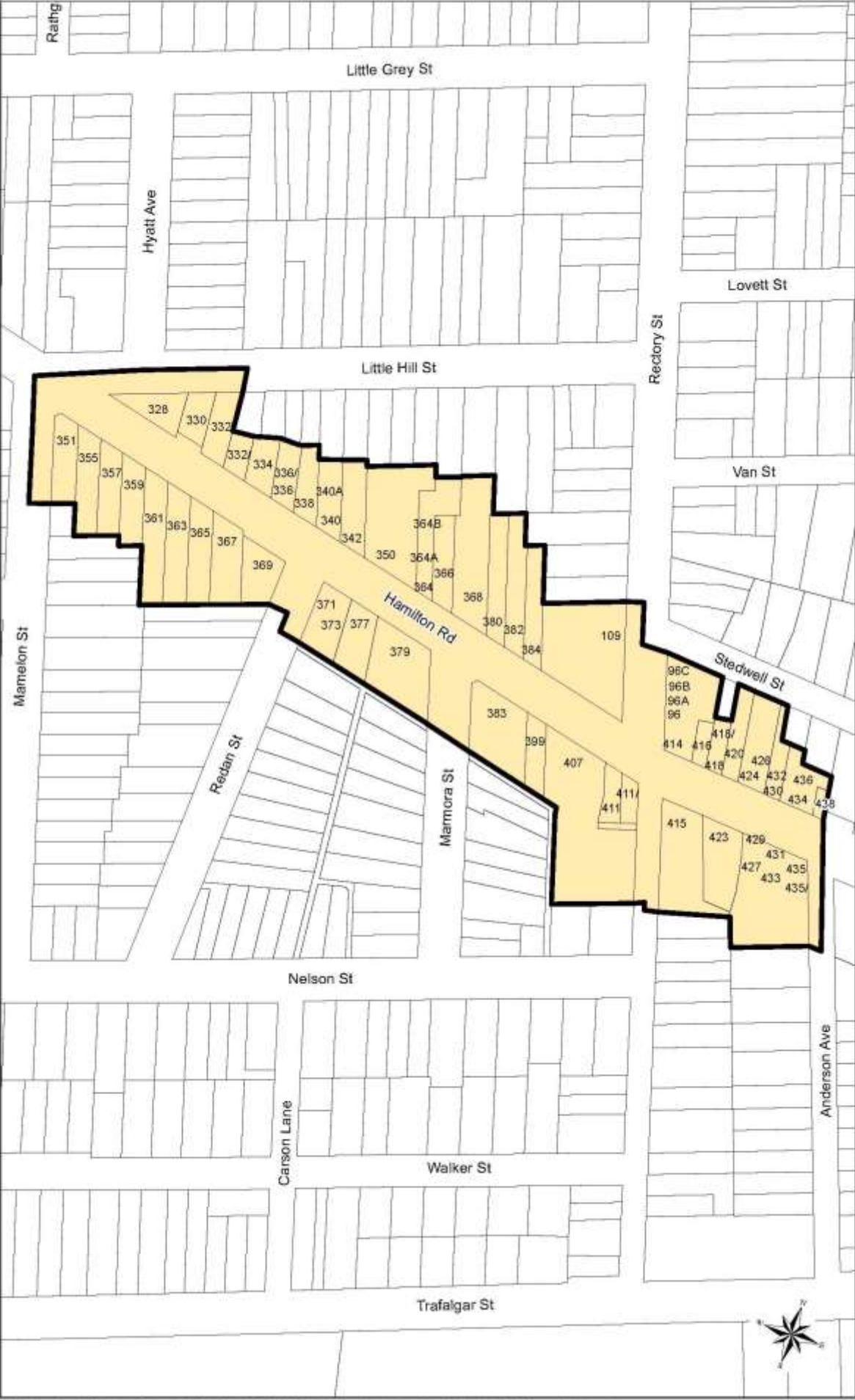


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Schedule 1 - Hamilton Road Business Improvement Area

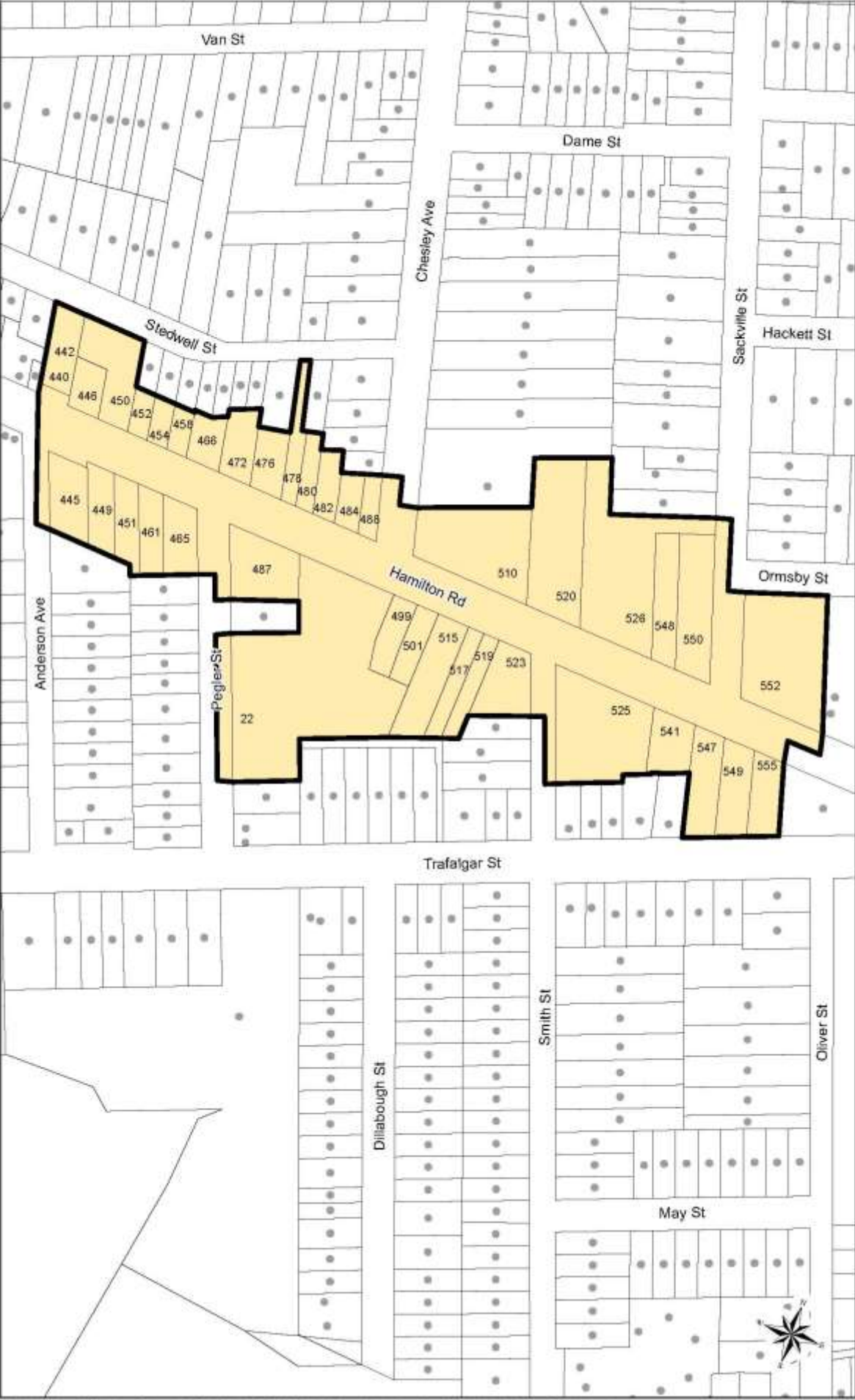
Key Map 4





Schedule 1 - Hamilton Road Business Improvement Area

Key Map 5

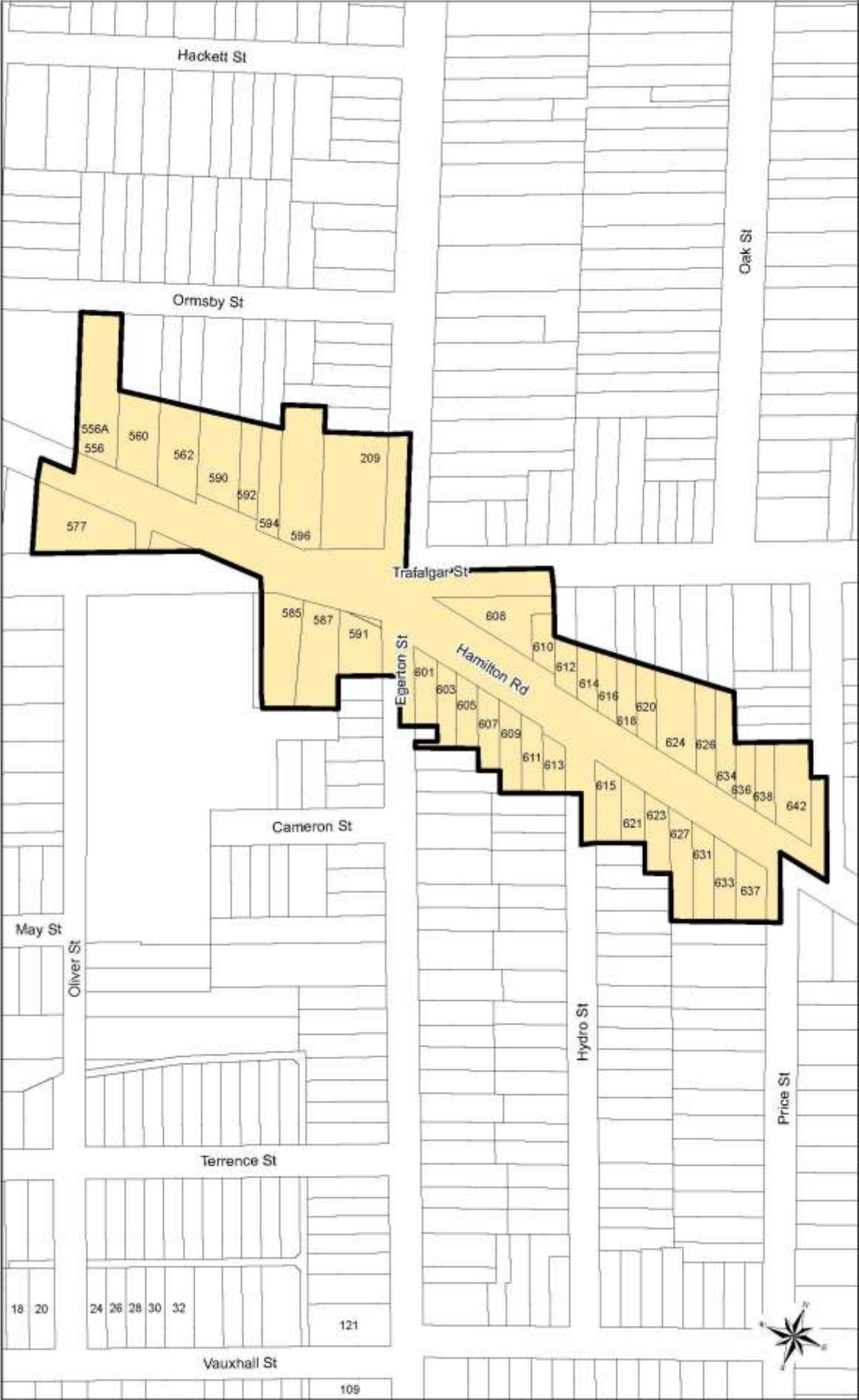


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Schedule 1 - Hamilton Road Business Improvement Area

Key Map 6

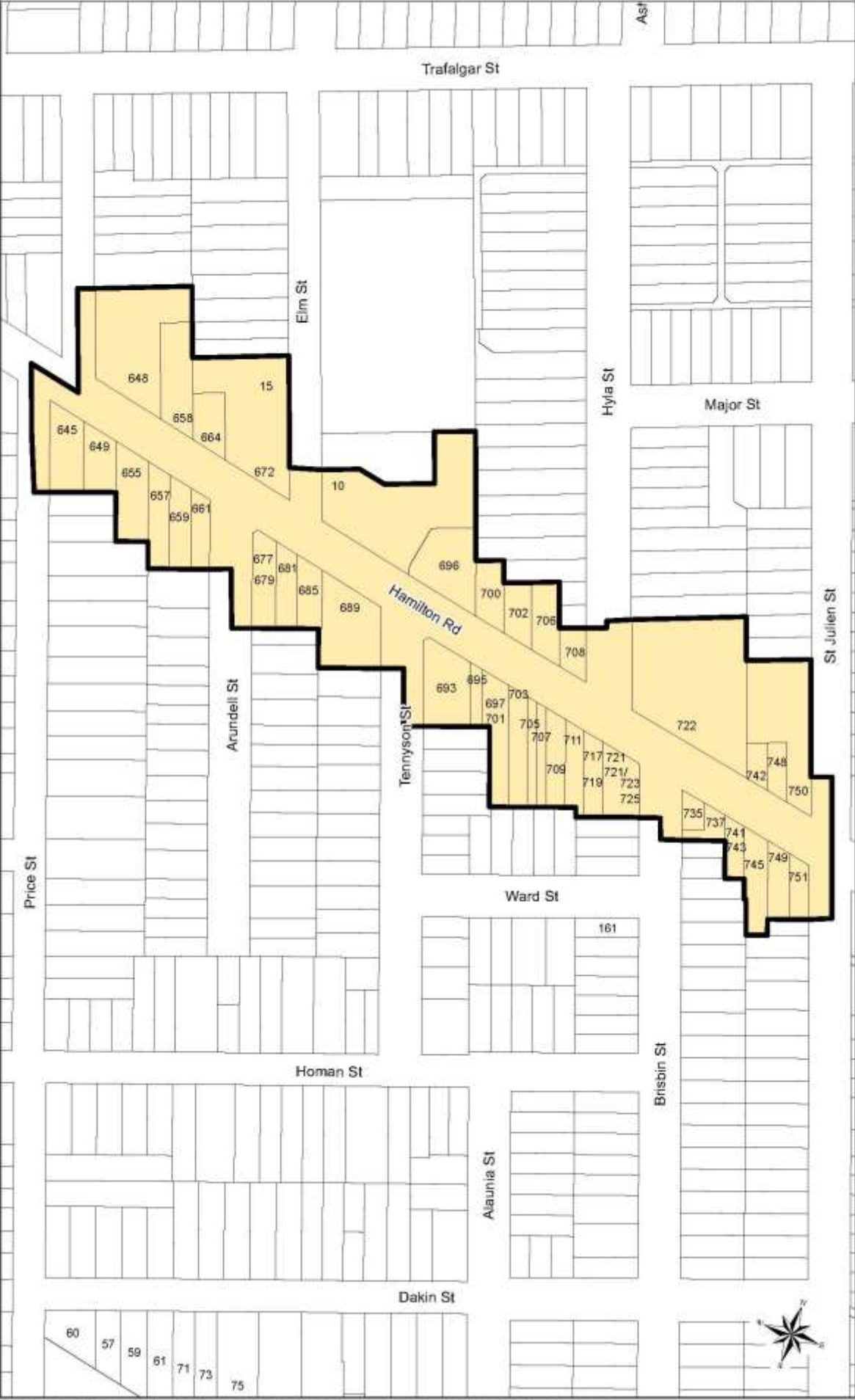


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Schedule 1 - Hamilton Road Business Improvement Area

Key Map 7

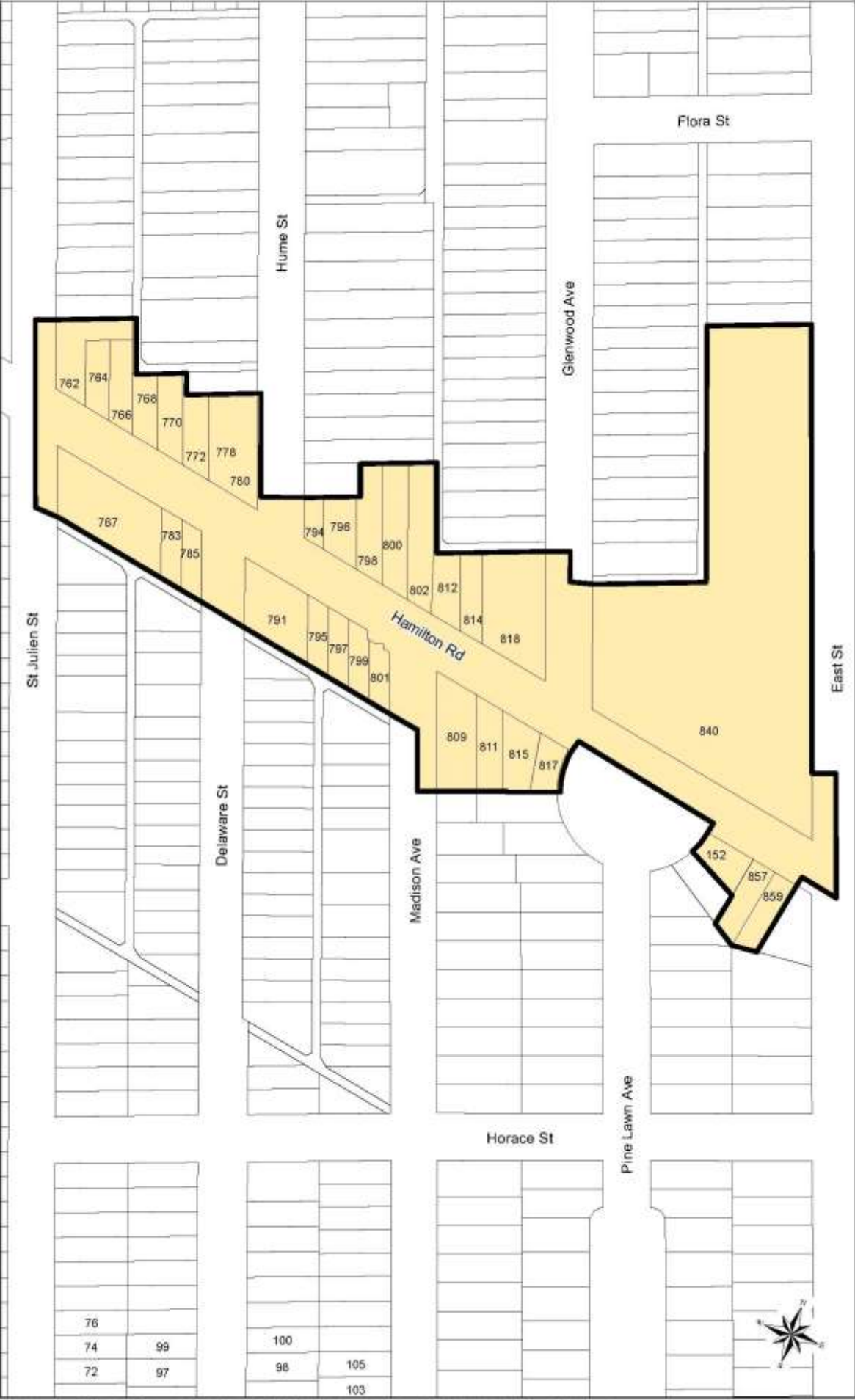


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Schedule 1 - Hamilton Road Business Improvement Area

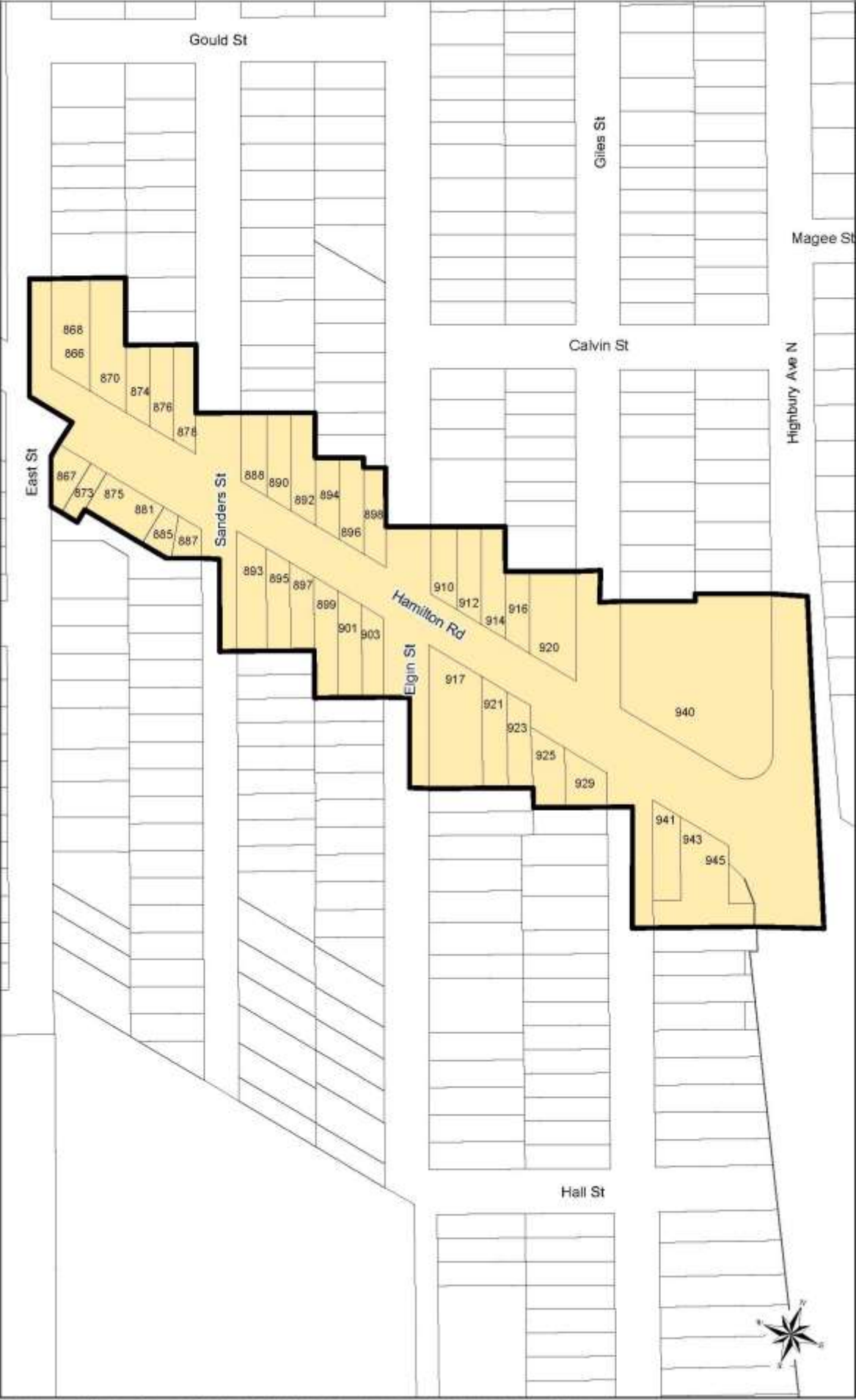
Key Map 8



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Schedule 1 - Hamilton Road Business Improvement Area Key Map 9



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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:** VersaBank  
1979 Otter Place – Request to extend Airport Area  
Community Improvement Plan (CIP) Tax Increment Grant  
**Meeting on:** September 24, 2018

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, VersaBank's request for an extension to its Airport Area Community Improvement Plan Tax Increment Grant agreement for the property located at 1979 Otter Place **BE REFUSED**.

## Executive Summary

### Summary of Request

VersaBank submitted a request for delegation status with supporting documentation to the July 16, 2018 Planning and Environment Committee meeting requesting an extension to its original grant agreement with the City under the Airport Area Tax Increment Grant program.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the request for the extension.

### Rationale of Recommended Action

Staff are recommending refusal of the extension for the following reasons:

- The CIP Service Review has established the parameters for the funding of financial incentives offered through the City's eight Community Improvement Plans;
- The purpose and intent of the Airport Area CIP has been met by attracting a new business to the Airport;
- In 2019, the full value of the incentive (100% of the incremental tax increase) will be paid for the full 10 years of program eligibility;
- Granting an extension would set a precedent.

## Analysis

### 1.0 Airport Area CIP and Tax Increment Grant Background

#### 1.1 Purpose of the Airport Area CIP and Tax Increment Grant Program

In April 2006, Municipal Council designated the Airport Area community improvement project area and adopted the Airport Area Community Improvement Plan (CIP) to outline the strategies and framework for a coordinated Municipal effort to stimulate community economic development by retaining aerospace companies within the city.



The Tax Increment Grant program offered through the Airport Area CIP is intended only for aerospace manufacturing and servicing companies as defined in the CIP based on the North American Industrial Classification standards. These include:

- Aerospace products and parts manufacturing;
- Scheduled air transportation;
- Non-scheduled air transportation;
  - Non-scheduled chartered air transportation;
  - Non-scheduled specialty flying services.
- Scenic and sightseeing transportation, other;
- Support activities for air transportation;
  - Airport operations;
    - Air traffic control;
    - Other airport operations.
  - Other support activities for air transportation;
  - Air ambulance services.
- Other industries – It is recognized that the list of eligible industries may exclude some legitimate aerospace industries whose industrial classification is not included above. Allowing other industries to be eligible for the Tax Increment Grant program may complement the local aerospace industry. In circumstances where a company is engaged in activities other than those listed above the company's eligibility for incentives will be considered on a case-by-case basis.

The Airport Area CIP offers a single financial incentive program, the Tax Increment Grant, to help achieve its purpose and intent. Section 28(7) of the *Planning Act* permits municipalities to provide grants or loans for the purposes of carrying out a CIP to owners and tenants within a community improvement project area. The Tax Increment Grant program is intended to remove some of the disincentives associated with property improvements in order to encourage redevelopment, rehabilitation and/or renovation of the Airport Area.

To date, three applications have been approved for the Airport Area Tax Increment Grant program. Two of the three applications are receiving annual grants. The third application will begin grant payments in 2019.

## **1.2 How the Tax Increment Grant Program Works**

The Airport Area Tax Increment Grant is calculated based on the increase in the municipal portion of the property tax that is directly related to a redevelopment, rehabilitation and/or renovation project.

Annual grants are provided to property owners over a ten-year period. The annual grant amount will remain constant over this ten-year period.

The annual tax increment is calculated as follows: the annual taxes based on post-improvement assessed value minus the annual taxes based on pre-improvement assessed value. It being noted that the above calculation relates only to the Municipal portion of property taxes. Further, the annual tax increment is fixed for the ten-year duration of the grant schedule. Changes to the mill rate, general reassessments, or changes in tax legislation are not considered for the purpose of calculating the annual tax increment.

The annual grant is calculated by multiplying the annual tax increment as calculated above by the year/level factor identified in the CIP. For the Airport Area CIP, the year/level factor is 100% of the annual tax increment for the ten-year duration of the grant schedule.



Participating property owners and tenants in the Airport Area Tax Increment Grant program are required to enter into a grant agreement with the City, which specifies the duration of the grant and the owner's obligations.

## **2.0 VersaBank – 1979 Otter Place**

### **2.1 Background and Existing Grant Agreement**

In May 2007, the City received a Tax Increment Grant application from Pacific and Western Bank (now VersaBank and referred to as "VersaBank" or the "Bank" throughout this report) on behalf of its subsidiary Arctic Financial Ltd. This was the first incentive application received under the Airport Area CIP. Documentation provided in support of the Bank's application indicated that the Bank was a tenant at London International Airport who had recently constructed a 9,000 square foot hangar complex on leased land at the Airport. Further, at the time, the Bank was a minority shareholder in Discovery Air Inc. Discovery Air is an investment holding company whose interests in 2007 comprised of an aviation service business which provide specialized air transport service to customers in selected niche markets across Canada. At that time, the Bank's hangar facility in London was strongly being considered for Discovery Air's head office. As a result, an 8,500 square foot addition was constructed to the Bank's hangar of which 7,000 square feet would be utilized as office space to support Discovery Air's corporate operations.

Staff issued a Commitment Letter in June 2007 approving the property and proposed aerospace use as eligible for the Tax Increment Grant program. The construction project was completed in 2008. Ultimately, Discovery Air decided to locate in Etobicoke in proximity to Pearson International Airport and the Bank used the new office space as a new head office for a wholly owned subsidiary.

A grant agreement was signed between the City of London and Arctic Financial Ltd. in October 2012 that approved a ten-year grant schedule with annual grant payments of \$39,845.69. Also in 2012, a payment was issued to Arctic Financial Ltd. for \$119,537.07 to cover the first three years (2009, 2010, and 2011) of the grant schedule. Arctic Financial / VersaBank has since received an annual payment of \$39,845.69. There is one year left on the grant schedule. This payment will be issued in the first quarter of 2019.

### **2.2 Request for an Extension (Appendix A)**

VersaBank submitted a request for delegation status with supporting documentation to the July 16, 2018 Planning and Environment Committee meeting requesting an extension to its original grant agreement with the City under the Airport Area Tax Increment Grant program (Appendix A). In its supporting documentation, VersaBank states the reason for seeking an extension is on the basis of the significant investment in the VersaBank Innovation Centre for Excellence (VICE) facility, which occupies 1979 Otter Place.

At its meeting held on July 24, 2018 Municipal Council resolved:

That delegation status BE GRANTED to D.R. Taylor, President & CEO, VersaBank, or his designate, at a future meeting of the Planning and Environment Committee when the Managing Director, Planning and City Planner, reports back on this matter; it being noted that the Planning and Environment Committee reviewed and received a communication dated July 4, 2018, from .R. Taylor, President & CEO, VersaBank, with respect to this matter. (2018-F11A) (4.2/12/PEC).

### **2.3 Reasons to Refuse the Request for an Extension**

Staff have reviewed the request for an extension to VersaBank's original grant agreement and are recommending refusal for the following reasons:

**CIP Service Review** – In 2016 and 2017, the City undertook an extensive CIP Service Review that evaluated the current CIP incentive programs and provided a series of recommended changes to those programs. The Service Review identified budgets for both the revised and future programs and subsequent amendments to the City's CIPs.



The CIP Service Review also helped identify savings and determined what programs and any related changes to those programs would be funded by those savings. Extensions to existing Tax Grant application were never contemplated through the Service Review.

As the CIP Service Review has recently allocated funding to the various incentive programs offered through the City’s eight CIPs, staff are of the opinion that extensions to existing Tax Grant applications are contrary to the CIP Service Review recommendations approved by Municipal Council. Further, an extension would result in approved funding for other incentive programs having to be reallocated towards the extension. In other words, there are limited funds that have already been allocated to existing and future programs.

**Purpose and Intent of the Airport Area CIP has been met** – As previously stated the purpose of the Airport Area CIP is to stimulate community economic development by retaining aerospace companies within London around the International Airport. The grant offered after the initial construction and occupation of the Arctic Financial / VersaBank building at 1979 Otter Place indicates that the Tax Increment Grant program was successful and the intent was met. A new office addition, despite not being the head office for Discovery Air, was constructed resulting in employment and economic development around the Airport. As a result, staff are of the opinion that as the purpose and the intent of the Airport Area CIP has been met, the original grant agreement should end after the 10 years.

**Precedent** – The Airport Area CIP and the Brownfield CIP are the only two CIPs that offer a Tax Grant program that maintains a year/level factor at 100% of the annual tax increment for the duration of the grant agreement (ten years for the Airport Area CIP and three years for the Brownfield CIP). In comparison, the Tax Grant programs offered through the Downtown, Old East Village, SoHo, and Heritage CIPs are on a declining scale over the ten-year duration.

As a result, it is unlikely that a property owner would seek an extension to a Tax Grant program where the grant amount declines over ten years because after the tenth year, the annual grant is often nominal; however, in instances where the year/level factor remains at 100% for the duration, the annual grant remains the same for the length of an extension. In other words, the extension is much more desirable for grants offered through the Airport Area CIP.

Staff are of the opinion that setting a precedent where Tax Grants are able to be extended is not appropriate and could negate the efforts of the CIP Service Review. Also, some of the City’s Tax Grant incentive programs have been in effect since the 1990’s. This is the first request under any of the City’s Tax Grant programs for an extension of the benefit provided by the program. Further, granting an extension to one Airport Area CIP applicant may cause other Airport Area CIP Tax Increment Grant applicants to request an extension to their agreements potentially resulting in unanticipated draws on the CIP grant funding source.

**3.0 Conclusion**

VersaBank has developed a thriving “made in London” business located near the International Airport. By locating within the Airport Area community improvement project area, VersaBank was eligible and approved for the City’s Airport Area CIP Tax Increment Grant program in 2007. To date, Versa Bank has received nine of its 10 grant payments totalling approximately \$359,000.

In July 2018, VersaBank requested delegation status at the Planning and Environment Committee seeking an extension to the ten-year grant agreement. Staff are recommending refusal of the grant extension request as an extension is not in keeping with the recommendations of the CIP Service Review, the purpose and intent of the Airport Area CIP has already been met by this application, and approving an extension would set a precedent for future Tax Grant extensions.



<b>Prepared by:</b>	<b>Graham Bailey, MCIP, RPP Planner II, Urban Regeneration</b>
<b>Reviewed by:</b>	<b>Gregg Barrett, AICP Manager, Long Range Planning and Research</b>
<b>Submitted by:</b>	<b>Britt O’Hagan, MCIP, RPP Manager, Urban Regeneration</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 17, 2018  
GB/gb

\\FILE2\users-z\pdp\Shared\policy\Grants and Loans\Airport CIP Grant Program\1979 Otter Place - Pacific and Western\Request for Extension of Grant Agreement\2018-09-24-PEC Report-1979 Otter Place - VersaBank - Request for Extension.docx





July 4, 2018

Chair and Members  
Planning and Environment Committee  
City of London  
P.O. Box 5035  
300 Dufferin Avenue  
London, Ontario  
N6A 4L9

Sent via email to: Heather Lysynski, Committee Secretary, [pec@london.ca](mailto:pec@london.ca)

Attn: Heather Lysynski, Committee Secretary

We are requesting delegation status at a Planning and Environment Committee meeting. The purpose of this letter is to request an extension to VersaBank's (the "Bank") original Grant Agreement ("OGA") with the City of London under the Tax Increment Grant and the Airport Area Community Improvement Plan.

The OGA, executed in 2012 with tax grants commencing retroactively for the 2008 tax year, is attached for the Committee's reference. The OGA became effective as an office building and hangar was being completed at 1979 Otter Place, on the grounds of the London International Airport. At the time, the Bank had built the facility at Otter Place as a new head office for a wholly owned subsidiary. Due to the continued expansion of its digital businesses and to further contribute to the corporate hub being developed at the airport, the Bank decided to convert the property for its own use and renamed the facility the VersaBank Innovation Centre of Excellence ("VICE"). The decision to renovate and expand VICE was made rather than taking on additional space at the Bank's 140 Fullarton St. (downtown) head offices.

Over the course of 2017 and 2018 VersaBank invested approximately \$1.3 million to completely renovate VICE's 8500 square feet of offices. VersaBank's IT and e-Commerce divisions are now housed at VICE, representing the backbone and pillars behind our digital bank. We have approximately 30 staff now working full time at this new facility.

The Bank is seeking an extension to its tax relief under the Tax Increment Grant and the Airport Area Community Improvement Plan (as initially set out under the OGA) on the basis of the significant investment it has made to the VICE facility, which in part helps to further improve

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140 Fullarton Street, Suite 2002  
London, ON N6A 5P2

Main: 519-645-1919  
Toll Free: 866-979-1919

[info@versabank.com](mailto:info@versabank.com)  
[www.versabank.com](http://www.versabank.com)

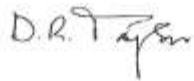


the new corporate hub that is developing on the grounds surrounding the airport. VersaBank is proud to call London its home, with our head offices in the City of London, and we are further proud to boast of our continued expansion inside the City.

It is our hope you will grant us a 10 year extension to this relief, and we look forward to continue to enjoy and promote our new and expanded offices at our world class Innovation Centre of Excellence.

Should you have any questions or wish to discuss anything, I look forward to hearing from you.

Yours truly,

A handwritten signature in dark ink, appearing to read "D.R. Taylor". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

David R. Taylor  
President & CEO

Encs:



## GRANT AGREEMENT

This agreement consists of five pages

UPDATED TO VARIOUS BANK

Name of Property Owner(s): Arctic Financial Ltd. Application No.  
 Address of Project: 1979 Otter Place, London, ON N5V 0A3  
 Legal Description of Property (Lot and Plan Number):  
 Roll Number(s):  
 Mailing Address of Owner: 140 Fullarton Street Telephone: 519-845-1919  
 (If different from above) Suite 2002, London, ON Fax: 519-845-2080  
 N8A 5P2

BANK ASSUMED  
 ALL ARCTIC  
 AGREEMENT

Heritage Alteration Permit Information: N/A

Date Permit Approved (attach copy): N/A

Designating By-Law: N/A

PROJECT INFORMATION (Attach copy of Building Permit)

Building Permit Number: 06 031244 000 00 ID & 07 008985 000 00 ID  
 Date of Permit: Jan 2, 2007 & May 4, 2007  
 Value of Project (permit): \$630,000 + \$1,400,000 = \$2,030,000

Application Tracking Information (for Staff use only)	Date and Staff Initials
Application Accepted	May 31, 2007
Pre-Improved Assessment Value Determined	December 1, 2006 (\$ 0.00)
Commitment Letter Issued	June 26, 2007
Project Completion (applicant's written confirmation)	May 2, 2008
Request to Finance and Administration for Preparation of Schedules	January 20, 2012
Post-Improved Assessed Value Determined	January 1, 2009 (\$1,619,000)
Planning Division Receives Grant Schedules from Finance & Admin.	January 26, 2012
Applicant Chooses Grant Schedule	N/A
Date of Lump Sum Payment (\$1,000 or less)	N/A
First Grant Cheque Issued	
Last Grant Cheque Issued - File Closed	



## GRANT AGREEMENT

This agreement consists of five pages

### GRANT CALCULATION:

Pre-Improved assessed value: \$ 0.00 Date: Dec 1, 2006

Post-Improved assessed value: \$ 1,819,000.00 Date: Jan 1, 2009

Increase in assessed value after adjustments: \$ 1,819,000.00

Applicable tax (mill) rate (municipal portion): 2.46

Annual tax increment: \$ 39,845.69

EXPECTED  
PAY OF FOLLOWING  
YEAR

Year	Year/Level Factor	Schedule 1 - Year 1=First Full Calendar Year After Completion
1	2009/100%	\$39,845.69
2	2010/100%	\$39,845.69
3	2011/100%	\$39,845.69
4	2012/100%	\$39,845.69
5	2013/100%	\$39,845.69
6	2014/100%	\$39,845.69
7	2015/100%	\$39,845.69
8	2016/100%	\$39,845.69
9	2017/100%	\$39,845.69
10	2018/100%	\$39,845.69

CK # 00945464  
2012-09-29  
\$ 119,537.07.  
pd 11/18/15 Yr 1-3 inclusive  
\$38,280.49 Rec'd 7/7/16  
1,565.20 8/13/16  
- MARCH 15  
MARCH 2/16  
APR. 4/17



## GRANT AGREEMENT

*This agreement consists of five pages*

### Conditions:

1. The term "Applicable Tax(Mill) Rate" refers to the General, or Municipal portion only of the total tax (mill) rate paid. It does not include such taxes/charges as Education, Transportation, Local Improvement, or other "area charges", Business Improvement Area (BIA) levy, or any Phase In, or Encroachment Fee. Changes in the tax (mill) rate or phased in assessment increases after the post-improvement date is established will not be incorporated into the calculation of the annual tax increment.
2. Grants are not payable by the City until such time as all additional assessment eligible for grant has been added to an assessment roll by the Ontario Property Assessment Corporation, all taxes eligible for grant have been billed by the City, and all taxes outstanding including billed taxes that have not yet become due are paid in full for all years by the taxpayer. Grants are also not payable by the City until such time as all possible assessment appeals relating to value of the land before the additional assessment or to the value of the additional assessment have been filed and decided. If property taxes are owing on a property for more than one full year, the City will have the option, without notice and at its own discretion, of terminating all future grant payments, thereby eliminating all grant obligations to the applicant.
3. Notwithstanding any other calculations relating to the grant amount, the City will not pay an annual grant which is greater than the municipal portion of the property tax collected for a property in any one year (i.e. if a general reassessment substantially reduces annual property taxes on a property, the annual grant amount will be capped at the municipal portion of the property tax collected for that property in any one year).
4. The applicant(s) for an Airport Area Tax Increment Grant Incentive must be the registered owner(s) of the subject property.
5. Separate applications must be made for each discrete property under consideration for a grant.
6. The annual tax grant is based upon changes in property taxes as a result of construction and improvement to the property, and is not based upon occupancy or changes in occupancy.
7. The total value of the grants provided under this program over the full term of the grant payment shall not exceed the value of the work done. Furthermore, the amount of the grant shall not exceed the municipal portion of the tax bill excluding transit and ignoring cap adjustments, phase-ins or claw back amounts.
8. Tax increases that result from a general reassessment, a change in tax legislation or an increase in the mill rate will be not be considered for the purposes of calculating the grant. The annual tax increment will be held constant over the ten-year grant period (i.e. changes in mill rate after the post-improvement date is established will not be incorporated into the calculation of the annual tax increment).
9. If a participating property is demolished in whole before the rebate grant elapses it shall cause the grant to be forfeited and be repayable to the municipality. It is to be repaid on, or before, the first day of municipal tax collection following the sale of the property. Demolition, in part, may be permitted entirely at the discretion of the City of London without a requirement for repayment, but only in those instances where a written request by the property owner is received and a corresponding letter of permission is granted by the City.



## GRANT AGREEMENT

*This agreement consists of five pages*

10. The amount of the grants provided for a property over the life of this program will not exceed the value of the work done that resulted in the increased level of municipal tax assessment. For this reason the amount of grants may be monitored in relation to the total value of work done and the grants will cease if they equal the value of the work done.
11. The applicant will be responsible for ensuring that they can be contacted by the City for the purpose of delivering grant cheques. If applicants cannot be reached over a protracted period (greater than 2 years), the City will have the option, without notice and at its own discretion, of terminating all future grant payments, thereby eliminating all grant obligations to the applicant.
12. In those instances where the total value of the grant over the full term of the grant period is less than or equal to one thousand dollars (\$1,000), the City may exercise, at its own discretion, the option of issuing a one-time lump sum payment of the total grant amount.
13. Any portion of the property that is sold (including one or more condominium units) during a calendar year, will not be eligible for a grant rebate for that entire year or subsequent years of the grant schedule. The grant schedule included in this agreement will be modified each year, as necessary, to reflect the sale of the property or portions thereof.
14. Any appeals of the property's assessed value that result in a reduction in the assessed value of the property, will cause the entire 10-year grant schedule to be re-calculated recognizing the property's revised assessed value.



## GRANT AGREEMENT

*This agreement consists of five pages*

- A. I/WE HEREBY AGREE TO ALL OF THE CONDITIONS IN THIS GRANT AGREEMENT (consisting of four pages), and the terms and conditions of the Airport Area Tax Increment Grant Program guidelines (as attached).
- B. I/WE HEREBY CERTIFY that the information given above is true, correct and complete in every respect and may be verified by the municipality. The City is relying upon the information provided by the applicant and if the information in this agreement, or the associated application, proves to be false or substantially inaccurate, the grant will be forfeited and be repayable to the City.
- C. I/WE HEREBY AGREE that in the event this property is demolished in whole prior to the expiration of the grant period, any funds paid under this Program shall immediately be forfeited and all previously received grant payments will become due and repayable to the City. Demolition, in part, may be permitted entirely at the discretion of the City of London without a requirement for repayment, but only in those instances where a written request by the property owner is received and a corresponding letter of permission is granted by the City.
- D. I/WE HEREBY AGREE that if the ownership of the lands described herein, and in receipt of a grant under this program, is transferred to any person other than the signatory of this agreement (Owner), by sale, assignment, or otherwise, then this agreement shall no longer apply. The City may enter into an agreement with any subsequent owner to continue the agreement pursuant to any conditions that the City may apply or may choose to discontinue the applicable grant schedule.

I, DADIA TAYLOR, agree to the above conditions, and have the authority bind the corporation named as property owner on page 1 of this agreement.

D.R. Taylor  
SIGNATURE (TITLE) PRESIDENT + COO

OCT. 3, 2012  
DATE

CO-SIGNATURE (TITLE)

DATE

This agreement is hereby approved, subject to the above-specified conditions.

[Signature]  
SIGNATURE

3 Oct/12  
DATE

Department of Planning and Development

[Signature]  
SIGNATURE

25/Oct/12  
DATE

City Treasurer





**VersaBank**  
Choice Through Innovation

September 20, 2018

Chair and Members  
Planning and Environment Committee  
City of London  
P.O. Box 5035  
300 Dufferin Avenue  
London, Ontario  
N6A 4L9  
Attn: Heather Lysynski, Committee Secretary  
Sent via email to: Heather Lysynski, Committee Secretary, [pec@london.ca](mailto:pec@london.ca)

Dear Ms. Lysynski,

**Re: VersaBank - 1979 Otter Place - Extension of Tax Grant**

Further to our request dated July 4, 2018 for a grant extension for 1979 Otter Place, London, Ontario, N5V 0A3 scheduled to be heard at your September 24, 2018 Planning and Environment Committee meeting, VersaBank wishes to withdraw its application, and we are requesting to be removed from the agenda for the meeting. Should you wish to discuss this, please contact Tel Matrundola at 416-822-4859 or at [telm@versabank.com](mailto:telm@versabank.com).

Yours truly,

David R. Taylor  
President & CEO

DRT:tp



## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** G. Kotsifas, P.ENG  
Managing Director, Development and Compliance  
Services And Chief Building Official

**Subject:** Application By: Sifton Properties Limited  
Request for Draft Plan of Subdivision Approval  
1877 Sandy Somerville Lane  
Meeting on September 24, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 1877 Sandy Somerville Lane:

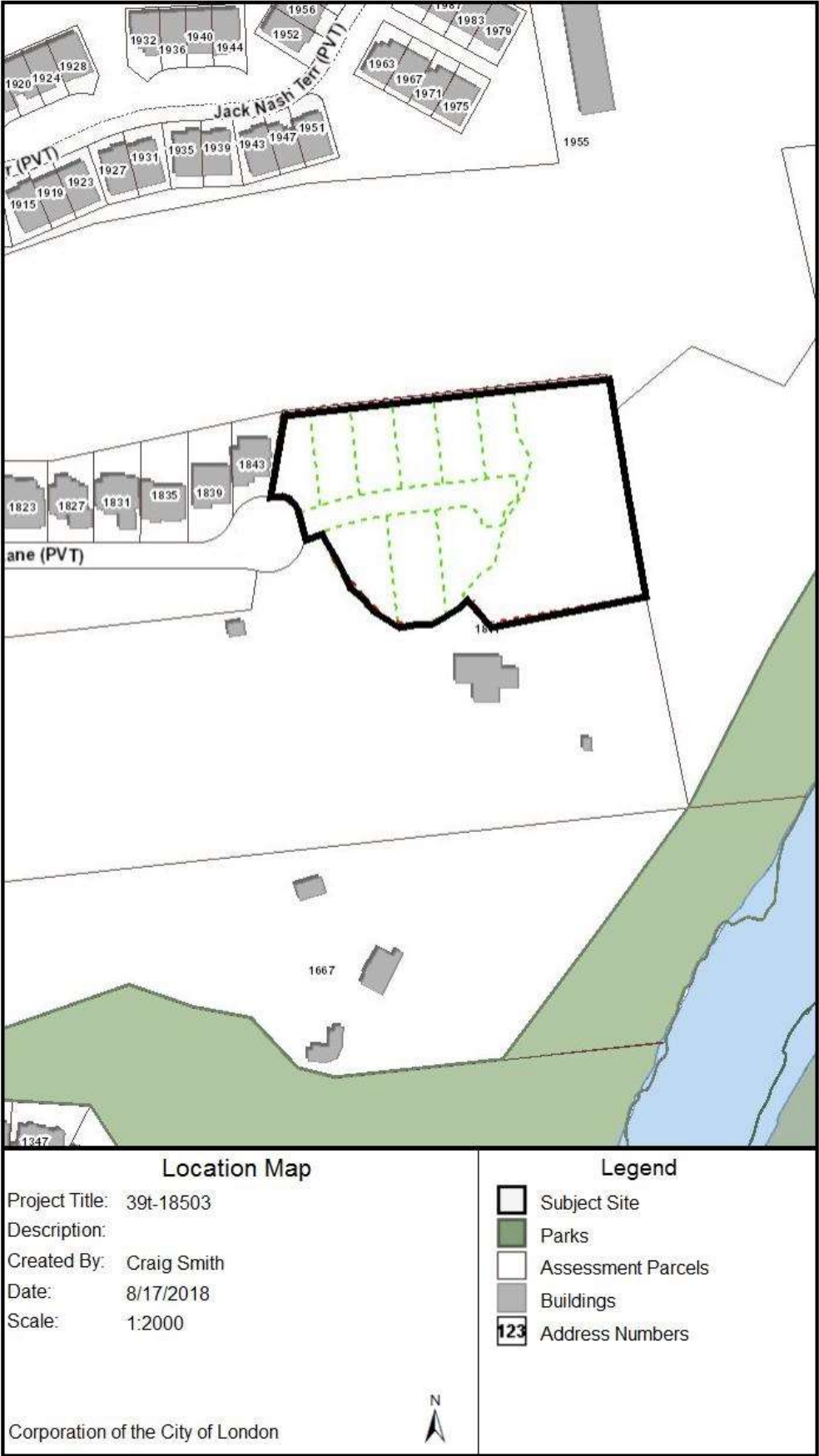
- (a) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application by Sifton Properties for draft plan of subdivision relating to the property located at 1877 Sandy Somerville Lane;
- (b) The Approval Authority be advised that Council **SUPPORTS** issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-18503) as prepared by AGM Land Surveyors, certified by Jason Wilband, OLS, which shows one (1) residential block, **SUBJECT TO** the conditions contained in the attached **Appendix "39T-18503"**;

## Executive Summary

1. The proposed draft plan is consistent with the Provincial Policy Statement which encourages appropriate residential intensification.
2. The proposed draft plan of subdivision provides for a form of residential development that is consistent with the Neighbourhood policies of The London Plan, and is compatible with the surrounding residential development.
3. The proposed draft plan of subdivision provides for a form of residential development that is consistent with the Multi Family, Medium Density Residential policies of the Official Plan, and is compatible with the surrounding residential development.
4. The proposed draft plan of subdivision provides for a form of residential development that is consistent with the Riverbend Area Plan.
5. The proposed development has access to existing municipal services.
6. The proposed draft plan of subdivision will permit a future part lot control application to create individual parcels for long term land leases.



Location Map





## Analysis

### 2.0 Description of Proposal

#### 2.1 Development Proposal

The creation of a residential subdivision consisting of one (1) block for the purpose of a private cluster housing development, which will facilitate a new phase (10<sup>th</sup>) of the Riverbend Golf Community, in the form of long-term land leases.

### 3.0 Revelant Background

#### 3.1 Planning History

The subject site forms part of the River Bend Community Plan which was initiated as a developer-led Community Planning process in November of 1996. On June 22nd, 1998, City Council adopted Official Plan Amendment No. 121 which implemented the River Bend Community Plan. The amendment was subsequently appealed to the Ontario Municipal Board by a number of landowners within the area. During the Pre-Hearing Conference of the appeals, Sifton Properties Limited announced that significant modifications were being proposed to Phase 1 of the development area, and at Sifton's request, the Board agreed to defer a hearing in order to allow time for consideration of the revised development proposal.

On February 11, 2000, Sifton Properties Limited submitted an application for Official Plan and Zoning By-law amendments, and subdivision approval for the revised Phase 1 development proposal. The applications sought approval for a Low Density Residential designation with a special provision to also permit an apartment building in the interior of the area, to a maximum overall density of 30 units per hectare (12 units per acre). The development concept included a private residential/golf course community, with a controlled entrance at Kains Road.

At the May 1, 2000, City Council meeting, Council resolved to advise the Ontario Municipal Board (OMB) that they supported the modifications to Official Plan Amendment No. 121 that would permit the revised land use concept being proposed by Sifton. The OMB met on May 8, 2000 and issued a partial Decision/Order on June 7, 2000, which modified OPA 121 in a manner consistent with Council's position.

On October 16, 2000, Municipal Council approved a Zoning By-law amendment and recommended approval of the Draft Plan of Subdivision application for the River Bend Phase 1 area. The Zoning Amendment applied a Residential R6 Special Provision (R6-5(7)) Zone to the residential block portion of the subdivision draft plan which comprises an area of 43 hectares (106 acres). The Special Provision R6-5(7) Zone permits cluster housing in the form of single-detached, semi-detached, duplex, triplex, townhouse, stacked townhouse and apartment buildings. The maximum overall density is 30 units per hectare (12 units per acre). The board decision designated and zoned the Kains Wood Environmental Significant Area Open Space which includes a 10 metre buffer.



**3.2 Department/ Agency Comments**

**Environmental Ecological Planning Advisory Committee**

Environmental and Ecological Planning Advisory Committee (EEPAC) recommends that fencing, without gates, be included in the draft plan of subdivision to protect the adjacent Environmentally Significant Area.

Note: *This issue will be addressed through the Site Plan Approval process.*

**PARKS AND OPEN SPACE**

The required parkland dedication will be satisfied through a cash-in-lieu payment as a condition of Site Plan control at the time of building permit.

**Development Finance, Finance and Corporate Services**

There are no eligible Development Charge claims associated with this development

**Upper Thames River Conservation Authority**

The UTRCA has no objections to this application.

**3.3 Community Engagement**

More information and detail about public feedback and zoning is available in Appendix B.

No comments were received during the public circulation process.

<b>4.0 Key Issues</b>
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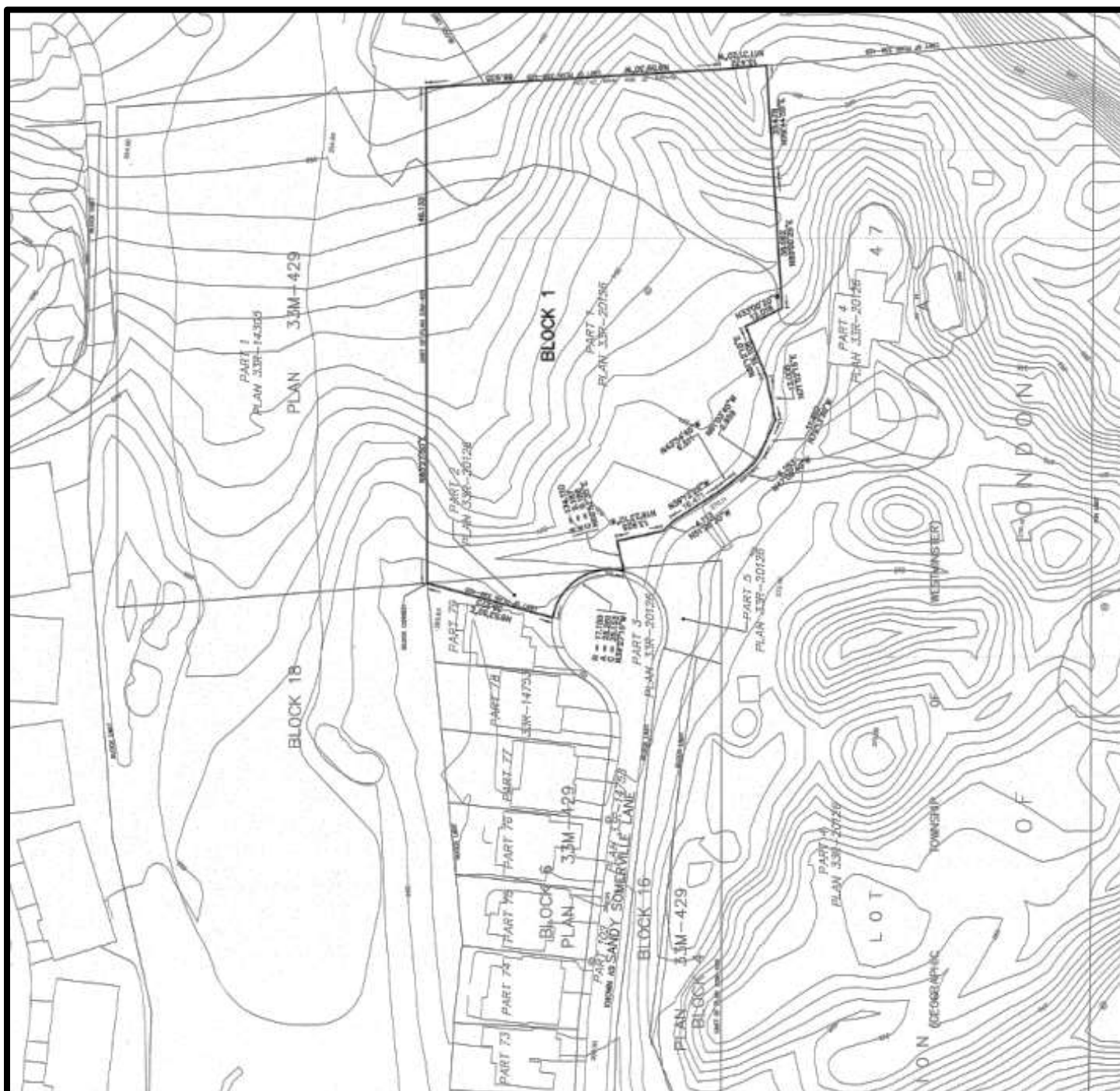
**Requested Application**

The application by Sifton Properties Limited is for a one (1) block draft plan of subdivision that is 1.4 ha in size on lands located at 1877 Sandy Somerville Lane. The proposed single block subdivision would permit the development of nine (9) single detached dwellings. The registered plan of subdivision will allow for a future part-lot control application to permit the creation of individual units (lots) that will be subject to long term land leases.

The subject lands are located on the north side of Kains Road in the Riverbend subdivision. The block is proposed to be accessed by Sandy Sommerville Lane, a private street within Sifton’s Riverbend Golf community. An existing private-lane way on the site provides access to the existing single detached dwelling (not part of this cluster development) located at 1877 Sandy Somerville Lane. Through the Site Plan Approval process, a right-of-way easement is required to be registered on the lands to ensure access from 1877 Sandy Somerville Lane will be permitted via a private right-of-way through the Riverbend Golf community to Kains Road.



## Proposed Draft Subdivision Plan





## **Part Lot Control**

Part Lot Control Exemption applications are alternative forms of land division to Plans of Subdivision and Consents. The Part-Lot Control Exemption By-law will be in place for a fixed three (3) year period of time, after which the By-law will expire and the Part-Lot Control provisions of the *Planning Act* come back into effect.

Section 50 of the *Planning Act* grants the City the authority to pass a By-law to exempt lands within a Plan of Subdivision from the Part Lot Control provisions in the Act. This process is used to lift Part Lot Control restrictions from lands within registered plans of subdivision to create parcels for sale or lease.

Sifton has used Part-Lot Control to create the individual residential units within the Riverbend subdivision. The Riverbend subdivision is a planned long term land leased golf community development. The previous nine (9) phases of the Riverbend subdivision have registered Development Agreements with the City. Part-Lot Control was granted by Council to create the individual units (lots) that are currently leased for a period not less than twenty-one (21) years or greater than ninety-nine (99) years. This proposed single block subdivision is to permit the 10<sup>th</sup> phase of the Riverbend subdivision.

## **Site Plan (SPC16-132)**

On August 8, 2016, an application for Site Plan Consultation was submitted. On September 10, 2016, the City provided comments following the review of the 1<sup>st</sup> submission of the site plan drawings.

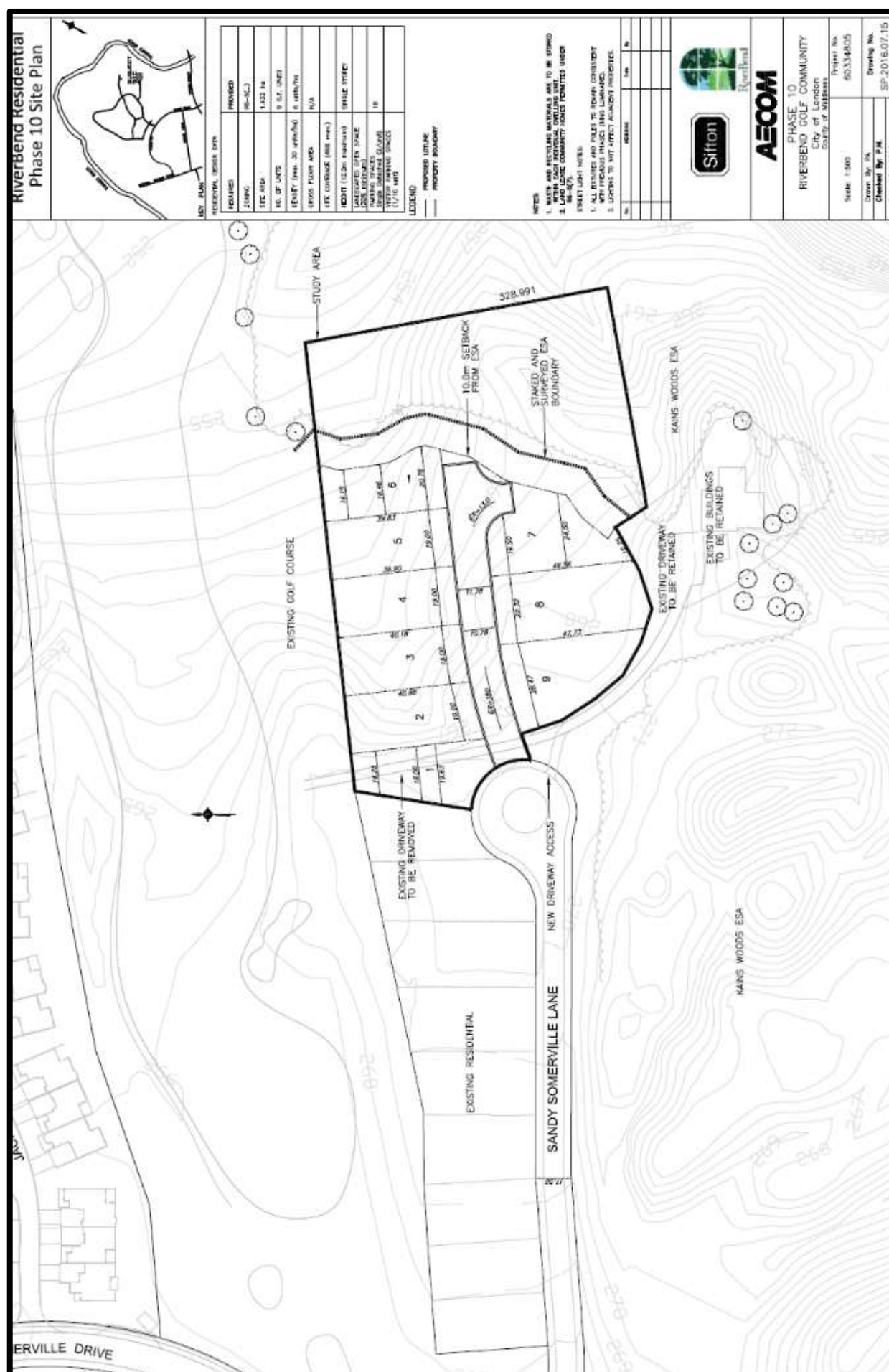
A Development Agreement and security will be entered into through the Site Plan Approval process and will address all requirements for development such as:

- completion of site works;
- installation of fire route signs;
- confirmation of addressing information;
- provision of servicing easements for the City of London, utility providers (such as London Hydro, Union Gas, Bell, etc.), and access to 458 Kains Road;
- appropriate fencing; and,
- drainage and stormwater management.

The proposed draft plan of subdivision is to create one (1) registered block that can be further divided through an application for Part-Lot Control. The intent of Part-Lot Control is to allow Sifton Properties Ltd. to enter into long term lease agreements. All conditions for this development will be included in the Development Agreement through the Site Plan Approval process. As all City requirements for development will be dealt with through the Site Plan process, no conditions for development are required for this draft plan of subdivision. The proposed draft plan of subdivision will allow for the plan of subdivision to be registered without the need for a subdivision agreement.



## Proposed Site Plan





## **Provincial Policy Statement (2014)**

The recommended Draft Plan is consistent with the PPS 2014, summarized as follows:

### **1. Building Strong Healthy Communities**

The recommended draft plan is consistent with objectives of Section 1.1.1 by creating healthy, liveable, and safe communities sustained by promoting efficient development patterns, and compact and cost effective development. The proposed plan is also consistent with policies to promote economic development and efficient use of existing municipal infrastructure.

### **2. Wise Use and Management of Resources**

Natural heritage studies were previously prepared as part of the Riverbend Community Plan for the area in which the subject lands are located. The lands were identified in the community plan and the City's Official Plan for Multi Family, Medium Density Residential uses. The boundary of the Kains Woods ESA was also delineated and mapped in the Community Plan and Official Plan. The boundary was further delineated and determined in 2006. Recommendations for protecting natural heritage features include a 10 metre buffer from the ESA boundary. Archaeological studies were also completed at the time of the preparation of the community plan. There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources.

### **3. Protecting Public Health and Safety**

The recommended Draft Plan of Subdivision does not pose any public health and safety concerns, and there are no known human-made hazards.

## **Planning Act - Section 51(24)**

Planning staff have reviewed the requirements under Section 2 of the and regard has been given to matters of provincial interest. Municipal water is available to service this development. Municipal services are adequately provided, including sewage, water, garbage collection, roads and transportation infrastructure. The proposed draft plan is located in a municipality which actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities. There is access to nearby parks and recreational facilities, fitness facilities, medical facilities, and emergency and protective services. There is adequate provision for a full range of housing. There is adequate provision of employment areas throughout the City and in close proximity to this site. The proposed draft plan implements the land use policies in accordance with the City's Official Plan, The London Plan and the Riverbend Area Plan.

The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services are normally addressed in the conditions of draft plan. These issues will be addressed through the Site Plan Approval process. No lands will be taken for public parks or highway dedication. Parkland dedication will be addressed through cash-in-lieu provisions.

Based on planning staff's review of the criteria in the *Planning Act* under Section 51(24), the proposed draft plan has regard for the health, safety, convenience, accessibility for persons with disabilities, and welfare of the present and future inhabitants of the municipality.

## **The London Plan**

The London Plan place type for 1877 Sandy Somerville Lane is 'Neighbourhood' with



frontage onto a Neighbourhood Connector (Kains Road). The permitted uses for this site range from single detached dwellings to stacked townhouses. The proposed residential uses and scale of development are generally consistent with the intended function of the Neighbourhood Place Type.

**Official Plan Policies**

The subject lands are designated Multi-Family, Medium Density Residential (MDR) which permits multiple-unit residential developments having a low-rise profile, with a maximum density of 75 units per hectare. Areas designated Multi-Family, Medium Density Residential include multiple-attached dwellings, such as row houses or cluster houses. These areas may also include single-detached, semi-detached and duplex dwellings. The proposed long term leased single detached dwellings and townhouse form is in conformity with the Multi Family, Medium Density designation and consistent with the overall character of the area

Given the location of the site and the manner in which it is to be developed, the current application for draft plan of subdivision approval will provide for the integration of this site with the abutting land uses and is consistent with the Official Plan and the Riverbend Community Plan.

**Zoning By-law**

The existing Residential R6 Special Provision (R6-5 (7)) Zone and Holding Residential R6 Special Provision (h\*R6-5 (22)) Zone permits cluster single detached dwellings and townhouse dwellings and permits a form of residential development that is consistent with the abutting Riverbend subdivision. The limit of the Kains Woods ESA was established through the OMB process in May 2000. The lands identified as ESA and the established 10m buffer are designed Open Space and are zoned Open Space (OS5).

**Servicing**

**Sanitary**

The developer will be required to connect into the 350mm sanitary sewer on Kains Road.

**Storm**

The proposed development will be required to provide for its storm water management through the implementation of permanent private system on-site (PPS) controls which will outlet to the storm drain on Kains Road.

**Water**

Water servicing for the subject site is to be serviced via the 400mm PVC watermain on Kains Rd.

**Transportation**

A private drive with connection to Kains Road and Sandy Somerville Lane will be utilized to provide access to the future residents in this development

All servicing issues will be addressed in greater detail through the Site Plan Application process.

**5.0 Conclusion**

Approval of the draft plan of subdivision is consistent with Provincial Policy, the City of London Official Plan, The London Plan and Zoning By-law. The recommended Draft Plan and conditions of draft approval will ensure a compatible form of development with the existing neighbourhood. Overall, the draft plan of subdivision represents good land use planning and is an appropriate form of development.



<b>Prepared and Recommended by:</b>	<b>C. Smith MCIP, RPP Senior Planner, Development Planning</b>
<b>Reviewed by:</b>	<b>Lou Pompilii, MCIP, RPP Manager, Development Planning</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>
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CS/



**Conditions of Draft Approval**

**THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-16507 ARE AS FOLLOWS:**

<b>NO.</b>	<b>CONDITIONS</b>
1)	This draft approval applies to the draft plan as submitted by Sifton Properties Limited. (File No. 39T-16507), prepared by AGM Land Surveyors, certified by Jason Wilband, OLS, (Drawing 8-L-5191, dated June 21, 2018) which shows one (1) residential block.
2)	This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3)	Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
4)	Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
5)	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.



## Appendix B – Relevant Background

### Community Engagement

**Public liaison:** On July 31, 2018 Notice of Application was sent to all property owners within 120m of the subject property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 9, 2018.

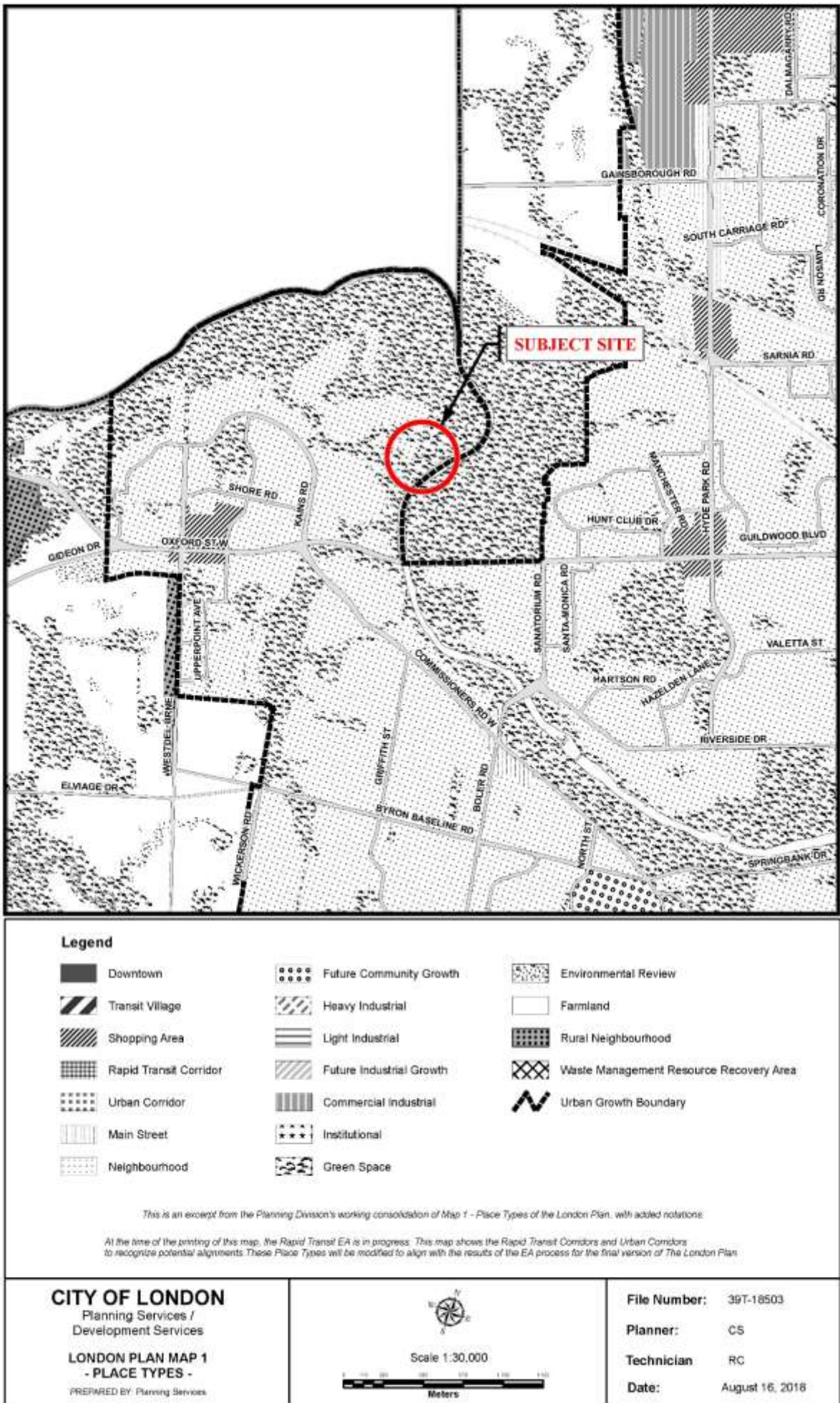
**Nature of Liaison:** Consideration of a draft plan of subdivision consisting of one (1) residential development block. The proposed residential development consists of 9 single detached dwelling served by an internal private access road.

**Responses:** none.



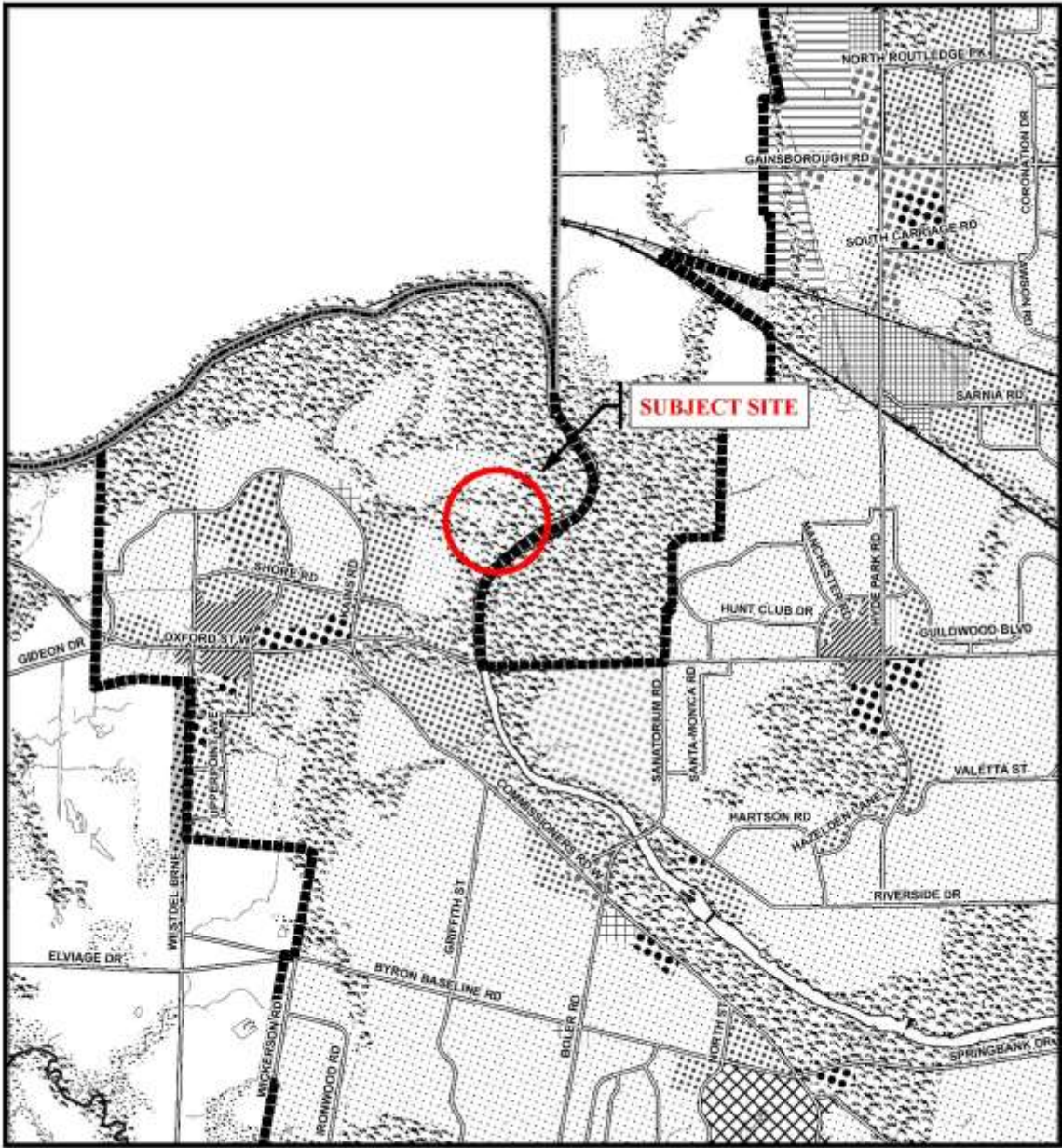
Additional Maps

London Plan Place Types



Project Location: T:\39T-18503\LondonPlan-PlaceTypesExcerpt.mxd





**Legend**

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

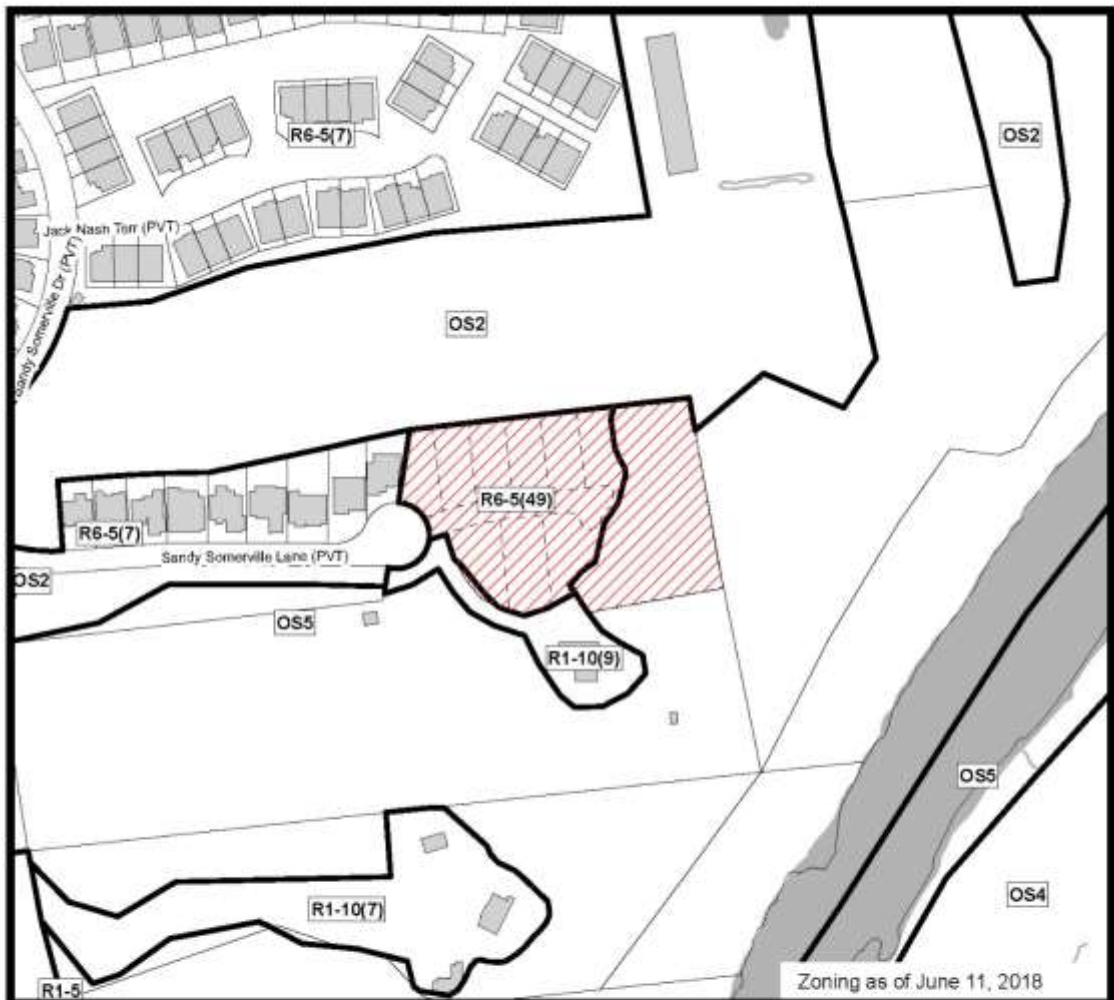
**CITY OF LONDON**  
Planning Services / Development Services  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -  
PREPARED BY: Graphics and Information Services

Scale 1:30,000  
Meters

FILE NUMBER: 39T-18503  
PLANNER: CS  
TECHNICIAN: RC  
DATE: 2018/16/08

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





#### COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

##### 1) LEGEND FOR ZONING BY-LAW Z-1

R1 - SINGLE DETACHED DWELLINGS  
 R2 - SINGLE AND TWO UNIT DWELLINGS  
 R3 - SINGLE TO FOUR UNIT DWELLINGS  
 R4 - STREET TOWNHOUSE  
 R5 - CLUSTER TOWNHOUSE  
 R6 - CLUSTER HOUSING ALL FORMS  
 R7 - SENIOR'S HOUSING  
 R8 - MEDIUM DENSITY/LOW RISE APTS.  
 R9 - MEDIUM TO HIGH DENSITY APTS.  
 R10 - HIGH DENSITY APARTMENTS  
 R11 - LODGING HOUSE

DA - DOWNTOWN AREA  
 RSA - REGIONAL SHOPPING AREA  
 CSA - COMMUNITY SHOPPING AREA  
 NSA - NEIGHBOURHOOD SHOPPING AREA  
 BDC - BUSINESS DISTRICT COMMERCIAL  
 AC - ARTERIAL COMMERCIAL  
 HS - HIGHWAY SERVICE COMMERCIAL  
 RSC - RESTRICTED SERVICE COMMERCIAL  
 CC - CONVENIENCE COMMERCIAL  
 SS - AUTOMOBILE SERVICE STATION  
 ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

OR - OFFICE/RESIDENTIAL  
 OC - OFFICE CONVERSION  
 RO - RESTRICTED OFFICE  
 OF - OFFICE

RF - REGIONAL FACILITY  
 CF - COMMUNITY FACILITY  
 NF - NEIGHBOURHOOD FACILITY  
 HER - HERITAGE  
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OS - OPEN SPACE  
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 TGS - TEMPORARY GARDEN SUITE  
 RT - RAIL TRANSPORTATION

"H" - HOLDING SYMBOL  
 "D" - DENSITY SYMBOL  
 "H" - HEIGHT SYMBOL  
 "B" - BONUS SYMBOL  
 "T" - TEMPORARY USE SYMBOL

#### CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

#### ZONING BY-LAW NO. Z-1 SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

39T-18503

CS

MAP PREPARED:

2018/08/16

RC

1:3,000

0 15 30 60 90 120  
Meters



**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** George Kotsifas, P. Eng  
Managing Director, Development & Compliance Services & Chief Building Official  
**Subject:** Application By: Jason King  
418 Oxford Street East  
**Public Participation Meeting on: September 24<sup>th</sup>, 2018**

**Recommendation**

That, on the recommendation of the Manger, Development Planning, the following actions **BE TAKEN** with respect to the application of Jason King relating to the properties located at 418 Oxford Street East:

- (a) The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the conversion of single detached dwelling to a converted dwelling with three units; and
- (b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

**Executive Summary**

**Summary of Request**

As a requirement of the holding provision of the zoning applied to 418 Oxford Street East, a Site Plan Control application is proposed to convert an existing single detached dwelling to a converted dwelling containing three units. No external changes are proposed to the building beyond the construction of a dormer and a second level deck with associated stairs.

**Purpose and the Effect of Recommended Action**

The purpose of this application is to attain Site Plan Control Approval for a converted dwelling with three units in a building previously used as a single detached dwelling.

**Rationale of Recommended Action**

1. The proposed Site Plan is consistent with the Provincial Policy Statement, which encourages infill and intensification and the provision of a range of housing types, compact urban form and efficient use of existing infrastructure.
2. The proposed Site Plan has regard to the use, intensity, and form in conformity with The London Plan, and will implement Key Direction 5 – Build a Mixed-Use Compact City given this proposal supports intensification, takes advantage of existing services and facilities, and reduces the need to grow outward.
3. The proposed Site Plan is in conformity with the policies of the Multi-Family, Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate medium density form in accordance with the Official Plan policies.
4. The proposed Site Plan meets the requirements of the Site Plan Control By-law.



**1.0 Site at a Glance**

**1.1 Property Description**

The subject site is located on the north side of Oxford Street East, between Colborne and Thornton streets. The property is 218.9 square metres in area, with a lot depth of 24.2m and a frontage of 9.52m on Oxford Street East. The site currently contains a single detached dwelling. Existing easements to a garage located to the north of the property are to be maintained.

**1.2 Current Planning Information**

- Official Plan Designation – Multi Family Medium Density Residential
- The London Plan Place Type – Urban Corridor
- Existing Zoning – h-5\*R3-1/OC4

**1.3 Site Characteristics**

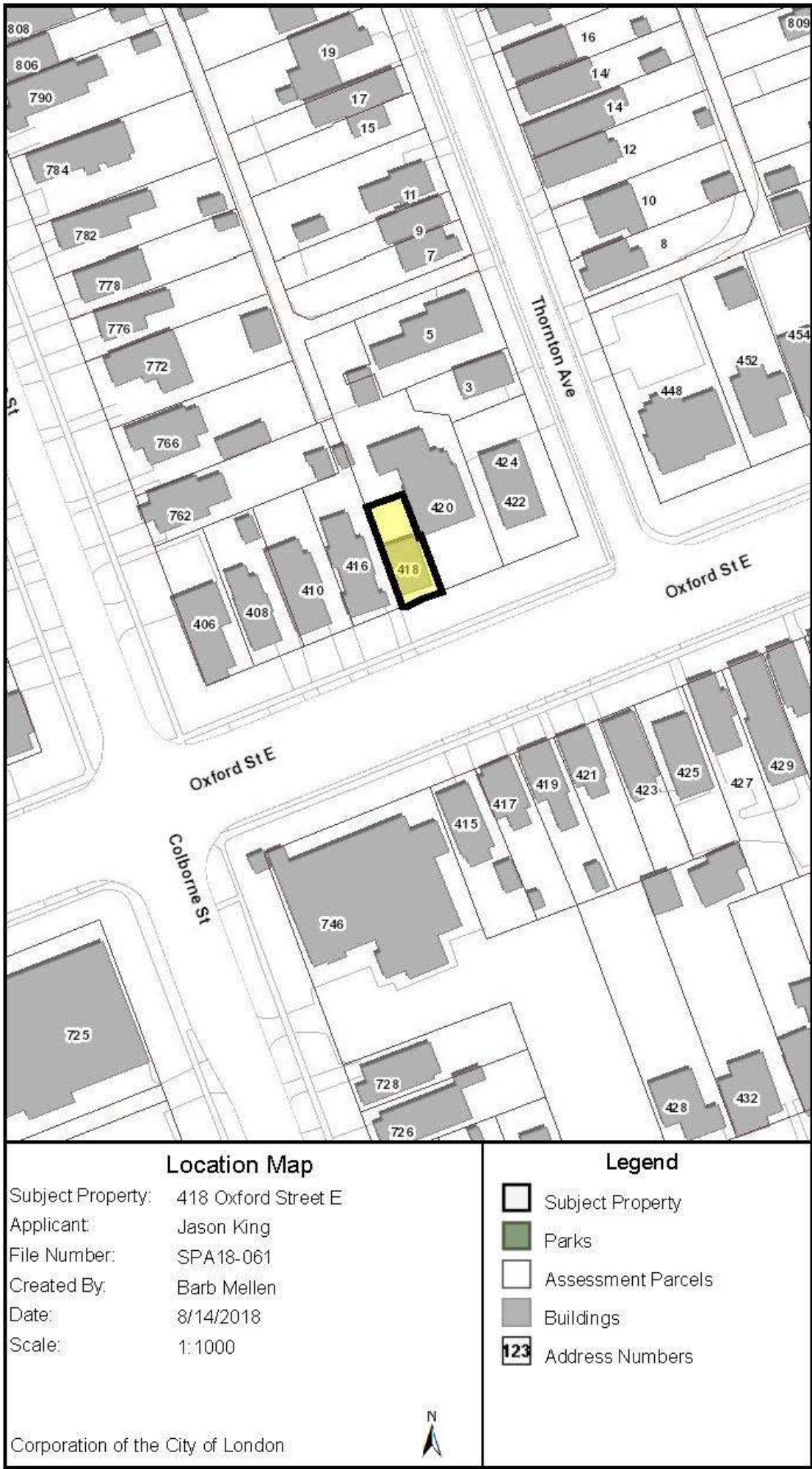
- Current Land Use – Single detached dwelling
- Frontage – 9.52m
- Depth – 24.2m
- Area – 218.9 m<sup>2</sup>
- Shape – Modified Rectangular

**1.4 Surrounding Land Uses**

- North – Single-detached residential
- East – Office and residential
- South – Residential and neighbourhood facility
- West – A combination of residential, office and small scale commercial

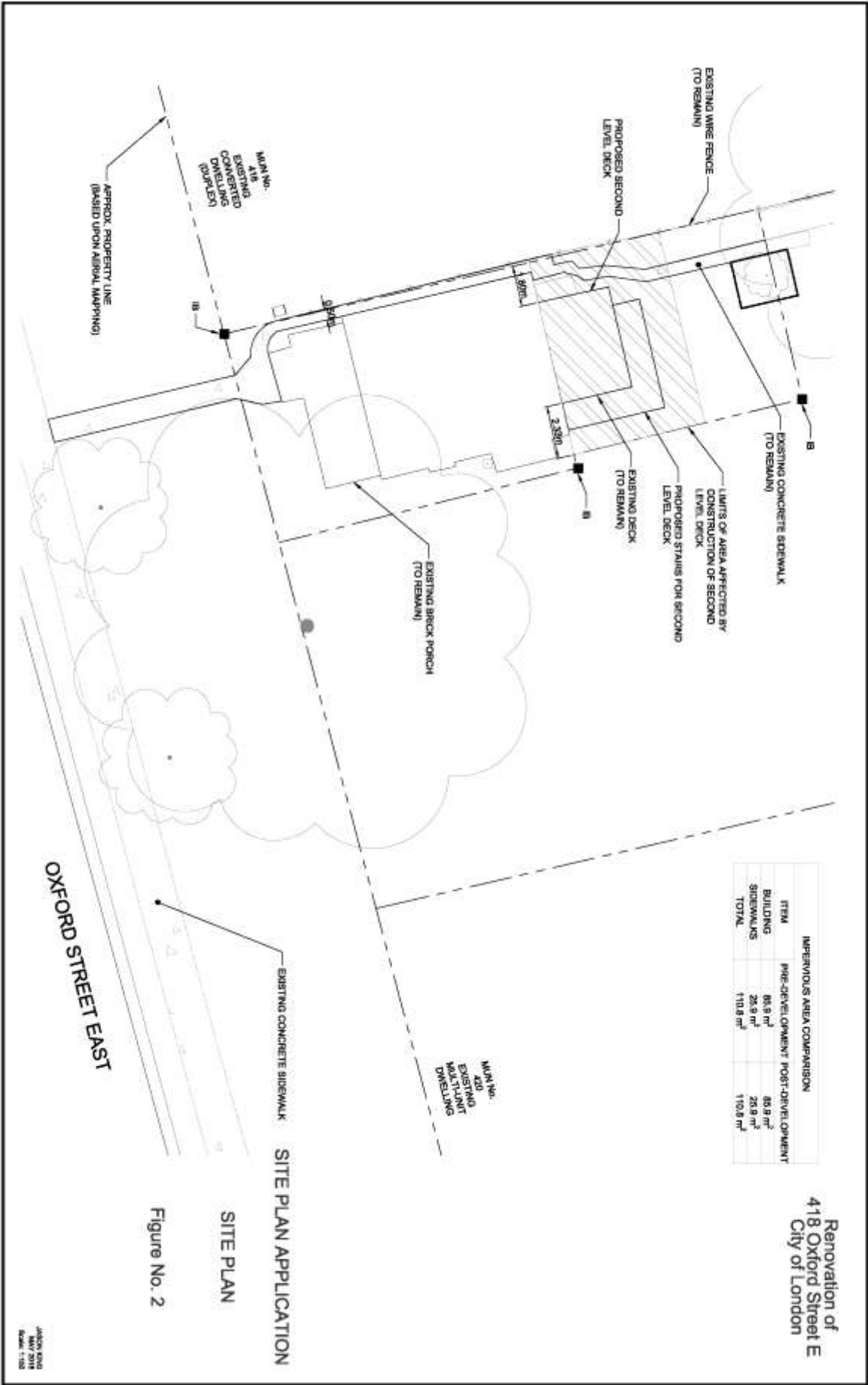


1.5 Location Map



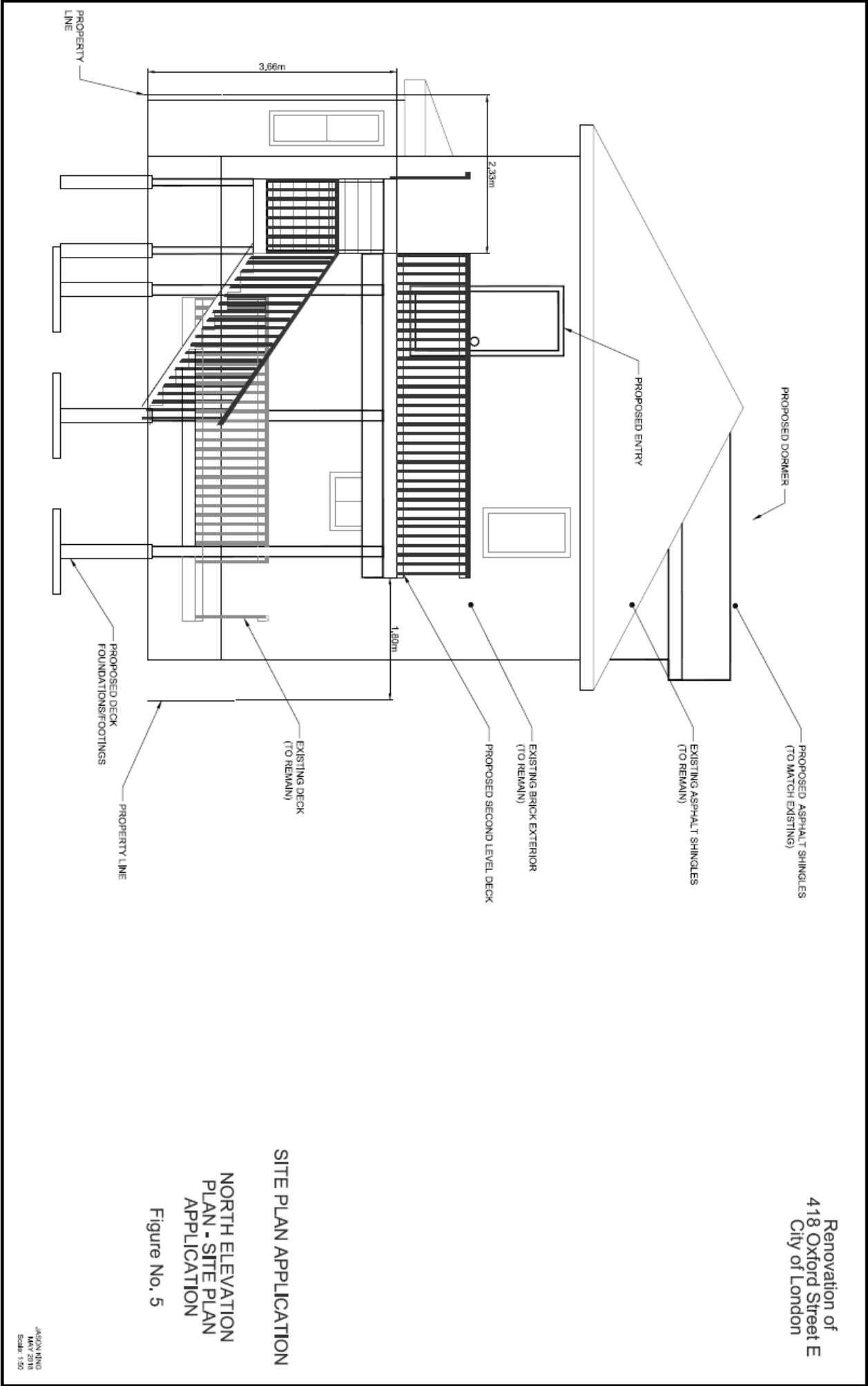


1.6 Site Plan





1.7 Front Elevation





<b>2.0 Description of Proposal</b>
------------------------------------

**2.1 Development Proposal**

On June 7, 2018, staff received a Site Plan Control application from Jason King for the purpose of converting a single detached dwelling to a converted dwelling with three units. The site is zoned holding Residential R3 and Office Conversion (h-5\*R3-1/OC4). The purpose of the “h-5” holding provision is to ensure that development takes a form compatible with adjacent land uses, and that 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. The proposal maintains the existing building and conforms to the minor variance received May 22, 2018 to permit the construction of a three-unit converted dwelling with a new dormer on the west side of the dwelling and a deck located on at the rear of the second storey (refer to Section 1.6 Site Plan).

<b>3.0 Relevant Background</b>
--------------------------------

**3.1 Planning History**

The site plan application of June 7, 2018 is the second planning application for 418 Oxford Street East. This application follows a minor variance application received March 23, 2018 which resulted in a decision of the Committee of Adjustment, April 30, 2018 to grant the variance subject to conditions discussed in further detail later in the report.

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

Notice of Application & Public Meeting

On August 15<sup>th</sup>, 2018, Notice of Application & Public Meeting was sent to 98 property owners in the surrounding area, Notice of Application & Public Meeting was also published in the Public Notices and Bidding Opportunities section of the *Londoner* on August 23<sup>rd</sup>, 2018, and Notice of Public Meeting was again published in the *Londoner* on September 6, 2018.

At the time of the preparation of this report, there was a total of:

- 1 written response
- 1 verbal response

**Summary of Concerns and Comments:**

**Use:** 1) What changes are being proposed?

**Building Permits:** 2) Is site plan approval needed for the alteration of the deck?

Response to Public Concerns

The majority of the changes are proposed within the interior of the building to create the dwelling units within the existing single detached dwelling. Exterior changes include the addition of a dormer on the west side of the roof, and a second level deck in the rear yard. As per Section 3.2.3 of the Official Plan, the conversion of the dwelling to a three-unit converted dwelling is considered residential intensification and is thus required to go through the site plan control approval process prior to the issuance of a building permit.

Deck construction does not require site plan approval in advance of construction and therefore works on the deck can commence prior to site plan approval with necessary building permits.



### 3.3 Policy and Regulatory Context

#### *Provincial Policy Statement, 2014 (PPS)*

The PPS encourages intensification and redevelopment where it can be accommodated, which takes into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The proposal will develop an under-utilized site that has full access to municipal services along a major urban corridor. Land use within settlement areas shall be based on densities which efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities that are planned or available and support active transportation (1.1.3.2.a) & (1.4.3.d). The proposal efficiently utilizes public services within a walkable neighbourhood and supports public and active transportation options available along Oxford Street East.

Minimum targets for intensification and redevelopment within built-up areas have been established by Municipal Council, which includes a target of 45% within the Built-Area Boundary for all new residential development, and a target of 75% within the Primary Transit Area for all new intensification (1.1.3.5). The development is located within the Primary Transit Area and Built-Area Boundary; therefore, this development contributes to achieving the targets for intensification.

The proposed development is consistent with the Provincial Policy Statement

#### *The London Plan*

The London Plan encourages “inward and upward” growth in existing built-up areas as identified under Key Direction 5 - Build a Mixed-Use Compact City. Residential intensification is supported by infill development of vacant and underutilized lots through redevelopment at a higher density than currently exists on developed lands (80.4 & 6). A target minimum of 45% for all new residential development will occur within the Built-Area Boundary (81). The Built-Area Boundary is comprised as the line circumscribing all lands that were substantively built out as of 2006, and includes the subject site. Intensification will be permitted only in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (83).

The proposed development has regard for *The London Plan*.

#### *Official Plan (1989)*

The vision statement promotes an urban form with more intensive forms of residential development focused along sections of major transportation corridors, such as Oxford Street East, and in designated nodes to facilitate public transit (2.2.1 v). Infill residential development is encouraged and promoted in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities (3.1.1 vi). The proposed development has full access to municipal services and provides efficient development within an existing residential area.

The proposed development is in conformity with the City Official Plan (1989).

#### *Z.-1 Zoning By-law*

The existing zoning on the site is an h-5\*R3-1/OC4. The R3-1 Zone permits: single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; converted dwellings; fourplex dwellings. The OC4 Zone permits both dwelling units and offices in existing buildings. The holding provision (h-5) is 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. This report has been prepared for consideration at the public site plan meeting. In 2018 a minor variance was sought for 418 Oxford Street East. The request included:



1. A variance to permit a lot area of 218m<sup>2</sup> (2346.6ft<sup>2</sup>) whereas a minimum of 540m<sup>2</sup> (5812.7ft<sup>2</sup>) is required;
2. A variance to permit a lot frontage of 9.5m (31.2') whereas a minimum of 12.0m (39.4') is required;
3. A variance to permit one off-street parking space whereas three are required; and,
4. Permission to extend a non-conforming west interior side yard setback of 0.6m (2.0').

At its meeting on Monday, April 30, 2018, the London Committee of Adjustment granted the requested Minor Variance subject to the following conditions:

1. That the basement unit shall be restricted to one (1) bedroom, main floor unit shall be restricted to one (1) bedroom and that the second floor unit shall be restricted to two (2) bedrooms
2. That the dormer will not face into any glazed area on the western property (416 Oxford Street).
3. That no front yard parking shall be permitted.
4. That a change of uses permit shall be required.
5. That a residential rental license shall be obtained if any units are to be rented.

With respect to the third variance, the Owner has stated to staff that a parking space is available for the subject lands on abutting property to the north. To-date staff have not been provided sufficient evidence that this parking space has been legally established for the subject lands. Given that the variance permits one off-site parking space whereas three would be required on-site, the Owner will be required to provide evidence that they maintain an interest in the abutting lands to ensure that the provision of one off-site parking space is not lost. If such proof or evidence is not provided another variance will be required to address the additional parking deficiency prior to the issuance of site plan control approval.

Notwithstanding the above, the proposed development complies to the regulations of the Zoning By-law applicable to the site and does not contravene any conditions of the minor variance, granted in April 2018.

**4.0 Key Issues and Considerations**

**4.1 Use**

Multi-family, Medium Density Residential designation of the Official Plan (1989) permits multi-unit residential developments (3.3) such as converted dwellings, row houses or cluster houses, or rooming and boarding houses (3.3.1). The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential and other more intense forms of land use, and it may also provide for greater variety and choice in housing, including converted dwellings, at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing (3.3).

**4.2 Intensity**

The R3-1 zoning permits converted dwellings when 180m<sup>2</sup> of lot area is provided for each unit. A minor variance (A.039/18) granted for 418 Oxford Street East permits a total lot area of 218m<sup>2</sup>, whereas 540m<sup>2</sup> was required, allowing a maximum of three (3) dwelling units.

**4.3 Form**

The converted dwelling will maintain its existing front façade, which faces Oxford Street East. The addition of the dormer to the west side of the dwelling is proposed with shingles and materials similar to the existing dwelling. A secondary deck is proposed at the rear of the



dwelling and a secondary access at the rear to allow for access to the deck.

**4.4 Privacy and Buffering**

The proposed converted dwelling is surrounded by similar residential uses; one (1) residential with five (5) contained units to the east and one (1) duplex to the west. The setbacks of the converted dwelling will remain as existing and comply with the Zoning By-law. There is an existing chain link fence along the west property line which is to remain. Additional fencing is not proposed along the rear lot line as it provides access to the vehicular parking space. Fencing along the east property line will not be provided in order to maintain the existing vegetation between 418 Oxford Street East and 420 Oxford Street East. The Site Plan Control By-law encourages preservation of vegetation where possible.

**4.5 Traffic and Transportation**

The site is located with frontage and pedestrian access to Oxford Street East. As noted previously, the Owner maintains that a single parking space is located off-site, on abutting northerly property. No further changes to the on-site or off-site parking is proposed. As such, increased vehicular traffic is not expected.

**4.6 Tree Retention and Landscape Open Space**

All existing trees will be preserved through this development application and where necessary tree preservation fencing shall be installed.

**4.7 Outstanding Site Plan Comments**

1. Archaeological potential at 418 Oxford Street East is identified by the Archaeological Management Plan (2017). As per *The London Plan* (Section 616), an archaeological assessment should be required due to scope of work and anticipated ground disturbance noted on the attached drawings submitted as part of the application (i.e. 2<sup>nd</sup> level deck construction w/stairs); recommend a Stage 1-2 archaeological assessment be undertaken. Further work may be required depending on the findings of the Stage 1-2 archaeological assessment.
2. The Owner is to confirm the number of water meters that are contemplated for the proposed site.
3. Should the Owner wish to have multiple meters, then a new water service and separate water meter pits will be required to be shown on a servicing plan that is stamped by a professional engineer.
4. Provide a draft reference plan showing required widening of 22.5m from centreline fronting property, save and accept existing structures that are being retained.

**5.0 Conclusion**

The proposed Site Plan Application is consistent with the Provincial Policy Statement, in conformity with the City of London Official Plan, and has regard for The London Plan. The application has been reviewed in accordance with the Z.-1 Zoning By-law and is considered to be in conformity with the applicable regulations. The proposed Site Plan and elevations will result in development that will maintain the character of the area and in compliance with the Site Plan Control By-law.



<b>Prepared by:</b>	<b>Vanessa Santos</b> <b>Site Development Planner, Development Services</b>
<b>Recommended by:</b>	<b>Michael Pease, MCIP RPP</b> <b>Manager, Development Planning</b>
<b>Reviewed by:</b>	<b>Heather McNeely, MCIP RPP</b> <b>Manager, Development Services (Site Plan)</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG</b> <b>Managing Director, Development and Compliance</b> <b>Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

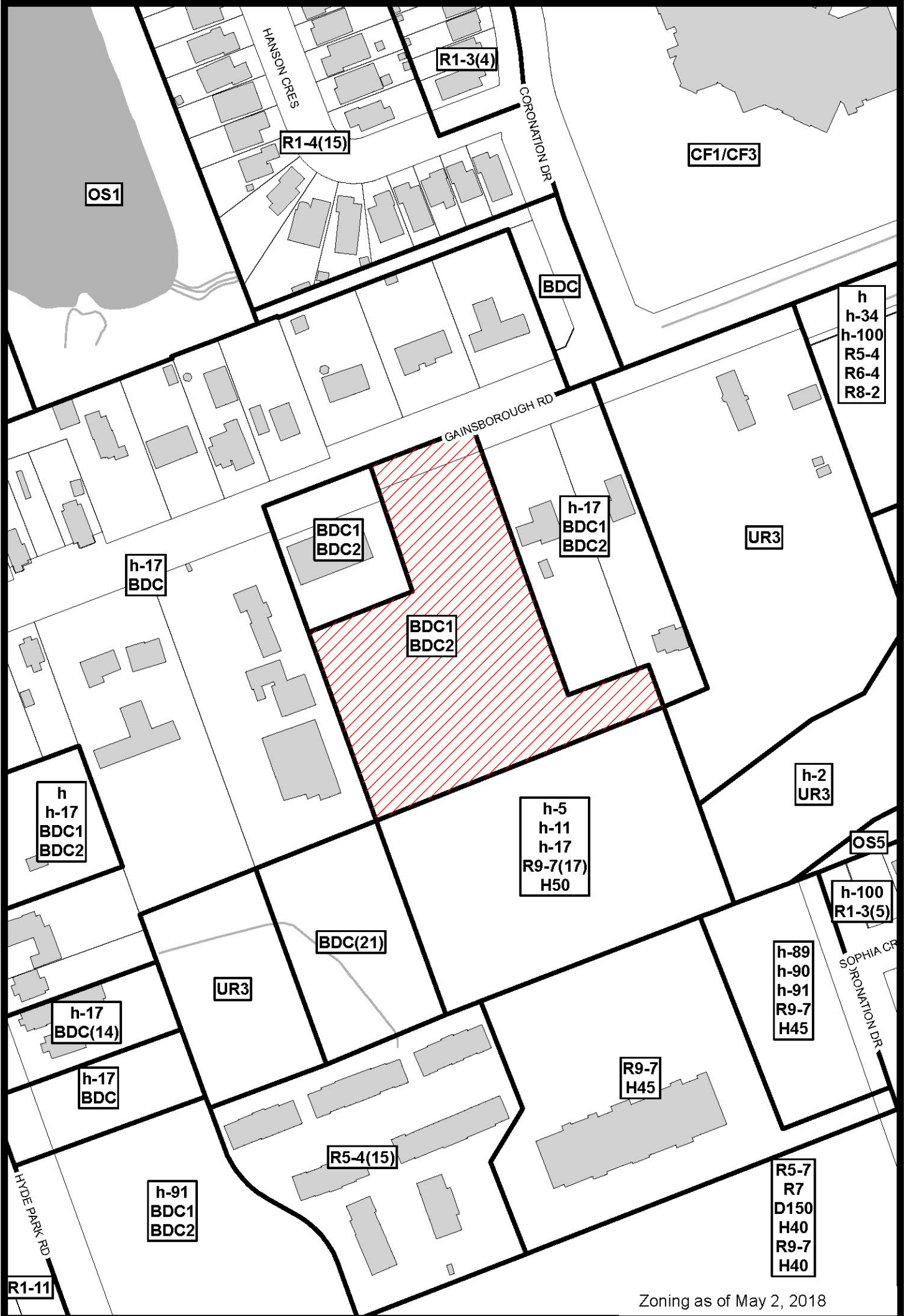
September 17, 2018

VS/lm

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



Zoning as of May 2, 2018

File Number: H-8908

Planner: CS

Date Prepared: 2018/05/30

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

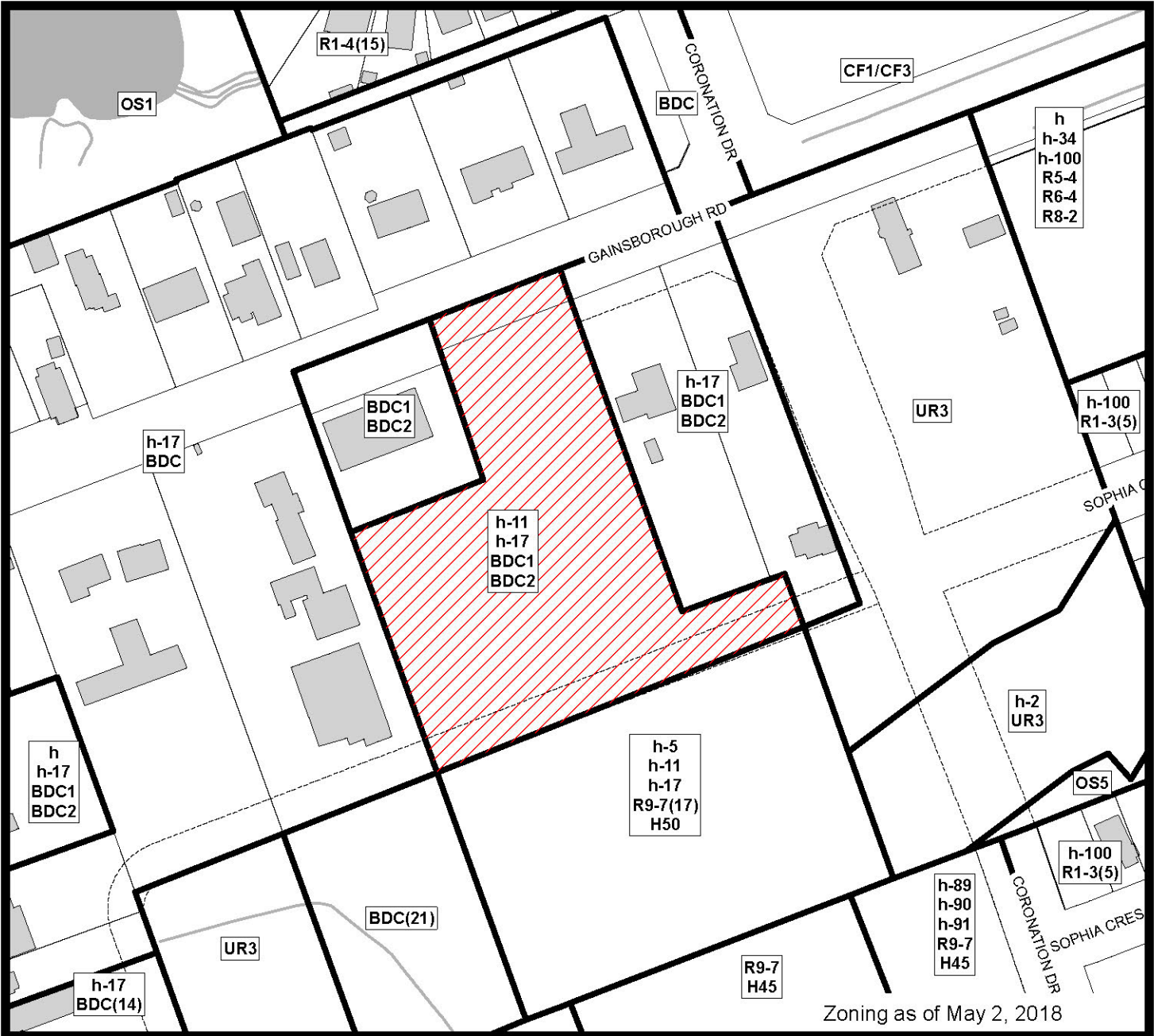


1:2,000

0 10 20 40 60 80 Meters







**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

**1) LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
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**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
BY-LAW NO. Z-1  
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:  
H-8908 CS

MAP PREPARED:  
2018/05/30 RC

1:2,000  
0 10 20 40 60 80  
Meters



## APPENDIX C – COMMUNITY ENGAGEMENT

Hi Vanessa,

Just writing in about the site plan letter I received in the mail at the beginning of this week.

I'm not sure if Jason King needs to wait to start his construction work (inside / outside the house) until after the September approval dates in the letter, but it looks like he has already almost completed the outside deck work on the rear.

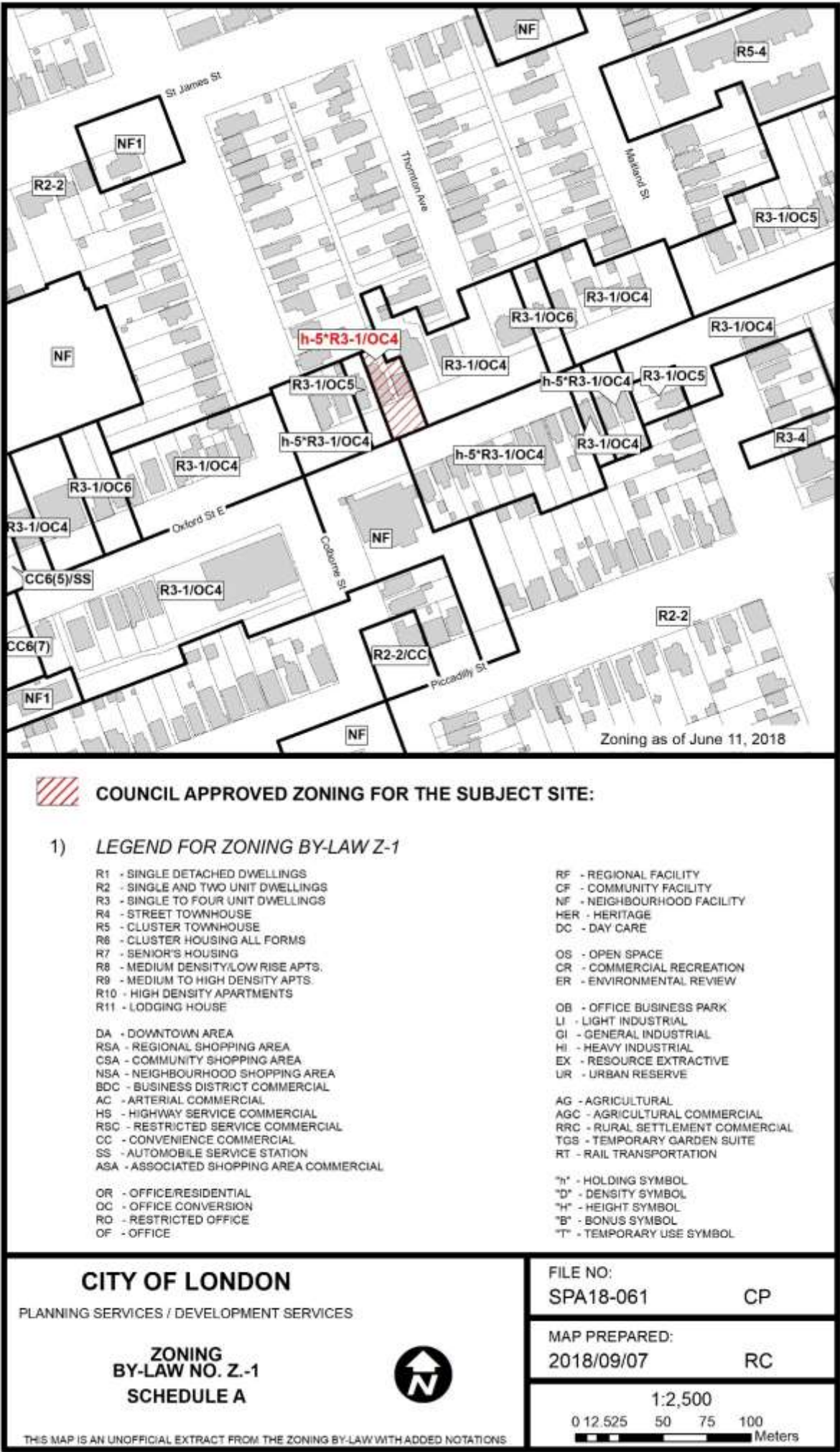
Please give me a ring at to discuss the process. Thank you.

Here are some pictures to show the work:





APPENDIX A – MAP OF EXISTING ZONING





## APPENDIX B – COMMUNITY ENGAGEMENT

Hi Vanessa,

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Please give me a ring at --- to discuss the process. Thank you.

Here are some pictures to show the work:





## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

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

**Subject:** Application By: 2178254 Ontario Inc., c/o DNL Group Inc.  
3425 Emily Carr Lane (1160 Wharncliffe Road South)  
Draft Plan of Subdivision Approval and Zoning By-law  
Amendment

**Meeting on:** Monday, September 24, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of 2178254 Ontario Limited c/o DNL Group Inc. relating to the property located at 3425 Emily Carr Lane (1160 Wharncliffe Road South):

- (a) The proposed by-law attached hereto as **Appendix "A" BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend Zoning By-law No. Z.-1 (in conformity with The London Plan and the Official Plan) to change the zoning of the subject property **FROM** an Urban Reserve (UR4) and Urban Reserve (UR6) Zone **TO** a Holding Residential R4 Special Provision (h.\*h-100\*h-104\*h-155\*R4-4(2)) Zone to permit street townhouse dwellings with a minimum lot area of 180 m<sup>2</sup>, and a special provision to permit a minimum lot frontage of 6.7 metres, a Holding Residential R5 (h.\*h-100\*h-104\*h-155\*R5-7) Zone to permit cluster townhouse development and a Holding Residential R8 (h\*h-100\*h-104\*h-198\*R8-4) Zone to permit apartments to a maximum height of 13 metres.

The following holdings provision have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement and the provision of adequate securities.
  - (h-100) holding provision - 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.
  - (h-104) holding provision - to ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-105" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.
  - (h-155) holding provision - Purpose: The removal of the h-155 symbol shall not occur until such time as the Owner has entered into a development agreement with the City of London, to ensure that the development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan (SWAP).
  - (h-198) holding provision - Purpose: 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 Southwest Area Secondary Plan.
- (b) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application by 2178254 Ontario Limited c/o DNL Group Inc. for draft plan of subdivision relating



to the property located at 3425 Emily Carr Lane(1160 Wharncliffe Road South);

(c) Council **SUPPORTS** the Approval Authority issuing draft approval of the recommended plan of residential subdivision, which shows seven (7) medium density residential blocks and three (3) local public street **SUBJECT TO** the conditions contained in the attached Appendix "39T-16508";

(d) The applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenues information as attached in **Schedule "B"**.

## Executive Summary

### Summary of Request

To permit a Plan of Subdivision consisting of seven (7) medium density residential blocks, two (2) local public street and the extension of Lismer Way to the west.

### Purpose and the Effect of Recommended Action

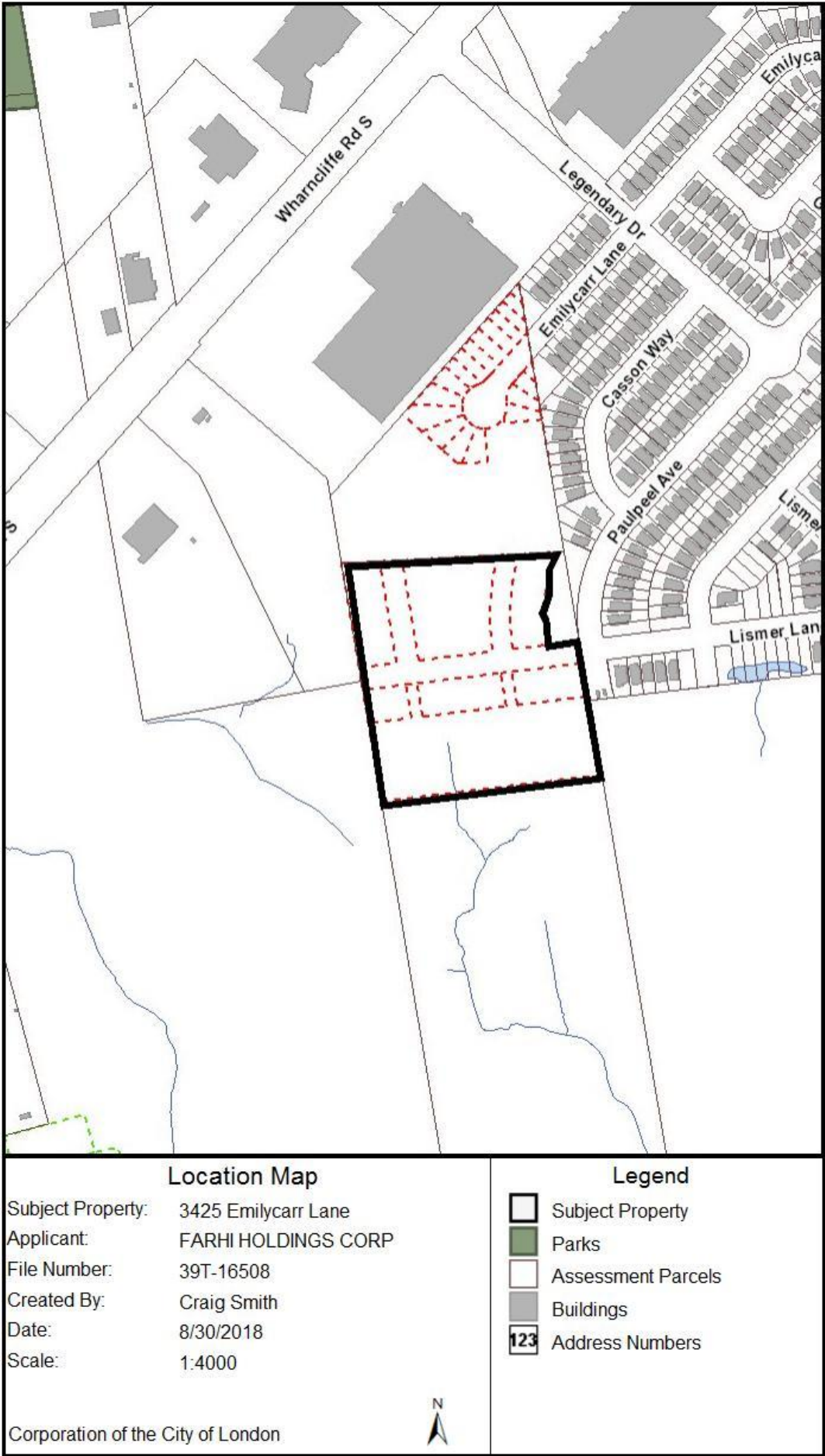
The purpose and effect of this application is to permit the development of a Multi-Family Medium Density Residential plan of subdivision on a 2.8 hectare parcel of land located southeast of Wharncliffe Road South, west of White Oak Road.

### Rationale of Recommended Action

1. The recommended residential development is consistent with the Provincial Policy Statement.
2. The draft plan conforms with the Neighbourhood designation policies of the City of London, as contained in The London Plan and Multi-Family, Medium Density designation of the Official Plan.
3. The proposed road and lot pattern is integrated with a future subdivision to the north, and an existing residential subdivision to the east, with public road access provided by an extension of Lismer Way.
4. The recommended zoning and conditions of draft approval will ensure that development of services occurs in an orderly manner.
5. The recommended development represents good land use planning.



Location Map





# Analysis

## 1.0 Site at a Glance

### 1.1 Property Description

The subject site is located on the north side of the proposed Bradley Ave extension, west of Copperfield in Longwoods residential subdivision. The subject site is approximately 2.8 ha in size, and is an irregular shape.

### 1.2 Current Planning Information

- The London Plan Place Type – Neighbourhood Place Type
- Official Plan Designation – Schedule “A” - Multi Family, Medium Density Residential
- Existing Zoning – Urban Reserve (UR4) and Urban Reserve (UR6)

### 1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area - 2.8 ha
- Shape - irregular

### 1.4 Surrounding Land Uses

- North – vacant
- East – residential
- South – vacant and proposed Bradley Ave extension
- West – vacant

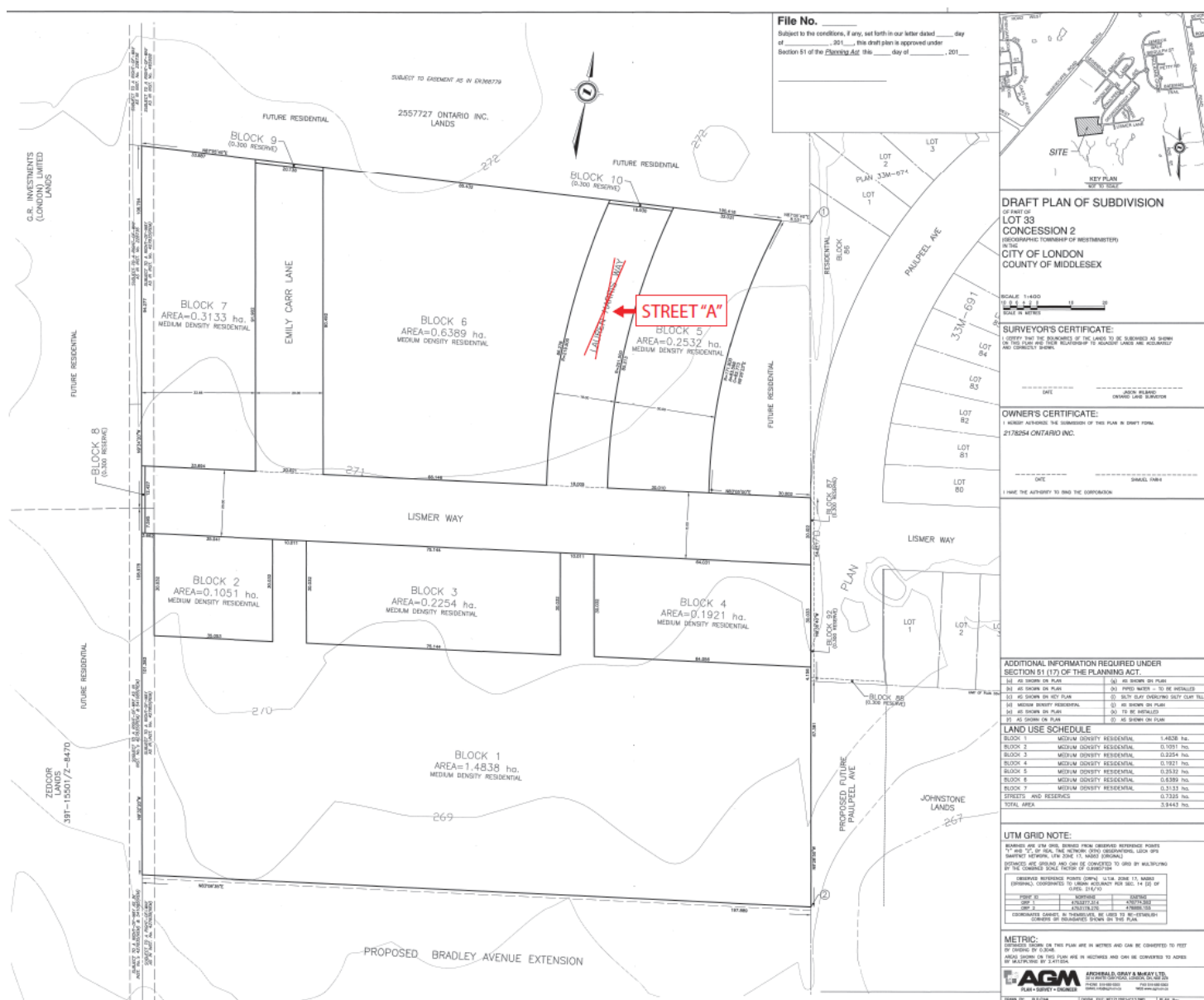
## 2.0 Description of Proposal

### 2.1 Development Proposal

The Applicant is proposing three (3) medium density residential blocks and one local public street (an extension of Lismer Way) to develop as a vacant land condo townhouse development within a plan of subdivision.



## Proposed Red Line Draft Plan of Subdivision





## **3.0 Revelant Background**

### **3.1 Planning History**

The subject lands were part of a subdivision application submitted on September 18, 2006. The application was placed immediately on hold, until a number of outstanding issues had been resolved. This status was conveyed to the Applicant prior to their application submission in a letter dated April 26, 2006, and subsequently on May 10, 2006 and November 23, 2006 after the application had been submitted. Revised draft plan submissions were submitted by the Applicant on February 25, 2007, and on September 5, 2007. These applications were later appealed to the OMB on April 17, 2008 by the applicant. Subsequent to this, the appeals were withdrawn and the files closed. On October 17, 2016 a “new” application for draft plan of subdivision approval and zoning by-law amendment was accepted as complete for this property.

### **3.2 Requested Amendment**

The applicant has requested an amendment to the zoning of the subject property from an Urban Reserve (UR4) and Urban Reserve (UR6) Zone to a Holding Residential R4 Special Provision (h.\*h-100\*h-104\*h-155\*R4-4(2)) Zone, a Holding Residential R5 (h.\*h-100\*h-104\*h-155\*R5-7) Zone and a Holding Residential R8 (h.\*h-100\*h-104\*h-198\*R8-4) Zone. The holding provisions are to ensure the orderly development of lands and the adequate provision of municipal services, adequate water service and appropriate access, street orientation and implementation of the Southwest Area Plan Design Guidelines.

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

In response to the Notice of Application, one inquiry was received. A concern was raised regarding the assumption process of the abutting Copperfield subdivision.

### **3.4 Policy Context**

Section 51(24) of the *Planning Act* provides municipalities with criteria which must be considered prior to approval of a draft plan of subdivision. The Act notes that in addition to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality, regard shall be had for,

- the effect of development of the proposed subdivision on matters of provincial interest;
- whether the proposed subdivision is premature or in the public interest;
- whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- the suitability of the land for the purposes for which it is to be subdivided;
- the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity, and the adequacy of them;
- the dimensions and shapes of the proposed lots;
- the restrictions or proposed restrictions, if any, on the land proposed to be subdivided the buildings and structures proposed to be erected on it, and the restrictions, if any, on adjoining land;
- conservation of natural resources and flood control;
- the adequacy of utilities and municipal services;
- the adequacy of school sites;
- the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area.

The London Plan and City of London Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality.



The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in The London Plan and City of London Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

## **4.0 Key Issues and Considerations**

### **4.1 Provincial Policy Statement (2014)**

The requested Amendment and Approvals have been reviewed for consistency with the 2014 Provincial Policy Statement. It is staff's position that the recommended draft plan of subdivision will provide for a healthy, livable and safe community. The proposed draft plan of subdivision provides for seven (7) medium density blocks. The plan incorporates medium residential forms of development to assist in meeting projected needs.

The proposed uses achieve objectives for efficient development and land use patterns, represents a form of intensification of a vacant parcel of land which is located within the City's urban growth area, utilizes existing public services and infrastructure, supports the use of public transit, and maintains appropriate levels of public health and safety.

### **4.2 Planning Act – Section 51(24)**

Development Services staff have reviewed the requirements under Section 2 of the *Planning Act* and regard has been given to matters of provincial interest. As previously noted it is staff's position that the proposed draft plan is consistent with the 2014 Provincial Policy Statement. There is access to nearby parks and recreational facilities, fitness facilities, medical facilities, and emergency and protective services. There is an elementary school and various cultural/social facilities in the immediate area. This area is predominantly low and medium density residential. The broader area contains a mix of low and medium density residential, and arterial commercial uses. There is adequate provision for a full range of housing.

The Official Plan designates this area for medium density forms of housing. The recommended redline plan will be integrated with adjacent subdivisions to the east with the extension of Lismer Way. The external transportation infrastructure will be designed to accommodate this development. The proposed draft plan implements the land use policies in accordance with The London Plan and the City's Official Plan. The proposed draft plan supports public transit and promotes pedestrian movement through the adjacent subdivisions.

The proposed zoning provides for a range of medium density forms of housing. There will be no restriction on adjoining land as a result of approving this draft plan of subdivision. There are no natural resources or natural hazards within the subject lands. The owner will be required, as a condition of draft approval, to construct the necessary utilities and services. The development of the medium density residential uses will be addressed through the Site Plan Approval process.

Required parkland dedication shall be calculated pursuant to Section 51 of the *Planning Act* at 5% of the lands within the application. Municipal water is available to service this development. Municipal services are adequately provided including sewage, water, garbage collection, roads and transportation infrastructure. The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services will be addressed through conditions of draft approval. The proposed draft plan is located in a municipality which actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities.

Based on planning staff's review of the draft plan in conjunction with Section 51(24) of the *Planning Act*, the plan has regard for the health, safety, convenience, accessibility for persons with disabilities, and welfare of the present and future inhabitants of the municipality.

### **4.3 The London Plan, Official Plan and Southwest Area Plan (SWAP)**

The London Plan includes criteria for the evaluation of *Planning Act* Applications. Section 1688 states: *Proposed plans of subdivision will be evaluated based on all of the policies*



of *The London Plan*. The following London Plan policy sections have been considered in evaluating the proposed Zoning By-law Amendment:

1. *Our Strategy.*
2. *City Building policies.*
3. *The policies of the place type in which the proposed subdivision is located.*
4. *The Our Tools policies.*
5. *Relevant secondary plans and specific policies.*

#### Our Strategy

##### *59\_ Build a mixed-use compact city*

4. *Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place*

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit street townhouses, cluster townhouses and low rise apartment buildings will allow for forms of housing that take advantage of the existing servicing and facilities. The proposed housing types ensure a compatible and complete form of residential uses and could allow for an opportunity of aging in place.

##### *61\_ Direction #7\_ Build strong, healthy and attractive neighbourhoods for everyone.*

1. *Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments,*
2. *Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.*
3. *Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit street townhouses, cluster townhouses and low rise apartment buildings will allow for forms of housing that are street oriented. The proposed development will implement the Urban Design principles contained in the Southwest Area Plan. The resulting development will provide for a mix of housing types that will allow for walkability, the implementation of placemaking principles and create a sense of place. The proposed housing types ensure a compatible and complete form of residential use that will be connected and promotes a healthy walkable lifestyle.

#### City Building Policies

##### *193\_ In all of the planning and development we do and the initiatives we take as a municipality, we will design for and foster:*

1. *A well-designed built form throughout the city.*
2. *Development that is designed to be a good fit and compatible within its context.*

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit street townhouses, cluster townhouses and low rise apartment buildings will allow for forms of housing that are compatible and a good fit within the Southwest Area. The development will conform to the Urban Design Guidelines of the Southwest Area Plan.

##### *197\_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns and streetscapes.*

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit street townhouses, cluster townhouses and low rise apartment buildings will allow for forms of housing that create a sense of place that is consistent with the planned vision of the place types. The proposed low rise apartment block abutting the Urban Thoroughfare (future Bradley Street extension) will create a positive defined streetscape and built form, promoting walkability and transit options. The street oriented street townhouses and cluster townhouses provide for lotting and streetscapes that are consistent with the vision of the Southwest Area Plan and Neighbourhood Place Type.



*221\_ The design of streetscapes will support the planned vision for the place type and will contribute to character and sense of place. The parameters for street character are defined in Table 6 - Street Classification Design Features of the Mobility chapter of this Plan.*

The proposed street townhouses and cluster townhouses are located in the Neighbourhood Place Type on Neighbourhood Streets. The height (2 storeys), density (40uph) and lot sizes are consistent with the Neighbourhood Place Type and Street Classification. The apartment block (block 1) will allow for low rise apartments that are 13m height, 75 units per hectare and provide street orientation to the future Bradley Avenue extension consistent with the Neighbourhood Place Type and Urban Thoroughfare Street Classification.

#### Place Types

*935\_ the following intensity policies will apply within the Neighbourhoods Place Type.*

*Type. 3. Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space.*

These lands are within the “Neighbourhood” Place Type of The London Plan. The vision for the Neighbourhoods place type includes a strong neighbourhood character, sense of place and identity, attractive streetscapes, buildings, and public spaces, a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. The proposed Plan provides well-connected neighbourhoods both within the neighbourhood and with other locations in the city such as the downtown. The Plan provides for safe, comfortable, convenient, and attractive alternatives for mobility, easy access to daily goods and services within walking distance, employment opportunities close to where we live, and parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

The proposed development is consistent with The London Plan and is in conformity with the Our City, Our Strategy, City Building, and Place Type policies of this Plan. The proposal for a street townhouse, cluster townhouse and apartment development at this location meets the policies for the Neighbourhood Place types and street classifications. Municipal services are available, in conformity with the Civic Infrastructure chapter of the Plan and the Growth Management/Growth Financing.

The possible potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated have been considered. The area is serviced by several streets including Wharncliffe Road South, a future connection from Paul Peel Avenue and the future Bradley Avenue extension. Street lighting and sidewalks on both sides of the street will be required as part of the design of the subdivision to ensure pedestrian safety. It is not expected that additional noise or emissions will be generated by the proposed development

#### Secondary Plan

The lands are located in the North Longwoods Residential Neighbourhood. The Southwest Area Plan (SWAP) designates the subject lands, Medium Density Residential. The Medium Density Residential (MDR) policies require residential development to be at a minimum density of 30 units/ha and a maximum density of 75 units/ha.

Based on the designation which applies to these lands, the development potential for medium density residential development would accommodate the proposed form of development and maintains conformity to the policies of the Secondary Plan.

#### The City of London Official Plan

The subject lands are designated “Medium Density, Residential” on Schedule “A” of the Official Plan.



The Multi-Family, Medium Density Residential designation supports medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.

Section 3.1. of the Official Plan defines a series of broad goals and objectives for all forms of residential land use within the City. The following policy objectives are of particular relevance to this proposal:

- i. Provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period;
- ii. Support the provision of a choice of dwelling types according to location, size, affordability, tenure, design, and accessibility so that a broad range of housing requirements are satisfied;
- iii. Support the distribution of a choice of dwelling types by designating lands for a range of densities and structural types throughout the City;
- iv. Encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities;
- v. Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing; or residential and non-residential uses;
- vi. Support the provision of services and amenities that enhance the quality of the residential environment; and,
- vii. Promote residential development that makes efficient use of land and services.

The proposed draft plan is consistent with the goals and objectives as outlined above.

This proposal is compatible with surrounding residential development and building placement. The development of the proposed medium density residential blocks will utilize design techniques in order to mitigate impacts on the future low density development to the east. The medium density residential development is in a location that provides access to on-site amenities, public transit and nearby shopping, cultural and recreational facilities. A conceptual plan has not been designed for the seven (7) medium density residential blocks of the Draft Plan. The building scale and articulation must be designed in a manner in accordance with the Southwest Area Plan. Holding provision are proposed to promote compatibility with adjacent land uses. The holding provisions are recommended to ensure that all the medium density blocks are oriented towards the street, including the apartment block orientation to the future extension of Bradley Avenue. This will further be addressed through the Site Plan Approval Process.

#### **4.5 Zoning By-law**

The subject lands are currently zoned Urban Reserve UR4 and Urban Reserve UR6.

The requested amendment to Zoning By-law Z.-1 is for a Holding Residential R4 Special Provision (h.\*h-100\*h-104\*h-155\*R4-4(2)) Zone, Holding Residential R5 (h.\*h-100\*h-104\*h-155\*R5-7) Zone and a Holding Residential R8 (h.\*h-100\*h-104\*h-198\*R8-4) Zone to permit a range of low and medium density residential uses such as street townhouses, stacked townhouses, apartment buildings.

Planning Impact Analysis under Section 1578 of The London Plan and Section 3.7 in the Official Plan is used to evaluate applications for an Official Plan and/or Zoning By-law Amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses.

##### Compatibility

The requested zoning permits street townhouse dwellings on freehold lots, cluster townhouse dwellings and apartment buildings developed in conjunction with a plan of subdivision. The requested zoning would permit street townhouse lots with frontage on Lismer Way, Emily Carr Lane and Street A. The proposed zone allows for cluster townhouse development on Block 6 and apartment uses on Block 1.



The surrounding land uses consist of single detached homes to the east, commercial uses to the north and future residential uses to the south and west. The southern boundary of this property abuts the road allowance of the future Bradley Avenue extension. The Applicant has indicated that the proposed townhouse development is likely to be two storeys in height and the apartment uses are proposed to be up to 13 metres in height. The proposed development is of a height and form that has been identified thorough the Southwest Area Plan and the subsequent Official Plan Amendment.

#### Ability of Site to Accommodate Development

The subject land is 3.4 hectares in size. The size and the shape of the parcel make it a suitable candidate for residential infill development. The existing topography does not pose a challenge to the development of the site.

#### Building Siting

The shape of the street townhouse blocks 2, 3, 4, 5 and 7 are conducive to street townhouse dwellings. In accordance with the Southwest Area Plan and the proposed holding provision, the proposed street townhouse buildings will be oriented towards Lismer Way, Emily Carr Lane and Street A. The proposed lotting provides a minimum 6.7 metre frontage and 180m<sup>2</sup> minimum lot area and is sufficient in size to accommodate 2 storey street townhouses.

The shape of Block 6 will allow for cluster townhouse dwelling. The irregular size of the Block 6 cannot accommodate street townhouses as the depth and width is too large to allow for standalone lotting. In accordance with the Southwest Area Plan and the proposed holding provision the proposed cluster townhouses will be required provide street oriented design and still be able to utilize the whole of the block.

The shape and size of Block 1 is intended to permit midrise apartment development. The block will have two accesses located on Lismer Way. In accordance with the Southwest Area Plan and the proposed holding provisions the proposed apartment uses will be required to be oriented to Bradley Avenue.

#### Vacant Land in the Area

This parcel is located in this area which is currently being built out. There are vacant parcels of land within the immediate vicinity of the subject lands which are designated or zoned for residential development.

#### Vegetation and Natural Features

The site does not contain any natural heritage features. There are several mature trees located in the southwest portion of the parcel. As part of the conditions of draft approval, a tree preservation plan is required to assess these trees and provide maximum protection through mitigation measures. Also as a standard requirement of the subdivision agreement, street trees will be planted.

#### Site Access

The site will be accessed from the extension of Lismer Way. Emily Carr Lane will be extended to the north and will connect at Paul Peel Avenue when the lands to the north (owned by others) are developed. One new local street is proposed to extend north and connect to Emily Carr Lane on the lands to the north. In accordance with the Southwest Area Plan, 1.5 metre (5 feet) sidewalk will be constructed on both sides all streets.

#### Surrounding Natural Features and Heritage Resources

The surrounding area is developed and there are no significant natural features.

#### Environmental Constraints

Based on our review of the site and its surroundings, and the report on site decommissioning, there are no known environmental constraints, such as soil contamination or noise and vibration sources, which could adversely affect residents.

#### Compliance with The London Plan, Official Plan, Zoning By-law, and Site Plan Control By-law

The applications being considered as part of this review are evaluated against the policies of The London Plan, Official Plan, and Zoning By-law to ensure compliance prior to approval by the City.



## Holding Provisions

Holding provisions have been recommended as follows:

1. The h' holding provision is implemented to address servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer, and the entering of a subdivision agreement.
2. The 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the City Engineer.
3. (h-104) holding provision - to ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-105" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.
4. (h-155) holding provision - Purpose: The removal of the h-155 symbol shall not occur until such time as the Owner has entered into a development agreement with the City of London, to ensure that the development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan (SWAP).
5. (h-198) holding provision - Purpose: 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 Southwest Area Secondary Plan.

## **Public Comment**

One response was received outlining the ongoing assumption issue in the abutting Copperfield subdivision located east of the subject lands (see attached email Appendix B).

The concern has been forwarded to the Special Municipal Policy Liaison in the City's Development and Compliance Services Department. The City is continuing to work with the Copperfield subdivider and with the residents to resolve the assumption process issues.

## **5.0 Conclusion**

Approval and development of these lands is consistent with Provincial Policy, is in conformity with The London Plan and the Official Plan and is in compliance with the Zoning By-law. The recommended draft plan and conditions of draft plan approval ensures a compatible form of development with the existing neighbourhood. Overall, the draft plan of subdivision, with associated conditions, represents good land use planning and is advancing an appropriate form of development.



<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>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>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

September 18, 2018  
CS/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2016\39T-16508 - 3425 Emillicarr Lane (AR)\PEC.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  
rezone an area of land located at 3425  
Emily Carr Lane

WHEREAS have applied to rezone an area of land located at 3425 Emily Carr Lane 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3425 Emily Carr Lane, as shown on the attached map, from an Urban Reserve (UR4) and Urban Reserve (UR6) Zone to a Holding Residential R4 Special Provision (h.\*h-100\*h-104\*h-155\*R4-4(2)) Zone, Holding Residential R5 (h.\*h-100\*h-104\*h-155\*R5-7) Zone and a Holding Residential R8 (h.\*h-100\*h-104\*h-198\*R8-4) Zone

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 October 2, 2018.

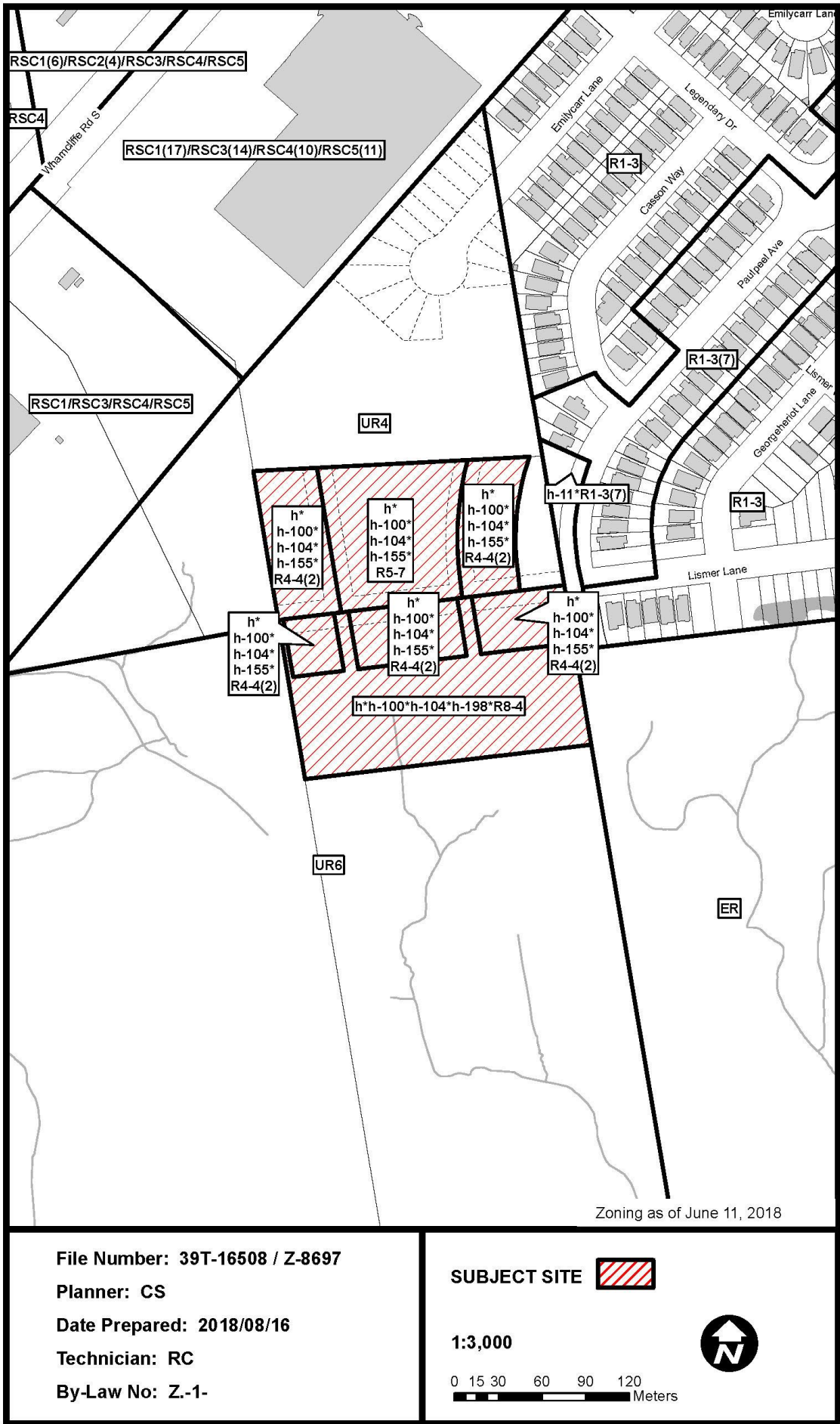
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



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





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On November 17, 2016 Notice of Application was sent to all property owners within 120m of the subject property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 24, 2016. On June 21, 2018 a Revised Notice of Application was sent to all property owners with 120m of the Subject Property and on June 28, 2018 the Revised Notice of Application was published in the *Londoner*.

**Nature of Liaison:** The purpose and effect of this application is to permit the development of a Multi-Family Medium Density Residential plan of subdivision on a 2.8 hectare parcel of land located southeast of Wharncliffe Road South, west of White Oak Road

**Responses:** One (email as follows).

*Hi Craig,*

*Thank you for getting back to me and the attached images. The legend was missing from the printed copy so we had no idea where this development was taking place. I am still confused as to how Emily Carr will meet the new development area...perhaps if/when you have a image of that you can send also.*

*As for the history...i will try to be brief.*

*2012 our house is last to be built on the street. We moved in nov 2014. There was no top coat on the street. Began chats with the City, who tell me subdivision not yet assumed so developer has to finish. I try calling developer to find out when...no reply. I have been working with Greg Laforge from the City and got a date of May 2015...then August 2015...then we have to fix curbs first (2nd time for this on the street)...then 2016...no date...finally said end of season 2017. But this came with more work.*

*August 2017 the city decided to take a look at a now 10 year old subdivision (none of which, from white oak rd to wharncliffe road, has been assumed) and decided that our drive ways are too wide based on a post dated Bi-Law put in place 2014 or 2015 (90% of the houses built in Copperfield were built before 2014) So here comes the developer to take 1 to 2 feet away from the bottom half of out driveways based on a ridiculous bi law and one that should not have affected us both due to date enacted and developer screw up and City never did inspections I guess.*

*This is when I reached out to Anna Hopkins for help in this area. Nothing came of it, out driveways were gutted and replaced with grass...which is now mud since we need to use our double car driveways still. Ms. Hopkins said there would be a meeting, and a session to reach out to the City in a public forum, but nothing ever came of that. I have not heard from Ms. Hopkins now in about 10 months.*

*Last I heard the City/developer was to send out letters to the rest of the subdivision to have driveways amended....this has not happened either, which is good for those property owners...for now. More and more people are getting stamped concrete or new driveways and are unsuspecting of the City who may drop this letter without warning once more.*

*Last bit of history, the Copperfield signs of White oak road were beautiful once in 2014, until someone stole/vandalized them for the Cooper I assume. Fought with the City to fix those (Greg was very helpful though) and after an assessment was done and deemed unsafe (due to electricity behind the signs, the developer finally stepped up and fixed them with a new sign (not as nice, but we will take it). that was in 2017 they got fixed....so 3 years. And it was all for not, because here comes a new developer who is*



*building LGA of white oak road...and destroyed the 1 month old newly built sign. I spoke to LGA who were told by the City of London that they didnt know anything about a sign on the property and gave the developer permission to destroy it...*

*As you can tell my faith in this City has diminished over the last 4 years. Just seem like no one is on the same page/care about result as long as the City get their payments from developers. Home owners are just a blip in the radar.*

*So Craig :) Do what you can with the info provided and perhaps you can tell me if the City has assumed or has plans to ever assume Copperfield subdivision.*

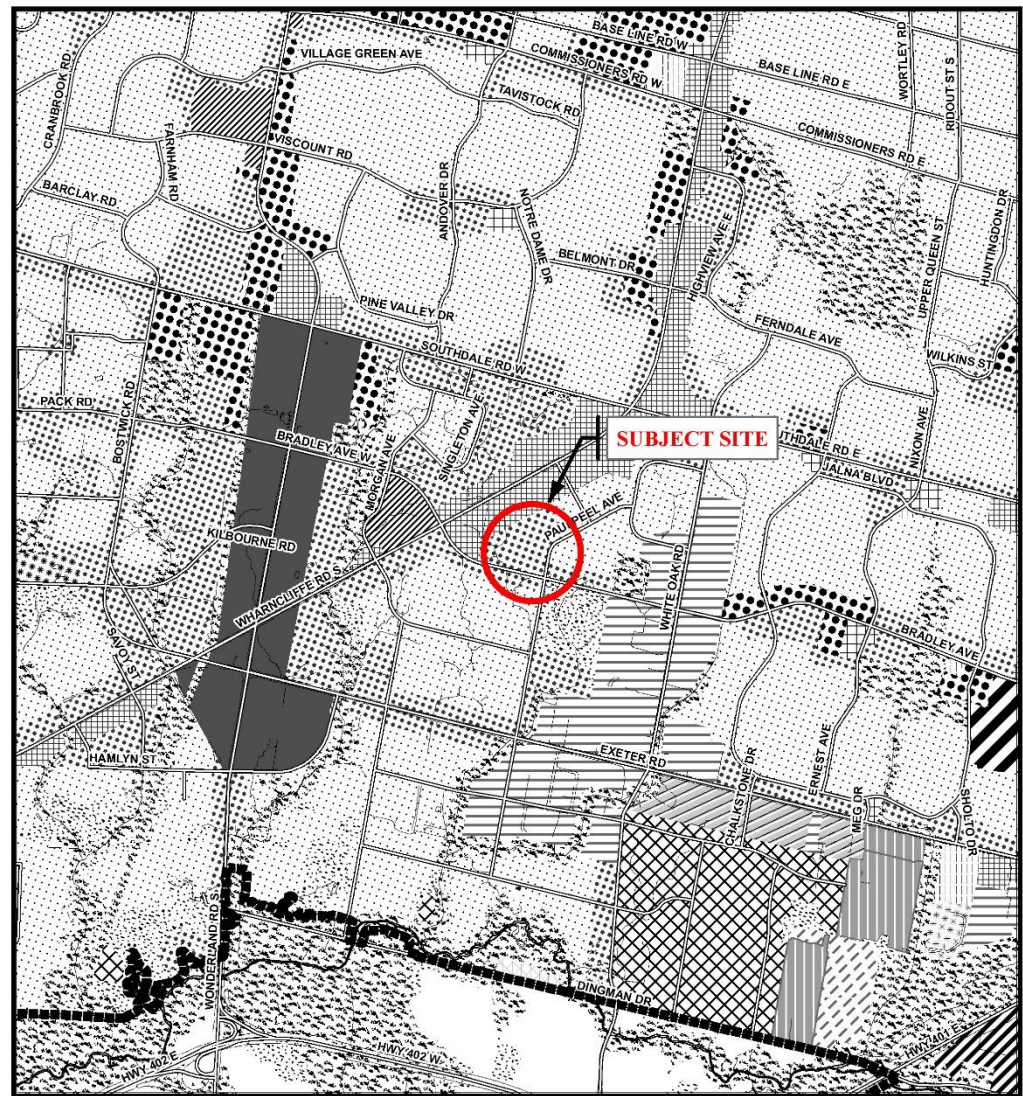
*Thank you for reaching out...perhaps you wish you didn't :)*

*Dustin Plomp*



Appendix C – Relevant Background

Additional Maps  
Official Plan Schedule “A” Excerpt



**Legend**

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

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

Scale 1:30,000

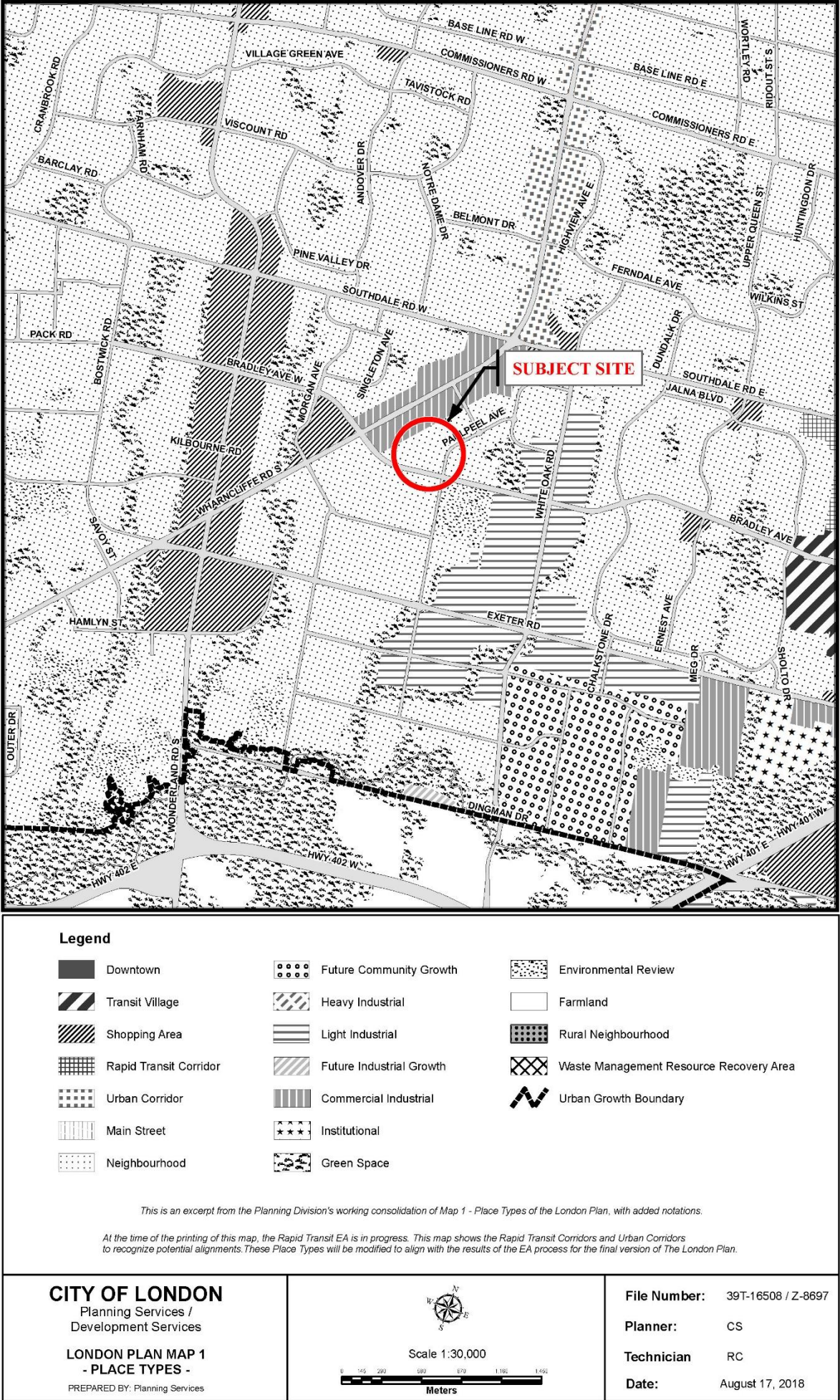
Meters

FILE NUMBER: 39T-16508 / Z-8697  
PLANNER: CS  
TECHNICIAN: RC  
DATE: 2018/08/17

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



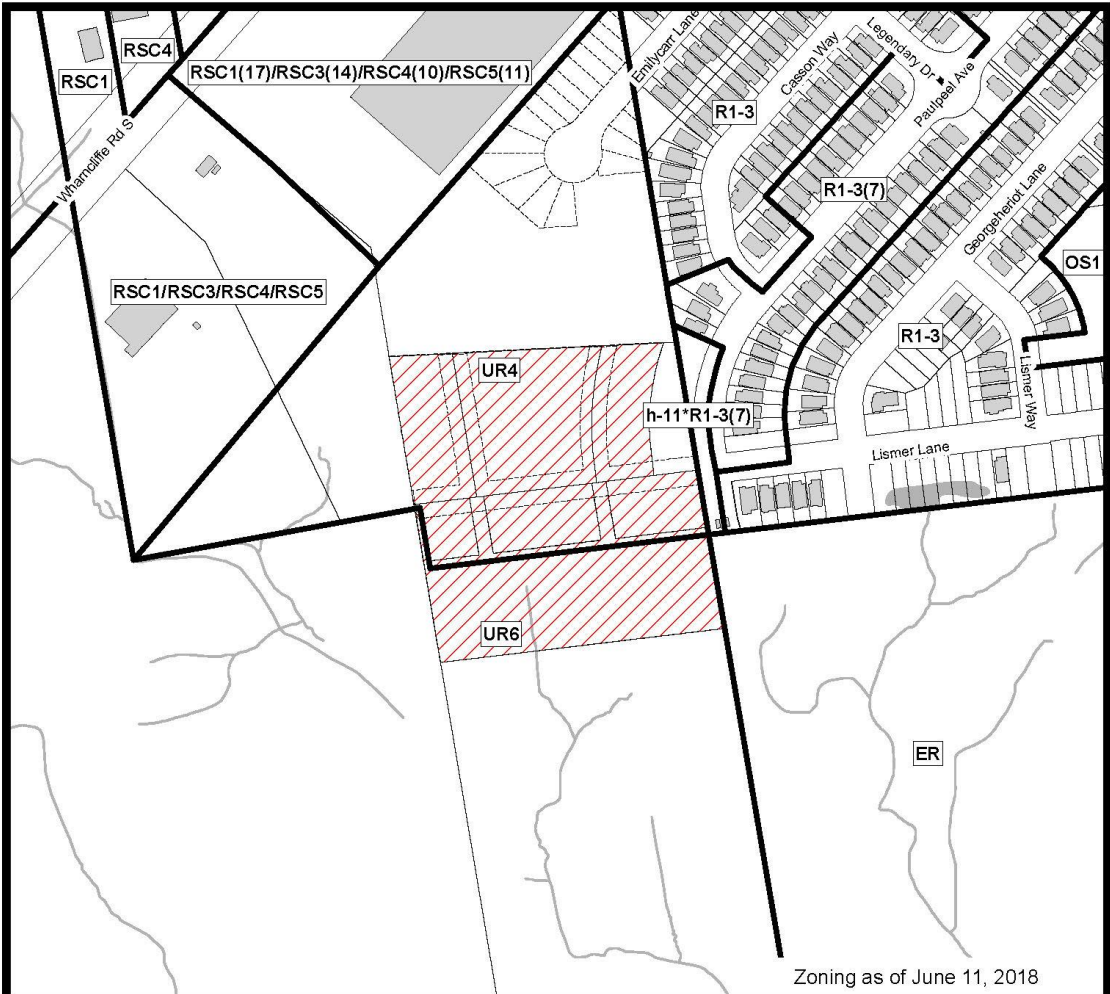
London Plan Place Types Excerpt



Project Location: E:\Planning\Projects\p\_zoning\z-1\zones\amendments\Z-8697\projects\LondonPlan-Excerpt-PlaceTypes.mxd



Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS  
R2 - SINGLE AND TWO UNIT DWELLINGS  
R3 - SINGLE TO FOUR UNIT DWELLINGS  
R4 - STREET TOWNHOUSE  
R5 - CLUSTER TOWNHOUSE  
R6 - CLUSTER HOUSING ALL FORMS  
R7 - SENIOR'S HOUSING  
R8 - MEDIUM DENSITY/LOW RISE APTS.  
R9 - MEDIUM TO HIGH DENSITY APTS.  
R10 - HIGH DENSITY APARTMENTS  
R11 - LODGING HOUSE

DA - DOWNTOWN AREA  
RSA - REGIONAL SHOPPING AREA  
CSA - COMMUNITY SHOPPING AREA  
NSA - NEIGHBOURHOOD SHOPPING AREA  
BDC - BUSINESS DISTRICT COMMERCIAL  
AC - ARTERIAL COMMERCIAL  
HS - HIGHWAY SERVICE COMMERCIAL  
RSC - RESTRICTED SERVICE COMMERCIAL  
CC - CONVENIENCE COMMERCIAL  
SS - AUTOMOBILE SERVICE STATION  
ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

OR - OFFICE/RESIDENTIAL  
OC - OFFICE CONVERSION  
RO - RESTRICTED OFFICE  
OF - OFFICE
- RF - REGIONAL FACILITY  
CF - COMMUNITY FACILITY  
NF - NEIGHBOURHOOD FACILITY  
HER - HERITAGE  
DC - DAY CARE

OS - OPEN SPACE  
CR - COMMERCIAL RECREATION  
ER - ENVIRONMENTAL REVIEW

OB - OFFICE BUSINESS PARK  
LI - LIGHT INDUSTRIAL  
GI - GENERAL INDUSTRIAL  
HI - HEAVY INDUSTRIAL  
EX - RESOURCE EXTRACTIVE  
UR - URBAN RESERVE

AG - AGRICULTURAL  
AGC - AGRICULTURAL COMMERCIAL  
RRC - RURAL SETTLEMENT COMMERCIAL  
TGS - TEMPORARY GARDEN SUITE  
RT - RAIL TRANSPORTATION

"h" - HOLDING SYMBOL  
"D" - DENSITY SYMBOL  
"H" - HEIGHT SYMBOL  
"B" - BONUS SYMBOL  
"T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING  
BY-LAW NO. Z.-1  
SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:  
39T-16508 / Z-8697 CS

MAP PREPARED:  
2018/08/16 RC

1:4,000  
0 20 40 80 120 160  
Meters



**Conditions of Draft Approval**

**THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-16508 ARE AS FOLLOWS:**

**NO. CONDITIONS**

1. This approval applies to the draft plan, submitted by 2178254 Ontario Inc.. (File No. 39T-16508), prepared by AGM Ltd., certified by Jason Wilband, OLS, (dated June 7, 2018), as redlined revised, which shows 7 residential blocks 3 local public streets (extension of Lismar Way, Emily Carr Lane and a new Street "A").
2. This approval of the draft plan applies for a period of three (3) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown and dedicated as public highways.
4. The Owner shall within 90 days of draft approval submit proposed street names for this subdivision to the City.
5. The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.
6. The Owner, prior to final approval, shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8. The Owner shall enter into a subdivision agreement and shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies once the plan of subdivision has been registered.
10. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
11. No construction or installations of *any* kind (eg. clearing or servicing of land) involved with this plan shall be undertaken by the Owner prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the Manager of Development Planning in writing (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc; etc.). No construction involving installation of services requiring an EA is to be undertaken



prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act and the City of London.

### Planning

12. The Owner shall carry out an archaeological survey and rescue excavation of any significant archaeological remains found on the site to the satisfaction of the Southwestern Regional Archaeologist of the Ministry of Culture; and no final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.
13. The Owner shall pay parkland dedication pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater.
14. In conjunction with the Engineering Drawings submission, the owner shall prepare a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the Manager of Environmental and Parks Planning. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.

## **SEWERS & WATERMAINS**

### Sanitary:

15. In conjunction with the engineering drawings submission, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
  - i.) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
  - ii.) Provide clarification that the respective changes in population, drainage area and the outlet(s) are compatible with accepted record drawings and drainage area plans. Any upgrades, if required, are to be at no cost to the City.
  - iii.) Propose a suitable routing for the sanitary sewer to be constructed through this plan.
  - iv.) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken; and
  - v.) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
16. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i.) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm diameter sanitary sewer located on Lismer Lane and the 250 mm diameter sanitary sewer located on Paul Peel Avenue;



- ii.) Construct a maintenance access road, if necessary, and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
  - iii.) Make provisions for oversizing of the internal sanitary sewers, if necessary, in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - iv.) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
17. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
- i.) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii.) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
  - iii.) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.
  - iv.) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - v.) Implementing any additional measures recommended through the Design Studies stage.
18. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.

#### Storm and Stormwater Management (SWM)

19. In conjunction with the engineering drawings submission, the Owner shall have his consulting engineer prepare and/or submit an update to the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i.) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
  - ii.) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;



- iii.) Providing an overall drainage area plan identifying the revised total catchment area reviewed in the report that will be contributing flows to the existing White Oaks SWM Facility # 2 (P2);
  - iv.) Identifying in the report that all major and minor storm flows from the future development lands to the north of this plan have been reviewed and can be accommodated within the existing White Oaks SWM Facility # 2 (P2) via this plan of subdivision;
  - v.) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and
  - vi.) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
20. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i.) The SWM criteria and environmental targets for the Dingman Creek Subwatershed based on the final accepted Dingman Creek Stormwater Servicing Strategy Schedule C Municipal Class Environmental Assessment;
  - ii.) The approved Storm/Drainage and SWM Servicing Functional Reports (White Oaks SWM Facility # 2) and Detailed Design for the subject lands;
  - iii.) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the File Manager Process;
  - iv.) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
  - v.) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - vi.) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vii.) The Ministry of the Environment, Conservation and Parks (MOECP) SWM Practices Planning and Design Manual (2003), including updates and companion manuals; and
  - viii.) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
21. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i.) Construct storm sewers to serve this plan, located within the Dingman Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 675 mm diameter storm sewer located on Paul Peel Avenue and proposed storm sewer system within this draft plan of subdivision to outlet to the existing White Oaks SWM Facility # 2, to the satisfaction of the City. Should the existing storm sewers require upsizing to accommodate this plan, these sewers shall be increased at no cost to the City;
  - ii.) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;



- iii.) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
  - iv.) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
- 22. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
  - i.) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ii.) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
  - iii.) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City;
- 23. The Owner acknowledges that all major and minor flows shall be accommodated in accordance with the SWM Servicing letter provided by SBM dated June 19, 2018, generally outletting to White Oaks SWM Facility #2 and through on-site LIDS. Should the Owner's professional engineer determine through detailed design that the major flows cannot be accommodated within the existing White Oaks SWM Facility # 2, the Owner acknowledges that these lands shall be tributary to the White Oak SWM Facility # 3 and shall be serviced in accordance with the final accepted Dingman Creek Stormwater Servicing Strategy Schedule C Municipal Class EA and in accordance with the final accepted Functional SWM Report for the White Oak SWM Facility # 3.
- 24. Should the major and minor flows from this draft plan and future lands to the north be required to be directed to White Oak SWM Facility # 3, the Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities, Policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.
- 25. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
- 26. In conjunction with the engineering drawings submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:
  - i.) identify a target infiltration rate in millimetres per hectare and implement Low Impact Development measures to achieve the water balance and meet groundwater recharge objectives, to the satisfaction of the City Engineer;
  - ii.) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - iii.) identify any abandoned wells in this plan
  - iv.) assess the impact on the water balance in the plan
  - v.) any fill required in the plan



- vi.) provide recommendations for foundation design should high groundwater be encountered
- vii.) identify all required mitigation measures including the design and implementation of Low Impact Development (LIDs) solutions
- viii.) address any contamination impacts that may be anticipated or experienced as a result of the said construction
- ix.) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
- x.) to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken

all to the satisfaction of the City.

- 27. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
- 28. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.
- 29. The Owner shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.

#### Watermains

- 30. In conjunction with the engineering drawings submission the Owner shall have their consulting engineer prepare and submit a water servicing report which addresses the following, all to the satisfaction of the City Engineer:
  - a) Water distribution system analysis & modeling and hydraulic calculations for the Draft Plan of Subdivision confirming system design requirements are being met;
  - b) Identify domestic and fire flows for the residential Blocks from the low-level water distribution system;
  - c) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
  - d) Include modeling for two fire flow scenarios as follows:
    - i. Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
    - ii. Max Day + Fire confirming the available fire flows at fire hydrants at 20PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
  - e) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;
  - f) Develop a looping strategy to the satisfaction of the City Engineer for when development is proposed to proceed beyond 80 units;
  - g) Provide a servicing concept acceptable to the City Engineer for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services is being achieved;
  - h) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;



- i) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
  - j) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
  - k) Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - l) Include full-sized water distribution and area plan(s) which identifies the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings), the fire hydrant rated capacity & marker colour, and the design fire flow applied to development Blocks.
- 31. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.
- 32. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:
  - i.) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
  - ii.) any incidental and/or ongoing maintenance of the automatic flushing devices;
  - iii.) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
  - iv.) all works and the costs of removing the devices when no longer required; and
  - v.) ensure the automatic flushing devices are connected to an approved outlet.
- 33. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging and phasing plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging and phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.
- 34. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
  - i.) Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely, the existing 200 mm diameter watermain on Emily Carr Lane to the north and the 200 mm diameter watermain stub at the intersection of Paulpeel Avenue and Lismer Way to the east;
  - ii.) If the subject Plan of Subdivision develops in advance of the subdivision to the north (39T-06502), the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan to connect to the watermain on Emily Carr Lane in Plans 33M-582 and 33M-691 and shall provide satisfactory easements, as necessary, all to the specifications of the City;
  - iii.) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;



- iv.) Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; coloured fire hydrants markers will be installed by the City of London at the time of Conditional Approval; and
  - v.) Have their consulting engineer confirm to the City that the watermain system has been constructed, is operational, and is looped from the watermain on Emily Carr Lane in Plan 33M-582 to the north, through this Plan, to Lismer Way in Plan 33M-691 to the east.
35. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of the medium density blocks (Blocks 1 to 7, inclusive) in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.
36. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.

### **37. STREETS, TRANSPORTATION & SURVEYS**

#### Roadworks

38. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
39. In conjunction with the engineering drawings submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
- i.) provide a proposed road layout plan of the internal road network with respect to road geometries, including but not limited to, right-of-way widths, bends, alignments, tapers, tangents, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots conforming to City standards.
  - ii.) prepare and submit a parking plan
  - iii.) confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
40. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the City.
41. The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
- 42.
- i.) Lismer Way and Emily Carr Lane have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
  - ii.) Street "A" has a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres.



43. The Owner agrees that, if a parking plan is required for this subdivision, and increased pavement width is proposed to accommodate the parking plan, the road allowance width will be increased a corresponding amount in order to maintain the standard 6.0 metre wide boulevards on either side of the road. Further, the Owner agrees that any proposed widening of the pavement and the road allowance will be to the satisfaction of the City Engineer.

#### Sidewalks

44. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of the following streets in accordance with the Southwest Area Plan:
- Lismer Way
  - Emily Carr Lane
  - Street "A"

#### Street Lights

45. Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London.

#### Boundary Road Works

46. The Owner shall be required to make minor boulevard improvements on PaulPeel Avenue adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
47. The Owner shall reconstruct or relocate any surface or subsurface works or vegetation necessary to connect Lismer Way to PaulPeel Avenue in Plan 33M-691, to the satisfaction of the City and at no cost to the City.

#### Vehicular Access

48. The Owner shall ensure that no vehicular access will be permitted to the future Bradley Avenue or Paul Peel Avenue by establishing a 0.3 metre reserve on the entire south limit of Block 1 and east limit of Block 4, to the satisfaction of the City. All vehicular access is to be via the internal subdivision streets.

#### 49. Construction Access/Temporary/Second Access Roads

50. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Wharncliffe Road South via Legendary Drive and PaulPeel Avenue or other routes as designated by the City.
51. In conjunction with the engineering drawings submission, the Owner shall provide a design and the location of a temporary/emergency access, to the satisfaction of the City. The Owner shall also have it's professional engineer verify the adequacy of decision sight distance at the temporary access road, to the satisfaction of the City. If the sight lines are not adequate, the temporary access is to be relocated and/or road work undertaken to establish adequate decision sight distance at the intersection, to the satisfaction of the City.
52. The Owner shall construct a temporary emergency access with the understanding that this temporary access is to be closed to the satisfaction of the City Engineer



upon development of abutting lands and the creation of a permanent alternative public road access. This temporary emergency access is to be constructed and maintained by the Owner to the specifications and satisfaction of the City Engineer and at no cost to the City.

53. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make modifications to this plan, if necessary, and provide any necessary easements to provide an emergency access to this subdivision, to the specifications and satisfaction of the City engineer, at no cost to the City and as per the accepted engineering drawings.
54. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.
55. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
  - i.) Emily Carr Lane – north limit
  - ii.) Street “A” - north limit

Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

56. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have it's contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
57. The Owner shall make all necessary arrangements to have the existing right-of-way easement over Block 8, Instrument No. 427835 (REM), quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

## **GENERAL CONDITIONS**

58. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.
59. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
60. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
61. In conjunction with the engineering drawings submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing



geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:

- i.) servicing, grading and drainage of this subdivision
- ii.) road pavement structure
- iii.) dewatering
- iv.) foundation design
- v.) removal of existing fill (including but not limited to organic and deleterious materials)
- vi.) the placement of new engineering fill
- vii.) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,

and any other requirements as needed by the City, all to the satisfaction of the City.

- 62. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
- 63. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.
- 64. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
- 65. "In conjunction with engineering drawings submission, the Owner shall have his consulting engineer demonstrate how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/townhouses on Emily Carr Lane, Street "A" and Lismer Way, to the satisfaction of the City. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City."
- 66. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on Emily Carr Lane, Street "A" and Lismer Way, to the satisfaction of the City Engineer.
- 67. In the event that servicing is constructed on streets in this plan of subdivision fronting proposed street townhouse blocks prior to site plan approval, the Owner shall relocate any services as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
- 68. The Owner shall have the common property line of the future Bradley Avenue graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on the future Bradley Avenue are the future ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.



69. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

- i.) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;
- ii.) The Owner must provide a video inspection on all affected unassumed sewers;

Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

70. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
- i.) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
  - ii.) continue until the time of assumption of the affected services by the City.

71. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

The connection into and use of the subject services by an outside Owner will be conditional upon the outside Owner satisfying any requirements set out by the City, and agreement by the outside Owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

72. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City Engineer, and that the Owners must maintain the installed system or facilities in perpetuity



at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

73. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment “Guidelines for Use at Contaminated Sites in Ontario”, “Schedule A – Record of Site Condition”, as amended, including “Affidavit of Consultant” which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change “Guidelines for Use at Contaminated Sites in Ontario” and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminates within the proposed Streets, Lot and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City.

In the event no evidence of contamination is encountered on the site, the geotechnical engineer shall provide certification to this effect to the City.

74. The Owner’s professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
75. In conjunction with the engineering drawing submission, the Owner shall have it’s professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA’s must be completed prior to the submission of engineering drawings.
76. The Owner shall have it’s professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for “Guidelines for Notification to Public for Major Construction Projects”.
77. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)
78. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
79. In conjunction with the engineering drawings submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands



outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.

80. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
81. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
82. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
83. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
84. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
85. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
86. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement and/or rights-of-way(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any section(s) of easement/right-of-way(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.

The Owner shall include in all agreements of purchase and sale and register on the title of all Lots/Blocks in this plan a warning clause advising the purchaser/transferee that these Lots/Blocks are not to be developed until the existing services are removed, alternate services are installed, if necessary, to replace the existing private services and the existing easement/right-of-way is quit claimed, to the satisfaction of the City.



Schedule B

DLN Group Inc. on behalf of 2178254 Ontario Inc.									
Revised Draft Plan									
39T-16508									
<b><u>Related Estimated Costs and Revenues</u></b>									
<b>Estimated DC Funded Servicing Costs</b> <sup>(Note 1)</sup>						<b>Estimated Cost</b>			
Claims for developer led construction from CSRF									
-	None identified.					\$0			
Claims for developer led construction from UWRF									
-	None identified.					\$0			
	Total					\$0			
<b>Estimated Total DC Revenues</b> <sup>(Note 2)</sup>						<b>Estimated Revenue</b>			
	CSRF					\$1,344,716			
	UWRF					\$121,727			
	TOTAL					\$1,466,443			
1	There are no claims for DC funded works associated with this application.								
2	Estimated Revenues are calculated using 2018 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for “soft services” (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.								
3	The revenues and costs in the table above are not directly comparable. The City employs a “citywide” approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.								
Reviewed by:									



**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** The Y Group Investments and Management Inc.  
745-747 Waterloo Street  
**Public Participation Meeting on: September 24, 2018**

**Recommendation**

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of The Y Group Investments and Management Inc. relating to the property located at 745-747 Waterloo Street the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 2, 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 Residential R2/Office Conversion (R2-2/OC4) Zone **TO** a Residential R2/Office Conversion Special Provision Zone (R2-2/OC6(\_)) Zone at 745 Waterloo Street and **FROM** an Office Conversion/Convenience Commercial Special Provision (OC4/CC(1)) Zone **TO** an Office Conversion Special Provision/Convenience Commercial Special Provision Zone (OC6(\_)/CC(1)) Zone at 747 Waterloo Street.

**Executive Summary**

**Summary of Request**

The requested Zoning By-law Amendment is to permit an expanded range of office conversion uses, in addition to the uses already permitted on the subject site. The applicant is also seeking special provisions to recognize the existing landscaped area of 14%, whereas 30% would be required, and the existing 8 parking spaces, whereas 26 parking spaces would be required.

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended Zoning By-law Amendment is to permit an expanded range of office conversion uses and to allow amendments to Zoning By-law standards for minimum landscaped area and minimum parking, consistent with the existing conditions on the site. The recommended action includes a special provision that restricts the office conversion uses to the ground floor of the existing building at 745 Waterloo Street and to the entirety of the existing building at 747 Waterloo Street. The recommended action is consistent with the request from the applicant, with the special provision limiting the additional permitted uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the building at 747 Waterloo Street, being advanced by Staff.

**Rationale of Recommended Action**

The recommended Zoning By-law Amendment would allow for the reuse of the existing buildings with an expanded range of office conversion uses that are complementary to the continued development of Oxford Street as an Urban Corridor, consistent with The London Plan policies for the subject site. Limiting the requested Zoning By-law Amendment to the existing buildings helps to ensure compatibility with the surrounding heritage resources and also that the requested parking and landscaped area deficiencies would not be perpetuated should the site be redeveloped in the future. While the requested parking deficiency is less than the minimum required by zoning, it is reflective of the existing conditions. By restricting the office conversion uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the



existing building at 747 Waterloo Street (rather than the entirety of both buildings, as requested by the applicant), the parking requirements for the site would be less than the parking requirements for the existing permitted uses.

The applicant has indicated a willingness to accept the special provisions limiting the permitted uses to the ground floor of the existing building at 745 Waterloo Street and to the entirety of the existing building at 747 Waterloo Street.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is rectangular and contains two, two-storey existing dwelling-style buildings which are listed on the City of London's Inventory of Heritage Resources. These buildings are bisected by a walkway. The subject site includes 8 parking spaces in the rear of the building. An additional 8 boulevard parking spaces (7 in the front, 1 in the rear) are also used by the subject site. The subject site is located at the intersection of Oxford Street and Waterloo Street, with Oxford Street East identified as an Urban Thoroughfare in The London Plan and Waterloo Street as a Neighbourhood Connector. The subject site is adjacent to the Bishop Hellmuth Heritage Conservation District, located on the opposite side of Oxford Street East.

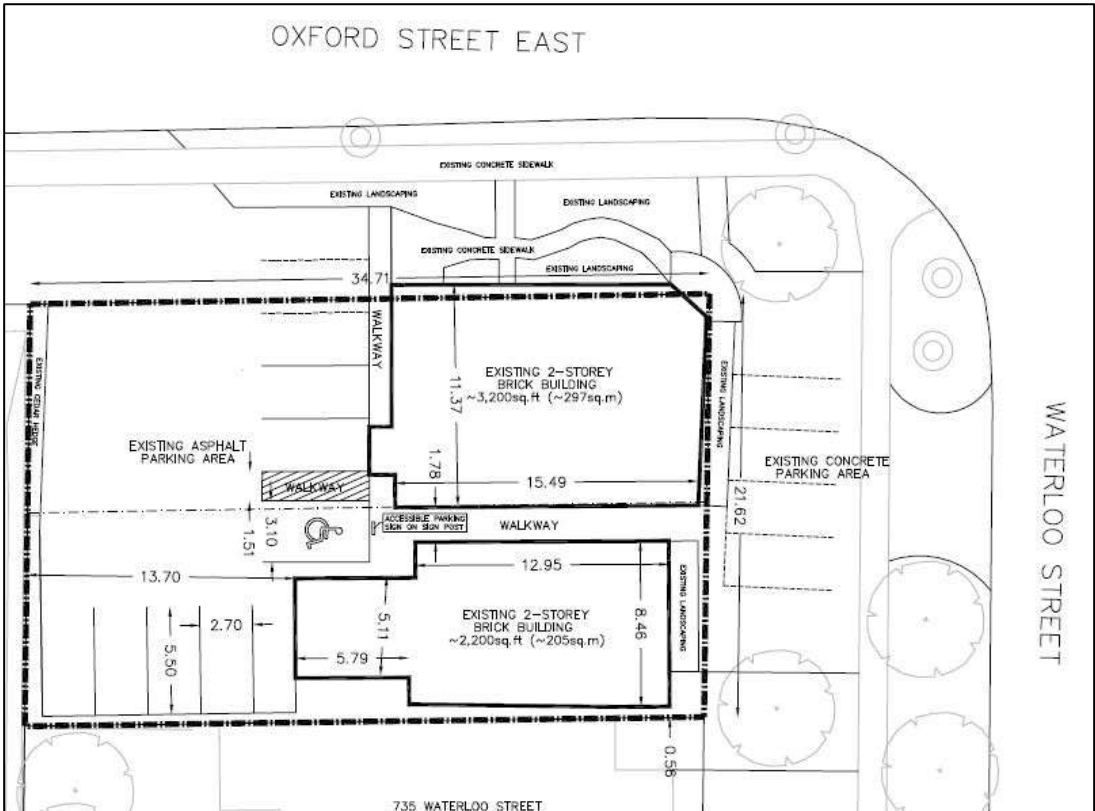


Figure 1 - Site Plan of Existing Conditions (provided by the applicant)

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

- Official Plan Designation – Multi-Family Medium Density Residential
- The London Plan Place Type – Urban Corridor Place Type
- Existing Zoning – Residential R2/Office Conversion (R2-2/OC4) Zone at 745 Waterloo Street; Office Conversion/Convenience Commercial Special Provision (OC4/CC(1)) Zone at 747 Waterloo Street

1.3 Site Characteristics

- Current Land Use – Retail and residential
- Frontage – 21.62 metres (70.9 feet)
- Depth – 34.71 metres (113.9 feet)
- Area – 748.9 square metres (8,061.1 square feet)
- Shape – Rectangular



#### 1.4 Surrounding Land Uses

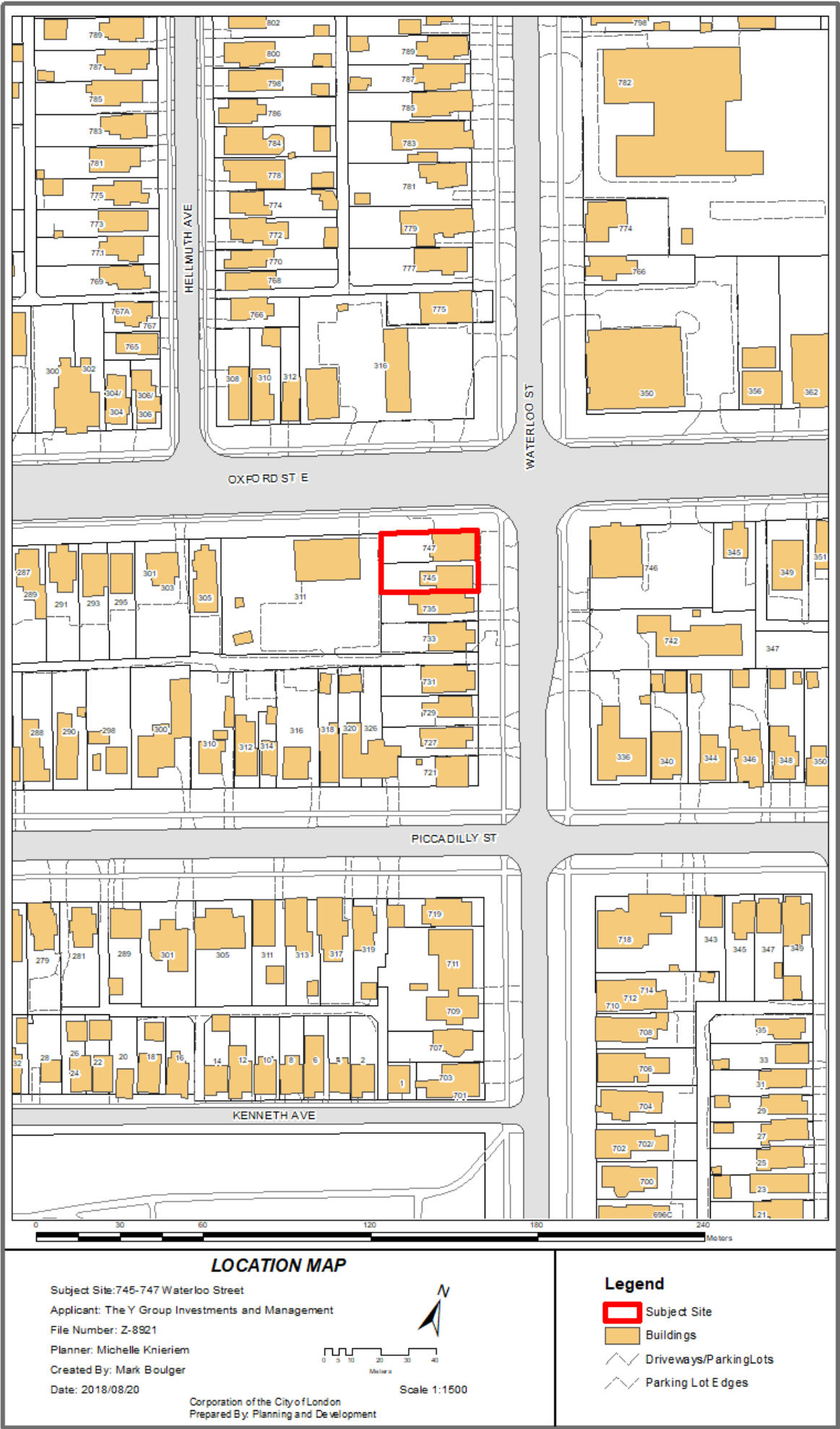
- North – The site immediately to the north is a gas station and associated convenience commercial use. Further north is a clinic and single-detached residential homes. The properties on the north side of Oxford Street are designated Multi-Family, High Density Residential in the 1989 Official Plan and are in the Urban Corridor Place Type in The London Plan. The properties further north are designated Low Density Residential in the 1989 Official Plan and are in the Neighbourhoods Place Type in The London Plan.
- East – Immediately east of the subject site is a veterinary clinic. A pharmacy is located immediately northeast of the subject site. Further east are a mixture of low-rise residential and non-residential buildings. These properties are designated Multi-Family, Medium Density Residential in the 1989 Official Plan and are in the Urban Corridor Place Type in The London Plan.
- South – Immediately south of the subject site is a converted dwelling. Further south are single-detached homes and a private school (Montessori Creative Learning Centre). The property immediately south of the subject site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan and is in the Urban Corridor Place Type in The London Plan. The properties further south are designated Low Density Residential and are part of the Neighbourhoods Place Type.
- West – Immediately west of the subject site is a private school (Montessori Creative Learning Centre). Further west are a mixture of converted dwellings and single-detached homes. The lands west of the subject site are designated as Multi-Family, Medium Density Residential in the 1989 Official Plan and are in the Urban Corridor Place Type in The London Plan.



*Figure 2 - Photo of the Subject Site (provided by the applicant)*



1.6 Location Map





**2.0 Description of Proposal**

**2.1 Development Proposal**

The development proposal is to allow an expanded range of office conversion uses on the subject site. These uses are to occur within the existing buildings. No new development is proposed as a result of this application. A special provision is being requested to recognize the existing landscaped area and parking supply and allow these to be maintained on the site.

**3.0 Relevant Background**

**3.1 Planning History**

A minor variance application (A.082/07) was approved by the Committee of Adjustment for 745 Waterloo Street in 2007. This minor variance decision permitted a retail store, with the requirements that this retail store shall be used for a chocolate retail store only and that the chocolate retail store shall not exceed the size of the hair salon that previously existed on the site. The variance also permitted reduced interior side yard setbacks, based on the reduced setbacks of the existing building.

**3.2 Requested Amendment**

The requested Zoning By-law Amendment is to rezone the portion of the subject site at 745 Waterloo Street from a Residential R2/Office Conversion (R2-2/OC4) Zone to a Residential R2/Office Conversion Special Provision (R2-2/OC6(\_)) Zone and the portion of the subject site at 747 Waterloo Street from an Office Conversion/Convenience Commercial Special Provision (OC4/CC(1)) Zone to an Office Conversion Special Provision/Convenience Commercial Special Provision (OC6(\_)/CC(1)) Zone.

The existing Zoning By-law permissions that apply to 745 Waterloo Street permit single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, dwelling units, and offices in existing buildings. The site is also subject to a minor variance decision that permits a chocolate retail store. The property at 747 Waterloo Street permits dwelling units, offices in existing buildings, convenience service establishments, convenience stores, financial institutions, existing retail stores, and personal service establishments. For both 745 and 747 Waterloo Street, the requested Zoning By-law Amendment would permit clinics in existing buildings, emergency care establishments in existing buildings, medical/dental offices in existing building and outpatient clinics in existing buildings, in addition to the other uses already permitted on the properties. The requested Zoning By-law Amendment would also allow for reductions in landscaped area (14%, whereas 30% would be required under the Zoning By-law) and vehicular parking (8 spaces, whereas 26 spaces would be required under the Zoning By-law) to reflect the existing conditions.

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

A Notice of Application was sent to property owners within a 120 metre radius of the subject site on July 4, 2018 and was published in *The Londoner* on July 5, 2018.

One sign detailing the development application was placed on the Oxford Street East frontage of the subject site.

As of the date of this report, five interested parties, including the Piccadilly Area Neighbourhood Association, have contacted Planning Services with regard to the application. Concerns expressed by the interested parties included the request to recognize the parking deficiency to reflect the existing condition and concerns about the compliance of the existing uses on site to the Zoning By-law permissions. The written comments provided are included in Appendix B.



**3.4 Policy Context (see more detail in Appendix C)**  
*Provincial Policy Statement, 2014*

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located within a settlement area as identified in the PPS. The PPS identifies that planning authorities shall promote economic development and competitiveness by providing for an appropriate range of employment and institutional uses to meet long term needs (Policy 1.3.1). It also encourages compact, mixed use development that incorporates compatible employment uses to support livable and resilient communities (Policy 1.3.1). Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

*City of London 1989 Official Plan (“Official Plan”)*

The City of London 1989 Official Plan (“Official Plan”) implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The subject site is located within the “Multi-Family Medium-Density Residential” land use designation in the Official Plan. Development in the Multi-Family Medium-Density Residential land use designation is primarily intended to provide multi-family medium density uses that enhance the character and amenity of residential areas (Policy 3.1.3). The Official Plan outlines locations where office conversion may be permitted within Residential designations. Included in this list is the portion of Waterloo Street containing the subject site (Policy 3.6.9 ii)).

*The London Plan*

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modification. A portion of The London Plan is in-force and effect, and the remainder of the Plan continues to be under appeal at the Local Planning Appeals Tribunal.

The subject site is located within the Urban Corridor Place Type in The London Plan and is located at the intersection of an Urban Thoroughfare (Oxford Street) and a Neighbourhood Connector (Waterloo Street). Urban Corridors will be vibrant, mixed-use, mid-rise communities, however will have a slightly lower intensity than the Rapid Transit Corridors (Policy 828). The London Plan also includes a policy that applies specifically to the properties at 733-747 Waterloo Street, which includes the subject site, identifying that office conversions may be permitted for this location (Policy 1076).

**4.0 Key Issues and Considerations**

**4.1 Issue and Consideration # 1: Use**

The applicant has requested to expand the range of uses permitted on the subject site to include clinics in existing buildings, emergency care establishments in existing buildings, medical/dental offices in existing building and outpatient clinics in existing buildings, in addition to the other uses already permitted on these properties.

*Provincial Policy Statement, 2005 (PPS)*

The Provincial Policy Statement (PPS) identifies that safe and healthy communities are sustained by accommodating a range and mix of residential, employment, institutional, recreation, parks and open space and other uses to meet long-term needs (Policy



1.1.1). It also identifies that cost-effective development patterns and standards to minimize land consumption and servicing costs should be promoted (Policy 1.1.1). The PPS also identifies that planning authorities shall promote economic development and competitiveness by providing for an appropriate range of employment and institutional uses to meet long term needs (Policy 1.3.1). It also encourages compact, mixed use development that incorporates compatible employment uses to support livable and resilient communities (Policy 1.3.1).

The requested expanded range of uses are consistent with the PPS, as accommodating these uses within existing buildings helps to promote cost-effective development patterns, minimize land consumptions and servicing costs, and also offers the benefit of providing compatible employment uses to support the development of a compact mixed-use community.

The PPS also identifies that the Official Plan is the most important vehicle for implementing the PPS, and the requested range of uses, as further discussed in the below sections on the 1989 Official Plan and The London Plan, conforms to both the 1989 Official Plan and The London Plan.

#### *City of London 1989 Official Plan ("Official Plan")*

The subject site is located within the Multi-Family, Medium Density Residential designation in the 1989 Official Plan. This land use designation generally permits medium-density residential development, however allows for the conversion of dwellings for office purposes, subject to certain criteria. The 1989 Official Plan also specifically identifies locations within Residential designations where office conversions may be permitted. The location of the subject site is one of the locations identified as permitting office conversions.

The 1989 Official Plan explicitly permits office conversions on the subject site, as such the requested office conversion uses are appropriate for the subject site as they conform to the 1989 Official Plan.

#### *The London Plan*

The subject site is within the Urban Corridor Place Type in The London Plan. The Urban Corridor Place Type permits a range of residential, retail, service, office, cultural, recreational and institutional uses (Policy 837). Further, The London Plan also includes a policy that specifically permits office conversions between 733 and 747 Waterloo Street, which includes the subject site (Policy 1076).

The requested office conversion uses conform to The London Plan as office conversions are explicitly permitted for the subject site, and are among the range of permitted uses within the Urban Corridor Place Type.

## **4.2 Issue and Consideration # 2: Intensity - Parking**

The applicant has requested a reduction to the minimum number of required parking spaces in the Zoning By-law. The requested Zoning By-law Amendment for the subject site would permit a range of uses, with different parking rates required for each use. If the site were to be occupied by the most parking-intensive uses permitted under the *requested* Zoning By-law Amendment, a minimum of 30 parking spaces would be required. The applicant has requested a special provision to permit the existing condition of 8 parking spaces on-site. The site also has an additional 8 boulevard parking spaces under permit from the City of London that are located on City-owned property surrounding the site.

Based on the range of *existing* uses permitted on the subject site, if the most parking-intensive uses occupied the site, a minimum of 27 parking spaces would be required.

Comments from the community have identified concern that the requested uses would not be sufficiently serviced by the existing parking, and that an overflow of parking would



occur onto neighbouring streets, notably Piccadilly Street, in an area that the community identified was already experiencing a shortage of parking.

Based on this feedback, in order to not worsen this deficiency, it is recommended that a special provision be included in the Zoning By-law Amendment limiting requested uses for the Office Conversion (OC6) Zone to the ground floor of 745 Waterloo Street and the entirety of 747 Waterloo Street rather than allowing them to be permitted in the entirety of both buildings. With this special provision, if the most parking-intensive uses were to occupy the site a minimum of 26 parking spaces would be required. This minimum required parking is one space less than what would be required if the most parking-intensive uses permitted by the existing zoning occupied by the site. This reduction is due to the fact that under the existing zoning a limited range of office conversion uses are permitted on the second floor of 745 Waterloo Street, however under the recommended Zoning By-law the second floor of 745 Waterloo Street would only have residential permissions as the office conversion uses would be limited to the ground floor.

As both buildings are existing on-site and are to be retained, there are no opportunities to expand the quantity of parking provided on the site. Given this constraint, limiting the scale of the recommended uses to a parking ratio that is equivalent to the most intense uses of the existing zoning permissions, is appropriate. The inclusion of a special provision limiting the requested uses to the existing buildings is intended to encourage the reuse of the existing building. Should the site be redeveloped in the future, a Zoning By-law Amendment would be required which would re-examine parking provision.

#### **4.3 Issue and Consideration # 3: Intensity – Landscaped Open Space**

The applicant has requested a special provision in the Zoning By-law to permit a reduction in required landscaped open space to reflect the existing condition. While there is generally the desire to maximize the landscaped area on a site, the site does not afford this possibility without the demolition of one of the buildings on-site listed on the City's heritage register or the removal of parking spaces – neither of which are desirable in this instance. The expanded range of uses is not anticipated to increase the demand for additional landscaped open space beyond that required by the existing uses permitted on the site. Recognizing the existing constraints on site and that the requested uses are not anticipated to generate an increased need for landscaped open space, the requested reduction in landscaped open space is appropriate.

The recommended Zoning By-law Amendment includes a provision that the requested Zoning By-law Amendment would be limited to the existing buildings on site. This recognizes that special permissions are being given to the site to encourage the reuse of the existing building, and requires that should the site be redeveloped in the future a Zoning By-law Amendment would be required which would re-examine the requirements for landscaped open space.

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

#### **4.4 Issue and Consideration # 4: Form - Site Plan Application**

The Official Plan requires that all office conversion proposals require site plan approval (Policy 3.6.9). This matter was considered by Development Services with regard to this application and have deemed that in this instance a Site Plan Application will not be necessary, as there is an existing Site Plan approval for the property and there are no exterior modifications proposed as part of this application. An updated Site Plan drawing was provided to add to the existing site plan approval showing one of the existing parking spaces as barrier free.

#### **4.5 Issue and Consideration # 5: Form - Heritage Adjacency**

The subject site is adjacent to the Bishop Hellmuth Heritage Conservation District, designated under Part V of the Ontario Heritage Act, located immediately north of the subject site on the opposite side of Oxford Street.



*Provincial Policy Statement, 2005 (PPS)*

The Provincial Policy Statement (PPS) indicates planning authorities shall not permit development and site alteration on adjacent lands to protected heritage properties, such as the Bishop Hellmuth Heritage Conservation District, except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (Policy 2.3.6).

*City of London 1989 Official Plan (“Official Plan”)*

The 1989 Official Plan identifies that when development, site alteration, or demolition is proposed for lands adjacent to a heritage building protected under Parts IV, V or VI of the Ontario Heritage Act, this development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement, and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained (Policy 13.2.3.1).

*The London Plan*

The London Plan includes an in-force policy requiring that development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved (Policy 586).

The applicant provided a Heritage Impact Assessment. This Heritage Impact Assessment was reviewed by Staff and the London Advisory Committee on Heritage.

While the Heritage Impact Assessment was found to lack a thorough evaluation of the heritage resources, given that the requested uses are proposed to be located within the existing building, the approval of this application is anticipated to continue to conserve the heritage attributes of protected heritage properties. In order to protect heritage resources, the provision was added to the recommended Zoning By-law limiting the uses to the existing buildings.

The London Advisory Committee on Heritage also found the Heritage Impact Assessment to lack a thorough evaluation of the heritage resources, however were not opposed to the requested Zoning By-law Amendment.

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

**5.0 Conclusion**

The recommended Zoning By-law Amendment would:

- Permit an expanded range of office conversion uses in addition to the other uses that are already permitted on the subject site;
- Allow special provisions to:
  - Recognize existing conditions for reductions in required parking and landscaped area; and
  - Limit the permitted office conversion uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the existing building at 747 Waterloo Street.

This recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, and conforms to the 1989 Official Plan and The London Plan. The recommended Zoning By-law Amendment contributes to the provision of a mixture of uses along a transit corridor and the efficient use of infrastructure through the reuse of existing buildings. Further, the reuse of existing buildings is supportive of the adjacent Bishop Hellmuth Heritage Conservation District.



While the requested reductions in parking and landscaped area would be challenging to support on a greenfield site, in this situation the recommended provisions are generally consistent with the existing requirements based on the existing permitted uses for the site. The recommended Zoning By-law includes a provision that limits the office conversion uses to the existing buildings, as such should the site be redeveloped in the future a Zoning By-law Amendment would be required that would revisit the permission for parking and landscaped open space. When considered on balance in a situation where existing buildings are being reused, these reductions are supportable due to the existing site constraints.

<b>Prepared by:</b>	<b>Michelle Knieriem, MCIP, RPP</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 M. Fleming, MCIP, RPP</b> <b>Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 17, 2018  
MT/mt



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 745-  
747 Waterloo Street.

WHEREAS The Y Group Investments and Management Inc. has applied to  
rezone an area of land located at 745-747 Waterloo Street, as shown on the map attached  
to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to  
lands located at 745-747 Waterloo Street, as shown on the attached map comprising  
part of Key Map No. A107, from a Residential R2/Office Conversion (R2-2/OC4) Zone  
to a Residential R2/Office Conversion Special Provision (R2-2/OC6(\_)) Zone at 745  
Waterloo Street and from an Office Conversion/Convenience Commercial Special  
Provision (OC4/CC(1)) Zone to an Office Conversion Special Provision/Convenience  
Commercial Special Provision (OC6(\_)/CC(1)) Zone at 747 Waterloo Street.
- 2) Section Number 17.3 of the Office Conversion (OC6) Zone is amended by adding  
the following Special Provision:
  - ) OC6( ) 745-747 Waterloo Street
    - a) Regulations
      - i) Permitted Uses within the Office Conversion Zone  
shall be restricted to the ground floor of the existing  
building at 745 Waterloo Street and to the entirety of  
the existing building at 747 Waterloo Street
      - ii) Parking Spaces 8 for all permitted uses on the  
(Minimum) property
      - iii) Landscaped Area 14% for all permitted uses on the  
(Minimum) property

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 October 2, 2018.



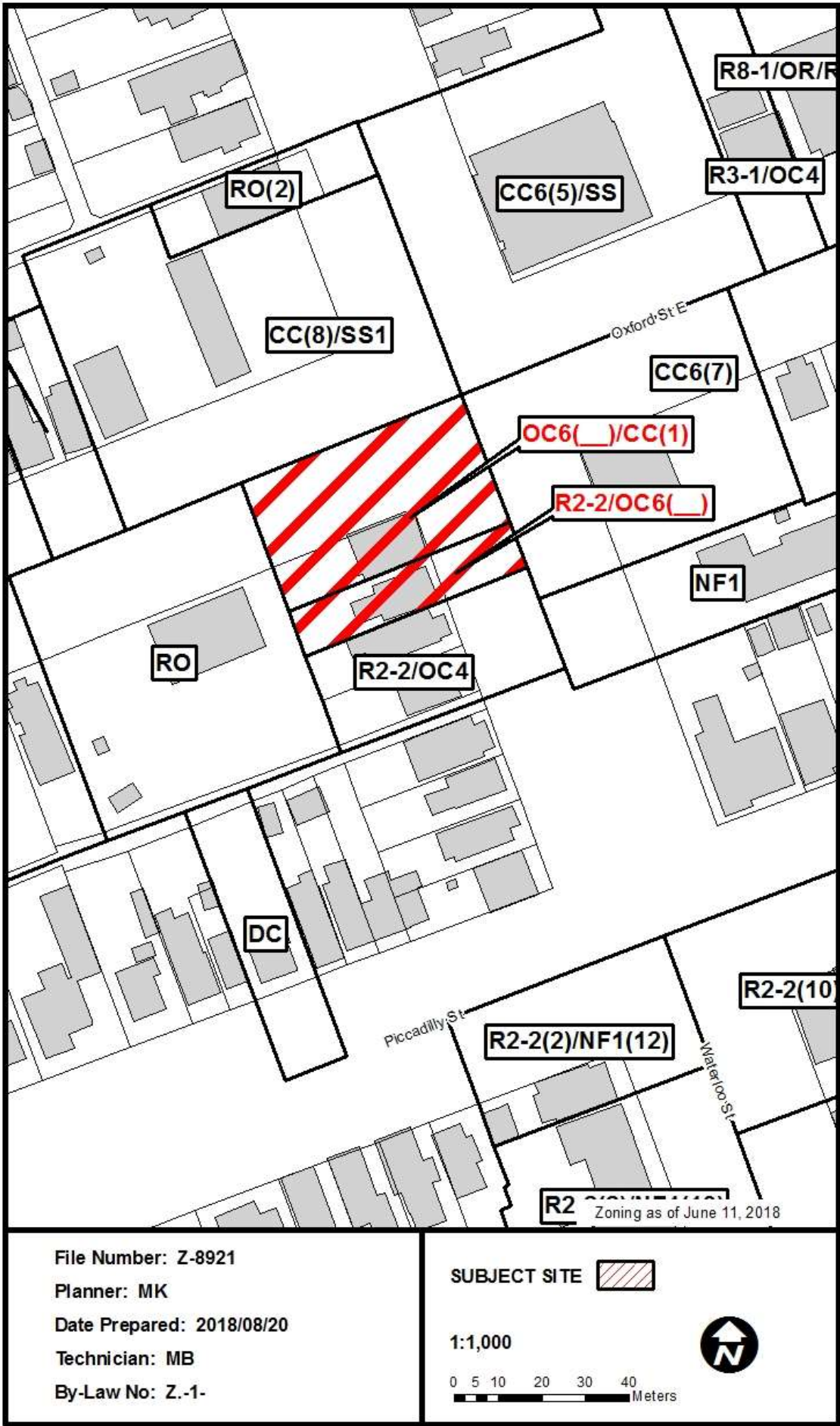
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



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





Appendix B – Public Engagement

Community Engagement

**Public liaison:** On July 4, 2018, Notice of Application was sent to 67 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 5, 2018. A “Planning Application” sign was also posted on the site.

5 replies were received

**Nature of Liaison:** Purpose and effect of this zoning change is to permit an expanded range of office conversion uses on the subject site and to recognize existing site conditions. Possible change to Zoning By-law Z.-1 at 745 Waterloo Street from an a Residential R2 (R2-2) Zone and an Office Conversion (OC4) Zone to a Residential R2 (R2-2) Zone and an Office Conversion Special Provision (OC6(\_)) Zone and at 747 Waterloo Street from an Office Conversion (OC4) Zone and a Convenience Commercial Special Provision (CC(1)) Zone to an Office Conversion Special Provision (OC6(\_)) Zone and a Convenience Commercial Special Provision (CC(1)) Zone to permit clinics in existing buildings, dwelling units, emergency care establishments in existing buildings, medical/dental offices in existing buildings, offices in existing buildings, and outpatient clinics in existing buildings; in addition to the uses already permitted on the subject site. Special provisions are also being requested to recognize the existing landscaping and vehicular parking on the site.

**Responses:** A summary of the various comments received include the following:

**Concern for:**  
*Parking:*

Concerns were expressed that the requested reduction in the required parking to recognize the existing quantity of parking would not be sufficient to accommodate the requested medical/dental office use. There was an identification that the existing on-street parking on Piccadilly Street is quite busy due to the nearby Montessori School.

*Conformity of existing uses on the site to the existing Zoning By-law permissions:*

Concern was expressed that the existing uses do not conform to the permitted zoning.

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

Telephone/In Person	Written
Jennifer Thompson 766 Hellmuth Avenue London, ON N6A 3T7	Craig Martin 606 Middlewoods Road London, ON N6G 1W8
Craig Martin 606 Middlewoods Road London, ON N6G 1W8	Piccadilly Area Neighbourhood Association
Raymond Lamb 721 Waterloo Street London, ON N6A 3W2	
Attn: Tina Sartori Montessori Academy 711 Waterloo Street London, ON N6A 3W1	



Written Comments Received:

From: Lila Neumann [REDACTED]  
Sent: Friday, August 24, 2018 9:14 PM  
To: Planning <Planning@london.ca>  
Subject: Z-8921 feedback

Dear M. Knieriem,

The Piccadilly Area Neighbourhood is aware of a zoning change requested for 745 and 747 Waterloo St (Z-8921), and that a request has been made to reduce the parking requirements.

We have had some discussion regarding this and are concerned about the community impact if clients to this space spill over onto on-street parking regularly. There is already a lot of traffic on the neighbouring streets with the existing businesses and the two schools.

We are hoping that a solution is found so that on-street parking will not increase in this area.

Sincerely,  
-Lila Neumann, Piccadilly Area Neighbourhood Association co-chair

Craig Martin  
606 Middlewoods Dr.  
London, ON N6G 1W8

July 24, 2018

Planning Services, City of London  
206 Dundas St.  
London ON N6A 1G7

**File: Z-8921**

Attn: Michelle Knieriem

I am the owner of 735 Waterloo St that is to the south of these properties. I have lived at the property for 20 years. Recently I have been made aware that an application has been made for 745 & 747 Waterloo Street are requesting a Zoning By-law amendment from its current zoning to (Residential R2/Office Conversion Commercial Space Provision (r2-2)/C6( ) at 745 Waterloo St. and Convenience Commercial Special Provision/Office Conversion Special Provisions (CC(1)/OC6( )) Zone at 747 Waterloo St.

With the little information that has been provided to date here's a number of concerns and questions that this request raises.

**Application Signage is extremely hidden and almost non-existent:**

- Property addresses are on Waterloo St. Signage is on Oxford St.
  - Signage is parallel to the road when it should be perpendicular for vehicles and residents to see
  - Signage is hidden by traffic traveling by
- Signage is non-existent on 747 Waterloo St., resulting in no clear indication that an application has been made to this property

**Past History 745 Waterloo St. under submission A.082/07 (in around June 2007):**

- Properties were separated with fence dividing the rear parking lots between 745 and 747 Waterloo.
  - Removal of the rear fence no site plan was completed at that time
- Never completed - Rear landscaping on the North fence line to the adjoining property 735 Waterloo St. the applicant was to but in shrubs/greenery to lessen the noise from the removal of a fence and create privacy
- Rezoning occurred through a minor variance request and not the appropriate forum for discussion



- Agreed 'rezoning' minor variance application at that time was for a Chocolate Shop which was to have sample limited floor space of the hair salon that it replaced.

**Current Over Usage 745 Waterloo St.:**

- Three Business now operate at this location when only one approved as per the minor variance in around 2007
  - Chocolaterie Bernard Callebaut (as agreed)
  - Wright's Send A Basket (added)
  - Razzle Dazzle Cup Cakes (added)
  - How many businesses are allowed to operate?
- Two Residential Apartments
  - Rear Upper Apartment Rental
  - Front Upper Apartment Rental
- Parking is limited and relies on a boulevard agreement.
  - Limited Parking space and uses the adjacent buildings
  - Access to parking is off Waterloo St with entrance
  - Traffic increase to business as well as entry and egress issues

**Past History 747 Waterloo St.**

- For the last number of years, the operation has been Gamage Flower Shop on the main level
- Residential apartment on the upper level

**Recent Renovations and additions and information lacking on the Building Permit Inquiry system:**

- Staircase was added the upper level of 747 Waterloo St. to the residential unit on the exterior. Previous access was interior access through a door off Oxford St.
  - Staircase resides in the laneway between 745 and 747 Waterloo St. and is built on 745 Waterloo St. Lane Way
  - Door at the top of staircase was previously a window
  - No building Permit Inquiry found?
- Renovation in progress at 747 Waterloo St. space (formerly Gammage Flower Shop)
  - A large construction waste bin has been at the rear of 745 Waterloo St.
  - Visible through store front windows walls have been removed
  - No building Permit Inquiry found?

**Parking**

- Concerns that the parking lots are often full during daytime and overnight 3-4 vehicles reside daily
  - Lacking parking for the request
  - Parking relies on two boulevard parking arrangements made with the city. What happens if these spaces are no longer available in the future?
  - With new business added where do existing businesses park? Where do renters park?

- Garbage Collection Bins
  - Until recently there were two oversize collection bins for waste and cardboard that occupied parking spaces. How is the current waste and possible additional waste to be resolved?

**Property Titles**

- Unclear information provided by Planning if these properties are linked?
  - Are they separate titles?
  - Are they one property on file?
  - Can one property be sold independently?
- Property 747 Waterloo St. appears to have been recently transferred ownership in June 2018. Unclear if 745 was part of this sale as it's not listed.

**Requested Zoning**

- Zoning is put in place and is permanently based on the property, not the owner and consideration needs to be given to the fit and usage.
- Past zoning, parking, landscape and added uses of now three business operating 745 Waterloo St. need to be addressed before moving forward with any future development.
- Why do both properties need to be rezoned to such a wide usage?

With the information to date and past issues, we simply don't have enough information from the applicant. We need to look into past issues listed such as three businesses operating where one was approved, a built staircase with no permits on the building inquiry system, landscaping not completed and current parking issues before this moving further forward.

To resolve the existing issues, there should be an open forum with the applicant and building owner(s) that's public participation. We need to be careful in neighbourhoods like PANA that have a balance or residents and business that we don't just grant zoning that can create a 'mini shopping' mall in effect without the appropriate requirements.

I formally request that I be notified of this decision and any other relating to Submission File Z-8921.

Regards,  
Craig Martin

---

cc: John Flemming, Tanya Park



**Knieriem, Michelle**

**From:** Tina Sartori [REDACTED]  
**Sent:** Wednesday, September 12, 2018 3:45 PM  
**To:** Knieriem, Michelle  
**Subject:** 745-747 Waterloo Street

Hi Michelle,

I am unable to attend the public meeting due to a Board meeting for my school, but I wanted to share my concerns with you regarding the zoning amendment with these 2 properties, particularly with regards to parking. These sites do not have the adequate space for parking they require.

Since there is no parking available on Waterloo St. and with the recent upgrades the city is making on Wellington St. leaving a loss of parking spaces there, Piccadilly is become very congested for parking spaces, impacting the neighbours on the street with driveways being blocked and unsafe manoeuvring of cars with young children and their parents crossing the street between our school and the other daycares down the street. My worry is that with this application, since they actually don't have the space required for the parking they need, their clients will be looking to park on Piccadilly St. as well, bringing even more cars to park on this very congested road. If they also keep the apartments above the stores as residential, they will use the parking on-site also, which will decrease the number of parking spots available to their clients on-site. Handicap spots will need to be addressed, decreasing available spots again on-site, pushing more cars on to Piccadilly.

Thank-you for taking this into consideration with this application.

Kind regards,

Tina Sartori  
Executive Director BASc., AMI



[REDACTED]  
[REDACTED]  
[REDACTED]  
[www.montessori.on.ca](http://www.montessori.on.ca)

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**Agency/Departmental Comments**  
***Engineering and Environmental Services Department***

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Zoning By-Law amendment application:

**Stormwater**

- For information purposes only – There is an existing municipal 1050mm diameter storm sewer and associated easement traversing the north-west corner of 747 Waterloo Street.

***Heritage Planning***

The subject properties at 745 Waterloo Street and 747 Waterloo Street are heritage listed properties included on the Register (Inventory of Heritage Resources) adopted pursuant to Section 27 of the *Ontario Heritage Act*. Additionally, the subject properties are adjacent to the Bishop Hellmuth Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*. There are both on-site and adjacent cultural heritage resources.

The intent of a Heritage Impact Assessment (Heritage Impact Statement) is to demonstrate an understanding of the cultural heritage value and heritage attributes of a resource, articulate a change, identify potential impacts, and to provide recommendations to mitigate any adverse impacts and ensure the conservation of the cultural heritage value and heritage attributes of the resource.

The *Heritage Impact Statement for 745 and 747 Waterloo Street* (Brock Development Group, dated June 14, 2018) was exceedingly brief and did not demonstrate a comprehensive understanding of the potential cultural heritage value of the on-site resources. There was no evaluation or effort to articulate potential heritage attributes of these resources by the *Heritage Impact Statement*. This makes it difficult to support the conclusion of Section 6.0 of the *Heritage Impact Statement* which found that the requested zoning by-law amendment... “will conserve the heritage features of the existing built form” as heritage features have not been defined.

The *Heritage Impact Statement* was able to elaborate more on the cultural heritage value of the Bishop Hellmuth Heritage Conservation District and better able to articulate that no adverse impacts are anticipated as a result of the requested zoning by-law amendment (Sections 2.2 and 5.3 of the *Heritage Impact Statement*).

It was also unclear what, if any, qualifications or experience the author of the *Heritage Impact Statement* has in order to prepare such a report.

The requested zoning by-law amendment seeks to add additional uses to the existing zoning for the subject properties. To ensure these additional uses do not result in an adverse impact to this potential cultural heritage resource, provisions should be included in the zoning by-law amendment to limit these uses to the existing buildings.

***Upper Thames Region Conservation Authority***

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.

### CONSERVATION AUTHORITIES ACT

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

### DRINKING WATER SOURCE PROTECTION

Clean Water Act

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. Mapping which identifies these areas is available at: [http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

Upon review of the current assessment report mapping, we wish to advise that the subject property is identified as being ***within a vulnerable area***.

### 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

The UTRCA has no objections to this application.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

### London Advisory Committee on Heritage

This item was considered at the London Advisory Committee on Heritage at its meeting on July 11, 2018. This matter was further resolved by Municipal Council at its July 24, 2018 meeting.



The comments provided by the London Advisory Committee on Heritage with regard to the Zoning By-law Amendment application at 745-747 Waterloo Street are as follows:

M. Knieriem, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research, assessment and conclusions of the Heritage Impact Statement for the properties located at 745 and 747 Waterloo Street but the LACH is not opposed to the proposed zoning amendment;

it being noted that the Notice of Planning Application, dated July 4, 2018, from M. Knieriem, Planner II, with respect to this matter, was received.

## **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**

Policy 1.1.1: Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- e. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

Policy 1.1.3.2: Land use patterns within *settlement areas* shall be based on:

- a. densities and a mix of land uses which:
  - 1. efficiently use land and resources;
  - 4. support *active transportation*;
  - 5. transit-supportive, where transit is planned, exists or may be developed;

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

Policy 4.7: The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

### **Official Plan, 1989**

Policy 3.6.9: Office Conversions

The conversion of dwellings within Residential designations for office purposed shall be allowed within specifically identified areas subject to the following criteria:

#### **Definition of Office Conversions**

i) For the purposed of the Plan, office conversion shall be defined as the total or partial conversion of a residential building for office use. Office conversions may involve minor additions to the existing building where these facilitate the use of the building for offices. Retention of the general form and character of buildings converted for office use will be required.

#### **Location of Office Conversions**



ii) Office conversions may be permitted in the following locations within the Residential designations:

(17) Waterloo Street - west side, south of Oxford Street, north of the laneway.

#### Parking Requirements

v) Where the proposed office conversion is located in close proximity to the Downtown Area, the City may accept payments in-lieu-of a portion of the required parking if it can be demonstrated that there is sufficient available off-site parking to accommodate the proposed use within the immediate surrounding area.

#### Permission for Office Use

vi) Where office conversions are permitted in Residential designations through the provisions of the Plan, the permission for office use shall be retained only as long as the life of the building, and shall not be used as the basis for a redesignation or rezoning of the property for office use.

#### Site Plan Approval Required

iv) All office conversion proposals will require site plan approval which will be evaluated on the basis of the following criteria:

(a) whether provisions have been made for landscaping, privacy screening or any other appropriate measures necessary to protect the amenity of adjacent residential properties;

(b) whether the residential appearance of the existing building is maintained and the external evidence of the office use is minimized. Minor additions that are compatible with the external design and appearance of the existing building may be permitted, where necessary, to facilitate the use of the building for office purposes;

(c) the use of common driveways and parking areas to serve adjacent office conversions shall be encouraged. Where access is proposed to be provided through a side yard to a local street an assessment will be made on the possible negative impacts on adjacent residential uses, and whether access would be more appropriately directed to the main street;

(d) whether provision is made for the on-site manoeuvrability of vehicles so that egress from the site does not require vehicle reversals onto the street; and

(e) conformity with all other applicable provisions of the City's Site Plan Control By-law.

Policy 13.2.3.1: Where a heritage building is protected under Parts IV, V or VI of the Ontario Heritage Act, development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement, and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained. For the purposes of this section, adjacent lands shall include lands that are contiguous, and lands that are directly opposite a protected heritage property, separated only by a laneway or municipal road.

A holding provision may be applied on the zoning of lands adjacent to protected heritage properties, to ensure that prior to development or site alteration, a Heritage Impact Statement is required to demonstrate how the heritage values, attributes and integrity of the protected heritage property are to be conserved and how any impacts may be mitigated. Section 13.2.3.1. added by OPA 438 Dec. 17/09)

#### **The London Plan**

Policy 270: The location, configuration, and size of parking areas will be designed to support the planned vision of the place type and enhance the experience of pedestrians, transit-users, cyclists, and drivers.

Policy 271: The Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction.



Policy 369: Where a request is made for a minor variance to the parking requirements, as established in the *Zoning By-law*, the approval authority may require a parking study.

Policy 565: New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.

The applicant provided a Heritage Impact Statement identifying that the requested uses would occur within the existing buildings. To ensure that additional uses do not result in adverse impacts to this potential cultural heritage resource, the recommended Zoning By-law Amendment would limit the requested uses to the existing buildings on the site.

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

Policy 830: Where the term “corridor” is used, without the “rapid transit” or “urban” modifier, it is meant to apply to both of these types of corridors. We will realize our vision for our corridors by implementing the following in all the planning we do and the public works we undertake:

4. Plan for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services.

7. Require transit-oriented and pedestrian-oriented development forms along these corridors.

Policy 837: The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise identified by the Specific-Segment policies in this chapter:

1. A range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type.

Policy 841: The following form policies apply within the Rapid Transit and Urban Corridor Place Types:

7. On-street parking within Corridors is encouraged wherever possible and when conflicts with public transit services and on-street bike paths can be avoided or mitigated.

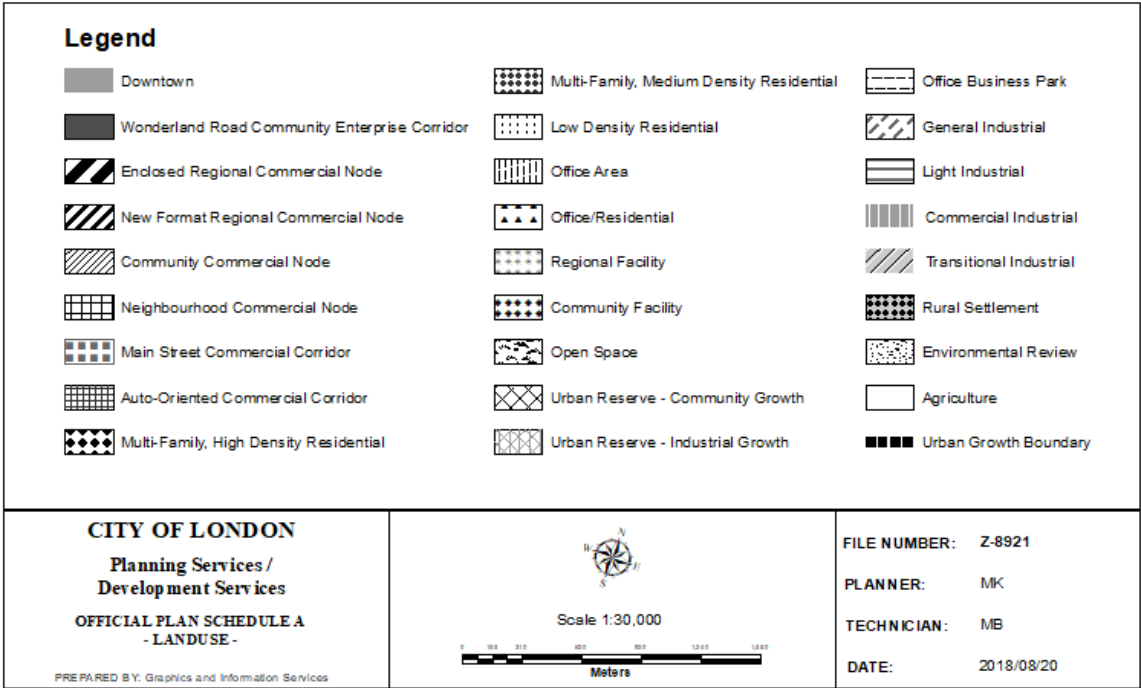
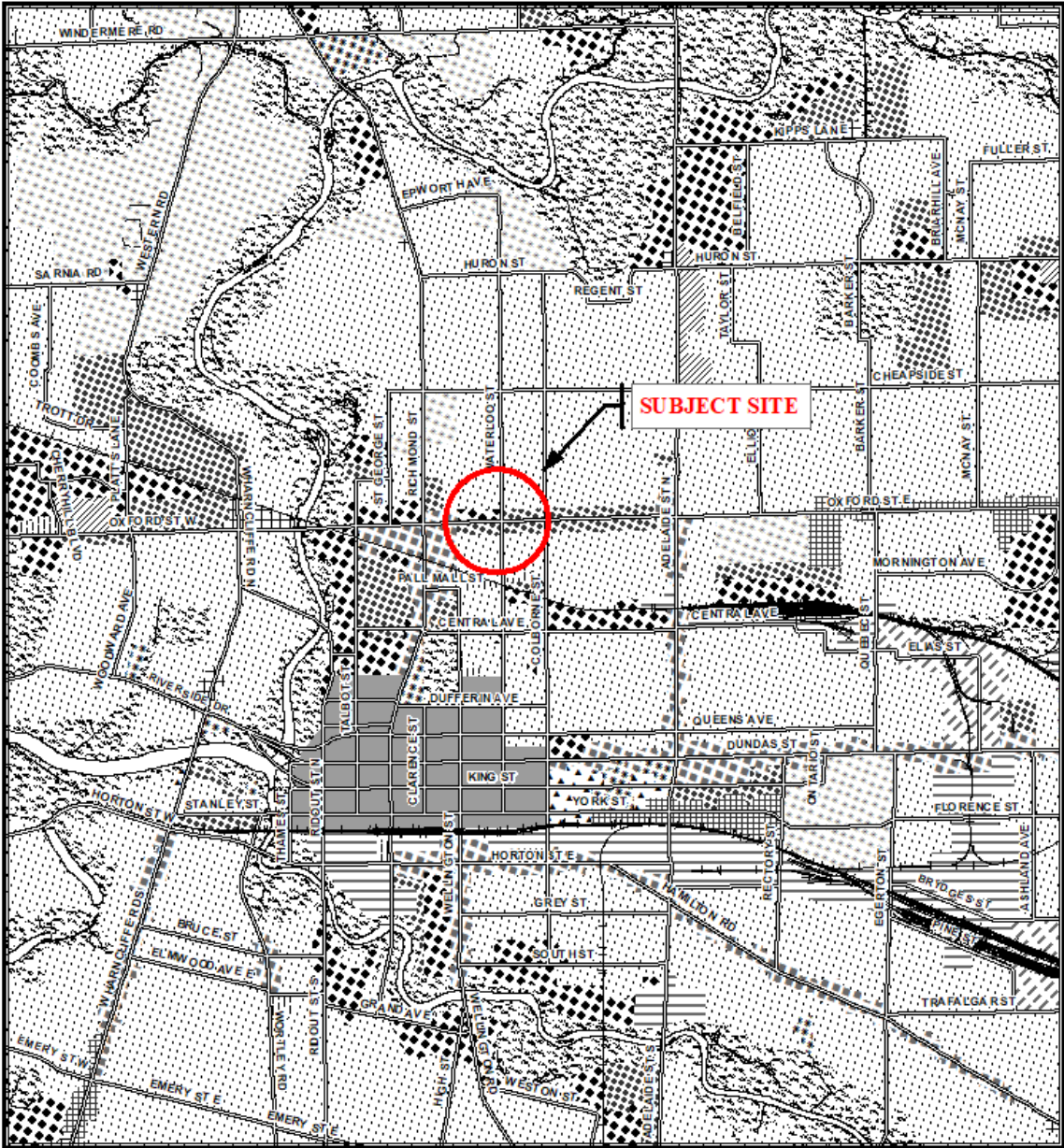
8. While access to development along Corridors may be provided from “sidestreets”, traffic impacts associated with such development will be directed away from the internal portions of adjacent neighbourhoods.

Policy 1076: For the properties located at 733-747 Waterloo Street office conversions may be permitted.

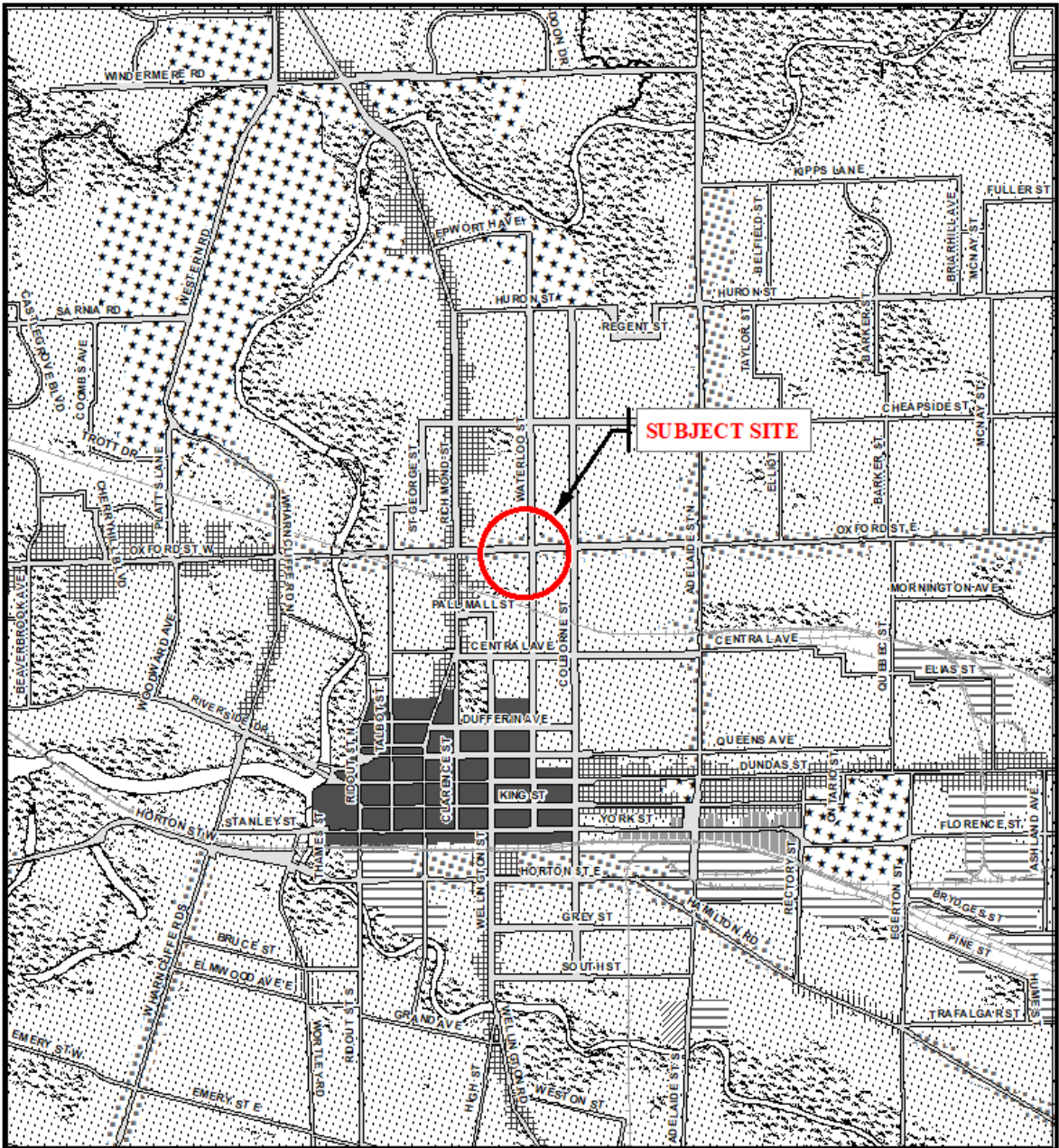


Appendix D – Relevant Background

Additional Maps







Legend

Downtown

Transit Village

Shopping Area

Rapid Transit Corridor

Urban Corridor

Main Street

Neighbourhood

Future Community Growth

Heavy Industrial

Light Industrial

Future Industrial Growth

Commercial Industrial

Institutional

Green Space

Environmental Review

Farmland

Rural Neighbourhood

Waste Management Resource Recovery Area

Urban Growth Boundary

CITY OF LONDON

Planning Services /  
Development Services

LONDON PLAN MAP 1

- PLACE TYPES -

PREPARED BY: Planning Services

Scale 1:30,000

Meters

File Number:

Z-8921

Planner:

MK

Technician

MB

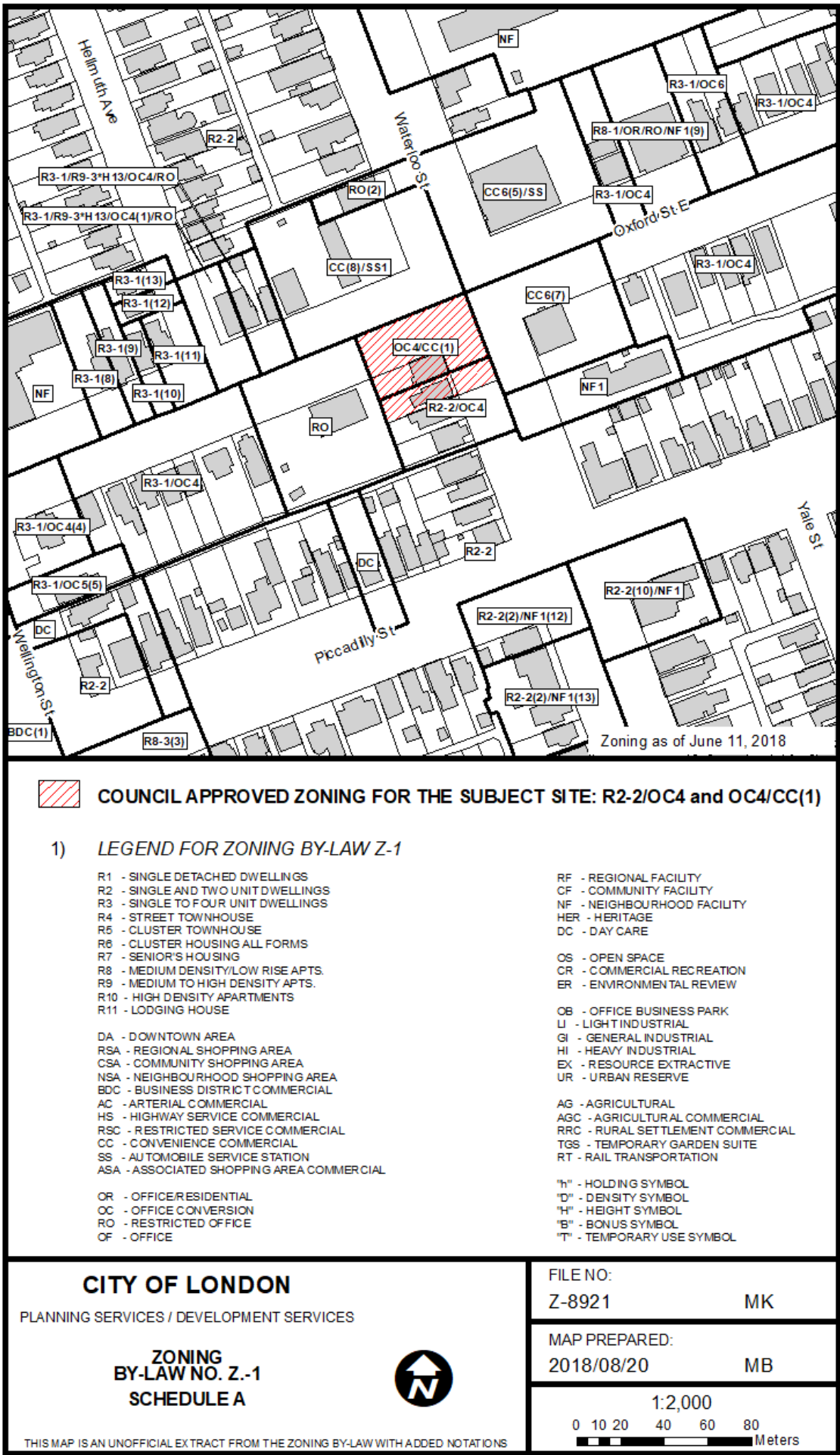
Date:

August 20, 2018

Project Location: E:\Planning\Projects\lp\_officialplan\workconsolid00\excerpts\_LondonPlan\EXCERPT\_Map1\_PlaceTypes\_b&w\_8x14.mxd

222







Zoning change at 745 - 747 Waterloo Street

We realize we are a little past the deadline (9:00 this morning) but hopefully you will review our concerns related to the above zoning change.

We live at 319 Piccadilly Street and already have concerns at the volume of traffic both travelling and parking on our street. We worry about the safety of the children being dropped off and picked up at the Montessori school and the daycare centres. The daycare children often walk with the daycare workers around our neighbourhood and the children from Montessori walk and sometimes run as part of their physical education program. The street is already often congested with cars parked and other cars driving on the street or pulling in and out of driveways as they turn around while looking for parking spaces.

We understand that the number of parking spaces are deficient for this new application and so we do not support approval as this will cause increased traffic on our street further compromising congestion and safety.

Thank you for your consideration,

Barb and Jon Baskerville



Heather - Please forward this public feedback to the PEC Committee meeting on this rezoning application Sept 24 for the 745 - 747 Waterloo St properties ( former Gammage Flowers ). I have just received a response from City Planner - Michelle K to recommend this course of action as she has already submitted the report to Council . (something about Delegation Status)

**Public Feedback - 745 - 747 Waterloo St Rezoning Requests**

- PEC members need to be very cautious in considering and approving ANY rezoning application changes to these two(2) properties which would result in or encourage any future major modifications to the exterior facades on these two (2) properties from either the Oxford St or Waterloo St " streetscape " view as these properties are not only on the London Heritage Properties Register but are also considered by many as the gateway to Historical Old London North ( Bishop Hellmuth ETC ) . This consideration should be extended to future exterior signage restrictions.
- Any support in reviewing the rezoning to unlimited clinic usage designation should include potential restrictions on attracting any more illegal drug trade clients for rehab or future uses such as safe injection sites as these properties are immediately across the road from a Monseouri School and the Rexall Pharmacy which already serves as a Methadone Clinic . We are a bit MAXED out already on this corner in serving up serves for this type of clinic usage.

THXS - Chris Butler - 863 Waterloo St



**Report to Planning and Environment Committee**

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** The Corporation of the City of London  
723 Lorne Avenue (former Lorne Avenue Public School site)  
**Public Participation Meeting on: September 24, 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 property located at 723 Lorne Avenue:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 2, 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 Neighbourhood Facility (NF) Zone, **TO** a Residential R1 Special Provision (R1-2(\_)) Zone and an Open Space (OS1) Zone; and
- (b) That any procurement process associated with the subject site evaluate submissions to ensure that the design of development is consistent with "Section 4.5.1 Design Guidelines for New Buildings" of the Old East Heritage Conservation District – Conservation and Design Guidelines when determining the successful proponent.

**Executive Summary**

**Summary of Request**

As part of the City of London's acquisition of the former Lorne Avenue Public School site, the process endorsed by Municipal Council involved the demolition of the existing school building, the creation of a municipal park, and the repurposing of the remainder of the site to be compatible with the neighbourhood. This requires a rezoning of the subject site, as the existing zoning permissions are limited to neighbourhood facilities, including places of worship, elementary schools, and daycare centres.

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended Zoning By-law Amendment is to permit a park on the northeast corner of the site ["park portion"] and single detached dwellings on the remainder of the property ["developable portion"]. A new road is also proposed extending Queens Place to Lorne Avenue. The details of this new road would be finalized through the development of the subsequent procurement process for the subject site.

**Rationale of Recommended Action**

The Old East Village has been identified as being parks deficient, relying heavily on the former Lorne Avenue Public School site for community outdoor space. The City acquired the former Lorne Avenue Public School site due to this municipal need for parkland in the area. While a portion of the funding for acquiring the former Lorne Avenue Public School site was from the City's Parklands Reserve Fund, the remainder of the funding came from other funding sources with the expectation that the portion of the site not used for parkland would be developed for residential uses in the future. Working closely with the community, a preferred land use concept was prepared that would permit a public park and would also allow a portion of the site to be sold for



residential development in the form of single detached dwellings. The attached Zoning By-law Amendment includes special provisions to help ensure any future development of the site is compatible with the Old East Heritage Conservation District.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is currently vacant and was formerly the site of Lorne Avenue Public School. The Lorne Avenue Public School building has been demolished. The site is an irregular shape, with frontages on Lorne Avenue to the north and English Street to the east. Queens Place terminates at the subject site to the south.



Figure 1 - Subject site following demolition

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Neighbourhood Facility (NF) Zone

1.3 Site Characteristics

- Current Land Use – Vacant (former Lorne Avenue Public School and associated school yard, school building has since been demolished)
- Frontage – 64 metres (210 feet)
- Depth – 146 metres (479 feet)
- Area – 1.36 hectares (3.36 acres)
- Shape – Irregular

1.4 Surrounding Land Uses

The subject site is surrounded on all sides by a mixture of low-rise residential dwelling types including single detached, semi-detached, duplex, triplex and fourplex dwellings. The surrounding area is designated Low Density Residential in the 1989 Official Plan and within the Neighbourhoods Place Type in The London Plan.

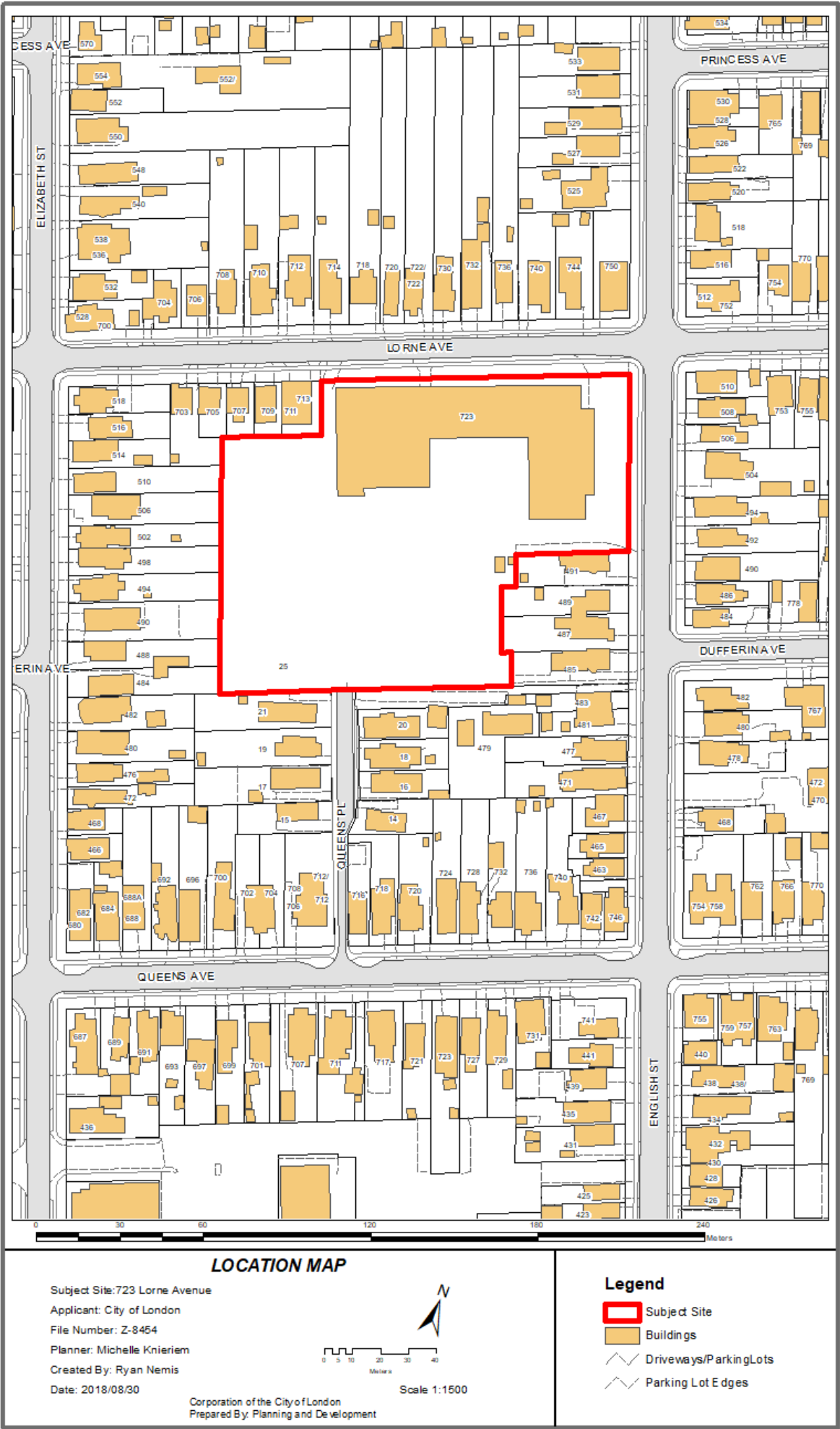
The surrounding area is also situated within the Old East Heritage Conservation District.

1.5 Intensification

- Based on the recommended zoning, it is estimated that the subject site could accommodate approximately 12 residential units
- The proposed residential units represent intensification within the Built-area Boundary
- The proposed residential units are inside of the Primary Transit Area



1.6 Location Map





## 2.0 Description of Proposal

### 2.1 Development Proposal

The recommended Zoning By-law Amendment would allow the northeast portion of the site to become a park. This park would have a minimum size of 0.61 hectares, encompassing a minimum of 45% of the total site area.

A new road bisecting the site is proposed adjacent to the park which would extend Queens Place to Lorne Avenue. The width of the right-of-way associated with this road and whether it will be utilized by one or two way traffic will be further resolved through the subsequent procurement process for the future sale of the developable portion of the subject site that is recommended to be zoned for residential uses.

The western portion of the site would permit single detached dwellings based on the recommended zoning, fronting onto the new road. Recommended special provisions in the zoning are intended to:

- Reduce the minimum front yard setback and limit the maximum front yard setback to permit setbacks that are characteristic of the existing dwellings on Queens Place and the broader Old East Village;
- Reduce the maximum driveway width to 3 metres to allow for a single car width for the driveway, similar to other properties in the Old East Village;
- Limit garages to detached garages, as attached garages are not characteristic of the Old East Village;
- Limit the height of dwellings to 2 storeys; and
- Require a dwelling constructed on the lot abutting the park to front the park.

## 3.0 Relevant Background

### 3.1 Planning History

The subject site was formerly the location of the Lorne Avenue Public School. The Lorne Avenue Public School occupied the site since 1875, with the original building being replaced by a new building constructed in 1969-1970. In 2014, the Thames Valley District School Board declared the site surplus and offered it for sale to public bodies. The City of London submitted an offer to purchase the site, and on October 15, 2014, the City entered into an Agreement of Purchase and Sale with the Thames Valley District School Board to acquire the former Lorne Avenue Public School property located at 723 Lorne Avenue for \$550,000. The funding for purchasing the site included funding from the Parkland Reserve Fund, in order to secure a portion of the site for the use of a public park. The school closed in June, 2016. On October 28, 2016, the City of London took possession of the subject site.

As part of the Council-approved process to find a new user for the non-park portion of the site, The City of London engaged in a Request for Proposals procurement process to try to find a new occupant for the former Lorne Avenue Public School building. The Request for Proposals procurement process did not result in identifying a successful respondent.

As no successful responses were received through the Request for Proposals procurement process, the former Lorne Avenue Public School building was subsequently demolished following Municipal Council's approval of a demolition request in August, 2017. The school bell from the original Lorne Avenue Public School and the aluminum lettering from the north façade of the building were removed prior to demolition and are to be incorporated into the future park at the site.

The City of London held three community information meetings to gather community feedback to inform the future uses on the former Lorne Avenue Public School site. The first community information meeting was held on April 25, 2015 to gather information about future uses for the site. The learnings from this meeting were incorporated into the Request for Proposals procurement document. Two subsequent community information meetings were held on June 27, 2017 and May 23, 2018 to inform the future



development of the site with the understanding that the former school building would be demolished. The learnings from the latter two community information meetings informed the recommendations in this report including the recommended Zoning By-law Amendment. Further details on the community engagement process can be found in the below section “3.2 Community Engagement”.

At its meeting of April 10, 2018, City Council received for an information report from the Managing Director, Planning and City Planner entitled “The Corporation of the city of London Neighbourhood School Strategy – Evaluation and Acquisition of Surplus School Sites”. This report outlined the proposed strategy to evaluate school sites that have been declared surplus by the school boards to determine if there is a municipal purpose for these lands. Three municipal purposes were identified for the City to consider when acquiring surplus school sites: affordable housing, parkland, and community facilities, with affordable housing given priority over the other potential municipal uses. Evaluations are also to consider possible cost recovery options in instances where only a portion of the lands are needed. A report recommending direction on the closed school strategy is targeted for consideration in the fall of 2018. While the acquisition of the Lorne Avenue Public School site preceded the closed school strategy, the acquisition of school sites, such as Lorne Avenue Public School, where neighbourhoods are deficient in parkland and the school functions as the primary public open space, are given a high priority.

Should Municipal Council adopt the recommendations in this report to rezone a portion of the subject site to an Open Space (OS1) Zone, further community consultation will be held to inform the design of the new public park.

### **3.2 Community Engagement (more detail in Appendix B)**

Three community information meetings have been held to discuss the reuse of the former Lorne Avenue Public School Site.

The first meeting was held on April 25, 2015 at the Lorne Avenue Public School. This meeting was attended by approximately 46 people. This meeting discussed the City’s purchase of the Lorne Avenue Public School property to create a neighbourhood park, shared the Request for Proposals process to find a purchaser for the former school building, and discussed the community’s vision for the site and parkland assuming the school building remained. Feedback from this meeting was incorporated into the Request for Proposals documentation for the reuse of the former school.

The Request for Proposal process to find a purchaser for the school building did not find a successful proponent, and at its meeting of March 2, 2017, City Council directed staff to hold a community meeting to re-engage the local Old East Village community and update them on the process to date and articulate the community’s vision for parkland and residential infill on a cleared site.

The second community information meeting was held on June 27, 2017 at the Boyle Community Centre to discuss the community’s vision for parkland and residential infill on a cleared site. This meeting was attended by approximately 40 people. This meeting was intended to gather input from the community about the vision for the cleared site, which included discussion about the preferred activities in the park that would be included in the redevelopment. This meeting included breakout groups where groups developed plans and provided feedback for their preferred land use concepts for the site. In general, the preferred land use concepts generated by the groups included the following:

- Identified issues with vehicular access and turn-around on Queens Place. Preference for a cul-de-sac to be added at the end of Queens Place rather than a through-street;
- Desire to maximize the amount of parkland;
- Preference for low-rise residential development – single detached and possibly duplex or semi-detached dwellings;



- Need for development to fit with the character of the Old East Heritage Conservation District;
- Desire for multiple points of access to the new park; and
- Preference for park to be located in the northeast corner of the site.

From this meeting, development concepts were drafted and were reviewed in consultation with other City divisions to analyze possible constraints. This review resulted in two development concepts with the intention that the draft Zoning By-law provisions could allow the flexibility for either concept to be implemented. Both development concepts included a park in the northeast corner occupying approximately 45% of the site, a new public road bisecting the site extending Queens Place to Lorne Avenue, and single detached dwellings on the western portion of the site. The difference between the two concepts was in the southeastern portion of the site where one concept included single detached dwellings and the other concept included cluster single detached dwellings. The two development concepts considered at the third community information meeting are shown below:



Figure 2 - Development Concept 1



Figure 3 - Development Concept 2

These development concepts and associated draft zoning permissions were presented to the community at a third community information meeting held on May 23, 2018 at the Carling Heights Optimist Community Centre. Approximately 30 people attended this meeting. This meeting presented learnings to date from previous community consultations and presented the proposed development concepts and draft Zoning By-law Amendment to the community for feedback. While some residents did express a desire for increased density or a greater amount of parkland on the site, the proposed development concepts and draft Zoning By-law Amendment were generally well-



received by the community with many community members praising how the development concepts reflected the community's vision for the site. A concern was identified in relation to Development Concept 2 as there are no other cluster developments in the Old East Heritage Conservation District. The community expressed a desire for standards to be incorporated into the Zoning By-law to ensure the development fits with the character of the surrounding neighbourhood.

Another concern expressed included the desire for better stormwater management, citing flooding as a common occurrence in the area. This matter will be considered through the park design process and through any future subdivision application. There was also a concern about an increase in traffic on Queens Place as a result of the proposed extension of the existing road. This matter will be further considered through the procurement process. The community also identified an interest in being involved in the procurement process, if possible.

This proposed Zoning By-law Amendment was revised based on the comments from the community consultation meeting, with the recommended Zoning By-law Amendment including permissions for single detached dwellings (as shown in Figure 2) and not cluster single detached dwellings (as shown in Figure 3) and including more specific standards based on the feedback from the meeting, such as maximum lot frontage, to ensure the character of the neighbourhood is maintained.

Should Municipal Council adopt the recommended Zoning By-law Amendment which includes zoning permissions to allow for a park at the northeast corner of the site, further community consultation would occur to inform the design of the park.

**3.3 Recommended Development Concept**

Through the community consultation process, the below land use concept was established as the recommended development concept for the site. This concept includes a park in the northeast corner occupying approximately 45% of the site, a new public road bisecting the site extending Queens Place to Lorne Avenue, and single detached homes on the western and southeastern portions of the site. It is estimated this could result in the addition of approximately 12 single detached dwellings to the site.

The recommended development concept is shown below:



Figure 4 - Recommended Development Concept (Development Concept 1)

This concept was developed out of the community consultation, providing parkland in a location that is visible and easily accessible to the broader Old East Village community and residential intensification that fits with the surrounding neighbourhood. When presented at the community information meeting on June 27, 2018, this development



concept was generally well-received. The recommended Zoning By-law Amendment is intended to implement this development concept.

### 3.4 Recommended Amendment

When the Lorne Avenue Public School site was initially purchased by the City, it was anticipated that the future zoning of the site could include an Open Space (OS1) Zone, a Neighbourhood Facility (NF) Zone, a Residential R3 (R3-2) Zone, and a Residential R8 (R8-4) Zone. These zones were considered for the following reasons:

- The Open Space (OS1) Zone was anticipated to include a park on the site;
- The Neighbourhood Facilities (NF) Zone was proposed to allow for a potential reuse of the former Lorne Avenue Public School building for a private school use or a form of neighbourhood facility, such as a child care centre;
- The Residential R3 (R3-2) Zone was considered to allow infill housing that was compatible with the surrounding neighbourhood. The Residential R3 (R3-2) Zone permits single detached, semi-detached, duplex, triplex, and fourplex dwellings. The properties surrounding the former Lorne Avenue Public School site are currently in a Residential R3 (R3-2) Zone; and
- The Residential R8 (R8-4) Zone was considered to permit conversion of the existing school building to residential apartments.

Since the initial Zoning By-law Amendment request, a Request for Proposals process did not find a successful proponent for the reuse of the former Lorne Avenue Public School and the building was demolished.

Extensive community consultation also identified a significant preference for the introduction of additional single detached dwellings, rather than other housing types. Community consultation led to the development of the two preferred development concepts (see section “3.3 Development Concepts”). As such, the requested Zoning was revised to an Open Space (OS1) Zone for the northeast portion of the site, a Residential R1 Special Provision (R1-2(\_)) Zone for the western portion of the site, and a compound Residential R1 Special Provision (R1-2(\_)) Zone and Residential R6 Special Provision (R6-2(\_)) Zone for the subject site to allow either of these two preferred development concepts to be implemented. This was the Zoning By-law Amendment that was circulated with the Notice of Application and the proposed special provisions would permit the following:

- The Open Space (OS1) Zone would allow for the development of a park on the site;
- The Residential R1 Special Provision (R1-2(\_)) Zone would allow for the development of single detached dwellings on western portion of the property and the southeastern portion of the property (which is also recommended to include Residential R6 Special Provision (R6-2(\_)) Zone permissions). The following special provisions would apply to this zone to help ensure development fits in with the surrounding context and has a positive relationship with the park:
  - Reduced minimum front yard setback of 1 metre;
  - Maximum front yard setback of 4 metres;
  - Prohibiting attached garages;
  - A maximum frontage of 14 metres;
  - A maximum height of 2 storeys or 9 metres; and
  - Requiring any dwelling abutting an Open Space (OS1) Zone to be oriented towards the Open Space (OS1) Zone
- The Residential R6 Special Provision (R6-2(\_)) would allow the development of cluster single detached dwellings on the southeastern portion of the property (which is also recommended to include Residential R1 Special Provision (R1-2(\_)) Zone permissions). The following special provisions would apply to this zone to help ensure development fits in with the surrounding context and has a positive relationship with the park:



- Recognizing the lot line abutting the Open Space (OS1) Zone as the front lot line;
- Reduced minimum front yard setback of 1 metre;
- Maximum front yard setback of 4 metres;
- A maximum height of 2 storeys or 9 metres; and
- Requiring any dwelling abutting an Open Space (OS1) Zone to be oriented towards the Open Space (OS1) Zone

Following the Community Information Meeting and subsequent staff consultation, the Residential R6 Special Provision (R6-2(\_)) Zone was removed from the recommended zoning. There was a concern identified by the community that no other cluster developments of the proposed configuration exist in the Old East Village, and the addition of the Residential R6 Special Provision (R6-2) Zone may not fit with the character of the neighbourhood. There were also concerns raised by the development community with regard to the feasibility of constructing cluster singles in that location. Staff considered these concerns and are recommending the subject site be rezoned to an Open Space (OS1) Zone and a Residential R1 Special Provision (R1-2(\_)) Zone. The Residential R6 Special Provision (R6-2(\_)) Zone is not recommended to be included on the subject site.

### **3.5 Policy Context (see more detail in Appendix C)**

*Provincial Policy Statement, 2014*

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located within a settlement area as identified in the PPS. The PPS identifies that settlement areas shall be the focus of growth and development, however this intensification is not intended to be uniform (Policy 1.1.3.1, 1.1.3.2). The PPS also identifies that significant built heritage resources and significant cultural heritage landscapes shall be conserved and that planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (Policy 2.6.1, 2.6.3). Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

#### *City of London 1989 Official Plan ("Official Plan")*

The City of London 1989 Official Plan ("Official Plan") implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The subject site is located within the "Low Density Residential" land use designation in the Official Plan. Development in the Low Density Residential land use designation is primarily intended for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings (Policy 3.2). Development that enhances the character of the residential area is promoted (Policy 3.2). Densities are generally limited to 30 units per hectare (Policy 3.2.2). Public parks are permitted in all land use designations in the 1989 Official Plan.

#### *The London Plan*

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modification. A majority of The London Plan is in-force and effect, and the remainder of the Plan continues to be under appeal at the Local Planning Appeals Tribunal.



The subject site is located within the Neighbourhoods Place Type in the London Plan, and the recommended new public road would be classified as a Neighbourhood Street.

Neighbourhoods Place Types make up the majority of the City Structure’s land area. Each neighbourhood provides a different character and function, giving Londoners abundant choice in affordability, mix, urban vs. suburban character, and access to different employment areas, mobility options, and lifestyles (Policy 917). The London Plan identifies the range of residential uses that are permitted for properties within the Neighbourhoods Place Type on Neighbourhood Street, including single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, group homes, and home occupations (Table 10). For properties within the Neighbourhoods Place Type on a Neighbourhood Street, the range of heights that may be permitted on a site is 1 to 2.5 storeys. This range of permitted uses and maximum heights will not necessarily be permitted on all sites within the Neighbourhoods Place Type on Neighbourhood Streets, as proposed developments must fit within its context (Policy 920).

*Old East Heritage Conservation District Plan*

The subject site is located within the Old East Heritage Conservation District recognized by the 1989 Official Plan and The London Plan, and the Old East Heritage Conservation District By-law is registered on the title of the property. The Old East Heritage Conservation District Plan is intended to assist in the protection and conservation of the unique heritage attributes and character of the Old East Village area. The purpose of the Old East Heritage Conservation District Plan and associated design guidelines is to establish a framework by which the heritage assets of Old East can be protected, managed, and enhanced as the community evolves over time.

The land use goals and objectives of the Old East Heritage Conservation District Plan are to retain the low density residential character of the Heritage Conservation District by ensuring that appropriate Official Plan policies and regulations are in effect that support the residential community and by discouraging potential uses and intensities that could be detrimental to the residential and heritage characteristics of the area (Section 3.2). The Old East Heritage Conservation District Plan also outlines the recommended practices and design guidelines to guide new buildings constructed in the Heritage Conservation District (Section 4.4). It also outlines general principles for considering land use changes to ensure the protection and preserve the heritage assets and character of the area (Section 6.1).

**4.0 Key Issues and Considerations**

The recommended Zoning By-law Amendment was developed through the community consultation process, to reflect the community’s vision for the site in a way that is consistent with the Provincial Policy Statement and conforms to the 1989 Official Plan and The London Plan.

**4.1 Issue and Consideration # 1: Use**

The northeastern portion of the site at the intersection of Lorne Avenue and English Street is recommended to be zoned Open Space (OS1) Zone to permit a public park, the western portion of the site, west of the recommended new road, and the southeastern portion of the site, south of the proposed Open Space (OS1) Zone, are recommended to be zoned Residential R1 Special Provision (R1-2(\_)) Zone to allow single detached dwellings.

*Provincial Policy Statement, 2005 (PPS)*

The Provincial Policy Statement identifies that healthy, livable and safe communities are sustained by accommodating a range of uses to meet long-term needs, including a mix of residential and park and open space uses (Policy 1.1.1 b)). It also identifies that healthy, active communities should be promoted by planning and providing for a full



range and equitable distribution of publically-accessible built and natural settings for recreation, including parks (Policy 1.5.1 b)).

The recommended Zoning By-law Amendment would contribute to the mixture of residential uses in the Old East Village, which is primarily comprised of a mixture of single detached, semi-detached, duplex, triplex, and fourplex dwellings. The introduction of an Open Space (OS1) Zone to the site is also consistent with the Provincial Policy Statement, as it is intended to help address the deficit of public parkland in the Old East Village, since the closure of the Lorne Avenue Public School resulted in no public open space located in the Old East Village in the area bounded by Dundas Street, Adelaide Street, Quebec Street, and the CN railways tracks.

#### *Official Plan, 1989*

The subject site is within the Low Density Residential designation in the 1989 Official Plan. Single detached dwellings are one of the primary permitted uses in the Low Density Residential designation (Policy 3.2.1).

The 1989 Official Plan also identifies that parks and recreation services should be provided to meet the needs of the entire population (Policy 16.1 i)). It indicates the need to strive towards an accessible and equitable distribution of parks, recreation areas and services throughout the City and to overcome any deficiencies (Policy 16.1 iii)). Public parks are permitted in all land use designations in the 1989 Official Plan (Policy 19.1.2).

The recommended permissions for single detached dwellings and public park uses are permitted uses within the Low Density Residential designation and contribute to the objective of striving towards overcoming deficiencies in the distribution of parks, recreation areas, and services throughout the City.

The 1989 Official Plan also identifies that the site is subject to the provisions of the Old East Heritage Conservation District Plan (Policy 13.3.2; Policy 13.3.8.3). A review of the permitted uses in relation to the policies in the Old East Heritage Conservation District Plan is provided below.

#### *Old East Heritage Conservation District Plan*

The lands within the Old East Heritage Conservation District are primarily zoned Residential R3 (R3-2), which permits single detached, semi-detached, duplex, triplex, converted and fourplex dwellings. The Old East Heritage Conservation District Plan found that this zone was appropriate for the heritage conservation district, as it reflects the small scale, residential nature of the community, and did not recommend any changes to this zoning (Section 6.3.1). The recommended permissions for single detached dwellings are among the dwelling types permitted by the zoning in the broader Old East Heritage Conservation District.

#### *The London Plan*

In The London Plan, the subject site is in the Neighbourhoods Place Type and the new road that is proposed would be a Neighbourhood Street. Permitted uses in this place type on this street typology are single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, and group homes (Table 10). The recommended zoning permissions that would allow single detached dwellings, is among the range of permitted uses. Public parks are also a permitted use in this place type (Policy 930)

The triplex and fourplex uses that are identified as being appropriate through the Old East Heritage Conservation District Plan are not among the range of permitted uses for the place type and street typology of the subject site. Similarly, townhouses, which are in the range of permitted uses for the subject site in The London Plan, are not a use that is found elsewhere in the Heritage Conservation District. Therefore, it was determined that triplexes, fourplexes, and townhouses were not uses that would be appropriate for



the subject site with consideration for The London Plan policies and the policies in the Old East Heritage Conservation District Plan.

Community consultation identified single detached dwellings as the preferred use for the subject site, in addition to a public park.

The recommended Zoning By-law Amendment, which permits single detached dwellings and parks, allow for uses that are consistent with the Provincial Policy Statement and conform to the 1989 Official Plan, The London Plan, and the policies in the Old East Heritage Conservation District Plan.

#### **4.2 Issue and Consideration # 2: Intensity**

The recommended Zoning By-law Amendment would allow for the construction of approximately 12 residential dwellings, which would generate a net density of approximately 22 units per hectare, depending on the right-of-way width of the extension of Queens Place. This density calculation excludes the public park portion of the site, which will be retained by the City, and the estimated land that would be required for the Queens Place extension.

##### *Provincial Policy Statement, 2005 (PPS)*

The Provincial Policy Statement states that Planning Authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where they can be accommodated, taking into account existing building stock or areas (Policy 1.1.3.3). The Provincial Policy Statement also identifies that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement (Policy 4.7).

The recommended Zoning By-law amendment allows for the intensification and redevelopment of a vacant former school site in a form that is compatible with the existing building stock in the surrounding area. The subject site is an appropriate location for this intensification and redevelopment as the recommended Zoning By-law permits an intensity that conforms to the 1989 Official Plan and The London Plan.

##### *Official Plan, 1989*

The 1989 Official Plan identifies that development in Low Density Residential areas shall result in net densities that range of an approximate upper limit of 30 units per hectare. Densities up to 75 units per hectare may be permitted for residential intensification, provided it recognizes the scale of the adjacent land uses and reflects the character of the area (Policy 3.2.3.2). The recommended Zoning By-law Amendment would result in a maximum density of approximately 22 units per hectare, demonstrating conformity to the intensification policies in Low Density Residential designations in the 1989 Official Plan.

##### *The London Plan*

The London Plan identifies that residential intensification plays an important role in growing “inward and upward”. This includes infill development of vacant and underutilized lots, such as the subject site (Policy 80). Intensification is only permitted in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (Policy 83).

The London Plan does not include density limits in units per hectare, rather it provides maximum height as a measure of intensity. In this instance, the range of permitted heights for the subject site as outlined in The London Plan is 1 to 2.5 storeys. The recommended amendment would permit a height of 9 metres and could accommodate a 2 storey building. The recommended form of development is anticipated to fit within the existing neighbourhood, as further discussed below in “Issue and Consideration #3: Form”. As such, the proposed intensity is appropriate for the subject site.

Community feedback was generally supportive of the recommended intensity.



The recommended Zoning By-law would permit an intensity that is consistent with provincial policy and conforms to the Official Plan and The London Plan by allowing for the redevelopment of a vacant former school site at an intensity that fits with the surrounding community. Further discussion on how the recommended Zoning By-law Amendment would facilitate a form that fits with the surrounding area is provided in the below section “Issue and Consideration #3: Form”.

#### **4.3 Issue and Consideration # 3: Form**

The recommended Zoning By-law Amendment permits single detached dwellings with a variety of special provisions to regulate development to ensure fit with nearby properties on Queens Place, the Old East Heritage Conservation District, and to enhance the edges of the recommended park.

The Provincial Policy Statement, 1989 Official Plan, The London Plan, and the Old East Heritage Conservation District Plan all encourage the use of zoning standards to guide form to ensure development fits with the surrounding context. The Provincial Policy Statement identifies that municipalities should promote appropriate development standards to facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The 1989 Official Plan promotes development that will enhance the character of the residential area (Policy 3.2). The London Plan identifies that all planning and development applications will be required to demonstrate how the proposed building is designed to fit with the planned vision for the place type and establishes character and a sense of place for the surrounding neighbourhood, including such matters as scale, massing, materials, relationship to adjacent buildings, heritage impact, and other form related considerations (Policy 284). The Old East Heritage Conservation District Plan also provides direction on the form of new buildings to ensure compatibility with the Heritage Conservation District. The following special provisions were added to ensure new development on the subject site fits with the surrounding context and is compatible with the Old East Heritage Conservation District:

##### *Maximum height of 9 metres or 2 storeys*

The maximum height permitted in the standard Residential R1 (R1-2) Zone is 9 metres. The Old East Heritage Conservation District Plan identified that over 95% of the houses in the Old East Heritage Conservation District are 2 storeys or less, which the Heritage Conservation District Plan identifies is typically a maximum of approximately 8 metres (Policy 6.3.2). Rather than amend the base zoning standard, it is recommended that a special provision be added to limit the number of storeys to a maximum of 2 storeys which will provide additional clarification to ensure that the proposed heights fit with the surrounding neighbourhood.

##### *Minimum front yard setback of 1 metre and maximum front yard setback of 4 metres*

The standard Residential R1 (R1-2) Zone has a minimum front yard setback of 4.5 metres. The Old East Heritage Conservation District Plan identifies that in some situations the setback of adjacent dwellings is considerably less than 4.5 metres, and in these instances it would be more appropriate to allow a reduced front yard setback equivalent to the setback of the adjacent dwellings.

The City of London's Zoning By-law has provisions to regulate minimum and maximum front yard setbacks for low density residential development in the primary transit area based on the setbacks of nearby buildings, however these setback provisions do not apply to buildings constructed on lots fronting onto a new street, which would be the case for the subject site, which are instead subject to the underlying zone regulations.

The recommended Zoning By-law Amendment includes provisions to emulate the setbacks of the existing dwellings on Queens Place to ensure new buildings constructed fit with the surrounding neighbourhood. The setbacks of existing buildings on Queens Place generally range between approximately 1 metre and 4 metres, as such the recommended Zoning By-law includes a minimum setback of 1 metre and a maximum



setback of 4 metres to help ensure new buildings are constructed with similar setbacks to the existing dwellings on Queens Place. Similar front yard setbacks are observed throughout the broader Old East Village neighbourhood.

*Maximum driveway width of 3 metres*

Narrow driveways are typical of the Old East Village. The City of London Zoning By-law Z-1 limits driveway widths for residential lots with a width up to 12 metres to the lesser of 50% of the required lot frontage or a maximum of 6 metres. These widths can allow two cars to park parallel to each other in a driveway and exceeds the widths of driveways in the Old East Village which are generally wide enough to only accommodate one car. The recommended addition of a maximum driveway width of 3 metres would help to ensure that future development on the subject site fits with the surrounding context.

*Attached garages are not permitted*

The recommended Zoning By-law Amendment includes a special provision that prohibits attached garages. The Old East Heritage Conservation District Plan identifies that garages should be detached to be compatible with the visual context of the area (Section 4.4, Section 6.1). The special provision to prohibit front yard garages would help to ensure new development is compatible with the visual context of the area.

The Old East Heritage Conservation District Plan also identifies that front yard garages are strongly discouraged and that garages should be located in the rear yard whenever possible. The General Provisions in the City of London Zoning By-law Z-1 limit the minimum setback of a private garage to the greater of 6 metres or the setback of the main building for properties in Residential R1, R2, and R3 Zones in the Primary Transit Area. As the recommended Zoning By-law includes a special provision for a maximum front yard setback of 4 metres, this would require all garages to be setback a minimum of 6 metres from the front property line, effectively prohibiting front yard garages.

*Maximum lot frontage of 14 metres*

The Old East Heritage Conservation District Plan identifies that lots in the Old East Village are generally quite narrow (Section 6.1). The Zoning By-law standards in the Residential R1-2 Zone have a minimum lot frontage of 9 metres but do not have a maximum lot frontage. Lots in the surrounding area generally have a frontage of less than 14 metres, as such a maximum lot frontage of 14 metres has been added to ensure that the narrow lot pattern characteristic of the Old East Village is maintained in the new development.

*Other*

Any building proposed on the subject site will require a Heritage Alteration Permit prior to construction. This will provide an additional opportunity to ensure that any building constructed fits with the surrounding Heritage Conservation District, and also has the ability to regulate such details as materials used to ensure compatibility.

#### **4.4 Issue and Consideration # 4: Vehicular access to Queens Place**

The removal of a former parking lot for the Lorne Avenue Public School, located at the terminus of Queens Place, has caused transportation challenges for vehicles servicing Queens Place. Queens Place has a very narrow right of way, which is significantly less than the standard right of way, with houses on both sides of the street. This parking lot was utilized for vehicular turn around, as service vehicles such as garbage trucks or snowplows are not able to turn around within the existing roadway.

A temporary turn around area was established as an interim measure while plans for the redevelopment of the Lorne Avenue Public School site are underway, however a long-term solution is required. Multiple options were considered, including the introduction of a cul-de-sac at the terminus of Queens Place to facilitate vehicular turn



around or the construction of an extension to Queen's Place to facilitate a connection to Lorne Avenue or English Street.

These options were considered in the context of the Old East Heritage Conservation District and a through-street to Lorne Avenue was recommended as the preferred option. There are no other cul-de-sacs in the Old East Heritage Conservation District, which is primarily laid out in a grid pattern, with streets running north-south and east-west. Similarly, an L-shaped street connecting Queens Place to English Street was also not consistent with this street pattern. The construction of a through-street connecting Lorne Avenue to Queens Place is recommended for inclusion in the site. This road would be established through a plan of subdivision associated with the construction of the single detached dwellings on the site.

Further details about the road width, right of way width, and whether the road will be one-way or two-way will be finalized through the procurement process and the development of the tender documents. The Heritage Impact Assessment prepared as part of the Zoning By-law amendment recommended that the road width for the proposed extension of Queens Place be the same as the greatest road width currently existing on Queens Place. The recommended road and right-of-way widths were also considered by the Utilities Coordinating Committee in July, 2018 and will be returning to the Utilities Coordinating Committee for further consideration this fall. The community also expressed a preference for a right-of-way width that is as narrow as possible. The road width and right-of-way width will be further negotiated with various municipal departments before it is finalized, with consideration for the recommendations from the community, the Utilities Coordinating Committee, and the Heritage Impact Assessment.

#### **4.5 Issue and Consideration # 5: Heritage**

The subject site is located within the Old East Heritage Conservation District, a Heritage Conservation District recognized by both the 1989 Official Plan and The London Plan, as such the recommended Zoning By-law needs to be structured to ensure that the heritage character of the district is maintained. ASI was hired as a consultant to review the draft Zoning By-law for the subject site to provide a Heritage Impact Assessment to determine if the recommended Zoning By-law Amendment would allow for development that fits within the Old East Heritage Conservation District. This draft Zoning By-law and the Heritage Impact Assessment produced by ASI were also reviewed by the London Advisory Committee on Heritage.

The Heritage Impact Assessment evaluated the proposed rezoning and determined that the proposed Zoning By-law Amendment did not have a significant adverse impact on the cultural heritage value of the Old East Heritage Conservation District. The regulations incorporated into the proposed zoning were found to be consistent with the policies and guidelines for the Old East Heritage Conservation District. Further, it was also identified that the proposed park will provide an opportunity to enhance the area's cultural heritage value through the introduction of an interpretation strategy that reflects the history of the property and the area.

The Heritage Impact Assessment provided three recommendations for consideration. The recommendations and the Staff response to these recommendations are detailed below:

Recommendation 1: The architectural elements, materials, and pallets of new buildings should be consistent with the policies and guidelines described in Section 4.5 of the Old East Heritage Conservation District Conservation and Design Guidelines (2006). Plans and drawings demonstrating how the building is consistent with the policies and guidelines should be submitted to the heritage planning staff at the City of London and approved as a condition of site plan approval.

*Response: The subject site will not be required to go through site plan approval, however the recommendations in this report include direction that any procurement process associated with the subject site evaluate submissions to ensure that the design of development is consistent with "Section 4.5.1 Design Guidelines for New Buildings"*



*of the Old East Heritage Conservation District – Conservation and Design Guidelines when determining the successful proponent. This will help to ensure that the future development of the site incorporates the urban design elements characteristic of the Old East Village. Further, any future development on the site will require a Heritage Alteration Permit. The Heritage Alteration Permit process will require Staff to review the details of the proposed development for compatability with the policies and guidelines in the Old East Heritage Conservation District Conservation and Design Guidelines to ensure the requested development fits in the Heritage Conservation District.*

Recommendation 2: A landscape plan should be established for properties within the new development, incorporating the Streetscape Design Guidelines described in Section 5 of the Old East Heritage Conservation District Conservation and Design Guidelines report. The landscaping plan should be submitted to heritage planning staff at the City of London and approved as a condition of site plan approval.

*Response: The subject site will not be required to go through site plan approval, however the requirement to provide a landscape plan will be included in the procurement process and the submissions will be evaluated to ensure the Streetscape Design Guidelines are incorporated.*

Recommendation 3: As per the Request for Demolition report produced by the City of London (dated August 28, 2017) the following salvaged elements from the Lorne Avenue Public School should be incorporated into an interpretation strategy for the proposed open space:

- The school bell; and
- Aluminum lettering that had been affixed to the north façade of the building.

*Response: The school bell and aluminium lettering have been retained and will be incorporated into the design of the proposed park.*

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

<b>5.0 Conclusion</b>
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The recommended Zoning By-law Amendment was developed with the community based on their vision for the site to provide parkland to serve the community and residential intensification that fits with the Old East Heritage Conservation District.

The recommended Zoning By-law Amendment would permit the development of a park to serve the community and would add residential intensification to the site in the form of single detached dwellings with special provisions to ensure new buildings are compatible with the Heritage Conservation District.

The addition of a new street as an extension of Queens Place is intended to address issues of servicing following the removal of the Lorne Avenue Public School parking lot, in a form compatible with the Heritage Conservation District. Additional details for the development of the site, such as the details of the new road, would be established as part of the development of the Request for Procurement process to find a developer for the site.

The recommended Zoning By-law Amendment is the result of a multi-year collaborative process with the City and the Old East Village community, including the Old East Village BIA and the Old East Village Community Association. Should Municipal Council adopt the recommended Zoning By-law Amendment, this collaborative process would continue through the development of a design for the new park.



<b>Prepared by:</b>	<b>Michelle Knieriem, MCIP, RPP Planner II, Current Planning</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>
<b>Note:</b> The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 17, 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  
rezone an area of land located at 723  
Lorne Avenue.

WHEREAS The Corporation of the City of London has applied to rezone an  
area of land located at 723 Lorne Avenue, as shown on the map attached to this by-law,  
as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to  
lands located at 723 Lorne Avenue, as shown on the attached map comprising part  
of Key Map No. A108, from a Neighbourhood Facility (NF) Zone to an Open Space  
(OS1) Zone and a Residential R1 Special Provision (R1-2(\_)) Zone.
- 2) Section Number 5.4 of the Residential R1 (R1-2) Zone is amended by adding the  
following Special Provision:
  - ) R1-2(\_) 723 Lorne Avenue
    - a) Regulations
      - i) Height 2 storeys or 9 metres (29.5 feet),  
(maximum;) whichever is less with no half  
storeys being permitted for  
basements
      - ii) Front Yard Setback 1 metre (3.3 feet)  
(minimum;)
      - iii) Front Yard Setback 4 metre (13.1 feet)  
(maximum;)
      - iv) Notwithstanding Section 4.19 (6) (h), the maximum  
driveway width is 3 metres
      - v) Attached garages are not permitted.

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 October 2, 2018.



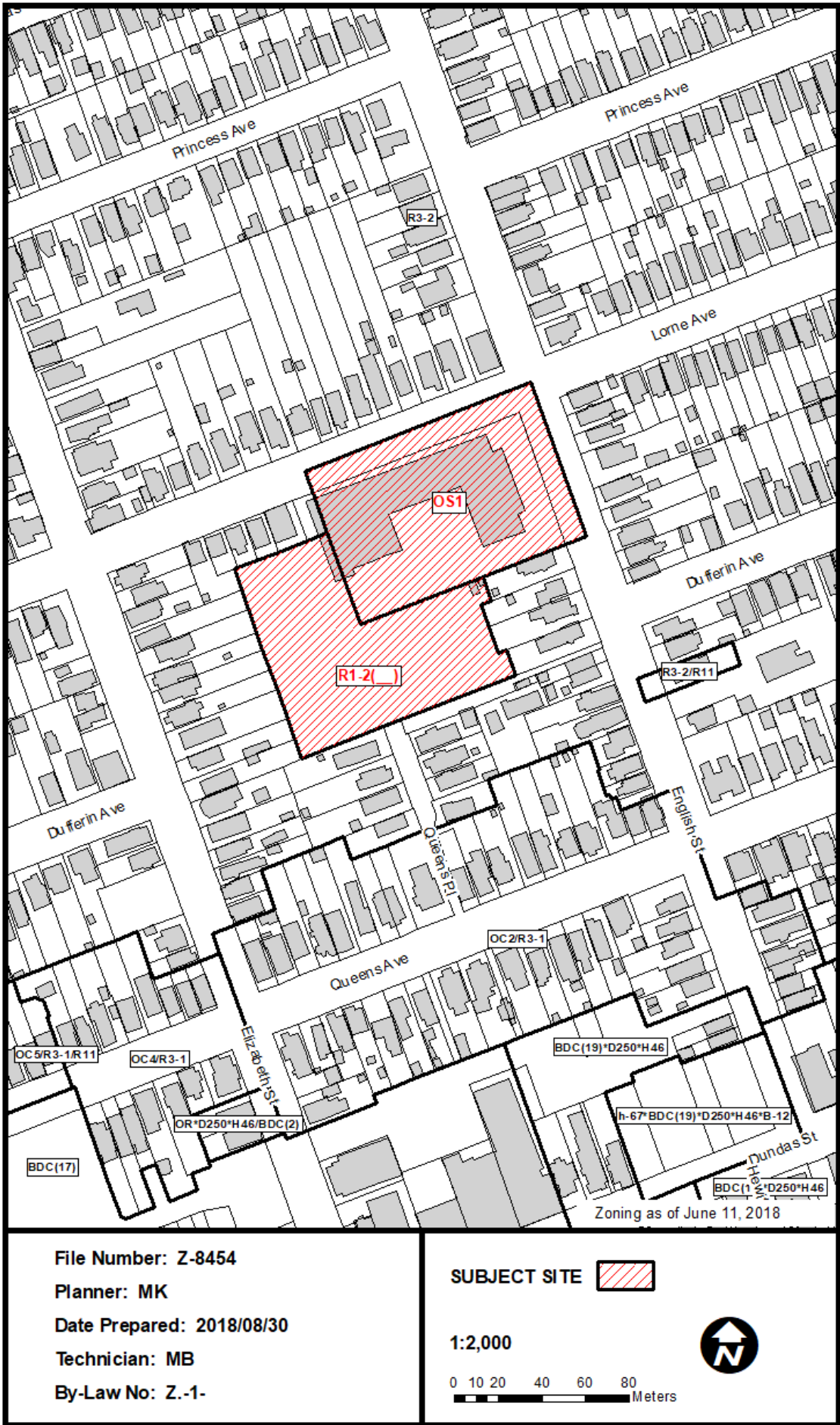
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



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





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On August 29, 2018, Notice of Application was sent to 407 property owners in the surrounding area and 86 interested parties. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 30, 2018. A “Planning Application” sign was also posted on the site.

2 replies were received to the Notice of Application, however numerous responses were also received through the multi-year community consultation process that preceded the Notice of Application.

**Nature of Liaison:** The purpose and effect of this zone change is to permit single detached dwellings, cluster single detached dwellings, and a public park. Possible change to Zoning By-law Z.-1 from a Neighbourhood Facility (NF) Zone to a Residential R1 Special Provision (R1-2(\_)) Zone to permit single-detached dwellings with special provisions for a reduced maximum height of 9 metres, a reduced minimum front yard setback of 1 metre, a maximum front yard setback of 4 metres, prohibiting attached garages, a maximum driveway width of 3 metres, and requiring any dwelling abutting an Open Space (OS1) Zone to be oriented towards the Open Space (OS1) Zone; a Residential R6 Special Provision (R6-2(\_)) Zone to permit cluster single detached dwellings with special provisions for a reduced maximum height of 9 metres, to recognize the lot line abutting the Open Space (OS1) Zone as the front lot line, a reduced minimum front yard setback of 1 metre, a maximum front yard setback of 4 metres, and requiring any dwelling abutting an Open Space (OS1) Zone to be oriented towards the Open Space (OS1) Zone, and an Open Space (OS1) Zone permitting public parks and other conservation and recreation uses.

**Responses:** A summary of the various comments received include the following:

**Concern for:**

*Inclusion of affordable housing:*

Comments received indicated concern that all or a portion of the site would be used for affordable housing, preferring to see it distributed to other areas of the City due to the high concentration of affordable housing existing in the Old East Village.

*Additional traffic on Queens Place:*

Concerns have been identified about the extension of Queens Place to connect to Lorne Avenue and an increase in traffic on Queens Place. These concerns will be taken into consideration in preparing the specifications as part of the procurement process for the new road in order to minimize the traffic impact on the existing residents on Queens Place.

*Stormwater management and flooding:*

There as a concern identified about the existing stormwater management in the area surrounding the site and the propensity for flooding. It is anticipated that the introduction of the soft landscaping associated with the future park will help with stormwater management. Consideration will also be given through the procurement process and the park design process to look at ways to improve stormwater management.

*The addition of cluster single detached dwellings and fit with the surrounding neighbourhood:*

A concern was expressed by some community members about the fit of the proposed cluster single detached dwellings with the neighbourhood, as this would be the only cluster development in the neighbourhood. As a result of this concern, the permissions for cluster single detached dwellings have been removed from the recommended Zoning By-law Amendment.



*Public safety:*

Concerns have been expressed about the safety of people in the park, and also concerns about public safety on the broader site after the fencing is removed from the demolition. The park is proposed to be located in an area of maximum visibility, to help ensure the safety of users. The fencing surrounding the site will be removed as it is associated with the demolition contractor, however the safety of the site will be monitored and mitigation measures implemented if issues arise.

*Community inclusion in the park design process:*

The community expressed a desire to be involved in the park design process. Community consultation will be central to informing the park design process, and it is anticipated two meetings will be held associated with this process.

*Community involvement in the procurement process:*

Residents expressed a desire to be involved procurement process to evaluate submissions if possible. Staff will look further into this possibility when finalizing the details of the procurement process.

*Parking for the proposed park*

There was a concern expressed about parking for the proposed park, and that there may be a need for on-street parking to be incorporated onto the new road. This will be further reviewed as part of the road design, however it is not anticipated to be required as there is existing on-street parking on Lorne Avenue and English Street and the proposed park is anticipated to primarily service the surrounding neighbourhood who are within walking distance.

*Density should be higher*

The majority of comments received indicated a preference for single detached dwellings, however there were comments from the community that advocated for higher density. Based on the community preference combined with the location of the subject site in the Neighbourhoods Place Type on a Neighbourhood Street in The London Plan and its inclusion in the Old East Heritage Conservation District, single detached dwellings were found to be the best fit for the subject site.

*Entire site should be a park*

While the majority of comments received have been in favour of the inclusion of single detached dwellings on the site, comments were received from members of the public that advocated for the entire site being a park. The inclusion of single detached dwellings on the site was supported by many community members and is intended to be complementary to the park and will fund the construction of the new road connecting Queens Place to Lorne Avenue, which is necessary for the servicing of Queens Place.

The comments received in response to the notice of application and at the May, 2018 Community Information Meeting where the proposed zoning was presented to the community, were generally positive, with residents expressing excitement about the park and inclusion of single detached dwellings.



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

Telephone/In Person	Written
Ralph Heal 467 English Street London, ON N5W 3T6	Joan Villeneuve 510 English Street London, ON N5W 3T8
Tony McAulay and Nancy Monteith 771 Queens Avenue London, ON N5W 3H7	Charles Moher 716 Queens Avenue London, ON N5W 3H5
Janet Mack 506 Elizabeth Street London, ON N5W 3S1	Ruth Ram 546 English Street, Rear London, ON N5W 3V2
Greg Anthony 2-538 Elizabeth Street London, ON N5W 3S4	Arnon Kaplansky
Scott Maclean 490 Quebec Street London, ON N5W3Y5	Frank Filice
	Sarah Merritt 831 Elias Street London, ON N5W 3N9
	Julie Hobbs 475 Elizabeth Street London, ON N5W 3R9
	Ted Town 828 Lorne Avenue London, ON N5W 3K8

Agency/Departmental Comments  
*Engineering and Environmental Services Department*

The City of London’s Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Zoning By-Law amendment application:

Transportation

- Queens Place will need to be extended southerly through the site and be constructed as a local street to City Standards
- There is the potential for the street to be converted to one way use as the existing street is quite narrow
- The street will need to be dedicated as public ROW and appropriate design drawings will be required.

Wastewater

No comments for the rezoning application.

Stormwater

The following items are to be considered during any future site plan approval stage:

- The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the



maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.

- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

### **Heritage Planning**

A Heritage Impact Assessment was required as part of a complete application to amend the zoning by-law to permit the redevelopment of the former Lorne Avenue Public School (723 Lorne Avenue). The property at 723 Lorne Avenue is located within the boundaries of the Old East Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*. The former school building was D-ranked by the *Old East Heritage Conservation District Plan* and was demolished in early 2018.

A Heritage Impact Assessment is a planning tool used to assess the impacts of a proposed change or development on the cultural heritage value of a cultural heritage resource. It should include consideration of potential on-site resources, adjacent resources, as well as broader resources like a Heritage Conservation District. A Heritage Impact Assessment should include recommendations to mitigate any potential adverse impacts as a result of a proposed change or development to ensure the conservation of any significant cultural heritage resources consistent with the policies of the *Provincial Policy Statement* (2014) and conforming to the policies of the *Official Plan* (1989, as amended) and *The London Plan* (2016).

The proposed concept for the redevelopment of the former Lorne Avenue Public School property is two area of residential development, the extension of Queens Place, and a new park located at the corner of Lorne Avenue and English Street. The requested zoning by-law amendment is intended to facilitate this proposed concept. Subsequent planning processes, including a Plan of Subdivision, will be required to create the lots. Heritage Alteration Permit approval will be required before buildings can be erected on those lots.

### **Heritage Impact Assessment**

*Heritage Impact Assessment 723 Lorne Avenue former Lorne Avenue Public School City of London, Ontario* (dated August 2018) was prepared by ASI Archaeological and Cultural Heritage Services under contract with the City of London. An addendum was received on September 6, 2018 which addressed the street width of a proposed extension of Queens Place.

To ensure the compatibility of the proposed concept that would be facilitated by the zoning by-law amendment, the following recommendations were provided by the *Heritage Impact Assessment*:

1. *The architectural elements, materials, and palettes of new buildings should be consistent with the policies and guidelines described in Section 4.5 of the OE HCD Conservation and Design Guidelines (2006). Plans and drawings demonstrating how the building is consistent with the policies and guidelines should be submitted to the heritage planning staff at the City of London and approved as a condition of site plan approval.*
2. *A landscaping plan should be established for properties within the new development, incorporating the Streetscape Design Guidelines described in*



Section 5 of the OEHCD Conservation and Design Guidelines report. The landscaping plan should be submitted to heritage planning staff at the City of London and approved as a condition of site plan approval.

3. As per the Request for Demolition report produced by the City of London (dated August 28, 2017) the following salvaged elements from the Lorne Avenue Public School should be incorporated into an interpretive strategy for the proposed open space:
- a. The school bell; and,
  - b. Aluminum lettering that had been affixed to the north façade of the building.

While Site Plan Approval may be a planning mechanism to ensure the compatibility of proposed development with the Old East HCD, it is understood that a Plan of Subdivision (and not Site Plan Approval) is required to facilitate redevelopment of the former Lorne Avenue Public School property.

**Compatibility of the Development Concept with the Old East Heritage Conservation District**

The requested zoning by-law amendment for the former Lorne Avenue Public School site will facilitate the redevelopment of the property to include both areas for residential redevelopment and an open space for park use. To ensure compatibility of the proposed concept with the Old East HCD, the following principles informed consideration of a proposed change in land use (Section 6.1, *Old East Heritage Conservation District Plan*).

Principle	Analysis
Maintain the residential amenity and human scale of Old East by ensuring that the low density residential land use designation remains dominant	<p>The requested zoning of Residential R1 zone which permits single detached dwellings with special provisions the low density residential land use of the Old East HCD with be maintained.</p> <p>The requested zoning of Open Space (OS1) for the future park supports the residential character of the Old East HCD.</p>
New land uses that are out of keeping with the residential character of the Old East area or would have a negative impact on the area are discouraged	The requested residential and open space land uses are in keeping with the residential character of the Old East HCD. There is a critical need in the community for park space, which will be partially addressed by the proposed concepts.
If new uses are proposed, adaptive reuse of the existing building stock should be considered where feasible	In 2015 and 2016, the City initiated a process to explore the future of the site, including potential adaptive reuse and park schemes. On October 28, 2016, the City of London took possession of the former Lorne Avenue Public School property. On June 26, 2017, Municipal Council provided direction to Civic Administration to proceed with demolition, including the legislated processes for demolition of a heritage designated property under the <i>Ontario Heritage Act</i> . Municipal Council permitted the demolition of the D-rated former Lorne Avenue Public School building at its meeting on September 5, 2017. The building was demolished in early 2018.
Any redevelopment or new development in the area should be restricted to small scale, low rise building that are architecturally compatible in terms of use, scale, orientation, height, and bulk with the heritage	The requested zoning by-law amendment for the former Lorne Avenue Public School property seeks to maintain the small scale and low rise of buildings by limiting the potential form to single detached dwellings with a maximum height of two storeys (9m), a reduced front yard setback (to conform to the policies of Section 6.3.2 of the <i>Old East HCD Plan</i> ), prohibiting attached garages, a



Principle	Analysis
character of the existing community	establishing a maximum driveway width of 3m through the application of the Residential R1 zone with special provisions. This form is compatible with the heritage character of the Old East HCD.
Parking requirements for any new land uses should be visually unobtrusive and restricted to site or rear yards to minimize their impact on the streetscape	To ensure that parking remains visually unobtrusive, attached garages are prohibited and driveways have a maximum width of 3m through the special provisions of the Residential R1 zone. This will enable single car-width driveways, in keeping with the Old East HCD and directing parking areas away from the streetscape. Detached garages at the rear of the lot could be accommodated.

The requested rezoning of the former Lorne Avenue Public School property conforms to the policies of the Old East Heritage Conservation District.

**New Buildings within the Old East Heritage Conservation District**

Heritage Alteration Permit approval will be required to permit the erection of new buildings within properties located within the Old East HCD. The policies and guidelines of Section 4.4 (New Buildings) of the *Old East HCD Plan* and Section 4.5 (New Buildings) of the *Old East HCD Guidelines* will be used to evaluate the compatibility of the proposed new buildings. These are supplemented by the guidelines of Section 5.0 of the *Old East HCD Guidelines* for Streetscapes, including guidelines on front yards and vehicle parking.

An example of a compatible infill development was included in Section 4.5.2 of the *Old East HCD Guidelines*:



Figure 5: Example of a compatible infill development from Section 4.5.2 of the *Old East Heritage Conservation District Guidelines* (page 4.16).



### Future Park

The future park at the site of the former Lorne Avenue Public School will meet a critical need in the community for park space. Consistent with the recommendations arising from the demolition of the former Lorne Avenue Public School building and supported by the *Heritage Impact Assessment*, the school bell and aluminum lettering from the former Lorne Avenue Public School building should be incorporated into the proposed open space.



Figure 6 (left): Aluminum lettering from the north façade of the former Lorne Avenue Public School. Currently in storage awaiting installation in the future park. Figure 7 (right): Bell of the former Lorne Avenue Public School; cast iron bell with inscription plaque reading “this bell served Lorne Avenue from October 1875 to June 1950.” The bell is currently in storage awaiting restoration and installation in the future park.

### Conclusion

No adverse impacts are anticipated as a result of the proposed concepts for the proposed redevelopment of the former Lorne Avenue Public School property. The former building was D-rated by the *Old East Heritage Conservation District Plan* and was demolished in early 2018. The requested zoning by-law amendment establishes a framework to implement the proposed concepts for the redevelopment in a manner that is compatible with adjacent cultural heritage resources and the broader Old East Heritage Conservation District.

The requested zoning by-law amendment is not anticipated to result in adverse impacts provided that the guidelines of the *Old East HCD Plan* are followed in the evaluation of individual buildings through the Heritage Alteration Permit application process, per the recommendations of the *Heritage Impact Assessment*.

The Heritage Planner agrees with the findings of the *Heritage Impact Assessment* “that the proposal will not have a significant [negative] impact on the cultural heritage value of the OEHCD” (Executive Summary, *Heritage Impact Assessment*). The requested zoning by-law amendment will conserve significant built heritage resources and significant cultural heritage landscapes (Old East HCD), in a manner consistent with the *Provincial Policy Statement* (2014). The implementation of the recommendations of the *Heritage Impact Assessment* will ensure that the proposed redevelopment of the former Lorne Avenue Public School property conforms to the policies of the *Official Plan* (1989, as amended) and *The London Plan* (2016).

### Housing Development Corporation

The requested Zoning By-law amendment is consistent with, and serves to implement, the Urban Regeneration policies of the London Plan. More specifically, the requested action will serve to: facilitate an appropriate level of intensity and a contextual built form and lotting fabric; expand the range of housing choices, and create opportunities for affordability. The regeneration of the former surplus school site in the manner described in the City’s Notice is also consistent with a number of the Key Directions of the London Plan including, but not limited to, Key Direction 7 “*Building Strong, healthy and attractive neighbourhoods for everyone*”.



### ***Upper Thames Region Conservation Authority***

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.

### **CONSERVATION AUTHORITIES ACT**

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

### **DRINKING WATER SOURCE PROTECTION**

#### **Clean Water Act**

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. Mapping which identifies these areas is available at: [http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

Upon review of the current assessment report mapping, we wish to advise that the subject property is identified as being **within a vulnerable area**.

### **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

The UTRCA has no objections to this application.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

## 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

Policy 1.1.1: Healthy, liveable and safe communities are sustained by:

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

Policy 1.1.3.3: Planning authorities shall 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.

Policy 1.1.3.4: Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.5.1: Healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;

b) 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;

Policy 1.7.1: Long-term economic prosperity should be supported by:

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

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

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

Policy 4.7: The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.



Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

## **1989 Official Plan**

### **Policy 3.1.1: General Objectives for all Residential Designations**

- i) Provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period.
- iii) Support the distribution of a choice of dwelling types by designating lands for a range of densities and structural types throughout the City.
- viii) Support the provision of services and amenities that enhance the quality of the residential environment.
- ix) Encourage the maintenance and preservation of buildings and/or areas considered by Council to be architecturally and/or historically significant to the community.

### **Policy 3.2.1: Permitted Uses**

The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Residential Intensification may be permitted subject to the provisions of policy 3.2.3. Zoning on individual sites would not normally allow for the full range of permitted uses.

### **3.2.2: Scale of Development**

Development within areas designated Low Density Residential shall have a lowrise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy.

### **Density of Residential Uses**

- i) The development of low density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses, and shall result in net densities that range to an approximate upper limit of 30 units per hectare (12 units per acre). Densities in established low density residential areas, such as the Central London District, where dwelling conversions, existing apartment buildings, infill development, and the conversion of non-residential buildings have occurred or may be permitted, may exceed 30 units per hectare. The calculation of residential density is described in policy 3.6.10.

### **Policy 3.2.3.3: Neighbourhood Character Statement**

An inventory of the urban design characteristics of the structures and the natural environment within a neighbourhood shall be undertaken by the applicant, as outlined in section 3.7.3.1. of the plan. The physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment are some of the elements that collectively determine much of the character of a



neighbourhood and its streetscape. A well organized and documented understanding of a neighbourhood's character is an effective tool in assessing the appropriateness of a proposed change and the implications the change may have on the character of a neighbourhood.

**Policy 13.1: Objectives (Amended by OPA 438 Dec. 17/09)**

It is intended that the application of the policies of this Chapter of the Plan shall achieve the following objectives:

- ii) Encourage 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;
- iii) Encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources;

**Policy 13.3.1: Designation of a Heritage Conservation District**

Council may designate areas of the City as Heritage Conservation Districts pursuant to the provisions of the Ontario Heritage Act. Heritage Conservation Districts may comprise a block, a streetscape, or any other contiguous area. Areas of the City which Council considers significant to some degree, and which may be considered for designation as Heritage Conservation Districts may be identified in a guideline document as provided for in section 19.2.2. of this Plan.

**Policy 13.3.2: Changes to Buildings or Structures**

After a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the Ontario Heritage Act and any secondary plan which takes the form of a Heritage Conservation District Plan.

**Policy 13.3.6: Heritage Conservation Districts**

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

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

**Policy 16.1. General Objectives for Parks and Recreation**

- i) Provide parks and recreation services to meet the needs of the entire population.
- iii) Strive towards an accessible and equitable distribution of parks, recreation areas, and services throughout the City and overcome deficiencies where possible.

**Policy 13.3.8.3: Old East**

- i) The Old East Heritage Conservation District, identified on Figure 13-3, encompasses the area within what was historically known as the English Survey, land originally owned by settler Noble English. This area was part of London Township until 1874 when London East began its short life as an incorporated municipality lasting until 1885 when



it was amalgamated with the city. Sparked by the development of the early refinery industry and the establishment of the railways and industries related to it, London East became the economic engine for the city of London. From 1880-1930 London grew by an average of 1000 people per year. The Old East part of London absorbed many of the immigrants who not only found jobs nearby, but also in the factories, retail shops and wholesale enterprises downtown. Many workers employed in the plants and factories nearby lived in the Old East which evolved into a solid, prosperous community of wage-earners that supported the three block commercial area on Dundas Street.

Except for the frontage along Dundas Street, this entire area was developed as a residential area over a fairly long period, from 1860 to 1930. Today, structures can be found in the area that reflect many different points in its development. A large percentage of the structures in the district not only have survived from the time they were built but have survived, for the most part, in a good state of preservation. Taken together with the remaining industrial and commercial structures adjacent to it, the entire area of London East is a living archive of the historical development not only of London but of urban Southwestern Ontario.

ii) It is the intent of Council to maintain, protect and conserve the Old East Heritage Conservation District. Council shall have regard to Official Plan policies as they apply to heritage conservation districts in Section 13.4 and, in accordance with Official Plan policies and the Old East Heritage Conservation District Plan and Conservation Guidelines. (OPA No. 390)

#### **Policy 19.1.2: Uses Permitted in all Land Use Designations**

The following structures and facilities associated with public services and utilities may be permitted in all areas of the City outside of the flood plain or environmentally significant areas, as shown on Schedule "B" - Flood Plain and Environmental Features:

i) All municipal sewer, water and drainage works. (Clause i) replaced by OPA No. 88 - OMB Order No. 2314 - approved 99/12/23)

ii) Hydro-electric power facilities which are intended to serve the surrounding area only. (Clause ii) replaced by OPA No. 88 - OMB Order No. 2314 - approved 99/12/23)

iii) Natural gas pipelines.

iv) Telecommunications works and transmission lines serving the immediate surrounding area.

v) Public streets.

vi) Railway lines.

vii) Fire halls.

viii) Public parks and recreational facilities.

ix) Small scale sites for municipal works operations and storage.

The use of floodplain lands and Environmentally Significant Areas for structures and facilities associated with public services shall be subject to the applicable policies of Chapter 15. (Subsection 19.1.2 amended by OPA No. 88 - OMB Order No. 2314 – approve



## The London Plan

Policy 80: Residential intensification will play a large role in achieving our goals for growing “inward and upward”. Intensification will be supported, subject to the policies of this Plan, in the following forms:

1. Addition of a secondary dwelling unit.
2. Expansion of existing buildings to accommodate greater residential intensity.
3. Adaptive re-use of existing, nonresidential buildings, for residential use.
4. Infill development of vacant and underutilized lots.
5. Severance of existing lots.
6. Redevelopment, at a higher than existing density, on developed lands.

Policy 83: As directed by the policies of this Plan, intensification will be permitted only in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit. Policies within the City Building and Urban Place Type chapters of this Plan, together with the policies in the Our Tools part of this Plan dealing with planning and development applications, will provide more detailed policy guidance for appropriate forms of intensification. A guideline document may be prepared to provide further detailed direction to ensure appropriate forms of intensification.

Policy 152: Our city is a composite of neighbourhoods and business areas built in different forms and during different eras in our history. Some of the older parts of our city, largely located within the Primary Transit Area, help to define London’s unique character, contain many of our best cultural heritage resources, and have been built in a pedestrian-oriented neighbourhood pattern. They sometimes include main street business districts and they often include notable public spaces supported by a strong network of civic infrastructure.

8. Facilitate intensification within our urban neighbourhoods, where it is deemed to be appropriate and in a form that fits well within the existing neighbourhood.

Policy 155: Landowners, residents and business owners within urban neighbourhoods will be engaged to discuss urban regeneration. The City will work collaboratively with these groups to establish how positive growth and change will be accommodated.

Policy 159: Existing parkland will be enhanced, or new parkland acquired, where possible, to address parkland deficiencies in older neighbourhoods.

Policy 193: In all of the planning and development we do and the initiatives we take as a municipality, we will design and foster:

2. Development that is designed to be a good fit and compatible with its context

Policy 197: The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.

Policy 200: Neighbourhoods should be designed such that heritage designated properties and distinctive historical elements are conserved to contribute to the character and sense of place for the neighbourhood.

Policy 256: Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing and planned buildings.



Policy 259: Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment

Policy 284: All planning and development proposals will be required to demonstrate how the proposed building is designed to support the planned vision of the place type and establishes character and a sense of place for the surrounding area. This will include matters such as scale, massing, materials, relationship to adjacent buildings, heritage impact and other such form-related considerations. The Our Tools chapter and the Residential Intensification policies in the Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.

Policy 565: New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.

Policy 568: The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage-designated properties or properties listed on the Register will be conserved.

Policy 575: In accordance with the Ontario Heritage Act, City Council may designate areas of the city as heritage conservation districts. Such districts may comprise a block or blocks, a streetscape or any other contiguous area.

Policy 592: Areas of the city that City Council considers to have cultural heritage value or interest may be considered for designation as heritage conservation districts under the Ontario Heritage Act.

Policy 594: Within heritage conservation districts established in conformity with this chapter, the following policies shall apply:

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

Policy 601: Specific heritage conservation districts designated by City Council are listed below and shown on Map 9 - Heritage Conservation Districts and Cultural Heritage Landscapes. Additions to this list and Map 9 will be made as an amendment to this Plan as Council designates new heritage conservation districts. These specific Heritage Conservation District Plans and Guidelines will be used in the evaluation of planning and development applications in these areas:

### 3. Old East Village

Policy 930: Community facilities that are normally associated with, and integral to, a residential environment, may be permitted at appropriate locations as shown in Table 10. Where they are determined to be appropriate subject to the Planning and Development Applications section in the Our Tools part of this Plan, the following community facilities may be permitted: places of worship; day care centres; branch



libraries; schools; community centres; public parks; and public recreation facilities; and similar community-oriented facilities. Zoning on individual sites may not allow for the full range of permitted uses. Community facilities will be directed to locations that are easily accessible and where they can help establish and enhance the character of a neighbourhood.

Policy 937: Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. However, such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability. The following policies are intended to support infill and intensification, while ensuring that proposals are appropriate and a good fit within their receiving neighbourhoods.

Policy 953: The City Design policies of this Plan will apply to all intensification proposals. In addition, the following design policies will apply:

1. A Planning and Design Report, as described in the Our Tools part of this Plan, shall be submitted for all intensification proposals. This report will clearly demonstrate that the proposed intensification project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood.

2. Compatibility and fit, from a form perspective, will be evaluated based on such matters as:

a. Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking.

b. Building and main entrance orientation.

c. Building line and setback from the street.

d. Character and features of the neighbourhood.

e. Height transitions with adjacent development.

f. Massing appropriate to the scale of the surrounding neighbourhood.

3. The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas.

Policy 1578: All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications: (u/a)

7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

a. Policy goals and objectives for the place type.

b. Policy goals and objectives expressed in the City Design chapter of this Plan.



- c. Neighbourhood character.
- d. Streetscape character.
- e. Street wall.
- f. Height.
- g. Density.
- h. Massing.
- i. Placement of building.
- j. Setback and step-back.
- k. Proposed architectural attributes such as windows, doors, and rooflines.
- l. Relationship to cultural heritage resources on the site and adjacent to it.
- m. Landscaping and trees.
- n. Coordination of access points and connections.

The above list is not exhaustive.

### **Old East Heritage Conservation District Plan**

#### **Section 4.4: New Buildings**

While there are few locations in the Old East Heritage Conservation District where new buildings are likely to be constructed, given the relatively narrow lots and the fact that there are few opportunities for infill development, new or replacement buildings may be constructed in some cases as a result of fire or structural instability. In such situations, new buildings must be designed to be compatible with the heritage characteristics of Old East to help retain the overall visual context of the area.

#### **Recommended Practices and Design Guidelines**

- Match setback, footprint, size and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbors. Reduce the maximum driveway width to 3 metres to allow for a single car width for the driveway, similar to other properties in the Old East Village;
- Respond to unique conditions or location, such as corner properties.
- Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.
- Use materials and colours that represent the texture and palette of the heritage area.
- Where appropriate, incorporate some of the details that were standard 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 complements 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 whenever possible.

#### **Section 6.1: General Goals and Principles**

The designation of Old East as a Heritage Conservation District is intended to help protect and preserve the heritage assets and character that exist in the area. However, it must also be recognized that most communities change over time due to economics,



demographics, social and cultural values, specific events, etc. Such changes may result in redevelopment, intensification or the desire for new uses within the area. Consequently, it is important to have a framework in place that recognizes the potential for land use change, but provides appropriate policies and regulations to ensure that future change is both complementary to and compatible with the heritage features of the area.

In Old East London, growth and change does not include any significant conversion of properties to commercial or institutional purposes, but mostly lifestyle changes that affect most residential homeowners. Changes that are acceptable or encouraged include all required improvements to mechanical and electrical systems, improvements to the energy efficiency and comfort of the housing stock, and other additions and alterations, such as back rooms and decks that have little negative impact on the street façade of the property. Repairs that restore the original quality of the street façade of the property are also encouraged.

The Old East Heritage Conservation District area is almost exclusively residential. Exceptions to this include the Lorne Avenue Public School, the Carson Library, and a couple of small convenience stores. Lots are generally quite narrow, with dwellings typically ranging from 1 to 2 storeys in height, giving the area a very human scale and fine grained ambience.

The following general principles should be taken into consideration if or when potential land use changes are being considered:

- Maintain the residential amenity and human scale of Old East by ensuring that the low density residential land use designation remains dominant;
- New land uses that are out of keeping with the residential character of the Old East area, or would have a negative impact on the area are discouraged;
- If new uses are proposed, adaptive reuse of the existing building stock should be considered where feasible;
- Any redevelopment or new development in the area should be restricted to small scale, low rise buildings that are architecturally compatible in terms of use, scale, orientation, height and bulk with the heritage character of the existing community;
- Parking requirements for any new land uses should be visually unobtrusive and restricted to side or rear yards to minimize their impact on the streetscape.

#### Section 6.2: Land Use Policies and Designations

The entire area within the heritage conservation district boundary is designated as Low Density Residential in the City of London Official Plan, which permits primarily single detached, duplex and semi-detached dwellings. A special policy pertaining to Central Avenue, between Adelaide and Ontario Streets, also permits a limited range of commercial uses so long as they have minimal impact on surrounding uses and are of a scale that is consistent with the surrounding residential area.

The land use designations and policies reflect the existing character of the area and are appropriate for maintaining the features and characteristics of the Old East Heritage Conservation District. No further changes to the existing Official Plan land use designations or special policies are considered necessary. Any future changes to land use policies or designations should only be considered in context with the policies of Section 13 of the Official Plan.

#### Policy 6.3: Zoning

##### Policy 6.3.1: Permitted Uses

The Old East Heritage Conservation District is zoned primarily for low density residential uses with the Residential R3 (R3-2) as the predominant zone, which permits single detached, semidetached, duplex, triplex, converted and fourplex dwellings. A small



section of Queens Avenue permits the conversion of existing residences for office uses, so long as at least one dwelling unit remains in the building (OC2/R3-1). These existing zones are appropriate for the heritage conservation district as they reflect the generally small scale, residential nature of the community, while also permitting some additional uses (i.e. – office conversions) in defined areas. No changes are recommended to the foregoing zones.

One block on the south side of Central Avenue between Adelaide Street and Elizabeth Street within the heritage conservation district boundary also permits Restricted Service Commercial and Light Industrial zones in addition to the residential zone, however, the properties are used exclusively for residential purposes at this time. Consideration should be given by the City to initiate a zoning by-law amendment for this block to remove the commercial and light industrial zones, in order to assist in the long-term preservation of its residential character. Discussion and consensus should be obtained from the residents of this block prior to initiating any such amendment.

#### Policy 6.3.2: Regulations

The various regulations (e.g. – frontage, lot area, coverage, yard depth, etc.) are generally appropriate for the district in context with potential alterations or redevelopment of the building stock. However, there are two regulations that may be unsatisfactory in some situations.

Front yard setback regulations require a minimum of 4.5 metres. However, in some situations the existing front yard setbacks appear to be considerably less than 4.5 metres. Should redevelopment of these lots be undertaken by choice or necessity in the future, adherence to the existing regulations for minimum setback would result in a streetscape with buildings set back farther than those adjacent, as shown in the example below. In such situations, it would be more appropriate to allow a reduced front yard setback equivalent to the setback of the adjacent dwellings. Where adjacent dwellings have different setbacks, the front yard setback should be an average of the adjacent yard setbacks.

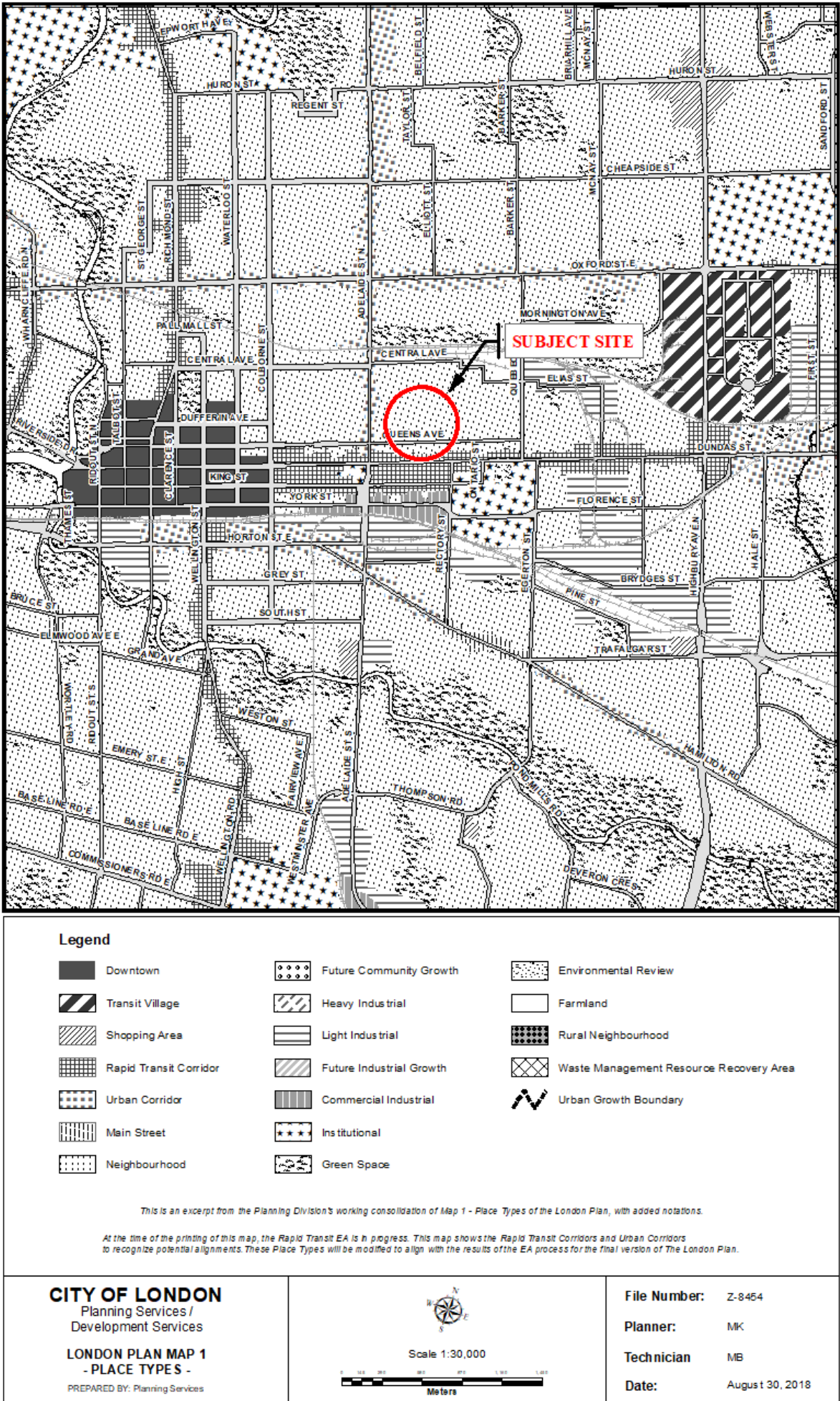
The second zoning regulation presenting potential issues relates to height. Currently, maximum height regulations are 10.5 metres for single, semi and duplex dwellings, and 12 metres for triplexes and fourplexes. Over 95% of the houses within the heritage district boundary are 2 storeys or less in height, which would typically be a maximum of approximately 8 metres as interpreted by the zoning by-law. Consequently, the maximum allowable height of 10.5 to 12 metres could be inappropriate, in the event of redevelopment or large additions on the upper levels, particularly in areas where the buildings are predominantly 1 to 1-1/2 storeys.

Both of these issues could be addressed by incorporating special provisions relating to height and front yard setback into the existing residential zones. However, height and front yard setback issues are unlikely to arise in Old East unless substantial redevelopment or major alterations (e.g. – second storey additions, etc.) take place within the heritage conservation district. As design guidelines are included in this document for both height and setback in context with new development and alterations, and a review process would also be required for such works, monitoring of such activities should be undertaken to determine if a zoning by-law amendment is necessary at some point in the future.



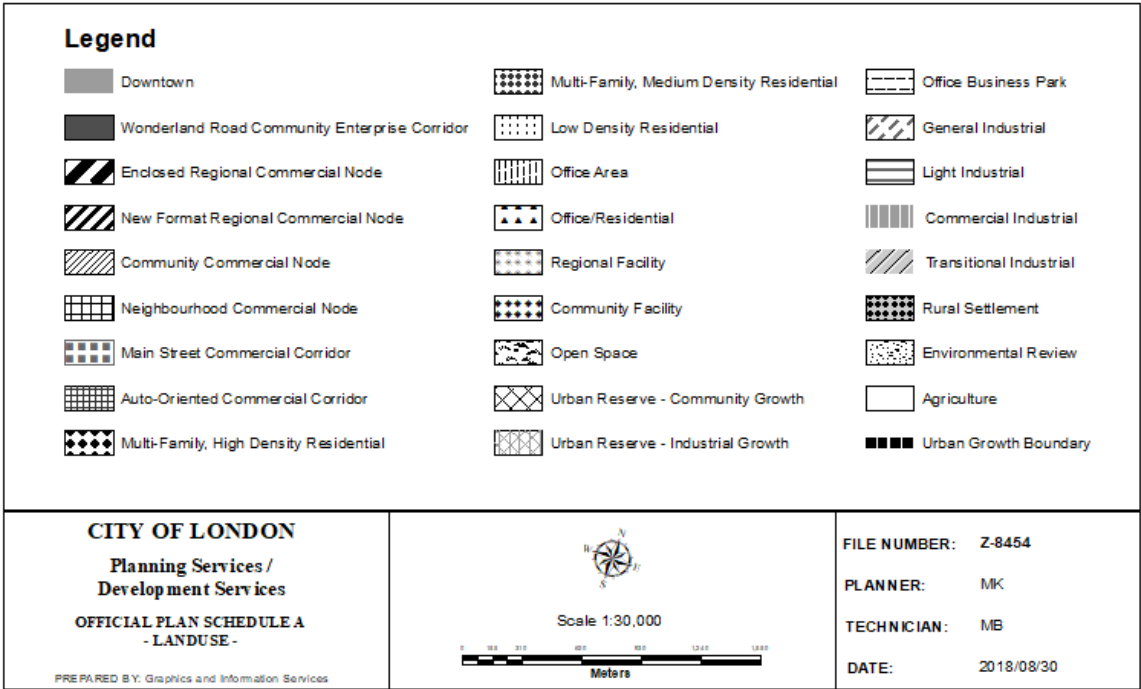
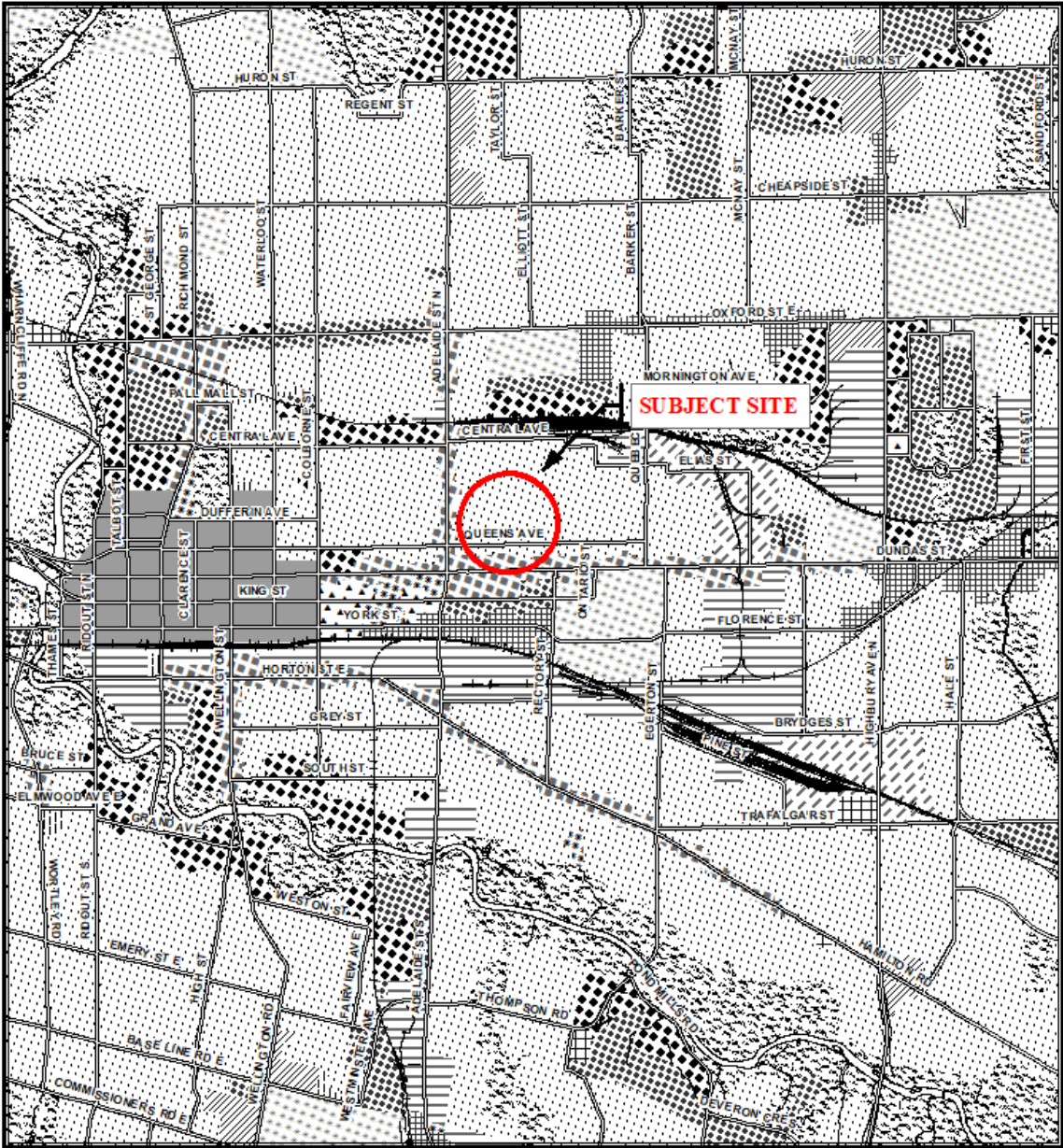
Appendix D – Relevant Background

Additional Maps



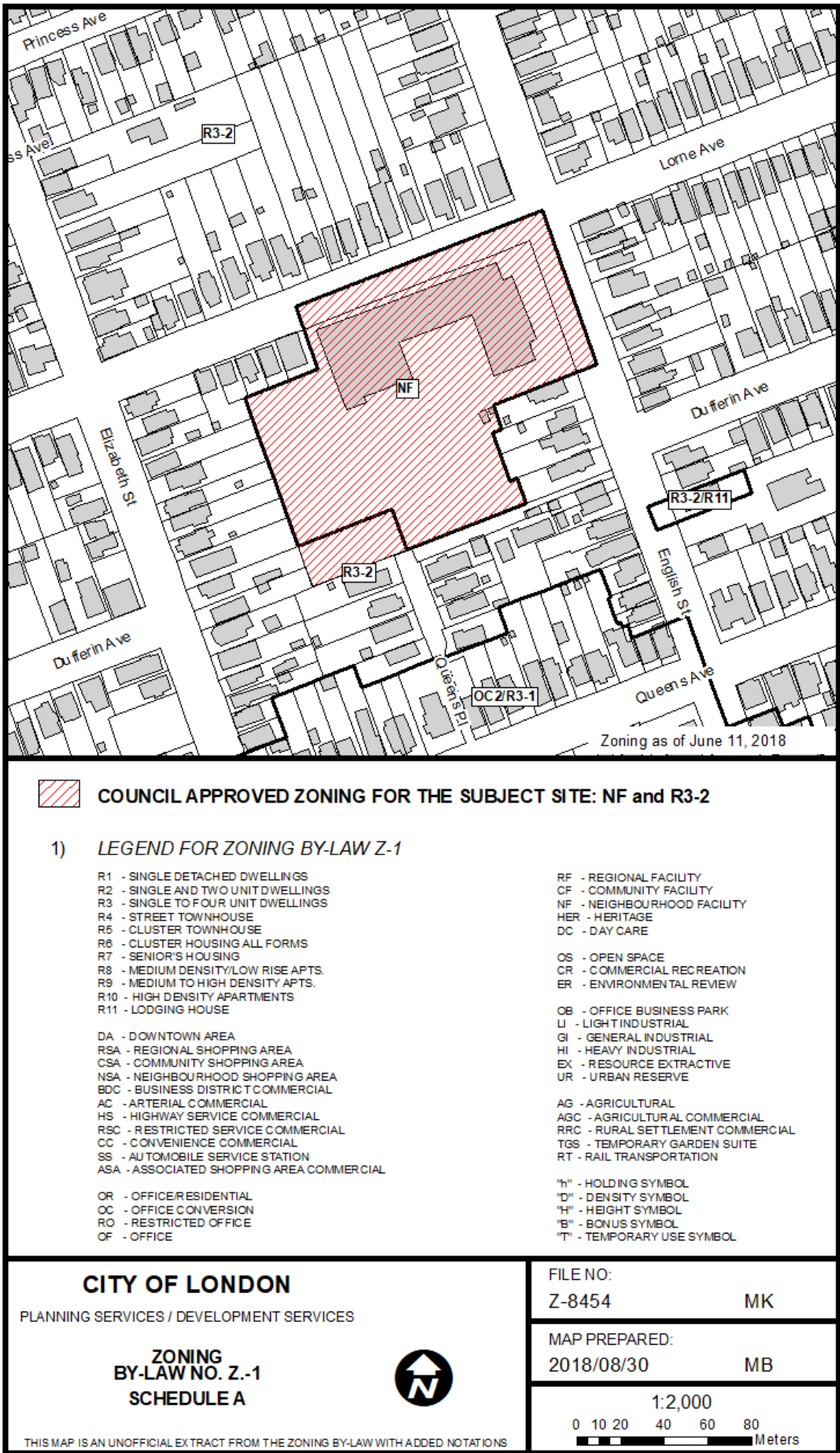
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### **Additional Reports**

Four in-camera reports to Corporate Services Committee dated February 4, 2014, March 18, 2014, August 26, 2014, and February 21, 2017.

Corporate Services Committee – March 24, 2015 – Lorne Avenue Public School Update

Corporate Services Committee – February 21, 2017 – Lorne Avenue Public School Request for Proposals Update and Next Steps

Corporate Services Committee – June 20, 2017 – Lorne Avenue Public School Update 723 Lorne Avenue

Planning and Advisory Committee – April 3, 2018 – Neighbourhood School Strategy – Evaluation and Acquisition of Surplus School Sites



Richard N R Crossman  
482 Elizabeth Street,  
London, ON  
N5W 3S1

Dear Councillor Helmer et al;

As a long-time resident (20 years) of Old East Village I am writing to voice my objection with the ***possible land use change*** that the City of London is pushing for the former Lorne Avenue Public School grounds. I am disappointed with this proposed land-use change permitting the greater part of the site to be zoned for some form of housing.

This is a unique opportunity to dream big and bring about some interesting urban open space planning. It is rare within the confines of a city's boundary that a contiguous piece of land set within the middle of an established community becomes available for the possibility of park and open green space.

This area of East London, now referred to as Old East Village, has had no easily accessible open public green space since its early development which began in the mid-19<sup>th</sup> century from the lands of the English Farm. That subsequent build-out and the prevailing thought at that time did not allow for local public open space in any form. The Lorne Avenue Public School grounds became the de-facto open space for the area and has been used in that capacity for well over a century, being used as such by local children and youth when the school was not in session. And used by a ball-hockey team of men every Sunday since the time I have been a resident here.

Though the residents/taxpayers here have been paying property taxes since introduction of them by the City, part of which went to finance park acquisition and development and maintenance elsewhere in the city, this area has received nothing in lieu of or toward that parkland commitment. My home/property has been paying taxes since it was built in 1877 (or as long as property taxes have been levied). To treat this area as if it were a post-war subdivision is both disingenuous and a wrong-headed formula. Those post-war subdivisions that have had their schools closed and the land purchased by the City for a 40/60 division between park and housing were built with parkland as part of the planning requirements. They have established parks and open space within their areas. We have none.

We have no park space within the large area bounded by Queens Ave, Quebec St, Adelaide St and the CPR yards. And all of those are big impediments for anyone trying to walk to park space elsewhere. Those close enough to be considered 'local' open space are absolutely inaccessible to reach for unaccompanied children or for that matter, seniors. The proposed Adelaide CPR overpass may compound that further for us on this side of the tracks for McMahon Park and East Optimist Community Centre.

This area is changing for the positive after a long decline that saw most businesses close or leave and many of the houses become multi-unit habitations. Old East is now attracting a new and welcome demographic of young people and young families bringing a vitality that has been missing here for over 30 years. The City of London has made admirable effort to help spur this 'renaissance'. It one of the few areas within the City of London that still offers affordable housing for new homeowners and especially young families on tree-lined streets within easy and pleasant walking distance to the downtown core and transit. As the population density grows the need for open green space will be a premium here.



I think it both short-sighted and ultimately damaging to Old East as it makes its come-back from a decades-old decline. There are other properties within the Old East area that could be better used for housing and in different forms than single-family or high-rise apartments. Planning has to begin thinking outside of the box and develop innovative housing-forms to various sites and not this suburban cul-de-sac module that seems to be the default for planning here in London. That the City of London in the past permitted The Western Fair Association to demolish an entire neighbourhood for a parking lot was unconscionable, yet it was done. The loss and continuing loss of tax base in that decision can only be imagined. It seems as if this proposed land-use change is to make amends for that earlier misguided decision.

The other limiting factor here, which is not shown on any of the proposals and conveniently left off of the illustrated concepts, is how to address Queens Place which presently is a narrow one lane access on to Queens Ave. This is a unique left-over from a bygone era. There is no other street in the city which has this constricted configuration and it deserves the utmost protection and respect. Any street pushed in from Lorne Avenue trying to make a connection through this heritage laneway to Queens Avenue hasn't been given serious thought as to the implications on that narrow 'gateway' entrance. Housing on the Lorne Ave. P.S. site will compound this issue and be perceived as an impediment to traffic generated by this proposal. My concern is that Roads and Traffic will push for the expropriation and demolition of one of the heritages houses flanking the entrance under the guise of 'safety' and/or 'convenience' or an 'impediment' to development.

What we in the area and the citizens of London will be left with should this proposal be accepted and passed by City Council is a 'postage stamp' at a corner, nothing more than a grassed open space used primarily by dog-walkers and there are many in the neighbourhood, myself included.

- Lost will be the opportunity to develop this into a real neighbourhood meeting place, Old East's Wortley Common equivalent.
- Lost will be the opportunity for community vegetable gardens, easily accessible for the neighbourhood.
- Lost will be the opportunity to use some really innovative park planning techniques.
- Lost forever, would be the possibility that down the road a school could re-occupy the space.

Please accept these remarks as by someone who is truly invested in this area by living in the area. I cannot reiterate enough that this is a rare opportunity that a contiguous piece of land has become available for much needed park space. This is a gift of an opportunity to give back to this much beleaguered community.

Respectfully,

Richard NR Crossman



## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** The Western Fair Association and The Corporation of the City  
of London  
900 King Street and 925 Dundas Street  
**Public Participation Meeting on: September 24, 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 Western Fair Association and The Corporation of the City of London relating to the property located at 900 King Street and 925 Dundas Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 **TO AMEND** Section 6.2.2 ii) of the Official Plan to adopt permitted uses for the Western Fairgrounds as identified in *The London Plan*.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to **ADD** new definitions to Section 2 (Definitions), and to change the zoning of the subject property **FROM** a Regional Facility Special Provision (RF(2)) Zone, **TO** a Holding Regional Facility Special Provision (h-18•h-205•RF(\*)) Zone and a Holding Regional Facility Special Provision (h-\*•h-205•RF(\*)) Zone.
- (c) Civic Administration **BE DIRECTED** to consider amendments to the Official Plan and the Zoning By-law for the balance of the Western Fairgrounds that are located north of King Street and bounded by existing commercial/residential to the north, Ontario Street to the east, King Street to the south and Rectory Street to the west; and located south of Florence Street bounded by Florence Street to the north, Egerton Street to the east, the CN railway facilities to the south and Rectory Street to the west to align the planning framework for all the sites operated by Western Fair Association.
- (d) Civic Administration **BE DIRECTED** to review the proposed Statement of Significance contained in the Cultural Heritage Evaluation Report for 900 King Street prepared by Common Bond Collective (August 2018) and consult with the London Advisory Committee on Heritage for consideration of the designation of the property under Part IV of the Ontario Heritage Act (R.S.O. 1990, as amended).
- (e) The Site Plan Approval Authority **BE REQUESTED** to consider the following for inclusion in the Development Agreement: *"That the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to the satisfaction of the City of London."*
- (f) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the Site Plan Approval process:
  - i) Locate any new buildings as close to Queen's Park as practical, in order to contribute to a positive relationship with this key public space and help to further define the edge of the park.



- ii) Ensure that new building locations do not preclude the opportunity for street-oriented buildings abutting Florence Street, Rectory Street and King Street in order to provide for an active street edge in the future.
- iii) Provide an on-site walkway that connects between Queen's Park and the Park-facing building entrance, moving pedestrians through any intervening surface parking area. This walkway should be significantly wider than standard walkways, have a distinctive surface material and/or finish, and be supported by appropriate flanking landscaping, including trees, along its edges.
- iv) Design the northerly (facing Queen's Park) and westerly (facing Rectory Street) building elevations as principal building elevations. The principal building elevations will be the priority for architectural treatment and emphasis. Principal building elevations are meant as the front "face" of the building. They should include primary building entrances and transparent glazing as a principal component providing openness between the interior building activity areas and the exterior. Emphasis of primary building entrances should be achieved through a combination of glazing, lighting, signage and building overhangs or canopies.
- v) Secondary building elevations should be designed with windows or glazing, a diversity of material types (which may include non-transparent glazing), colours, and/or features together with variations in the depth of the wall plane to avoid long stretches of blank, monotonous, and featureless walls. Design elements should be applied to establish a positive pedestrian environment.
- vi) Design taller hotel components with a base that contributes to a transparent, active, and human-scale on the ground; and a top that provides a refined and interesting finish to the building that would reflect its prominence within the broader Western Fair District and Old East Village.
- vii) Use quality, durable cladding materials throughout all building elevations that fit with the overall building architecture and unify the project. There is a wide diversity of cladding materials that are appropriate for a contemporary architectural expression, including compositions of transparent glass, metals, woods and masonry products.
- viii) Explore opportunities for incorporating similar materials, colours or finishes from surrounding cultural heritage resources.
- ix) Include screening walls to rear loading and service areas and any field of parking; and ensure that these walls are clad in a consistent fashion to that of the main building architecture.
- x) Parking should be avoided between Queen's Park and any adjacent building.

## **Executive Summary**

### **Summary of Request**

The Western Fair Association ("WFA") and Realty Services at the City of London ("the City") requested a Zoning By-law Amendment ("ZBA") to change the existing zoning for the subject lands to accommodate the development of a casino and hotel by Gateway Casinos and Entertainment Limited ("Gateway"). The requested amendment would change the zoning of the subject lands from Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(\*)•B-\* )Zone.



The existing RF(2) Zone broadly permits “*Uses and activities associated with the WFA*” as additional permitted uses, but would limit other users to only the uses permitted in the standard Regional Facility (RF) Zone. The requested special provision would list a *specific* range of uses as additional permitted uses, and include the uses that have been historically provided by the WFA and those that operate from the subject lands, as well as the new uses associated with Gateway’s proposal. The requested special provision also include regulations that specify a gross floor area maximum for certain uses, a reduced yard depth minimum where fronting public roads, exceptions to standard permitted yard encroachments, a single minimum parking rate requirement for all permitted uses, and allow required parking to locate on adjacent lots. The requested amendment would include a Bonus Zone for increased height for hotels in return for certain community benefits and would also add new definitions to the City’s Zoning By-law.

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

The purpose and effect of the recommended Official Plan Amendment (“OPA”) and ZBA is to provide for a range and mix of entertainment, recreational, and secondary commercial land uses that reflect the intended function of the Western Fairgrounds. The recommended OPA would update the *1989 Official Plan* to adopt the same permitted uses for the Western Fairgrounds as those identified in *The London Plan* which explicitly contemplate hotels on the Western Fairgrounds.

The recommended ZBA would add a definition for Casinos, Fairgrounds, Racetrack Operations, and Urban Agriculture to Section 2 (Definitions) in the City of London Zoning By-law Z.-1 and change the existing zoning of the subject lands from Regional Facility Special Provision (RF(2)) Zone to a Holding Regional Facility Special Provision (h-18•h-205•RF(\*)) Zone and a Holding Regional Facility Special Provision (h-•h-205•RF(\*)) Zone. As requested, the recommended special provision would continue to permit uses associated with the WFA’s operations, but would specifically identify those uses as additional permitted uses, and include new uses associated with Gateway’s proposal and associated regulations.

The recommended regulations include a gross floor area maximum for certain uses, a reduced yard depth minimum where fronting public roads, a single minimum parking rate requirement for all permitted uses, and allow required parking to locate on adjacent lots. The recommended regulations also include an increased height maximum for hotels, rather than a bonus zone for increased height as initially requested. Holding provisions are also recommended to ensure the subject lands are assessed for the presence of archaeological resources and/or monitored; and potential compatibility issues between existing railway facilities and any future sensitive land uses are addressed through detailed studies.

### **Rationale of Recommended Action**

1. The recommended amendments are consistent with the *2014 Provincial Statement (“PPS”)* and will provide for a broad range and mix of entertainment, recreational, and secondary commercial land uses that will allow for the intensification, redevelopment, and revitalization of the subject lands. The recommended range and mix of land uses will also provide for more sustainable, year-round tourism on the subject lands which has the potential to improve the long-term economic prosperity of the community and support current and planned transit proximate to the subject lands consistent with the *PPS*.



2. The recommended amendment to the *1989 Official Plan* to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan*.
3. The recommended amendment to the Zoning By-law, and the list of specific land uses to be recognized as additional permitted uses is generally consistent with the permitted use of Western Fairgrounds as described in the *1989 Official Plan* and conforms to the specific policies for the Western Fairgrounds in *The London Plan*.
4. The recommended regulations providing a single parking rate for all permitted uses and the ability to locate required parking on adjacent lots will result in a reasonable and appropriate amount of parking, consistent with the PPS that promotes appropriate development standards and the efficient use of land. The recommended increase in building height up to a maximum of 50 metres for hotels without the use of Bonus Zoning conforms to the 12-storey building height maximum contemplated in *The London Plan*. The recommended minimum yard depth requirement abutting a public street of 3.0 metres will support street-oriented development consistent with the form based consideration for the Western Fairgrounds found in *The London Plan*.
5. Recognizing the significant cultural heritage value of the subject lands, and consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that direct significant cultural heritage resources to be conserved, it is a recommendation of this report that Staff be directed to consider designation of the subject lands under Part IV of the *Ontario Heritage Act*.
6. Consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that direct significant archaeological resources be conserved, holding provisions will be used to ensure that potential archaeological matters are addressed. This includes the use of a new holding provision for an archaeological monitoring mitigation strategy. It is also a recommendation of this report, that the Site Plan Approval Authority be requested to consider adding a clause to the Development Agreement that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to ensure the conservation of archaeological resources.
7. A holding provision is also recommended to be used to ensure any land uses compatibility issues with major facilities, namely railway facilities, are addressed consistent with the *PPS*, and conforming to *The London Plan* and other relevant guideline documents.

## Analysis

### 1.0 Site at a Glance

#### 1.0 Property Description

The subject lands are bounded by Dundas Street and King Street to the north, Egerton Street to the east, Florence Street to the south and Rectory Street and Ontario Street to the west and comprise approximately 19 hectares (47 acres). The subject lands are municipally known as 900 King Street and 925 Dundas Street. The subject lands, together with adjacent lands associated with, and operated by, the Western Fair Association (“WFA”), are commonly known as the Western Fairgrounds. The Western Fairgrounds are located within the historic Old East Village (“OEV”) neighbourhood, and are a prominent site within the City and the Region.



The subject lands contain a collection of buildings/structures related to the annual Western Fair and other operations of the WFA, the City and the Province (Figure 1). Other operations include harness racing, the weekly farmers market, and Ontario Lottery and Gaming Corporation's slots. The buildings and structures located on the subject lands include the Arts Building, Confederation Building, Grandstand/Slots/Carousel Room/East Annex, Progress Building/West Annex/Canada Building, a remnant of the Poultry Building currently used as an electrical substation and the Anne Eadie Stage. The buildings and structures are predominately located in the north and north-easterly portion of the subject lands, and arrange around, or within, Queen's Park and the existing racetrack. Queen's Park occupies the north-easterly portion of the subject lands, while the south-westerly portion of the subject lands is used as a surface parking area.

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

- Official Plan Designation – Regional Facility
- The London Plan Place Type – Institutional and Green Space
- Existing Zoning – Regional Facility Special Provision (RF(2)) Zone

## **1.3 Site Characteristics**

- Current Land Use – recreational, entertainment and commercial land uses
- Frontage – 163 metres (535 feet) along Ontario Street
- Depth – Irregular
- Area – 19 hectares (47 acres)
- Shape – irregular

## **1.4 Surrounding Land Uses**

- North – commercial and residential
- East – residential and industrial
- South – recreational and entertainment uses and railway facilities
- West – commercial, industrial and residential



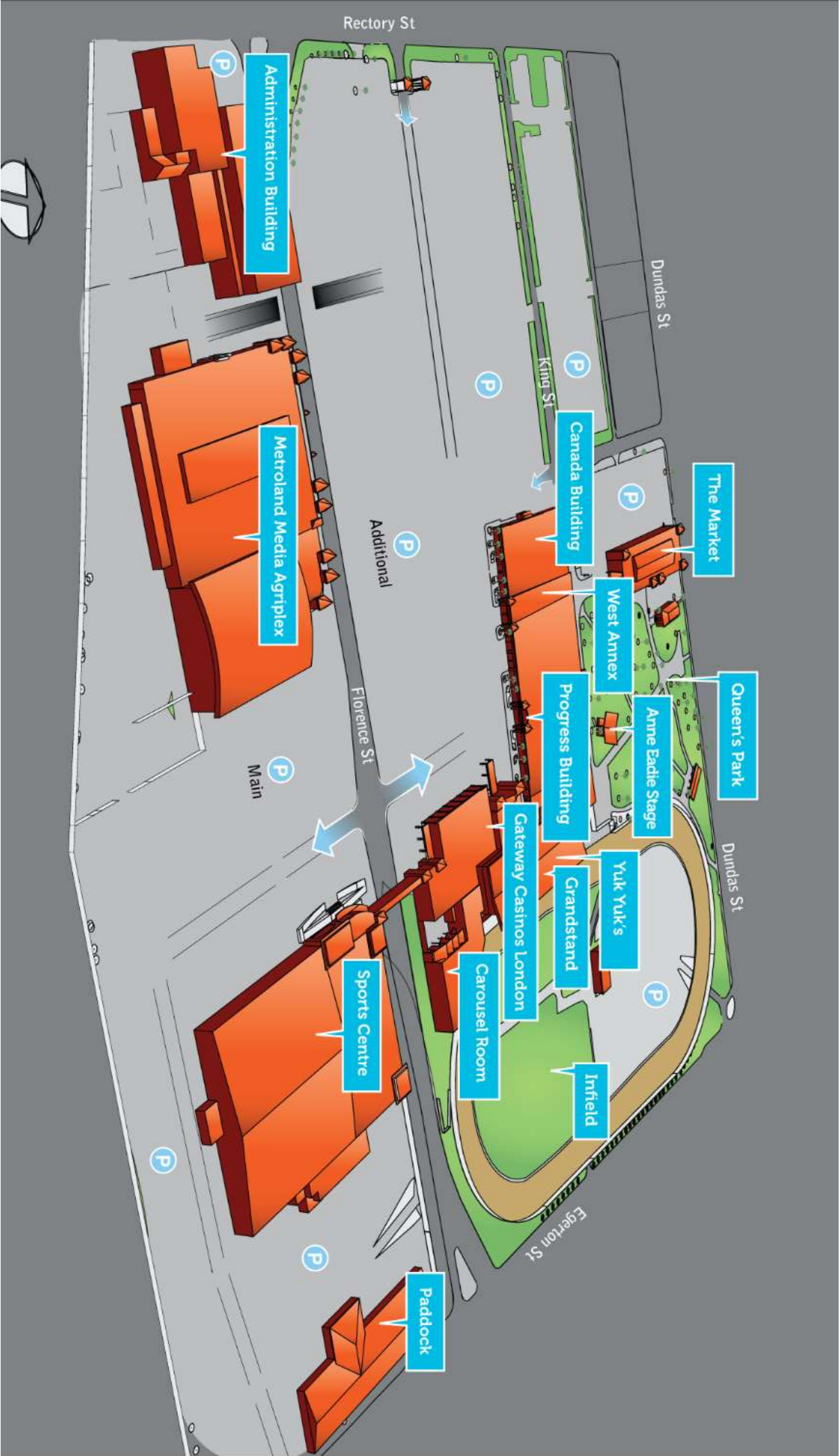
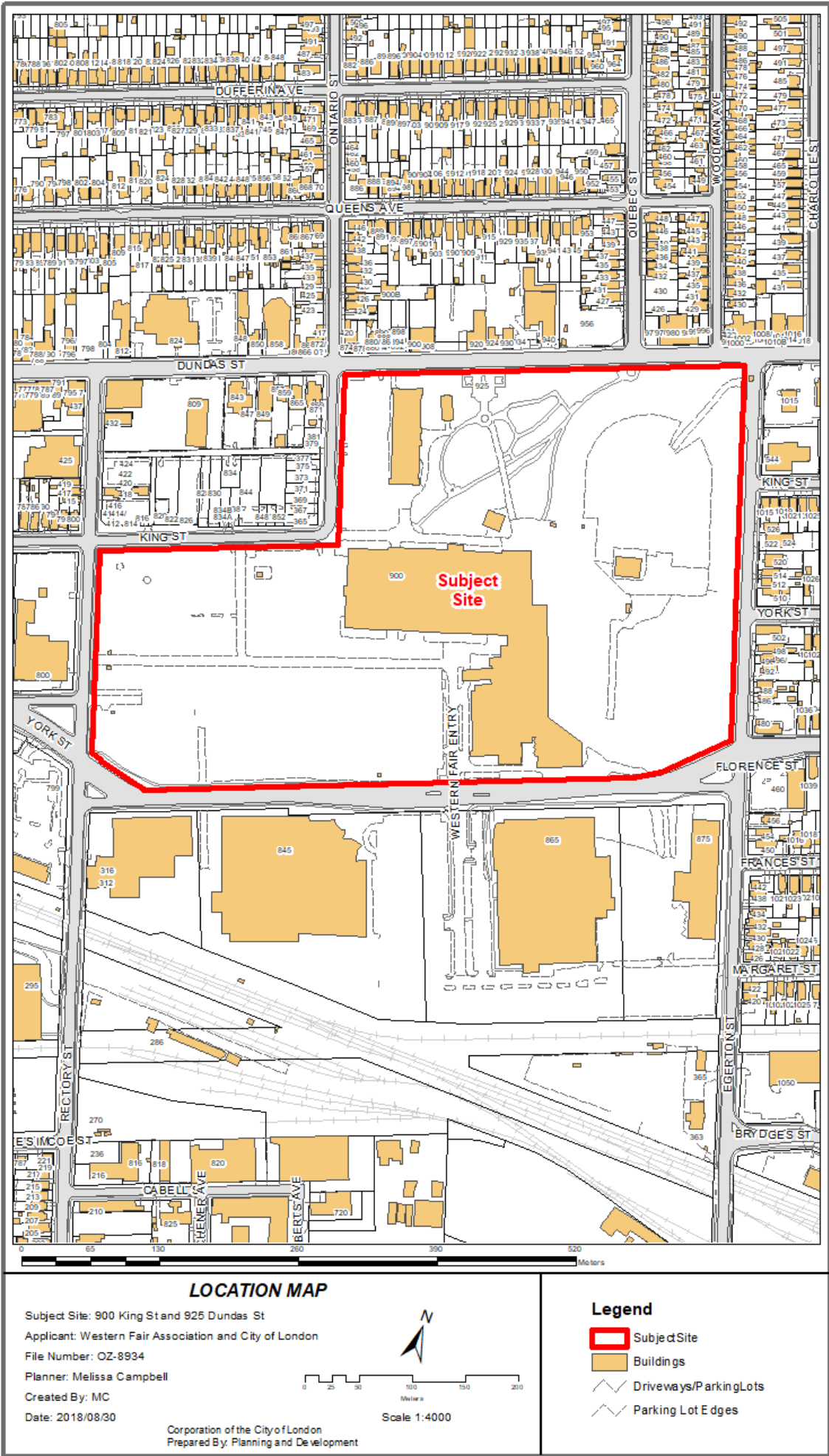


Figure 1: Existing Buildings/Structures Located on Western Fairgrounds



1.6 LOCATION MAP





## 2.0 Description of Proposal

### 2.1 Development Proposal

The preliminary development concept proposed by Gateway is phased. The first phase would consist of the demolition of the existing Progress Building/West Annex/Canada Building and the reconfiguration of the existing surface parking area to accommodate a full casino. The proposed casino would have a maximum gross floor area of 20,000 sq. m. Primary building entrances would be on the north side facing Queen's Park and on the west side facing the reconfigured surface parking area. The primary vehicular access is proposed to shift west to a new location along Florence Street that would generally align with the primary building entrance of the Metroland Agriplex located on the south side of Florence Street. The existing vehicular access on Florence Street would remain to provide access to loading areas and rear parking. Loading is proposed between the new casino and the existing Slots/Grandstand/Carousel/East Annex Building that would be maintained in the first phase of development.

The second phase would consist of the demolition of the existing Slots/Grandstand/Carousel/East Annex Building and the construction of a hotel and new grandstand. The hotel would be constructed on the north side of the new casino to form an integrated complex and the new grandstand would be constructed on the east side of the new casino and hotel complex. The proposed hotel would have a maximum gross floor area of 14,000 sq. m and a maximum height of approximately 12-storeys or 50 metres.

The development proposal by Gateway is a preliminary development concept for the purposes of establishing zoning permission and regulations, but may be subject to change, and is not intended to preclude other development options in the future.

## 3.0 Relevant Background

### 3.1 Planning History

The existing slots facilities located on the subject lands were permitted through a 1998 Minister's Zoning Order (O. Reg. 684/98) in connection with the existing racetrack operation. The Minister's Zoning Order was, one of many such Orders, intended to support the horse racing industry and the broader agricultural industry across the Province. The Minister's Zoning Order pertaining to the subject lands was revoked in 2011, but the slots facility remained in operation and is permitted to continue as a legal non-conforming use.

The WFA and the City as co-owners of the subject lands are working with Gateway, the provincially licensed operator of the existing slots facility, to facilitate the redevelopment of the subject lands for a full casino and integrated hotel complex. "Expanded Gaming" to allow for a full casino within the City was endorsed by Municipal Council after public consultation in the first quarter of 2018. At its meeting on April 24, 2018, municipal Council endorsed *"the expansion of a gaming site to include entertainment options that would allow for up to 1,200 slots at a casino, and up to 50 live table games"*. The Council Resolution specifically identified the Western Fair District as the preferred location for an expanded gaming facility.



### 3.2 Requested Amendment

The WFA and Realty Services at the City requested a ZBA to change the existing zoning of the subject lands from a Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(\*)•B-\*) Zone.

The existing RF(2) special provision permits uses and activities associated with the WFA as additional permitted uses, but would limit other users to only the uses permitted in the standard Regional Facility (RF) Zone. The requested special provision would continue to permit uses associated with the WFA's operations, but would specifically identify those uses as additional permitted uses, and include new uses associated with Gateway's proposal and associated regulations. The requested additional permitted uses included: Amusement Game Establishments; Amusement Parks; Artisan Workshops; Auditoriums; Brewing on Premises Establishments; Casinos; Craft Breweries; Fairgrounds; Hotels; Places of Entertainment; Racetrack Operations; Restaurants; Retail Stores; and Urban Agriculture.

The requested regulations included a maximum gross floor area of 20,000 sq. m for casinos; a maximum gross floor area of 14,000 sq. m for hotels; a maximum gross floor area for artisanal workshops and craft breweries of 500 sq. m; a minimum parking rate requirement of 1 space per 22 sq. m of gross floor area for all permitted uses; an exception to allow required parking to locate on adjacent lots; a minimum yard depth abutting any public road of 3.0 metres, an exception to allow the encroachment of walls bounding the racetrack within the required yards depths. The WFA and Realty Services have requested Bonus Zoning for increased height up to a maximum of 50 metres for hotels in return for certain community benefits. The identified community benefits included the provision of common open space, underground or structured parking, the enhanced provision of landscape open space, sustainable forms of development, contributions to the development of transit amenities, features and facilities, and car parking, car sharing and bicycle sharing facilities all accessible to the public. New definitions for "Casinos", "Racetrack Operations", "Fairgrounds" and "Urban Agriculture" are requested to be added to the Zoning By-law.

Planning Services at the City has initiated a concurrent OPA to the *1989 Official Plan*, to adopt the same permitted uses for the Western Fairgrounds as those identified in *The London Plan* which explicitly contemplate hotels on the Western Fairgrounds.

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

Notice of Application was sent to property owners in the surrounding area on August 8, 2018 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 9, 2018. The notice advised of a possible amendment to the *1989 Official Plan* to adopt the permitted uses for the Western Fairgrounds identified in *The London Plan*. The notice also advised of a possible amendment to Zoning By-law Z.-1 to change the zoning from a Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(\*)•B-\*) Zone to replace the existing RF(2) special provision which recognizes and permits the uses and activities associated with the WFA, with a list of specific uses expected as part of the WFA's operations and new uses associated with Gateway's proposal as well as associated regulations. The notice also advised of a requested Bonus (B-\*) Zone for an increase in height up to a maximum of 50 metres. The notice also advised that the City may consider the use of holding (h-\_) provisions.

Three (3) replies were received from the public as part of the community engagement process, and expressed support for the proposed range of additional permitted uses, with an interest in the final form of development; preference that the proposed casino be



located in the Downtown Area; and concern regarding the impact of a casino on the surrounding neighbourhood, including a potential increase in vehicular traffic and on-street parking; and that the casino would not result in expected economic benefits for surrounding businesses. In return for the development proposal by Gateway, it was suggested the following be provided: reduced property taxes for surrounding homes and businesses borne by Gateway; the provision of a Drug Overdose Prevention Site; the construction and maintenance of a public park; and the design of a more appealing raceway fence.

In response to the above noted replies, Staff note that in the absence of a definitive development concept at this time, the design principles contained in this report are intended to provide guidance regarding the expected form of development in the future (see recommendation (f) and Section 4.2.3 in this report). The *1989 Official Plan* and *The London Plan* recognize the Western Fairgrounds as a regional serving entertainment and recreational destination. A casino on the subject lands would conform to the planned intent for the Western Fairground, and the planned intent of the Western Fairgrounds was carefully considered to not detract from the planned intent of the Downtown Area. The large land area requirements associated with a full casino can more readily be accommodated on the Western Fairgrounds, than in the Downtown Area, where land assembly would likely be required. The network of transportation corridors surrounding the subject lands, that includes planned BRT, are intended to move high volumes of traffic. The revitalization and regeneration of the Western Fairgrounds will draw more sustainable, year-round tourism to the site, which is expected to improve the long-term economic prosperity of the surrounding community and the City as a whole.

The WFA and the Old East Village Business Improvement Area (“OEV BIA”) held a Community Information Meeting on August 28, 2018 to provide the community with an opportunity to review and provide comment on the concurrent OPA and ZBA application. Attendees to the Community Information Meeting were asked to register and fill-out comment cards. 31 people were recorded having registered, and 14 comment cards were returned. The OEV BIA provided a summary and thematic analysis of the comments cards (see attached correspondence in Appendix C). Staff heard through the Community Information Meeting, that the ability to provide input on the form of new development on the subject lands is important to the OEV community. There was support for the requested range of the uses and maximum building height up to 15-storeys on the subject lands. The periodic use of the WFA lands located north of King Street, (not subject to this application) for recreational vehicle parking/camping was a concern for a neighbouring property owner. There was also concern for the impact of a casino on the surrounding neighbourhood, including the potential increase in vehicular traffic and on-street parking, safety and vandalism.

### **3.4 Policy Context (see more detail in Appendix D)**

#### *Provincial Policy Statement, 2014*

The *PPS* provides policy direction on matters of provincial interest related to land use planning and development. The *PPS* encourages a range of land uses in support of efficient, resilient, development and land use patterns. The *PPS* directs growth and development to settlement areas and encourages the regeneration of settlement areas. The *PPS* protects the economic role of rail facilities and requires that sensitive land uses be appropriately design, buffered and/or separated from rail facilities. The *PPS* directs that development shall not be permitted unless significant built heritage resources and significant archaeological resources are conserved. The *PPS* encourages use of transit and active transportation.



*The 1989 Official Plan*

The *1989 Official Plan* implements the policy direction in the *PPS* and contains objectives and policies that guide the use and development of land within the City. The *1989 Official Plan* assigns land use designations to properties, and the policies associated with those land use designations provide for a general range of land uses, form and intensity of development that may be permitted.

The subject lands are designated “Regional Facility” on *Schedule ‘A’ – Land Use* in the *1989 Official Plan*. The Regional Facility designation is primarily intended for large institutional type uses which serve a regional function. Permitted uses specific to Western Fairgrounds include recreational and entertainment uses consistent with the site’s agricultural roots.

*The London Plan*

*The London Plan* is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications). The subject lands are located within the “Institutional” Place Type and “Green Space” Place Type on *Map 1 – Place Types* in *The London Plan*. The Institutional Place Type is intended for larger land areas that serve an institutional purpose. Specific Policies for Western Fairgrounds promote the site’s agricultural roots, but reflect an expanded recreational and entertainment focus and explicitly permit hotels. A minimum height of 2-storeys or 8 metres, and a maximum height of 12-storeys, or Bonus Zoning up to a maximum height of 15-storeys, is contemplated in the Institutional Place Type. The Green Space Place Type recognizes the historical use of Queen’s Park as one of the City’s first public parks.

**4.0 Key Issues and Considerations**

**4.1 Use, Intensity and Form**

Gateway provided a preliminary development concept for the subject lands to Council in 2017 for information purposes only (See Section 2.1). At this time, there is no fixed development concept for the subject lands, and no certainty as to the final form that development may take in the future. The WFA and the City as co-owners of the subject lands, requested a ZBA to permit and possibly facilitate in the future the development proposal by Gateway. Staff have considered the appropriateness and compatibility of the requested range of land uses, requested increase in height, and explored issues regarding form.

**4.1.1 Use**

*Provincial Policy Statement, 2014*

The *PPS* directs settlement areas to be the focus of growth and development and their vitality and regeneration should be promoted (Policy 1.1.3.1). The *PPS* promotes land use patterns within settlement areas that provide for a range and mix of land uses and opportunities for intensification and redevelopment (Policy 1.1.3.2 a) and b)). The *PPS* recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of communities. In support of long-term economic prosperity the *PPS* encourages opportunities for economic development, optimizing the use of land, and opportunities for sustainable tourism development (Policy 1.7.1)

The recommended amendments to the Official Plan and Zoning By-law, will provide for a range and mix of entertainment, recreational, and secondary commercial land uses that reflect the intended function of the Western Fairgrounds and are consistent with *PPS*. The list of specific land uses to be recognized as additional permitted uses include land uses expected as part of the WFA existing operations (i.e. fairgrounds, racetrack operations) as well as new land uses (i.e. casinos, hotels, restaurants) that are



expected to contribute to the revitalization and regeneration of the Western Fairgrounds as a more complete and diverse entertainment, recreational and educational destination. The revitalization and regeneration of the Western Fairgrounds will draw more sustainable, year-round tourism to the site, which in turn has the potential to improve the long-term economic prosperity of the surrounding community and the City as a whole.

#### *1989 Official Plan*

The subject lands are designated “Regional Facility” in the *1989 Official Plan*. The Regional Facility designation is primarily intended for large institutional type uses which serve the regional area (Section 6.2). An expanded range of permitted uses permitted by policy specific to Western Fairgrounds includes a range of recreational and entertainment uses consistent with the site’s agricultural roots and the WFA strategic plan (Section 6.2.2 ii)).

The recommended amendment to the *1989 Official Plan* to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan*. The recommended amendment reflects Council’s current vision and intent for the Western Fairgrounds as expressed in *The London Plan*. The recommended hotel use would provide short-term accommodation in support of, and complementing, the existing and planned regional-serving recreational and entertainment land uses on the subject lands.

The recommended amendment to the Zoning By-law, and in particular the list of specific land uses to be recognized as additional permitted uses, represent a reasonable range of land uses expected for an entertainment, recreational and educational destination. Many of the recommended land uses such as amusement game establishments, amusement parks, auditoriums, fairgrounds, places of entertainment, racetrack operations, restaurants, and retail stores, could be interpreted as already permitted and occurring on the subject lands in association with the WFA. The addition of a full casino and hotel as additional permitted uses will complement and expand on the type and scale of entertainment and recreational uses that have developed on the Western Fairgrounds over time. Other recommended land uses such as artisan workshops, brewing on premises establishments, and craft breweries are already permitted in the nearby Business District Commercial (BDC) Zone variations located along Dundas Street, and along with urban agriculture, are in keeping with the historical support the Western Fairgrounds have provided to the agricultural community.

A Planning Impact Analysis (“PIA”) was undertaken by Staff as is required to evaluate applications for an OPA and/or ZBA, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. The PIA criteria set out in *1989 Official Plan* consider such matters as conformity and compliance with City’s policy and regulatory documents, compatibility with surrounding land uses, the appropriateness of the size and shape of the property to accommodate the proposed lands uses, traffic to be generated, and the impacts on the transportation network, including transit. The PIA criteria are addressed throughout this report, in particular throughout Section 4.0 – Key Issue and Consideration.

#### *The London Plan*

The subject lands are located within the “Institutional” Place Type, except for Queen’s Park which is located within the “Green Space” Place Type to reflect its historical use as one of London’s first public parks. The Institutional Place Type is intended for larger land areas that serve an institutional purpose (Policy\_1078). The



Western Fairground represents a unique institutional use within the City, and Specific Policies for the Institutional Place Type promote the site's agricultural roots similar to the *1989 Official Plan*, but contemplate a broader recreational and entertainment focus that also explicitly permits hotels (Policy\_1102).

The recommended amendment to the Zoning By-law, and in particular the list of specific land uses to be recognized as additional permitted uses conforms to the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan* and will support the WFA's strategic plan to modernize and rebrand Western Fairgrounds as a regional entertainment and recreation district.

#### **4.1.2 Intensity**

##### *1989 Official Plan*

Lands designated Regional Facility in the *1989 Official Plan* are, by reason of their size, normally major activity or employment centres in the City (Section 6.2.1 i)). The intensity of development is intended to be greater than other areas within the City that provide for local community facilities. The Regional Facility policies in the *1989 Official Plan* do not contemplate the use of Bonus Zoning as a tool to allow increases in the height of development beyond what is otherwise permitted by the Zoning By-Law. The scale of development on lands designated Regional Facility should be compatible with the surrounding context. Appropriate heights, site coverage and setback restrictions should provide for that compatibility (Section 6.2.5).

##### *The London Plan*

Within the Institutional Place Type in *The London Plan*, the intensity of development is managed through the use of building heights. As a base condition a minimum building height of 2-storeys or 8.0 metres and a maximum building height of 12-storeys is contemplated. Bonus Zoning would allow for an increase in building height up to 15-storeys (Policy 1086\_1.).

The current zoning that applies to the subject lands permits a maximum building height of 40 metres. Staff are recommending an increase in building height for hotels up to a maximum of 50 metres without the use of Bonus Zoning.

The Regional Facility policies in the *1989 Official Plan* do not provide a policy basis for Bonus Zoning at this time. In addition, the challenge of implementing the requested Bonus Zone is that there is no definitive development concept for which to secure the facilities, services, or matters that would be provided in return for the requested increase in height. The recommended increase in building height for hotels without the use of Bonus Zoning conforms to the *1989 Official Plan*. The recommended increase in building height up to a maximum of 50 metres for hotels is equivalent to, and conforms to, the 12-storey building height maximum contemplated in *The London Plan* as a base condition without Bonus Zoning. Given the unique context that is the Western Fairgrounds, and that the requested increase in building height represents at most, a change of 10 metres (approximately 2 to 3-storeys depending on floor heights) from the current zoning, Staff have no concerns with the height increase for hotels.

The intensity of development on the subject lands is also recommended to be managed through the use of gross floor area maximums for certain permitted lands uses. It is recommended that through the special provision, the size of artisan workshops, casinos, craft breweries and hotels be regulated. Specifically, a gross floor maximum of 20,000 sq. m (215,278 sq. ft.) is recommended for casinos, and a maximum gross floor area of 14,000 sq. m (150,695 sq. ft.) is recommended for hotels. These gross floor area maximums generally relate to the expected space requirements associated with



Gateway's licence for 1,200 slot machines and 50 table games from the Province and a hotel appropriately sized to support the casino function. Artisan workshops and craft breweries will also be restricted on the subject lands to a maximum gross floor area of 500 sq. m (5,382 sq. ft.) per establishment consistent with the existing restrictions in the nearby BDC Zone variations.

An increase in the intensity of development on the subject lands is appropriate within the context of the City's transportation network. King Street, Ontario Street, Dundas Street and Florence Street that bound the subject lands are higher-order roads intended to accommodate high volumes of traffic. The City has approved a Bus Rapid Transit ("BRT") system and network. Future BRT stations are proposed on the east and west sides of Ontario Street near the Confederation Building to serve the easterly BRT route that would connect the Downtown to Fanshawe College (Figure 2). The exact location of the proposed BRT station will be refined through detail design. An increase in the intensity of development on the subject lands would provide ridership support for the BRT. A Transportation Impact Analysis ("TIA") will be required to be completed to the satisfaction of the City Engineer through the Site Plan Approval process, and the recommendations of the TIA regarding vehicular access or required upgrades to the transportation network will be required to be implemented and constructed by the owner/developer.

#### **4.1.3 Form**

##### *The London Plan*

*The London Plan* contains policies specific to the Institutional Place Type and to Western Fairgrounds that include consideration of form. Specific to the Western Fairgrounds, *The London Plan* encourages new development to be street-oriented and parking areas to be screened to create a comfortable and attractive pedestrian environment (Policy 1103\_).

Staff are recommending a minimum yard depth requirement abutting a public street of 3.0 metres which will allow for new development to be positioned close to the street edge in support of street-orientated development in keeping with the general intent of the form based consideration for the Western Fairgrounds in *The London Plan*.

In addition to yard setbacks there are other form based considerations such as building orientation, building massing, step-backs, materials, architecture, parking, vehicular access, and landscaping to be considered through the Site Plan Approval process. In the absence of a definitive development concept it is difficult to fully explore those form based considerations at this time through the concurrent OPA and ZBA application. Instead, the recommendations of this report include a request to the Site Plan Approval authority to consider several design principles through the Site Plan Approval process. The design principles were developed in consultation with the City's Urban Designer and are intended to guide the form of development on the subject lands in the future. The design principles are summarized below.

With regard to building form and orientation, new buildings should be positioned as close to Queen's Park as practical and active building facades oriented towards Queen's Park to help to further define the edge of the park and contribute to a positive relationship between the park and buildings positioned along its edge. The positioning of buildings on the subject lands should not preclude the potential for street-oriented buildings abutting Florence Street, Rectory Street and King Street in order to provide for an active street edge in the future. Site circulation should include a broad walkway with a distinct surface treatment that connects Queen's Park and the park-facing building entrance, moving pedestrians through any intervening surface parking area.



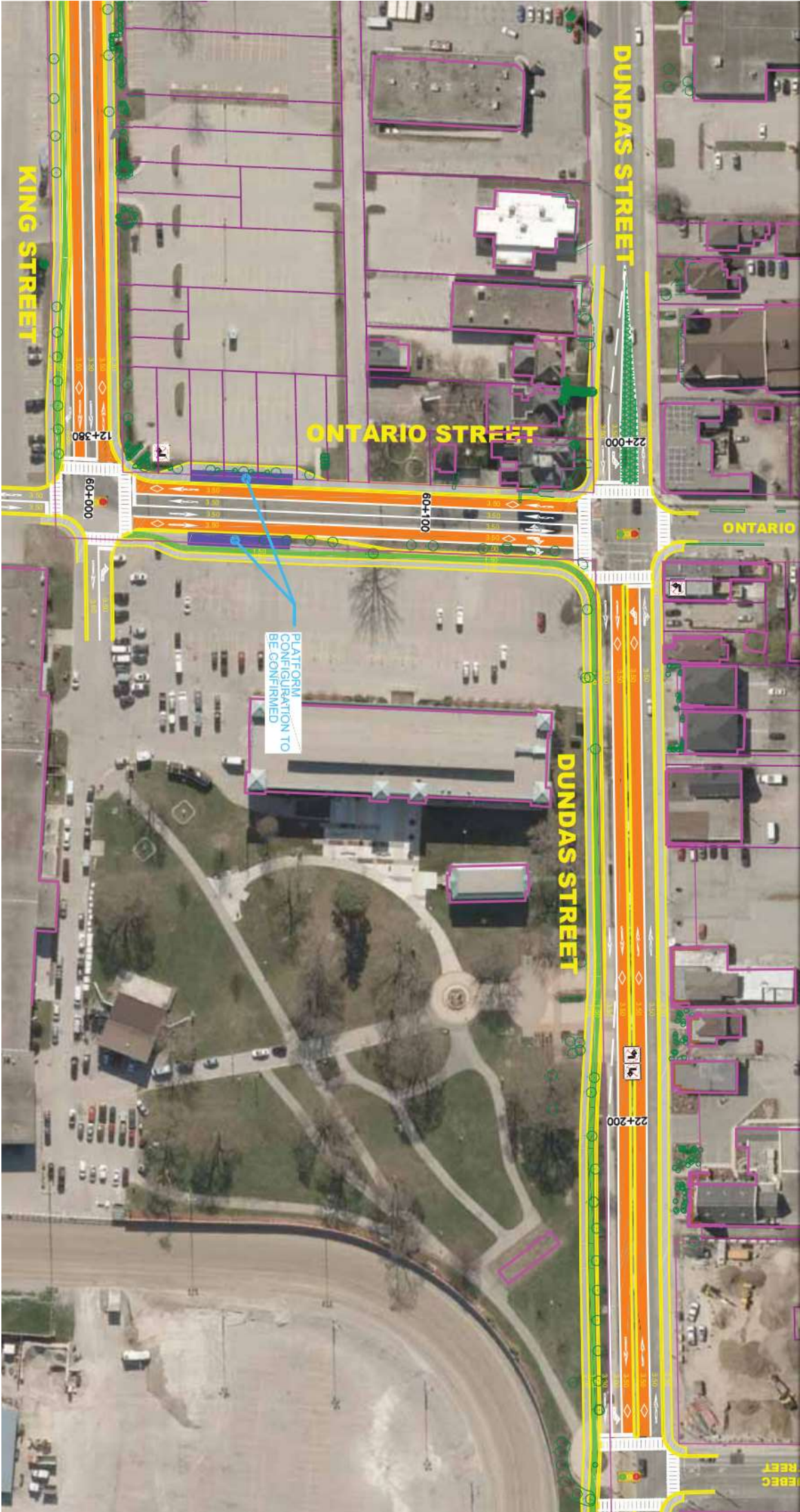


Figure 2: Rapid Transit Master Plan – Conceptual Design Plates – Ontario Street Conceptual Station Locations



With regard to building design and architectural treatment, principle building elevations and primary building entrances should include transparent glazing as a principal component providing openness between the interior building activity areas and the exterior. Quality, durable cladding materials should be used throughout all building elevations and cladding materials should fit with the overall building architecture and be a unifying design element. Opportunities for incorporating similar materials, colours or finishes from surrounding heritage resources should be explored. Tall buildings should have an architecturally-defined base, middle and top. The design of the base of tall buildings should contribute to a transparent, active and human-scale at ground level, and the design of the top of tall buildings should contribute positively to the skyline as focal point on the site and with OEV.

#### **4.2 Land Use Compatibility**

The proposed hotel component comprising part of the development envisioned by Gateway is considered a sensitive land use that has the potential to create new land use compatibility issues with existing industrial facilities in the surrounding area, including railway facilities. These potential land use compatibility issues have been considered by Staff.

##### *Provincial Policy Statement, 2014*

The *PPS* directs that major facilities, such as railway facilities, and sensitive land uses should be appropriately designed, buffered and/or separated from each other (Policy 1.2.6.1 and 1.6.9.1 b)). The *PPS* directs that planning for land uses in the vicinity of rail facilities should protect the long-term operation and economic role of rail facilities (Policy 1.6.9.1 a)).

##### *The London Plan*

The London Plan directs that development of sensitive land uses in proximity to the London International Airport, rail lines, higher-order streets and provincial highways as well as certain place types will have regard for potential impacts from noise, vibration and/or safety concerns (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\_).

The Ministry of the Environment, Conservation and Parks ("MOECP"), formerly the Ministry of the Environment ("MOE"), released *D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Use* in 1995 in accordance with the *Environmental Protection Act*. These guidelines were 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. The *D-6 Guidelines* provide a classification system for industrial facilities based on their potential for emissions that could cause adverse impacts. For each classification of industrial facility, the *D-6 Guidelines* provide a potential area of influence and a recommended separation distance between each classification of industrial facility and sensitive land uses.

A Land Uses Compatibility Assessment prepared by RWDI Air Inc. (July 2018) was submitted in support of the concurrent OPA and ZBA application for the subject lands to address the *D-6 Guidelines*. The subject lands were found to be within the 70 metre and 300 metre potential areas of influence for zones that permit Class I and Class II industrial facilities respectively, but outside of the 1,000 metre potential area of influence for zones that permit Class III industrial facilities.



Lands zoned for Class I industrial facilities which have a potential influence area of 70 metres are primarily located within the area of Dundas Street north of the subject lands, or York Street west of the subject lands. Sensitive land uses (residential land uses) already surround those areas, such that any potential compatibility issues with sensitive land uses, would not be unique to the subject lands. Moreover, while the zoning in the area of Dundas Street and York Street has the potential to permit Class I industrial facilities, those areas are more commonly used for commercial or retail establishments which would not cause compatibility issues with sensitive land uses on the subject lands.

Lands zoned for Class II industrial facilities which have a potential influence area of 300 metres include lands located north of Dundas Street and east of Egerton Street that were formerly used for food manufacturing by McCormick's and Kellogg's. The location of the subject lands satisfies the recommended minimum separation distance of 70 metres from the former McCormick's/Kellogg's lands. There are also intervening sensitive land uses (residential land uses) between the subject lands and the former McCormick's/Kellogg's lands.

The lands zoned for Class II industrial facilities located south of Florence Street and east of Egerton Street, in the Brydges Street area, and the lands zoned for Class II industrial facilities located south of Florence Street and west of Rectory Street also satisfy the recommended minimum separation distance of 70 metres from the subject lands. In addition, wind directions that would carry adverse impacts from these lands to the subject lands are infrequent, with the predominant wind direction coming from the north-west.

The lands zoned for Class II industrial facilities located south Florence Street include the CN rail corridor and rail yard; and although these zoned lands satisfy the recommended minimum separation distance of 70 metres from the subject lands according to the *D-6 Guidelines*, due to the specific railway use, sensitive land uses on the subject lands could cause land use compatibility issues.

The Federation of Canadian Municipalities and the Railway Association of Canada developed *Guidelines for New Development in Proximity to Railway Operations* (May 2013) to assist municipalities and other stakeholders in establishing a consistent approach to assess new development in proximity to railway facilities. The subject lands are located within the 300 to 1,000 metres recommended minimum noise area of influence for rail corridors (principle main lines) and rail yards, but located beyond the 75 metre recommended minimum vibration area of influence set out in the guideline document. Therefore noise, and not vibration, from railway facilities may be a potential concern for future sensitive land uses on the subject lands.

To ensure land use compatibility is appropriately addressed consistent with the *PPS*, and *The London Plan*, a holding provision is recommended that will ensure a detailed Land Use Compatibility Assessment is carried out prior to the development of sensitive lands uses on the subject lands. The detailed assessment will provide direction on how the proposed sensitive land uses can be appropriately designed, buffered and/or separated from existing major facilities, namely the CN rail corridor and rail yard, to prevent or mitigate potential adverse effects.

#### **4.3 Archaeological Resources**

Prior to consolidation of the subject lands by the WFA for fairgrounds starting in the late 19<sup>th</sup> century, the subject lands were used for several, varied historic land uses. While those 19<sup>th</sup> century land uses are believed to have removed much, if not all of the



potential for Indigenous archaeological resources, there remains archeological potential related to the Euro-Canadian land uses that must be addressed prior to development. In particular, the westerly portion of the subject lands were used as a burial ground, including St. Paul's Anglican Cemetery starting in 1852. The internments and monuments were exhumed to Woodland Cemetery in the 1880s, and the westerly portion of the subject lands redeveloped for residential land uses by 1907. The policies in the *PPS*, the *1989 Official Plan* and *The London Plan* direct that significant archaeological resources be conserved.

*Provincial Policy Statement, 2014*

The *PPS* directs that development and site alteration shall not be permitted on lands having archaeological potential unless significant archaeological resources have been conserved (Policy 2.6.2). In the *PPS*, the term “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 (Section 6 – Definitions).

*1989 Official Plan*

In conformity with the *PPS*, the *1989 Official Plan* directs Council to facilitate efforts to preserve and excavate archaeological resources (Section 13.4.1). The *1989 Official Plan* requires an archaeological assessment where development is proposed on a property that possesses archaeological potential or known archeological resources as determined through the archaeological potential model (Section 13.4.3)

*The London Plan*

*The London Plan* directs that the City will conserve archaeological resources (Policy 608\_). *The London Plan* requires an archaeological assessment where development or site alteration is proposed on a property that demonstrates archaeological potential or known archeological resources as determined through the *Archaeological Management Plan* (Policy 616\_). The archaeological assessment shall be undertaken to the applicable level of assessment as determined by a consultant archaeologist in compliance with provincial requirements and standards (Policy 617\_).

In 2010, a Stage 1-2 Archaeological Assessment was prepared by Timmins Martelle Heritage Consultants Inc. (“TMHC”) for the majority of the subject lands, followed by a Stage 2 Archaeological Assessment for the portion of the lands comprising Queen's Park. As part of the concurrent OPA and ZBA application for the subject lands, TMHC prepared a subsequent Stage 1 Archeological Assessment (July 2018), to update the previous 2010 Stage 1 report to satisfy current provincial standards and assess the archaeological potential for the entire subject lands in order to provide recommendations for any future archaeological work in advance of any development or site alteration. The Ministry of Tourism, Culture and Sport (MTCS) received this report as compliant with provincial standards.

Further archaeological assessment is required on the westerly portion of the subject lands (the current surface parking area) bounded by King Street and Dundas Street on the north, the current collection of buildings and Queen's Park to the east, Florence Street to the south, and Rectory Street to the west to address the archeological potential related to burials from the former St. Paul's Anglican Cemetery and other potential archaeological deposits associated with the late 19<sup>th</sup>-early 20<sup>th</sup> century redevelopment. The later use of the westerly portion of the subject lands for surface parking, represent surface disturbances, and as such, there is still the potential for deeply buried archaeological resources.



For the easterly portion of the subject lands bounded by Dundas Street to the north, Egerton Street to the east, Florence Street to the south and the current collection of buildings to the west, where there has been intensive and extensive disturbance in association with the current collection of buildings no further archaeological assessment is recommended. Archaeological monitoring is recommended for any development or site alteration within Queen's Park, consistent with the Stage 2 Archaeological Assessment (2010). Given the potential risk associated with the potential discovery of human remains associated with the former St. Paul's Anglican Cemetery, on-going archaeological construction monitoring by a licensed consultant archaeologist is recommended for the entirety of the easterly portion of the subject lands.

Consistent with the PPS and in conformity with the *1989 Official Plan* and *The London Plan*, to ensure significant archaeological resources have been conserved, an h-18 holding provision is recommended to be applied to the westerly portion of the subject lands requiring further archeological work prior to demolition, construction, grading or other soil disturbance taking place. A new (h-\*) holding provision is recommended to be applied to the easterly portion of the subject lands that would require the preparation an archeological monitoring mitigation strategy prepared by a consultant archaeologist licensed by the Ministry of Tourism, Culture and Sport . The expectation is that the recommendations contained in the archaeological monitoring mitigation strategy would be executed concurrently with any demolition or construction activities. The recommended (h-\*) holding provision would not prohibit demolition or construction where intensive and extensive soil disturbances have occurred and are documented. To ensure archaeological monitoring is undertaken during demolition or construction activities, it is a recommendation of this report that the Site Plan Approval Authority be requested to consider including in the Development Agreement, language that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy that had been prepared as part of satisfying the (h-\*) holding provision.

#### **4.4 Cultural Heritage Resources**

The subject lands are located near two heritage properties designated under Part IV of the *Ontario Heritage Act* at 869-871 Dundas Street and 864-872 Dundas Street. The subject lands are also listed on the City's Register (*Inventory of Heritage Resources*), adopted pursuant to Section 27 of the *Ontario Heritage Act*, as a Priority 1 property. The Arts Building, the Confederation Building and the former St. Paul's Anglican Cemetery are specifically identified by the *Inventory of Heritage Resources*. The policies in the *PPS*, the *1989 Official Plan* and *The London Plan* direct that significant cultural heritage resources be conserved.

##### *Provincial Policy Statement, 2014*

The *PPS* supports the wise use and management of cultural heritage resources, and directs that “*significant built heritage resources and significant cultural heritage landscapes shall be conserved*” (Policy 2.6.1). In the *PPS*, the term “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*. The term “significant” means to have cultural heritage value or interest contributing to the understanding of the history of a place, event, or people. The term “built heritage resource” means a building, structure, monument, installation or any manufactured remnant (Section 6.0 – Definitions).



#### *1989 Official Plan*

The *1989 Official Plan* directs that no alternations, removal or demolition of heritage buildings will be undertaken on protected heritage properties designated under the *Ontario Heritage Act* that would adversely affect the reasons for designation except in accordance with the *Ontario Heritage Act* (Section 13.2.3). The *1989 Official Plan* allows development adjacent to heritage designated properties only where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be retained (Section 13.2.3.1).

#### *The London Plan*

*The London Plan* directs that development adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes of those cultural heritage resources, and a heritage impact assessment will be required for new development to assess potential impacts of new development and explore alternative development approaches and mitigating measures (Policy 565\_). The relocation of cultural heritage resources is discouraged by *The London Plan*, and there is preference expressed for on-site retention of cultural heritage resources (Policy 566\_). In the event that removal of a cultural heritage resource is found necessary, archival documentation may be required (Policy 567\_). *The London Plan* allows development adjacent to heritage designated properties and properties listed on the Register only where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved (Policy 586\_).

As a listed property, the subject lands have *potential* cultural heritage value or interest. A Cultural Heritage Evaluation Report (“CHER”) (August 2018) was prepared by Common Bond Collective (“CBC”) in support of the concurrent OPA and ZBA application to confirm which, if any, built heritage resources located on the subject lands have cultural heritage value or interest.

The CHER evaluated the subject lands using O. Reg. 9/06., which is the provincially mandated criteria for determining cultural heritage value or interest. Individual properties that meet one or more of the criteria in O. Reg. 9/06 warrant designation under Part IV of the *Ontario Heritage Act*. The CHER concluded that the subject lands meet the criteria for designation, and a proposed Statement of Significance was prepared to articulate the attributes of the built heritage resources.

The City’s Heritage Planner in a memo dated August 23, 2018 generally agreed with the conclusion of the CHER, that the Arts Building, the Confederation Building, the remnant of the Poultry Building (currently an electrical substation), Engine 86 and Queen’s Park have significant cultural heritage value or interest; and conversely that the Canada Building, West Annex, Progress Building, East Annex, Slots, and Carousel Room do not. Further cultural heritage evaluation is required before the City’s Heritage Planner can support the Grandstand metal structure in its current physical form as having cultural heritage value or interest. Due to the differing perspectives regarding the Grandstand, and some imprecisions found within the proposed Statement of Significance, it is a recommendation of this report that Staff be directed to review the proposed Statement of Significance contained in the CHER and consult with the London Advisory Committee on Heritage (“LACH”) for consideration of the designation of the subject lands under Part IV of the *Ontario Heritage Act*.



A Heritage Impact Assessment ("HIA"), also prepared by CBC (August 2018), accompanied the CHER to assess the potential adverse impacts the preliminary development concept would have on significant built heritage resources and provide recommendations on how to avoid or mitigate those impacts. The preliminary development concept if pursued by Gateway would include the phased demolition of some of the existing buildings/structures on site, and the construction of new buildings.

The HIA focused on the potential adverse impacts related to the complete demolition of the Progress Building/West Annex/Canada Building through Phase 1 of redevelopment, and the complete demolition of the East Annex/Slots/Carousel Room and partial or complete demolition of the Grandstand metal structure through Phase 2 of redevelopment. The severity of the potential adverse impacts are expected to range from low to high. With the exception of the complete demolition of the Grandstand metal structure, the HIA concludes that reasonable mitigation measures are to address the adverse impacts of demolition. Reasonable mitigation measures included photographic documentation and/or commemoration. Given the severity of the adverse impact resulting from complete demolition of the Grandstand metal structure, the HIA recommended that the partial demolition of the Grandstand metal structure would be preferred over the complete demolition. The recommended mitigation measures associated with the complete demolition of the Grandstand metal structure included detailed documentation and commemoration, with detailed documentation to include photographic documentation, review and description the component parts by a qualified individual experienced with historic steel structures and measured drawing. It being noted that the City's Heritage Planner, believes further cultural heritage evaluation of the Grandstand metal structure is needed before supporting the inclusion of the metal structure as a heritage attribute of the subject lands.

Given that there is uncertainty as to the final form that future development may take on the subject lands, the HIA concluded that it was not possible, or practical, to fully assess the potential impacts of new construction on significant built heritage resources at this time. Once a definitive development concept is submitted to the City, an addendum HIA will be required through the Site Plan Approval process to ensure significant cultural heritage resources are conserved and that the adverse impacts of demolition *and* new construction are avoided or appropriately mitigated, consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan*.

The preliminary development concept by Gateway for the subject lands, would retain the Arts Building, the Confederation Building, and the remnant of the Poultry Building (currently an electrical substation), Engine 86 and Queen's Park. With the City's Heritage Planner and CBC in agreement that the above are significant built heritage resources, a development concept that retains and conserves those resources has the potential to be consistent with, and conform to, the policies in the *PPS*, the *1989 Official Plan*, and *The London Plan* regarding significant cultural heritage resources.

#### **4.5 Parking Supply**

A special provision was requested to allow for a single parking rate requirement for all permitted use on the subject lands, and to allow the required parking spaces to be located on separate lots in proximity to the subject lands. Staff have reviewed the appropriateness of the proposed special provision as it relates to parking.

#### *Provincial Policy Statement, 2014*

The *PPS* promotes appropriate development standards to facilitate compact development in settlement areas (Policy 1.1.3.4). The *PPS* also promotes a mix of uses



that are transit-supportive, where transit is planned, to increase the use of active transportation and transit before other modes of travel (Policy 1.1.3.2). The *PPS* promotes a mix of uses that would minimize the length and number of vehicular trips and support the current and future use of transit and active transportation (Policy 1.6.7.4).

#### *1989 Official Plan*

The *1989 Official Plan* supports the provision of parking that is adequate for the land uses which are to be supported, and at a standard that promotes compatibility with adjacent land uses (Section 18.2.12).

#### *The London Plan*

*The London Plan* directs that within the Primary Transit Area the supply of public parking will be managed to support the transit and active mobility networks (Policy 92\_9.). *The London Plan* directs that the Zoning By-law establish parking standards that do not require excessive amounts of parking, and recognizes that in areas well served by transit, reduced parking rates may be appropriate (Policy 271\_).

The minimum parking rate requirements found in the Zoning By-law are typically calculated based on the gross floor area of individual uses on a site. However, the Western Fairgrounds are unique in that the lands, buildings and structures are used for multiple uses and functions that can change periodically depending on programming, and the parking supply is shared amongst the multiple different uses and functions. In recognition of this unique situation, a single parking rate for all permitted uses was requested to simplify the application of a minimum parking requirement.

A minimum parking rate of 1 space per 22 sq. m of gross floor area was requested and is being recommended for all permitted land uses. The recommended minimum parking rate requirement is consistent with the existing rate at which parking is provided across the whole of the WFA lands. There are currently 3,420 surface parking spaces provided across the whole of the WFA lands and a total gross floor area of 76,665 sq. m, which is equivalent to 1 space per 22.4 sq. m of gross floor area.

It is expected that among the recommended land uses to be permitted on the subject lands, a casino would predominately drive the parking demand on the site. The recommended minimum parking rate requirement of 1 space per 22 sq. m of gross floor area for all permitted uses is similar in magnitude to the minimum parking rate requirement that other municipalities apply to casinos. In particular casinos, otherwise known as gaming establishments in the City of Toronto, require a minimum parking rate requirement of 1 space per 25 sq. m of gross floor area (ZBL 569-2013). Relative to other land uses in the City of London's Zoning By-law, the recommended minimum parking rate requirement for all permitted uses on the subject lands, is comparable in magnitude to the minimum parking rate requirements for a range of land uses that also involve the assembly of a larger number of people, such as amusement game establishments, assembly halls, commercial recreation establishments and large shopping centres. The minimum parking rate requirements for those types of land uses range between 1 space per 20 sq. m and 1 space per 35 sq. m of gross floor area.

In support of the planned BRT, the London Transit Commission ("LTC") has commented that surface parking should be limited on the subject lands, and a high minimum parking rate requirement along the rapid transit corridor does not support the Rapid Transit Master Plan. The LTC suggested a less onerous minimum parking rate requirement for all permitted land uses that would be more in line with 1 space per 45 sq. m. The City's Transportation Planning and Design Division was more conservative in their opinion



regarding the appropriate minimum parking rate requirement, and has confirmed the recommended minimum parking rate requirement of 1 space per 22 sq. m to be acceptable.

The requested special provision to allow the required parking spaces to be located on lots separate from the subject lands, recognizes and would continue to allow for the sharing and overlap the parking supply between the subject lands and the accessory surface parking area located north of King Street, regardless of the lot on which the land uses requiring parking are located.

The recommended minimum parking rate requirement for all permitted uses is expected to meet the demand for the recommended range of permitted lands uses and would allow for the use of the subject lands to be maximized consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that encourage the use of appropriate standards and the efficient use of land. With regards to the efficient use of land, the ability to rely on an existing accessory surface parking lot north of King Street as a location for the required parking, rather than require additional parking to be provided on the subject lands for new development, would also provide for the efficient use of land. The subject lands are well-positioned within the City's current and planned transit network to support transit with a range and mix of land uses that are expected to draw from a larger, possibly regional pool of potential riders. The *PPS* and *The London Plan* are supportive of a mix of land uses which are transit supportive.

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

5.0 Conclusion

The recommended amendments are consistent with the *PPS* and will provide for a broad range and mix of entertainment, recreational, and secondary commercial land uses that will allow for the intensification, redevelopment, and revitalization of the subject lands. The recommended range and mix of land uses will also provide for more sustainable, year-round tourism on the subject lands which has the potential to improve the long-term economic prosperity of the community and support current and planned transit proximate to the subject lands consistent with the *PPS*.

The recommended amendment to the *1989 Official Plan* to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in *The London Plan*.

The recommended amendment to the Zoning By-law, and the list of specific land uses to be recognized as additional permitted uses is generally consistent with the permitted use of Western Fairgrounds as described in the *1989 Official Plan* and conforms to the specific policies for the Western Fairgrounds in *The London Plan*. The development proposal by Gateway to add a full casino and hotel complex to the subject lands will complement and expand on the type and scale of entertainment and recreational uses that have developed on the Western Fairgrounds over time.

The recommended regulations providing a single parking rate for all permitted uses and the ability to locate required parking on adjacent lots will result in a reasonable and appropriate amount of parking, consistent with the *PPS* that promotes appropriate development standards and the efficient use of land. The recommended increase in building height up to a maximum of 50 metres for hotels without the use of Bonus Zoning conforms to the 12-storey building height maximum contemplated in *The London Plan*. The recommended minimum yard depth requirement abutting a public street of



3.0 metres will support street-orientation development consistent with the form based consideration for the Western Fairgrounds found in *The London Plan*.

Recognizing the significant cultural heritage value of the subject lands, consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that direct significant cultural heritage resources be conserved, it is a recommendation of this report that Staff be directed to consider designation of the subject lands under Part IV of the *Ontario Heritage Act*.

Consistent with the *PPS* and conforming to the *1989 Official Plan* and *The London Plan* that direct significant archaeological resources be conserved, a holding provisions will be used to ensure that potential archaeological matters are addressed. This includes the use of a new holding provision for an archaeological monitoring mitigation strategy. It is also a recommendation of this report, that the Site Plan Approval Authority be requested to consider adding a clause to the Development Agreement that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to ensure the conservation of significant cultural heritage resources.

A holding provision will also be used to ensure any land uses compatibility issues with major facilities, namely railway facilities, are addressed consistent with the *PPS*, and conforming to *The London Plan* and other relevant guideline documents.

Prepared by:	     <b>Melissa Campbell, MCIP, RPP</b> <b>Current Planning</b>
Submitted by:	     <b>Michael Tomazincic , MCIP, RPP</b> <b>Manager, Current Planning</b>
Recommended by:	     <b>John M. Fleming, MCIP, RPP</b> <b>Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 17, 2018  
MC/mc

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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 900  
King Street and 925 Dundas Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan 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 October 2, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A.     PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend a policy in Section 6.2.2 ii) of the Official Plan for the City of London to adopt the specific range of permitted uses for the Western Fairgrounds as identified in *The London Plan*.

B.     LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 900 King Street and 925 Dundas Street in the City of London.

C.     BASIS OF THE AMENDMENT

The amendment would add to the specific range of permitted uses for the Western Fairgrounds to accurately reflect Council's current vision and intent for the subject lands as expressed in *The London Plan*. The amendment is consistent with the specific range of permitted uses contemplated for the Western Fairgrounds in *The London Plan*.

D.     THE AMENDMENT

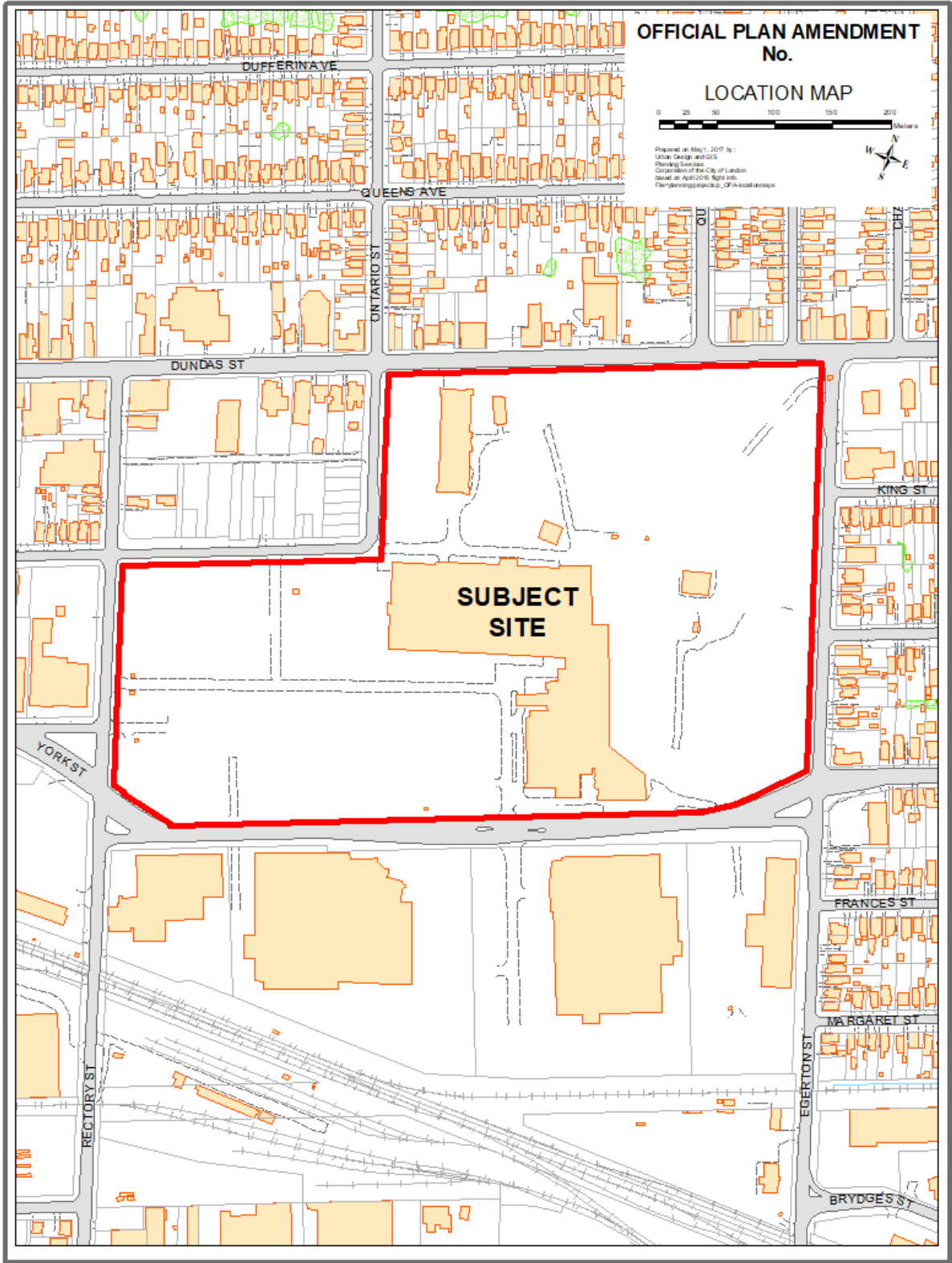
The Official Plan for the City of London is hereby amended as follows:

1.             Section 6.2.2 ii) Permitted Uses for the Western Fairgrounds of the Official Plan for the City of London is amended by adding the following new paragraph after the existing paragraph:

900 King Street and 925 Dundas Street

( )\_ On the lands bounded by King Street and Dundas Street to the north, Egerton Street to the east, Florence Street to the south and Rectory Street and Ontario Street to the west, in addition to the range of uses permitted in the Regional Facility designation specific to the Western Fairgrounds, hotels will also be permitted.







**Appendix B**

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 900  
King Street and 925 Dundas Street and  
to amend Section 2 (Definitions).

WHEREAS the Western Fair Association and The Corporation of the City of London have applied to rezone an area of land located at 900 King Street and 925 Dundas Street, as shown on the map attached to this by-law, and add new definitions in By-law No. Z.-1 as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Section 2 (Definitions) is amended by adding the following new definition for "CASINO":

"CASINO" means a facility for the purposes of gaming that is authorized by the Province of Ontario.

- 2) Section 2 (Definitions) is amended by adding the following new definition for "FAIRGROUND":

"FAIRGROUND" means the use of lands, buildings or structures for the purposes of holding fairs and events which include, but are not limited to, activities that are agricultural, entertainment, commercial and trade, sports, recreational, food and dining, or corporate in nature.

- 3) Section 2 (Definitions) is amended by adding the following new definition for "RACE TRACK OPERATION":

"RACE TRACK OPERATION" means a facility for the purposes of racing horses for entertainment, gaming or gambling that is authorized by the Province of Ontario.

- 4) Section 2 (Definitions) is amended by adding the following new definition for "URBAN AGRICULTURE":

"URBAN AGRICULTURE" means the use of lands, buildings or structures for the purposes of growing, sharing, and distributing food or beverage and may include the processing of food or beverage by the use of hand tools or small-scale, light mechanical equipment. It can involve a range of different activities operating either together or individually, including the cultivation of plants, together with accessory uses including retail sales, composting plants grown onsite, outdoor storage, and buildings and structures ancillary to the operation of the site and for the extension of the growing season, but does not include the growing, processing, distribution or retail sales of cannabis.

- 5) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 900 King Street and 925 Dundas Street, as shown on the attached map comprising part of Key Map No. A108, from a Regional Facility Special Provision (RF(2)) Zone to a Holding Regional Facility Special Provision (h-18•h-205•RF(\*)) Zone and a Holding Regional Facility Special Provision (h-•h-205•RF(\*)) Zone.



- 6) Section Number 3.8 2) of the Holding “h” Zone is amended by adding the following Holding Provision:
- ) h-(\*) Purpose: To ensure archaeological matters are addressed, the owner/developer’s consultant archaeologist licenced by the Ministry of Tourism, Cultural and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) shall prepare an archeological monitoring mitigation strategy to the satisfaction of the City of London, prior to the removal of the h-\* symbol.
- 7) Section Number 31.4 a) of the Regional Facility (RF) Zone is amended by adding the following Special Provision:
- ) RF(\*) 900 King Street and 925 Dundas Street
- a) Additional Permitted Uses
- i) Amusement Game Establishments
  - ii) Amusement Parks
  - iii) Artisan Workshops
  - iv) Auditoriums
  - v) Brewing on Premises Establishments
  - vi) Casinos
  - vii) Craft Breweries
  - viii) Fairgrounds
  - ix) Hotels
  - x) Places of Entertainment
  - xi) Racetrack Operations
  - xii) Restaurants
  - xiii) Retail Stores
  - xiv) Urban Agriculture
- b) Regulations
- |      |  |   |
|------|--|---|
| i)   | Artisan Workshop<br>Gross Floor Area<br>per Establishment<br>(maximum)                                     | 500 square metres<br>(5,382 square feet)      |
| ii)  | Craft Brewery<br>Gross Floor Area<br>per Establishment<br>(maximum)  | 500 square metres<br>(5,382 square feet)      |
| iii) | Casino<br>Gross Floor Area<br>(maximum)  | 20,000 square metres<br>(215,279 square feet) |
| iv)  | Hotel<br>Gross Floor Area<br>(maximum)   | 14,000 square metres<br>(150,695 square feet) |
| v)   | Yard Depths<br>Abutting a Public Road<br>(minimum)   | 3.0 metres<br>(10.0 feet)                     |
| vi)  | Height for Hotels<br>(maximum)   | 50 metres<br>(164 feet)                       |
| vii) | Notwithstanding Section 4.19 3) – Location of Parking Areas, required parking may be permitted on adjacent |   |



lot(s) zoned RF(2) and RF(\*) bounded by Dundas Street to the north, Egerton Street to the east, Florence Street to the south and Rectory Street to the west.

- viii) Notwithstanding Section 4.19 4) c) – Yards Where Parking Areas Permitted, parking area setbacks to required road allowances may be as existing.
- ix) Notwithstanding Section 4.19 10) b) – Parking Standards, a minimum parking requirement of 1 parking space per 22 square metres of Gross Floor Area is required for all permitted uses.

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 October 2, 2018.

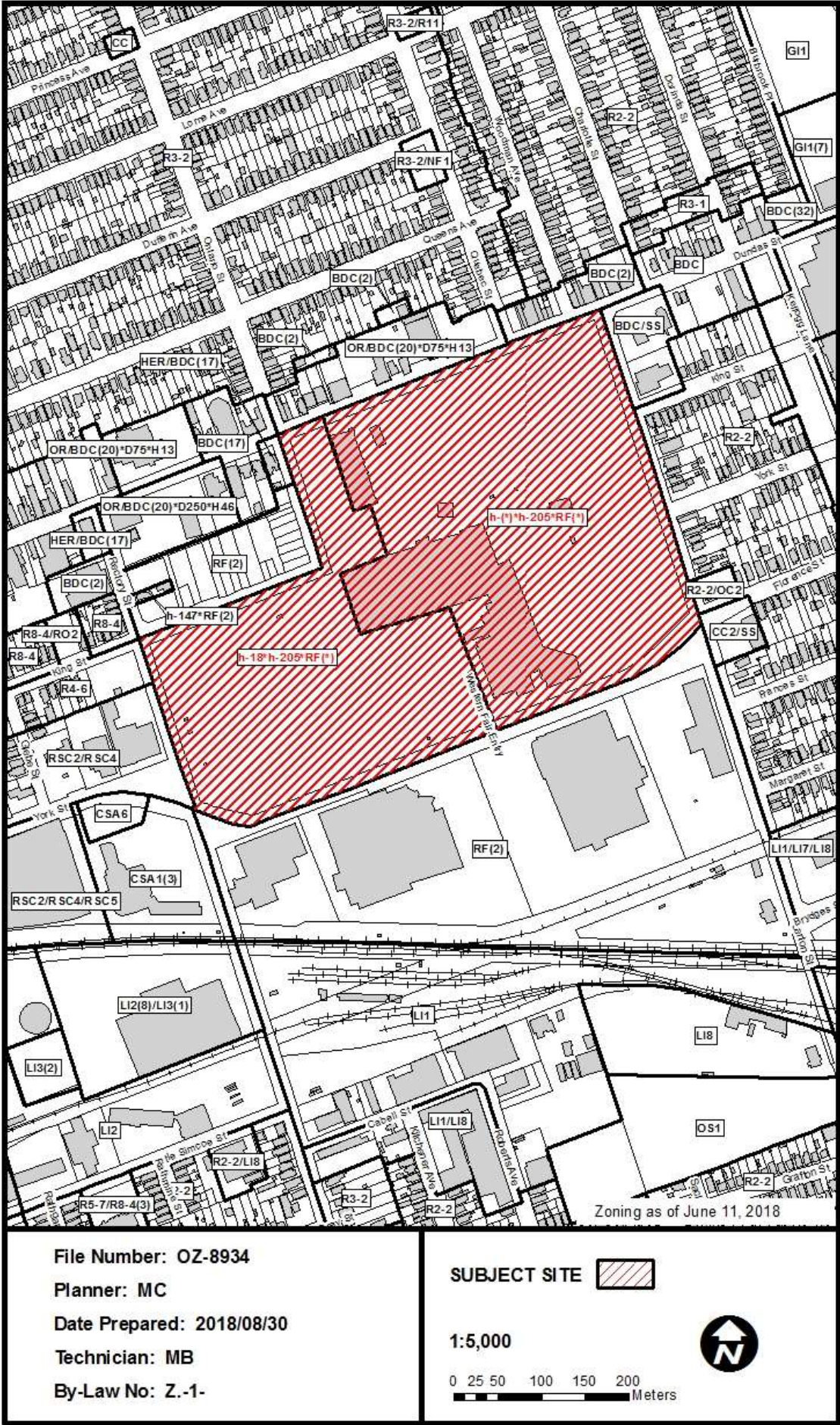
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



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





## Appendix C – Public Engagement

### Community Engagement

**Public liaison:** On August 8, 2018, Notice of Application was sent to 203 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 9, 2018. A “Planning Application” sign was also posted on the site.

3 replies were received

**Nature of Liaison:** The propose and intent of the requested amendments is to allow existing and new uses on the subject lands including casinos, racetrack operations, fairgrounds, hotels and other commercial, recreational or entrainment uses.

The notice advised of a possible amendment to the *1989 Official Plan* to adopt the permitted uses for the Western Fairgrounds as identified in *The London Plan*. The notice also advised of a possible amendment to *Zoning By-law Z.-1* to add a definition for casinos, racetrack operations, fairgrounds and urban agriculture and change the zoning from a Regional Facility Special Provision (RF(2)) Zone to a Regional Facility Special Provision Bonus (RF(\*)•B-\*) Zone. The notice advised of a possible special provision to replace the current additional permitted uses with casinos; racetrack operations; fairgrounds; hotels; restaurants; retail stores; boutiques; amusement game establishments; amusement parks; auditoriums; ancillary office uses; urban agriculture; brewing on premises establishments and craft breweries. The notice also advised of a possible special provision to recognize and permit a single parking rate requirement for all permitted uses; that required parking may be located on adjacent lot(s); and other site conditions as may be necessary. The notice advised of a possible Bonus (B-\*) Zone for an increased height maximum up to 50 metres.

The WFA and the Old East Village Business Improvement Area (“OEVBIA”) held a Community Information Meeting on August 28, 2018 to provide the community with an opportunity to review and provide comment on the concurrent OPA and ZBA application. Attendees to the Community Information Meeting were asked to register and fill-out comment cards. 31 people were recorded having registered, and 14 comment cards were returned. The OEVBIA provided a summary and thematic analysis of the comments cards (see attached correspondence).

**Responses:** A summary of the various comments received include the following:

**Support for:** the proposed range of additional permitted uses, and 15-storey height maximum.

**Concern for:** community input on the final form of development and additional community consultation.

**Concern for:** the proposed location of a casino within the City, with a preference that the casino to be located in the Downtown Area;

**Concern for:** the impact of a casino on the surrounding neighbourhood including a potential increase in vehicular traffic and on-street parking, safety and vandalism;

**Concern for:** surrounding businesses, that the casino would not result in expected economic benefits;

**Concern for:** aesthetic improvements to the wall surrounding the racetrack operation; and

**Concern for:** the periodic use of the WFA lands located north of King Street, (not subject to this application) for recreational vehicle parking/camping.



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

Telephone	Written
Mary Bray 228 Central Avenue London, ON N6A 1M8	Guy Parent 544 Egerton Street London, ON N5W 3Z8
Peter Stavros 116 Chepstow Close London, ON N6G 3S2	

**Comments from Western Fair District Zoning Amendment Community Consultation**  
**August 30, 2018**

**Summary and Thematic Analysis provided by the Old East Village BIA**  
**Submitted September 7, 2018**

**Promotion of Event and Recruitment of Attendees:**

Business and property owners in the Old East Village Community Improvement Plan (CIP) received invitations to the community consultation event. Invitations by the BIA were conferred through an email, telephone, and social media campaign for the 15 days preceding the event. The telephone campaign reached out to 114 business owners.

Information and invitations for the event was circulated to the Old East Village residents through telephone, social media, and individual networks of the Old East Village Community Association and board members of the Old East Village Business Improvement Area (BIA). The telephone campaign reached out to 54 residents. The City of London also mailed out notices to properties within 120 meters of the Western Fair rezoning site. Residents, property owners, and interested parties were requested to call the BIA offices and RSVP for the event.

Attendees to the event were asked to register and fill out and return comment cards. Of those who attended 31 people registered and 14 comment cards were submitted.

- Attendance breakdown:**  
Attendees were asked to check all that apply.  
2 – OEV Commercial Property Owners  
5 – Business Owners  
15 – OEV Residents  
7 – Interested Party  
3 – Unidentified

**Thematic Analysis:**  
Feedback received from comment cards and letters are summarized in this section. Attendees of the community consultation were eager to share their thoughts on the proposed rezoning. Comments from the cards generally showed reserved optimism for the rezoning paired with interest in community involvement in the future. Five themes were observed and broken down in more detail. The first of these relates to future community consultation once the site plan process begins. Attendees identified that they would like to have a say in the future planning for this site. They felt that a development of this scale created a great opportunity for the neighbourhood to be included in the conversation. Many commenters suggested that community input was vital.

The next theme identified was regarding the future uses and design of the Western Fair District. Some commenters felt that a use that only targets an adult audience did not match well with their views on what a fairground should be. Other commenters would like to see any uses or design of the site utilize an outward facing impact and contribute to the ongoing revitalization of the Old East Village. Commenters would also like a fuller picture of what future uses and designs are proposed for the site.



The third theme encompasses the current facilities. There has been previous investment into the site that commenters felt needed protecting. This includes the Market at the Western Fair along with Queens Park. Specifically the new splash pad was mentioned along with the historical train. The Old East Village BIA would like to thank you for receiving the above thematic analysis based upon comments, conversations, and letters during the community consultation. The BIA takes an active role in the participation process for new neighbourhood development. We are pleased to provide this feedback and look forward to working with all parties as this project progresses.

#### **Comment Cards**

*The comments in this report are taken word for word from the received comment cards and letters. They have been categorized according to theme.*

#### **Positive General Comments:**

- I can see how the proposed zoning would be good for the site
- All the intents of this proposal seem very reasonable to me.
- I specifically like the 15 storey limit on height
- No issues with proposed amendments
- I'm glad to see community consultation at this point in the discussion
- The ideas are very interesting
- I favour the re-zoning so that the real work can begin
- No problem with the rezoning
- I am confident that the Western Fair will retain connectivity to the existing neighbourhood as their track record with the Market and Queens Park demonstrates.

#### **Comments regarding future community consultation:**

- Would like to see plans and have a say in design.
- Need to have a least one preferably many public consultation meetings with Gateway once a deal is reached with WFD, before permissions are granted for any developments
- I would like the formal opportunity to discuss [ongoing revitalization] so that the casino development is not completely inward looking
- I would suggest that the zoning changes be subject to the development meeting requirement of being part of the community in a meaningful way.
- Many residents will want to weigh in on the specifics of any proposed development so a public site plan holding provision is essential.
- I believe much more community consultation should be allowed if the re-zoning is approved
- The community will have questions about safety and design features of potential hotels or casinos on this property
- I hope that as progress moves forward the neighbourhood should be included in a welcoming environment blending the entire area together
- It is hoped that there will be opportunities for in-depth consultation with the BIS, OEVCA, and the public at large before arrangements are carved in stone
- When the process of site planning for the uses described in the rezoning it is critical that the community is involved in the process in a meaningful and welcoming matter.
- This is a good first step however the community needs to remain involved as this process continues.
- If WFD and the City of London successfully reach a deal with Gateway on these lands, the next step would be to ensure there is a public site plan process in order for the neighbours of this proposed development to provide comment on design and review connectivity to the existing business and residential community.

#### **Comments regarding future use and design:**

- I have concerns about allowing a third party to build and control a large portion of Western Fair lands.
- I feel a fairgrounds should be focus on agricultural, exhibition and family orientated activities
- To have a major adult only use would take away from the possibly uses of the fairgrounds.



- Would like to see a walkway connecting the planned casino there (Integration of the area to the OEV)
- I would want to see a development that physically and operationally is part of the ongoing revitalization of the community and can be part of the ongoing revitalization of Old East Village
- It is critical that any expanded casino interacts with the neighbourhood and is open and connected rather than closed and inward facing.
- It is hard to envision how the fall Western Fair will function with the new land uses
- If there is a hotel underground parking or interior/integrated parking should be considered as part of bonus-ing.
- I would like to see the usage definitions finished and outlined prior to the zoning amendment being presented to council
- The new uses proposed by WFD could integrate nicely into the existing business landscape and have the potential to build on what is already here.

**Comments regarding current facilities:**

- Please don't touch market, pool-water area, train, green space
- The purpose and function of the WFD market must be protected
- The green and recreational space at Queens Park must be enhanced and not negatively impacted by the proposed hotel.
- I believe that Queens Park and the Confederation building as home of the market be safeguarded
- More information on impacts to current facilities and events such as the Market, Fall Western Fair, and Queens Park would ease concerns I've heard from my neighbours.

**Miscellaneous:**

- I would be in favor of a casino in a different location



**From:** Guy Parent  
**Sent:** Tuesday, August 21, 2018 3:06 PM  
**To:** info@oldeastvillage.com  
**Cc:** Campbell, Melissa <mecampbell@london.ca>  
**Subject:** Re: WFD Proposed Zoning Amendment Meeting

Good Afternoon Jennifer and Melissa.

I recently purchased the building at 544 Egerton St. (corner of King, formerly Tribute Pharmaceuticals).

This Western Fair project, as with any area improvement project is of great interest to us.

Notwithstanding what Gateway will promise the more importantly is the palpable tide turning from EOA to Old East Village and on a trajectory toward the likes of a Wortley Village.

Jennifer, I'd like to commend you on your efforts. Your dedication to this community is not only appreciated but should be recognized by the City.

I cannot be present for the meeting however would like to share my view on the Western Fair Development proposal.

A Casino is designed to eliminate all the area's competition by offering patrons every reason to remain contained inside their building and spend all they have. That's simply good business. The impact to Old South however will be as merciless with few benefits.

As much as I forecast personal benefit derived from their project, I predict a Trojan Horse will be created in order to sell the community. The closer a business is situated to a Casino's ground zero, the greater a vortex is felt for existing restaurants, coffee shops, bakeries, specialty services, entertainment, bars, hotels etc. There might be a brief moment of increased housing prices until reality sets in that the only benefit will be increased vehicle traffic and street parking problems.

An OLG funded splash pad here and a new fire truck there are meager benefits thrown out to keep the masses brainwashed to believing there are community improvements but pale in comparison to what the Province reaps. (3 Billion annual revenue expected in 2021).

Of the many articles found *"Casino's impact on neighbourhood and community"*, they all suggest a negative impact. For those poor business souls who expect more

foot traffic, more business and more revenue, they will be sorely disappointed if not devastated.

Although 700 jobs will be created from this revenue neutral industry, homes surrounding a Casino will at best remain value neutral but more likely valued less.

I conclude by saying that there is no mystery in the fact Gateway will be the primary beneficiary and unless a Community Christmas Wish List is agreed to then it would be obvious that they have no vested interest in the community.

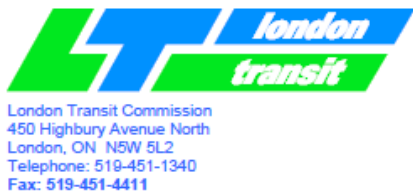
Thoughts.....

1. reduced property taxes for surrounding homes and businesses borne by Gateway
2. erecting a Drug Overdose Prevention Site
3. build, maintain a public park area
4. design a more appealing raceway fence (looks like it hides a junk yard from the outside)

Thank you,  
Guy



Agency/Departmental Comments



August 28, 2018

Melissa Campbell  
Planning Services  
City of London

900 King St. & 925 Dundas - OZ-8937

London Transit has reviewed the above noted application to amend the Zoning By-law and would offer the following comments:

We would note that the site is adjacent to a high-frequency transit corridor and is adjacent to a proposed rapid transit station. In the current and future context for this area, surface parking should be limited, particularly adjacent to the corner of King St. and Ontario St.

A high minimum parking regulation along the rapid transit corridor does not support the Rapid Transit Master Plan or the London Plan.

The Rapid Transit Master Plan states in 7.3.1. that *"the corridors will have easy access to Downtown and Transit Villages via RT, and will be fundamentally walkable and transit-oriented. Areas closer to RT stations may be more appropriate for greater density and height to support transit usage for a larger number of residents and workers."*

The high transit priority of the surrounding area corresponds more appropriately with Parking Area 1. London Transit requests the application of a higher minimum parking regulation for the site that is more in line with the minimum of 1 space per 45 sq. metres set forth in Area 1.

Additionally, London Transit has concerns regarding the addition of parking adjacent to the corner of King and Ontario in the development concept. This area of the site is closest to the future RT station and parking should be discouraged here.

If you have any questions please or comments, please do not hesitate to contact the undersigned. Thank you for your consideration.

Yours truly,

Ben Goodge  
Transit Planning Technician



# MEMO

**To:** Melissa Campbell, Planner II  
**From:** Kyle Gonyou, Heritage Planner  
**Date:** August 23, 2018  
**Re:** **OZ-8937 – 900 King Street – Cultural Heritage**

The subject property at 900 King Street (Western Fair) has layers of cultural heritage value that has been valued by Londoners for generations.

## **Current Cultural Heritage Status**

The subject property at 900 King Street is listed on the Register (*Inventory of Heritage Resources*), adopted pursuant to Section 27 of the *Ontario Heritage Act*. The Arts Building, the Confederation Building, and the former St. Paul's Cemetery located at the property are specifically identified by the *Inventory of Heritage Resources*, however the property has not previously been the subject of a comprehensive evaluation of its potential cultural heritage value or interest.

## **Cultural Heritage Evaluation Report**

A combined Cultural Heritage Evaluation Report (CHER) and Heritage Impact Assessment (HIA) was prepared for the Western Fair property by Common Bond Collective (August 2018). As the CHER notes, it "is comprised of background research and analysis to understand the potential heritage values and attributes of the site."

The CHER documented the history and evolution of the Western Fair property, and completed an evaluation of the property using the criteria of O. Reg. 9/06 – criteria for determining cultural heritage value or interest. The CHER found that the property has met the criteria for designation, warranting protection under Part IV of the *Ontario Heritage Act*. A Statement of Significance was prepared by the CHER to articulate the significant cultural heritage value of the property and its heritage attributes. Section 6 of the CHER, however, did not include any specific rationale or statement why a particular criteria of O. Reg. 9/06 was or was not met by the property.

The Heritage Planner generally agrees with the cultural heritage resources that have been identified by the CHER, namely: the Arts Building, the Confederation Building, the Poultry Building/Electrical Substation, Engine 86, and Queen's Park.

Conversely, the Heritage Planner generally agrees with the conclusions of the CHER that gaming/hospitality buildings (Carousel Room, slots) and Progress Complex (Progress Building, East Annex, West Annex, and Canada Building) are not of significant cultural heritage value or interest. These resources should be documented by photographs in advance of a demolition request.

Further cultural heritage evaluation of the grandstand is required before the Heritage Planner can support the designation of this resource under the *Ontario Heritage Act*. Additionally, the Anne Eadie Stage in Queen's Park and the entrance gates at Rectory Street were not included in the CHER and should be considered for their potential cultural heritage value or interest.

It is recommended that the Statement of Significance, found in Section 7 of the CHER/HIA, be referred to Civic Administration to allow for a comprehensive review of the evaluation, statement, and identification of heritage attributes for the property at 900 King Street, as well as facilitate consultation with the London Advisory Committee on Heritage (LACH).



### Specific Comments on CHER

- In 1885, the City of London annexed the Town of London East (Section 2.1.2, page 4)
- A Wesleyan Methodist cemetery was located on the south side of Florence Street (Section 2.1.3, page 5)
- Dr. John Salter lived at 529 Princess Avenue, a property designated under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3104-15 for its historic associations with Dr. Salter and its architectural reasons
- The Dominion Public Building is conventionally cited as London's leading example of the Art Deco architectural style, rather than "modern classicism" (Section 2.2.3, page 12)
- The property at 864-872 Dundas Street/417 Ontario Street was designated under Part IV of the *Ontario Heritage Act* on May 30, 2016 by By-law No. L.S.P.-3453-187. The building was constructed in 1885 and circa 1907 (Section 4, page 19)
- No examples of George Durand's architectural work are extant at 900 King Street, whereas there are two examples of Watt & Blackwell's; however, only George Durand is identified as having significant historical associations with the property

### Heritage Impact Assessment

To ensure that significant cultural heritage resources are conserved, in accordance with the policy direction of the *Provincial Policy Statement* (2014) and the *Official Plan* (1989, as amended) and *The London Plan* (2016), the assessment of potential impacts was completed in Section 8 of the combined Cultural Heritage Evaluation Report (CHER) and Heritage Impact Assessment (HIA). The HIA assessed the severity of impact to cultural heritage resources as well as provided recommendations to mitigate or avoid adverse impacts.

As there is some uncertainty regarding the precise redevelopment plans for the Western Fair property (see Section 8.5 of the HIA), an addendum to the HIA should be required as part of the Site Plan application to demonstrate that cultural heritage resources are conserved and that any potential adverse impacts of demolition and new construction are avoided or appropriately mitigated, consistent with the *Provincial Policy Statement* and conforming to the *Official Plan* and *The London Plan*.

### Archaeology

In 2010, a Stage 1-2 Archaeological Assessment (Timmins Martelle Heritage Consultants, P083-009-2010) was completed for the subject property, but with an emphasis on Queen's Park. This was followed up by construction monitoring (Timmins Martelle Heritage Consultants, April 2010, P083-025-2010) due to the potential for deeply buried archaeological remains within the study area. No archaeological resources were identified, however further monitoring of ground disturbing activities is recommended.

As the former site of St. Paul's Cemetery, the property at 900 King Street has high archaeological potential, including the potential for the discovery of human remains. A Stage 1 Archaeological Assessment (Timmins Martelle Heritage Consultants, July 2018, P074-005-2018) confirmed the requirement for further archaeological work.

Further archaeological work is required for the westerly portion of the subject property bounded by King Street/Dundas Street to the north, Rectory Street to the west, Florence Street to the south, and the current buildings/Queen's Park to the east (current surface parking area). This is primarily related to the potential for the discovery of human remains related to the former St. Paul's Anglican Cemetery and potential deeply buried archaeological resources associated with the late nineteenth and early twentieth century redevelopment of the subject property. The later use of the westerly portion of the subject property for surfaced parking represents only surface disturbances, and there is still potential for deeply buried archaeological resources.



In addition to the protection of archaeological sites within the *Ontario Heritage Act*, cemeteries and burials are protected by the provision of the *Funerals, Burials and Cremation Services Act* (which replaced the *Cemeteries Act* in 2012). In anticipation of the potential discovery of human remains, preliminary consultation with the Western Fair Association, the Anglican Diocese of Huron, the Ministry of Tourism, Culture and Sport (MTCS), the Ministry of Consumer and Government Affairs (MGCS) – Registrar of Burials, and the City have been initiated.

To ensure that the further archaeological work is completed, the h-18 holding provision for archaeological resources should be applied to the western portion of the subject property.

For the easterly portion of the subject property bounded by Dundas Street to the north, Egerton Street to the east, Florence Street to the south, and the current buildings were determined to have low archaeological potential. No further archaeological assessment is recommended, however construction monitoring by a licensed, consultant archaeologist is recommended given the potential risks associated with the potential discovery of human remains associated with the former St. Paul's Anglican Cemetery. To ensure this monitoring occurs, a new (h-\*) holding provision is recommended to be applied to the easterly portion of the subject property that would require the preparation of an archaeological monitoring mitigation strategy prepared by a licensed, consultant archaeologist. The expectation is that the recommendations within the archaeological monitoring mitigation strategy would be executed concurrently with any demolition or construction activities. The recommended (h-\*) holding provision would not prohibit demolition or construction where intensive or extensive soil disturbances have occurred and are documented. It may be appropriate to include the requirement to execute the archaeological monitoring mitigation strategy within the Development Agreement entered into during Site Plan Approval.

Archaeological monitoring is recommended for any ground disturbing development or site alteration within Queen's Park, consistent with the Stage 1-2 Archaeological Assessment (2010) and previous monitoring activities.

**August 23, 2018: Development Services (Engineering)**  
**Transportation**

The following items are to be considered during the site plan approval stage:

- Completion and acceptance of a traffic impact assessment (TIA) and the implementation and construction of all recommendations.
- Staff will review the proposed access locations through the completion and acceptance of a TIA, which will need to review in detail the proposed relocation and need for signalisation. Staff will identify in detail the requirements as part of the TIA scoping.
- Road widening dedications are as follows:
  - Florence Street road widening dedication of 13.0m from centre line (London Plan requires 18.0m from centre line)
  - Rectory Street road widening dedication of 10.75m from centre line (London Plan required 11.5m from centre line)
  - King Street road widening dedication of 13.0m from centre line - requires 3.0m from existing property line to accommodate RT (London Plan requires 25.0m from centre line)
  - Ontario Street road widening dedication of 18.0m from centre line required – requires 8.0m from existing property line to accommodate RT (London Plan requires 25.0m from centre line)
  - Dundas Street road widening dedication of 20.0m from centre line required – requires 10.0m from existing property line to accommodate RT (London Plan requires 25.0m from centre line)



- Egerton Street road widening dedication of 13.0m from centre line required (London plan requires 11.5m from centre line)
- In addition to the above noted road widening's 6.0m x 6.0m daylight triangles will be required at all intersections
- King Street, Ontario Street, and Dundas Street have been identified as rapid transit corridors in the Council approved Rapid Transit Master Plan (RTMP). The preliminary recommendation has identified Ontario Street as a candidate for a transit station, through the ongoing Transit Project Approval Process (TPAP). Furthermore Ontario Street has also been identified for a conversion from one way northbound traffic to a two way street with the addition of a southbound lane for traffic. Through the TPAP process the corridors and transit station locations will be refined in greater detail. For information regarding the RTMP or TPAP please use the following web link: <https://www.shiftlondon.ca/>

#### *Wastewater*

- No comment for the re-zoning application.

#### *Stormwater*

- No comment for the re-zoning application

#### *Water*

- No comment for the re-zoning application.

#### ***August 21, 2018: London Hydro***

- No objection to the official plan and/or re-zoning application.

#### ***August 10, 2018: Upper Thames River Conservation Authority ("UTRCA")***

- The UTRCA has not objections to this application.

## **Appendix D – 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**

Policy 1.1.1. b) – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Policy 1.1.3.1 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.2 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.3 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.4 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.2.6.1 – Building Strong Health Communities, Coordination, Land Use Compatibility

Policy 1.6.9.1 a) and b) – Building Strong Health Communities, Infrastructure and Public Service Facilities, Airports, Rail and Marine Facilities

Policy 1.6.7.4 – Building Strong Health Communities, Infrastructure and Public Service Facilities, Transportation Systems



Policy 1.7.1 – Building Strong Health Communities, Long Term Economic Prosperity  
Policy 2.6.1 – Wise Use and Management of Resources, Cultural Heritage and Archaeology  
Policy 2.6.2 – Wise Use and Management of Resources, Cultural Heritage and Archaeology

### **1989 Official Plan**

Section 6.2 – Regional and Community Facilities Designation, Regional and Community Facilities  
Section 6.2.1 i) – Regional and Community Facilities Designation, Regional and Community Facilities, Functional Categories of Regional and Community Facilities, Regional Facilities  
Section 6.2.2 ii) – Regional and Community Facilities Designation, Regional and Community Facilities, Permitted Uses, Western Fairgrounds  
Section 6.2.5 – Regional and Community Facilities Designation, Regional and Community Facilities, Scale of Development  
Section 13.2.3 – Heritage Resource Policies, Built Heritage, Alteration, Removal or Demolition  
Section 13.2.3.1 – Heritage Resource Policies, Built Heritage, Alteration, Removal or Demolition  
Alteration or Demolition on Adjacent Lands  
Section 13.4.1 – Heritage Resource Policies, Archaeological Resources, Scope  
Section 13.4.3 – Heritage Resource Policies, Archaeological Resources, Applications Subject to Review  
Section 18.2.12 – Transportation, Transportation Planning, Parking Policies

### **The London Plan**

Policy 92\_9. – Our City, City Structure Plan, Primary Transit Area  
Policy 271\_ – City Design, Site Layout, Parking  
Policy 565\_ – City Building Policies, Cultural Heritage, General Cultural Heritage Policies, Design  
Policy 566\_ – City Building Policies, Cultural Heritage, General Cultural Heritage Policies, Design  
Policy 567\_ – City Building Policies, Cultural Heritage, General Cultural Heritage Policies, Design  
Policy 586\_ – City Building Policies, Cultural Heritage, Specific Policies for the Protection, conservation, and stewardship of Cultural Heritage Resources, Individual Heritage Properties  
Policy 608\_ – City Building Policies, Cultural Heritage, Archaeological Resources  
Policy 616\_ – City Building Policies, Cultural Heritage, Archaeological Resources  
Policy 617\_ – City Building Policies, Cultural Heritage, Archaeological Resources  
Policy 1078\_ – Place Type Policies, Urban Place Types – Institutional, Our Vision for the Institutional Place Type  
Policy 1086\_1. – Place Type Policies, Urban Place Types – Institutional, Intensity  
Policy 1102\_ – Place Type Policies, Urban Place Types – Institutional, Specific a Policies for the Institutional Place Type, Western Fair Grounds  
Policy 1103\_ – Place Type Policies, Urban Place Types – Institutional, Specific a Policies for the Institutional Place Type, Western Fair Grounds  
Policy 1766\_ – Our Tools, Noise, Vibration and Safety, Sensitive Land Used Near Noise Generators  
Policy 1770\_ – Our Tools, Noise, Vibration and Safety, Neighbourhood Design and Noise  
Policy 1771\_ – Our Tools, Noise, Vibration and Safety, Neighbourhood Design and Noise  
Policy 1772\_ – Our Tools, Noise, Vibration and Safety, Neighbourhood Design and Noise

### **City of London Zoning By-law Z.-1**

Section 4.19 3) – General Provisions, Parking, Location of Parking Areas  
Section 4.27 – General Provisions, Yard Encroachments



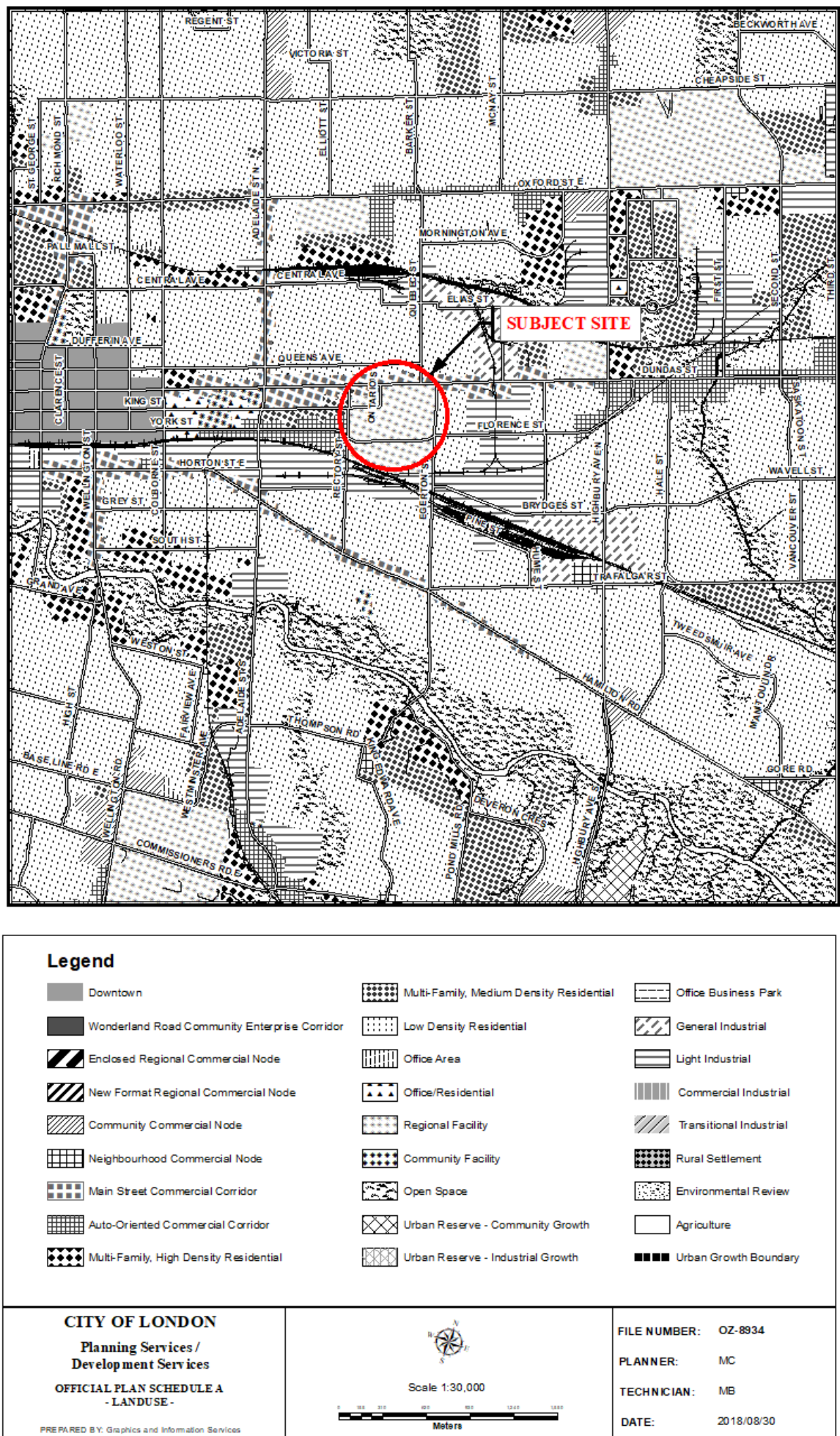
**D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Use (1995)**

**Guidelines for New Development in Proximity to Railway Operations (May 2013)**



Appendix E – Relevant Background

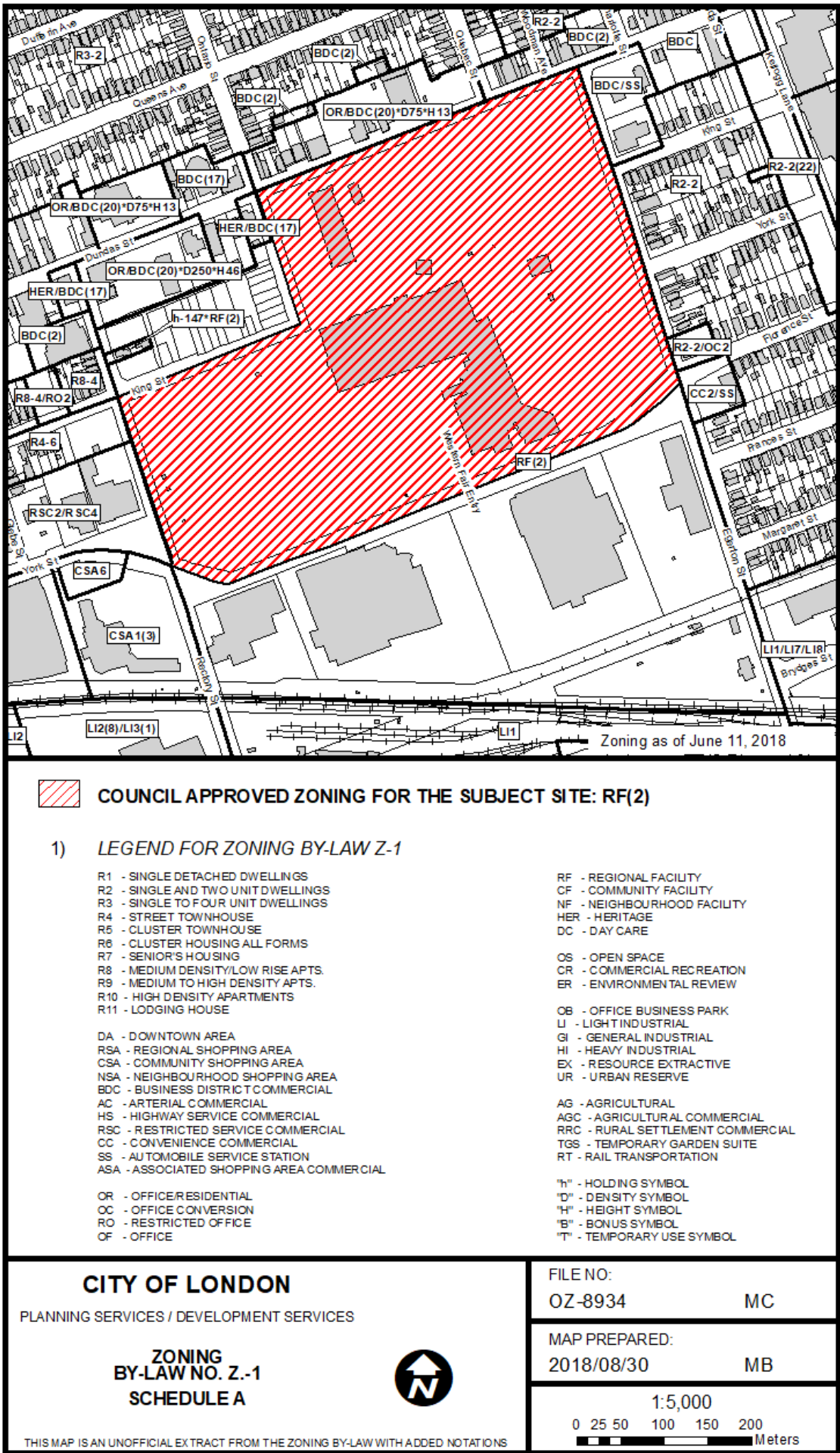
Additional Maps













## Report to Planning and Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: John M. Fleming  
Managing Director, Planning and City Planner  
Subject: The Tricar Group  
230 North Centre Road  
Public Participation Meeting on: September 24, 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 Tricar Group relating to the property located at 230 North Centre Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend the Official Plan to change the designation of the subject lands **FROM** a Multi-Family, Medium Density Residential designation, **TO** a Multi-Family, High Density Residential designation;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Holding Residential R5/R7/R8 (h-5\*R5-7/R7\*D75\*H12/R8-4\*H12) Zone, **TO** a Holding Residential R9 Bonus (h-132\*R9-7\*B( )) Zone.

The B( ) Zone shall be implemented through one or more agreements to provide for an apartment building height of 18 storeys or 62 metres (203.4ft) with an increased density of up to 199 units per hectare in return for the provision of the following facilities, services, and matters:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

### Podium

- i) The inclusion podium townhouse units, seven along the Richmond Street frontage and seven along the North Centre Road frontage;
- ii) Brick as the primary material on the street facing elevations;
- iii) Individual unit entrances with front door access for all townhouse units;
- iv) Ground floor units with walkways leading to City sidewalk for all street facing townhouse units;
- v) A prominent principle entrance into the apartment building that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;
- vi) A multi-level parking structure that is buffered from the street-facing facades by the inclusion the townhouse units.

### Mid Rise Portions

- i) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium;
- ii) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- iii) A step-back of the ninth and tenth floors on the west, south and east



facades;

- iv) The inclusion of window walls on the ninth and tenth floors matching the top levels of the tower portion.

#### Tower

- i) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium.
- ii) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- iii) A step-back of the sixteenth, seventeenth and eighteenth floors on all tower elevations.
- iv) The inclusion of window walls on the sixteenth, seventeenth and eighteenth floors.
- v) The design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building.
- vi) Incorporation of mechanical room with the roofline of the tower.

#### 2) Transit Station

The financial contribution of funding to the future Transit Station at Masonville Mall in the amount of 1% of the construction value up to \$250,000, for the provision of facilities, services, programming, public art or other matters for positive project enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first.

#### 3) 1 level of underground parking

#### 4) Publicly accessible civic space located at the southwest corner.

- c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan approval process:
  - i) Consider designing the exterior elevations of the amenity room with more prominence and relate it further to the corner entrance rather than the design of the townhouses. Both the entrance and amenity room could appear as one from the outside, this would provide for a stronger building presence at the corner;
  - ii) On the south elevation of the corner entrance, extend the glass/spandrel treatment further east up to the brick on the townhouse;
  - iii) Explore ways to provide interest on the west façade of the 3 storey townhouse at the corner entrance, this could be achieved in many ways including; greenwall, vines, mural, brick patterns, etc...
  - iv) Remove the columns on the balconies on the west elevation of the midrise portion along Richmond Street similar to what is shown on the east elevation. Alternatively, if the columns are necessary consider moving them up against the building making them appear as an extension of the building rather than columns.
  - v) As three new townhouse units have been added to the east elevation of the podium, consider locating these townhouses further south immediately north of the towns along North Centre Rd as this would provide for an active edge on a very visible portion of building and would provide for a more welcoming entrance to the site.
- d) Pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the change to the regulation for building height:
  - i. Is minor in nature and



- ii. Continues to implement the building design consistent with the development design circulated with the Notices of Revised Application and Public Meeting.

**Executive Summary**

**Summary of Request**

The requested amendment is to permit a site-specific bonus zone to allow for an 18-storey apartment building which will include 230 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.

**Purpose and the Effect of Recommended Action**

The purpose and effect of this Official Plan and zoning change is to permit a residential apartment building with a maximum height of 18-storeys which will include 230 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. The bonus zone shall be implemented through a development agreement to facilitate the development of the requested apartment building in return for a financial contribution towards the future transit hub at Masonville Mall, a publicly accessible civic space at the corner of North Centre and Richmond Street, provision of 1 level of underground parking and the construction of the high quality form of development illustrated in Schedule “1” of the amending by-law.

**Rationale of Recommended Action**

1. The recommended amendment is consistent with the PPS 2014.
2. The recommended amendment is consistent with the City of London Official Plan policies and Transit Village Place Type policies of the London Plan.
3. The recommended amendment facilitates the development of an undeveloped lot and encourages an appropriate form of development.
4. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard.
5. The subject lands are located in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial roads (Richmond Street & Fanshawe Park Road), large commercial node, and existing and future public transit facilities in the area.

**Analysis**

**1.0 Site at a Glance**

**1.1 Property Description**

The subject site is located on the northeast corner of the Richmond Street and North Centre Road intersection. The site is approximately 1.16 ha in size and is currently undeveloped. The subject site was previously part of a large block of land created through a plan of subdivision in 1997. The eastern portion of this block developed for a continuum-of-care facility (Richmond Woods Retirement Village) while the western portion (the subject site) remained vacant. The subject site was created through a consent application (2016) which severed the subject site from the Richmond Woods Retirement Village development. The lands directly south are designated and used for Office uses while the remainder of the lands on the south side of North Centre Road are designated as High Density Residential through the 1989 Official Plan and have been developed as townhomes. To the north is a large estate lot owned by Western University that underwent a rezoning in 2014 for a mix of medium density residential type uses. The zoning was approved on April 15, 2014. To the west of the site are lands that are also designated for High Density Residential uses that were developed as one and two storey townhomes.



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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Transit Village
- Existing Zoning – Holding Residential R5/R7/R8 (h-5\*R5-7/R7\*D75\*H12/R8-4\*H12) Zone

**1.3 Site Characteristics**

- Current Land Use – Vacant
- Frontage – 80 metres
- Depth – 105 metres
- Area – 1.16 ha
- Shape – Rectangular

**1.4 Surrounding Land Uses**

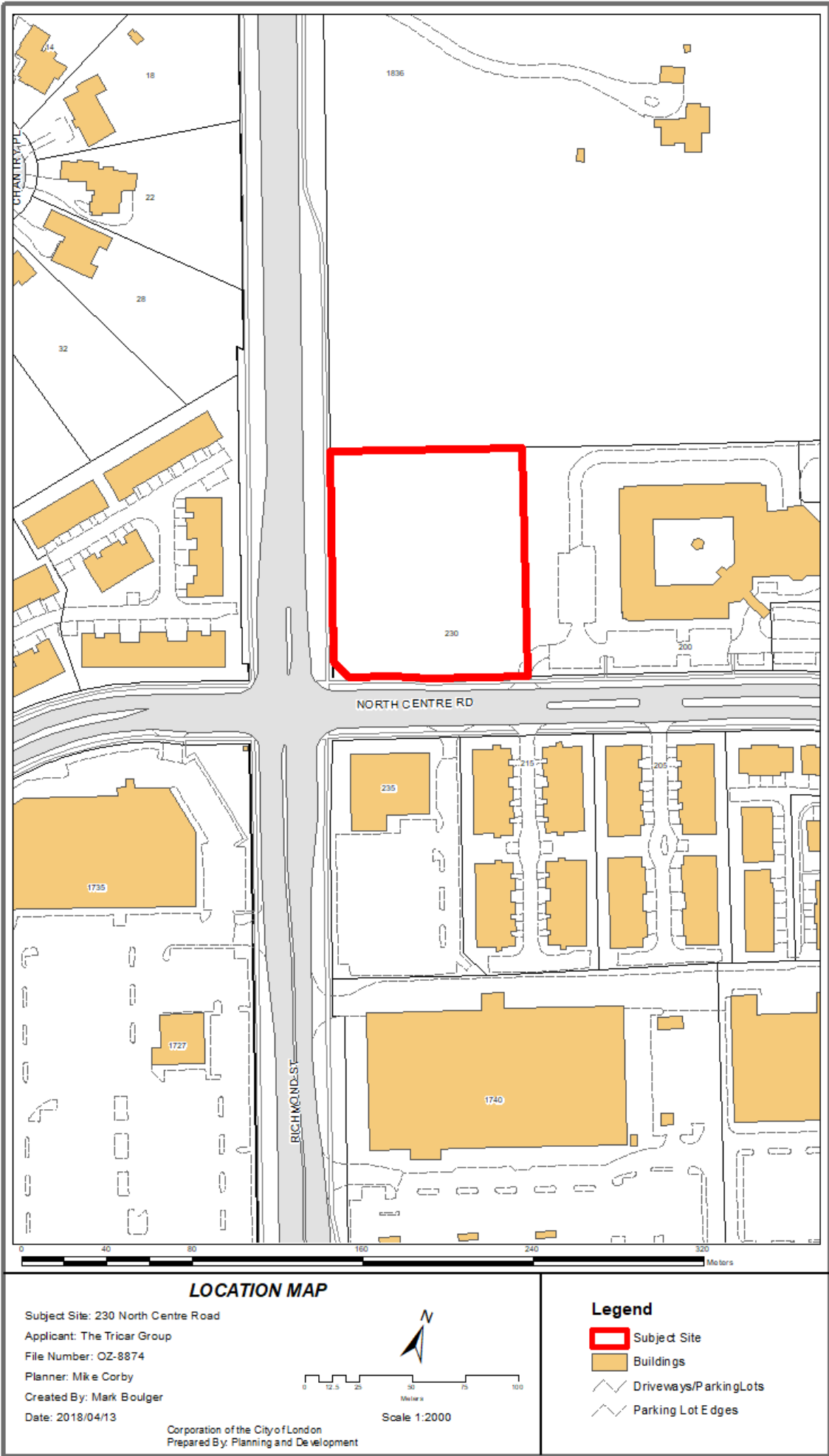
- North – Large Estate Lot
- East – Continuum-of-Care Facilities
- South – Office/Commercial/Residential
- West – Residential/Commercial

**1.5 Intensification (identify proposed number of units)**

- The proposed development will represent intensification within the Built-area Boundary
- The proposed development will represent intensification within the Primary Transit Area



1.6 Location Map

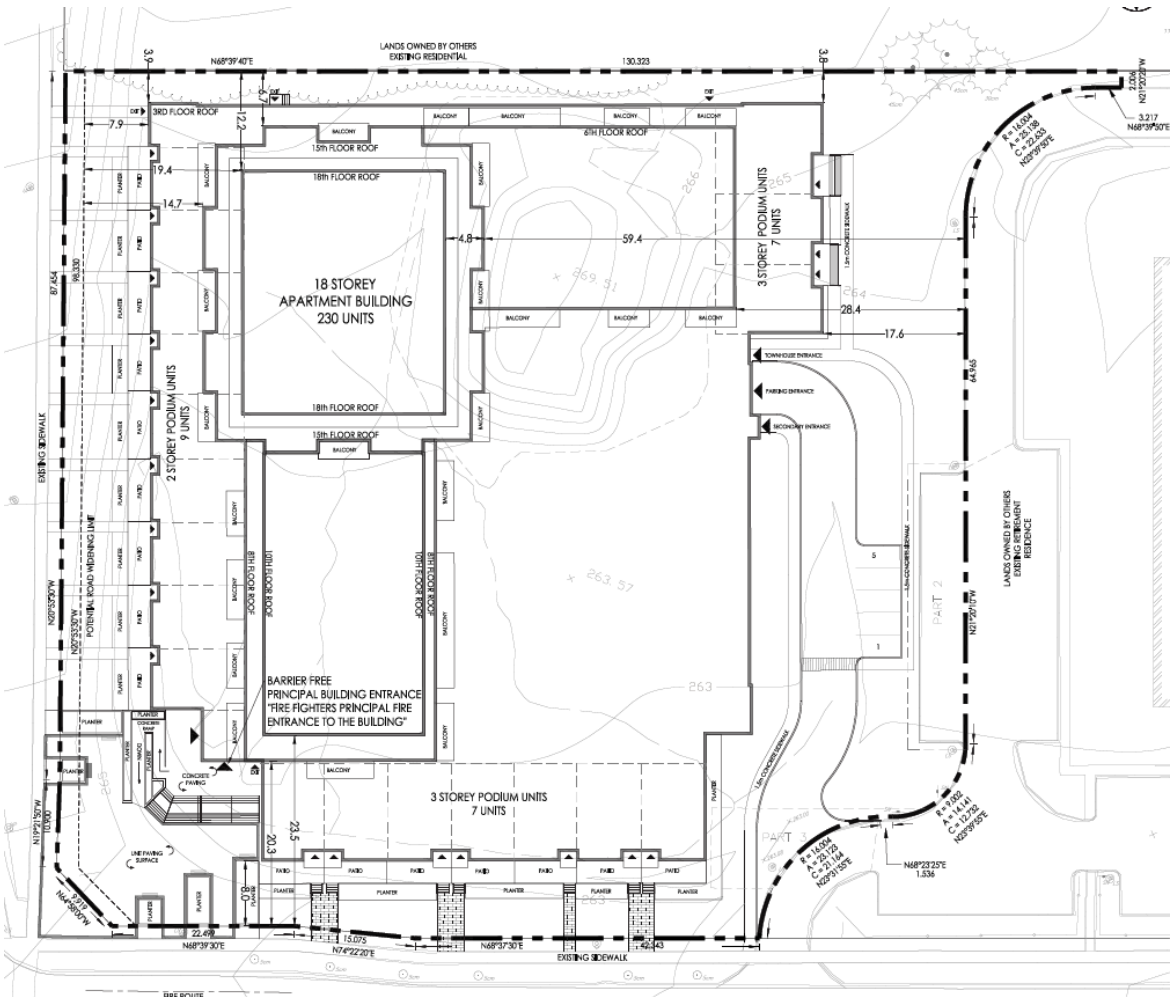




2.0 Description of Proposal

2.1 Development Proposal

The proposal is for an 18-storey apartment building at a maximum height of 61m (200ft) which will include 230 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. A 10-storey wing is located along Richmond Street and a 6-storey wing is located along the northerly property limit creating an L-shaped development.



A total of 308 parking spaces for the development have been accommodated through one level of underground parking and two levels of podium parking screened by the townhouse units along Richmond Street and North Centre Road. 5 parking spaces are available at grade with additional visitor parking accommodated within the parking structure. Vehicular access is provided through a joint access at the easterly edge of the property along North Centre Road.





### 3.0 Relevant Background

#### 3.1 Planning History

The subject site and surrounding lands on the northeast corner of Fanshawe and Richmond Street were designated through the 1989 Official Plan and subject to a rezoning application in 1995 which was appealed to the OMB. While the zoning amendment was under appeal a plan of subdivision application was submitted to the City seeking to implement the proposed ZBA that was still under appeal. Due to the zoning being under appeal Council refused the subdivision application which was then consolidated at the OMB in order for both items to be dealt with at the same time. In 1997 all appeals were withdrawn and the proposed by-laws came into effect resulting in the zoning and property fabric that exists on these sites today.

On September 23, 2016 a consent application was submitted to sever the subject site from the lands to the east which received conditional approval from the consent authority on January 25, 2017 and the Conditions of consent were cleared on September 21, 2017.

On February 8, 2018 an application was accepted for a 22-storey apartment building at a maximum height of 73.2m (240ft), with a total of 230 residential units (199 uph) constructed on a 2-3 storey podium. The proposal provided 7 podium units fronting North Centre Road and Richmond Street.

On June 13, 2018 a revised development proposal was submitted for an 18-storey, L-shaped residential apartment building which included 215 residential units (186uph) with 7 podium units being provided along North Centre Road and 9 podium units along Richmond Street.

On August 15<sup>th</sup>, 2018 the final design was submitted which proposed an 18-storey, L-shaped residential apartment building which will include 230 residential units (199uph). This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.



### 3.2 Requested Amendment

The requested amendment is for an Official Plan amendment from a Multi-Family, Medium Density Residential designation to a Multi-Family, High Density Residential designation.

The amendment also includes a Zoning By-law amendment from a Holding Residential R5/R7/R8 (h-5\*R5-7/R7\*D75\*H12/R8-4\*H12) Zone, to a Residential R9 Bonus (R9-7\*B(\_)) Zone to allow for the proposed apartment building. The bonus zone would permit a residential density of 199uph and maximum height of 62 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as interior/exterior side yard setbacks and lot coverage may also be considered through the re-zoning process as part of the bonus zone

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

The proposed development has been through multiple community engagement processes. Through the original application based on a 22-storey apartment building, 54 responses were received during the community consultation period, with an additional 14 submitted at the Community Information Meeting, which was held on March 21, 2018, where approximately 64 people attended. The most commonly received comments included:

Concerns for:

- the proposed height of the building
- the impact of the shadows and loss of sunlight cast by the buildings
- loss of privacy
- proposed scale too large, not in keeping with character of the area.
- limited surface parking
- lack of infrastructure to support the increase in density
- potential increases in traffic along North Centre Road
- safety concerns created for the seniors home and traffic accessing North Centre
- construction traffic/noise and dust

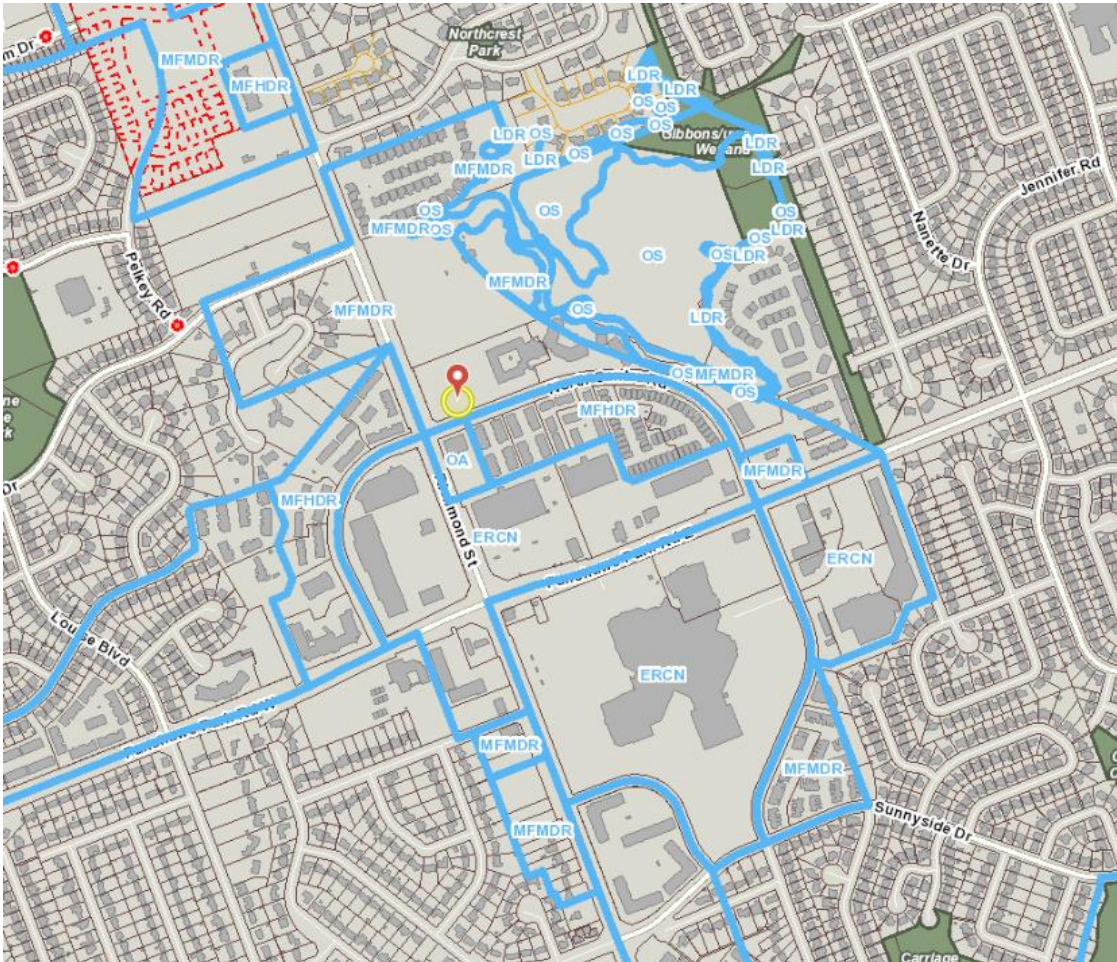
A revised development concept was circulated to the public for an 18-storey development concept with two 8-storey wings along the westerly and northerly property lines. Another Community Information Meeting was held on July 3, 2018. Through the new consultation period 10 new comments were received along with 3 comments from the Community Information Meeting where 31 people attended. Similar concerns that were previously expressed above were raised again, noting the revisions were not substantial enough and similar impacts will exist. These comments can be found in Appendix "B"

24 additional comments were received through a community meeting with the Ward 4 Councillor and are attached in Appendix B.

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

The subject site is currently located in a Multi Family, Medium Density Residential ("MFMDR") designation which is located along the north side of North Centre Road. The south side of North Centre Road has a Multi-Family, High Density Residential ("MFHDR") designation running along a large portion of North Centre Road. Through this application the applicant is seeking to change the MFMDR designation on the subject site to the MFHDR designation similar to what exists in the area. The London Plan identifies the subject site and surrounding area as a Transit Village Place Type which provides a broad range of uses and significant heights.





#### Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The policies of the PPS require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3] while promoting appropriate development standards which facilitate intensification, redevelopment and compact form [1.1.3.4] and promoting active transportation limiting the need for a vehicle to carry out daily activities [1.1.3.2, 1.6.7.4].

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

In accordance with section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.



## Official Plan

The application is to change the current Official Plan designation to Multi-Family, High Density Residential. The Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development. The Official Plan identifies criteria where high density residential developments should be located (3.4.2 Location). These locations generally are on lands adjacent to major employment centres, shopping areas, major public open space, transportation routes, and where high density development will not adversely affect surrounding land uses. Within these preferred locations the general form of development permitted includes large-scale, multiple-unit forms of residential development (3.4.1. Permitted Uses). Within the MFHDR designation net residential densities will normally be 150 units per hectare (60 units per acre) or less outside of Central London (3.4.3. Scale of Development). The scale of development is also controlled through specific criteria generally applied to large areas designated MFHDR. The policies encourage a mixing of housing types, building heights and densities while providing for a transition in scale, diversity of housing forms and where possible locate the high-rise structures closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service). Massive, at-grade or above-grade parking areas shall not dominate the site and all developments should conform with the urban design principles in Section 11.1.

The MFHDR designation identifies that Council, under the provisions of policy 19.4.4. and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. (3.4.3. Scale of Development, Density Bonusing)

## The London Plan

The subject site is located within the Transit Village Place Type. Transit Villages are intended to provide a broad range of uses and some of the most intense forms of development in the City. These areas are intended to be “*exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to the Downtown and each other*”[806]

The intent is that these areas will have the greatest mix of uses and intensity of development outside of the downtown based around a rapid transit station as the focal point of the village [807]. In order to support the rapid transit system higher densities of people living, working and shopping in the area are promoted along with pedestrian oriented and cycling-supported development and design to encourage the use of the City’s transit system to reduce overall traffic congestion within the city [808].

In order to facilitate the development of Transit Villages a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses may be permitted [Permitted Uses\_811].

The Intensity [813] policies of the Plan specifically outline that a minimum of either two storeys or eight metres in height is required and heights will not exceed 15 storeys. Type 2 Bonus Zoning beyond this limit permits heights up to 22 storeys. Development applications will be evaluated to ensure that an adequate level of intensity is being provided in order to support the goals of the Place Type while heights are to step down from the core to adjacent Neighbourhood Place Types.

The form [814] of development within the Transit Village is guided by policies that ensure that planning and development applications will conform with the City Design policies of this Plan. They encourage high-quality architectural design and for buildings and the public realm to be pedestrian, cycling and transit-supportive. Underground parking and structured parking integrated within developments is also encouraged along with other form considerations.



The Transit Village also provides an opportunity to bonus for increases in height and density up to 22-storeys. Bonusing Provisions Policy 1652 outlines the framework and public facilities, services, or matters that can be provided in order to achieve these increases.

4.0 Key Issues and Considerations

Through the circulation process no departmental concerns were expressed. However, several concerns were raised by the public through the process. The report below addresses these concerns in detail.

4.1 Issue and Consideration # 1 - Use

*Provincial Policy Statement, 2014 (PPS)*

The proposed development is in keeping with the PPS as it provides an alternative land use within the surrounding context promoting an appropriate range and mix of residential uses. High density developments such as the one proposed promote a cost-effective development pattern helping reduce servicing cost, land consumption and will develop an underutilized property that has remained undeveloped since the approval of a subdivision in 1997 [1.1.1]. The proposed development is within a settlement area helping establish an appropriate land use pattern that contributes to the density and mix of land uses in the area. The apartment will both benefit and support the existing resources, surrounding infrastructure and public service facilities in the area (1.1.3 Settlement Areas). The site is also considered to be transit supportive as it is close proximity to an existing transit node that will be home to a future bus rapid transit station (1.1.3.2) contributing to a healthy, livable and safe communities.

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. The proposed development is in keeping with this goal of the PPS as the surrounding lands are predominately low-density forms of development. The proposed apartment provides a mix of housing type in the area and provides a density that will help in meeting the projected requirements of current and future residents.

Official Plan

The proposed development of a high-rise apartment requires a change from the existing Multi-Family, Medium Density Residential designation to Multi-Family, High Density Residential. The proposed apartment use is considered a main permitted use within the requested designation (3.4.1. Permitted Uses). The Official Plan identifies where it is appropriate to locate High Density Residential designations (3.4.2. Locations). It identifies that lands in close proximity to large commercial nodes, regional facilities or designated Open Space areas and lands abutting or having easy access to an arterial road are appropriate locations. The subject site is located along Richmond Street, which with is an arterial road, and direct vehicular access to the main entrance is close by. The site is also located in close proximity to one of the city’s largest commercial nodes at Fanshawe Road and Richmond Street and a large Open Space designation (see map below).





Additional criteria is also considered when designating lands Multi-Family, High Density Residential. The subject site is in keeping with this criteria as it is considered compatible with the surrounding land uses. The lower forms of development to the west and south of the site are setback across wide rights-of-way and the proposed townhouse units imbedded in the podium on the south façade create a compatible interface helping reduce impacts of the proposed development. The abutting property to the east is developed as a medium density form of development helping to transition down from taller heights of the edge of the community to lower heights in the interior. The proposed development podium steps down to a similar scale as the continuum-of-care facility with the tallest portions of the proposed apartment located on the west side of the property. The subject site is also of a size and shape where a development can provide appropriate buffering and design features to ensure it is compatible within the surrounding area and will not adversely impact the surrounding amenities or character of the area. There are no servicing concerns within the area and the potential increase in traffic to the area is considered minimal and can be absorbed within the anticipated volume of traffic. The site's location is also within convenient walkable distance to public transit service, and shopping facilities.

For the above mentioned reasons it is appropriate to designate the lands as Multi-Family High Density Residential.

The London Plan

The subject site is located within a Transit Village Place Type. The proposed apartment use is in keeping with the vision and role within the city structure as it provides a permitted land use [811] that will help increase the density in the area and provides a high standard of design [806]. It promotes a development based around a rapid transit system where higher densities of people living, working and shopping are encouraged with the goal of reducing overall traffic congestion within the city [807,808]



## 4.2 Issue and Consideration # 2 – Intensity

The PPS requires municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3]. The proposed High Density Residential development provides an ideal location and form of development to promote intensification. It is located along an arterial road, in close proximity to a major commercial node with access to multiple bus routes. The surrounding building stock ranges from a continuum-of-care facility, office, townhomes, open space and commercial uses all of which are setback from the site. This proposed intensity of the development can be accommodated on the site and within the surrounding context. The PPS also encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed [1.4.3(d)]. The proposed development meets the intent of this PPS policy.

### Official Plan

The MFHDR designation provides three ranges of net density within the City excluding provisions for bonusing. In the case of the subject site it is located outside of the Downtown and Central London and is therefore permitted a maximum density of 150 unit per hectare (3.4.3. Scale of Development). As previously indicated, the applicant has applied to increase the density above the permitted 150 uph to 199 uph through bonusing provisions. Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features which result in a public benefit that cannot be obtained through the normal development process in return for permitting increased heights and densities. The Planning Act provides direction on bonusing which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.3- Form) and provision of a financial contribution to the future transit hub at Masonville Mall, 1 level of underground parking and publicly accessible civic space located at the southwest corner of the property all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined below:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedule “1” to the amending by-law:

#### Podium

- vii) The inclusion podium townhouse units, seven along the Richmond Street frontage and seven along the North Centre Road frontage;
- viii) Brick as the primary material on the street facing elevations;
- ix) Individual unit entrances with front door access for all townhouse units;
- x) Ground floor units with walkways leading to City sidewalk for all street facing townhouse units;
- xi) A prominent principle entrance into the apartment building that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;
- xii) A multi-level parking structure that is buffered from the street-facing facades by the inclusion the townhouse units.

#### Mid Rise Portions

- v) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium;



- vi) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- vii) A step-back of the ninth and tenth floors on the west, south and east facades;
- viii) The inclusion of window walls on the ninth and tenth floors matching the top levels of the tower portion.

#### Tower

- vii) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium.
- viii) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- ix) A step-back of the sixteenth, seventeenth and eighteenth floors on all tower elevations.
- x) The inclusion of window walls on the sixteenth, seventeenth and eighteenth floors.
- xi) The design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building.
- xii) Incorporation of mechanical room with the roofline of the tower.

#### 2) Transit Station

The financial contribution of funding to the future Transit Station at Masonville Mall in the amount of 1% of the construction value up to \$250,000, for the provision of facilities, services, programming, public art or other matters for positive project enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first.

#### 3) 1 level of underground parking

#### 4) Publicly accessible civic space located at the southwest corner.

In order to implement the identified items for bonus zoning, section 19.4.4 iv) of the Official Plan states that:

*“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”*

Bonus zoning is implemented through a development agreement with the City that is registered on title to the lands. The development agreement is intended to “lock in” the design features that will be incorporated into the form of development to merit the additional density. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities, services and matters that have warranted bonus zoning have been incorporated into the development agreement. These design features are highlighted in the recommendation and the amending by-law included in the illustrations attached as Schedule “1”.

#### The London Plan

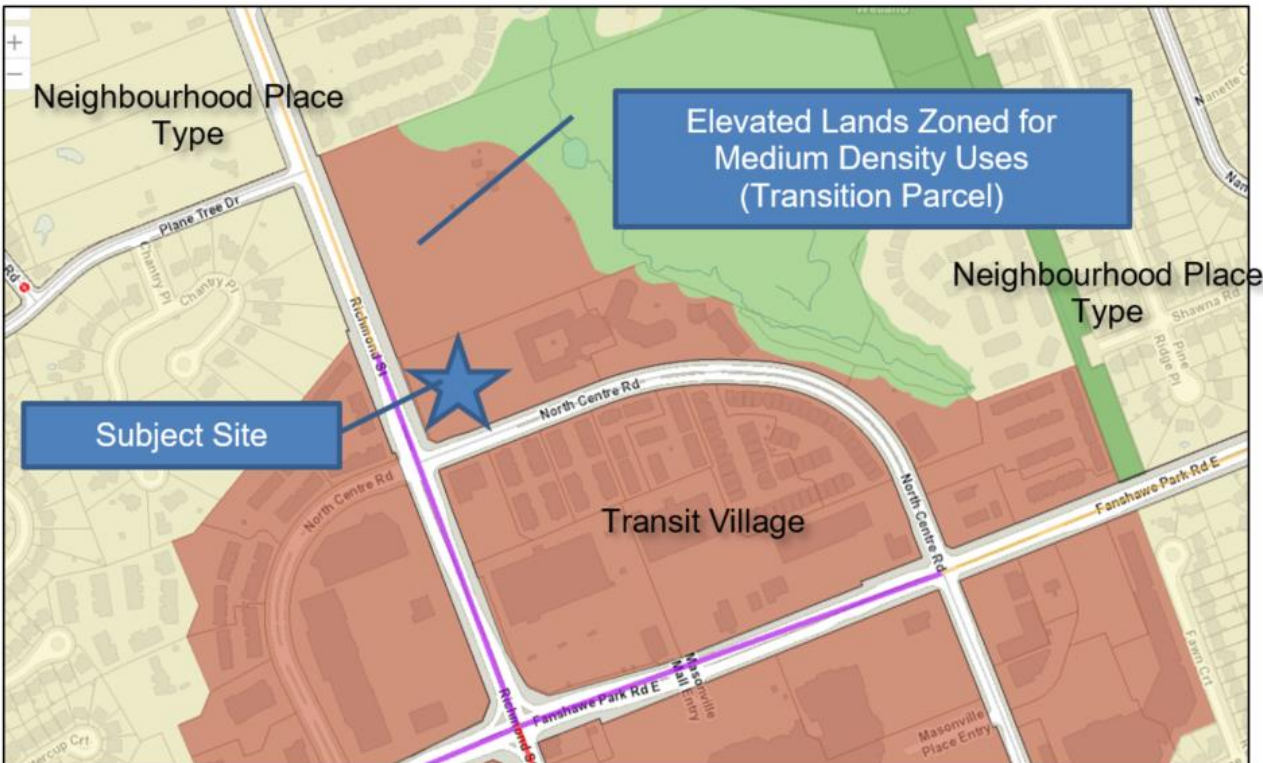
The London Plan clearly encourages an increase in residential densities within its Transit Villages in order to support the commercial uses of the node and the rapid



transit station that is considered the hub of the village. In order to ensure these goals are being met the London Plan provides intensity policies (L813). These policies provide permissions for buildings to have a minimum of either two storeys or eight metres in height and will not exceed 15-storeys in height. However, Type 2 Bonus Zoning is permitted beyond this limit, up to 22-storeys. The proposed development height of 18-storeys is within the range permitted by The London Plan through Type 2 Bonusing which is similar to the bonusing process applied through the 1989 Official Plan.

Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this place type is fully utilized, and promoting mixed-use forms of development. As previously noted in the Transit Villages policies these areas are already developed and limited opportunities for intensification exists. The subject site provides an ideal location for intensification as it is a vacant property.

The Transit Village also encourages building heights to step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types. The subjects site's location is in close proximity to the main intersection of the Village core and has a large elevated parcel of land zoned for medium density development directly north which provides for the appropriate transition from the proposed 18-storey apartment to the Neighbourhoods Place Type on the edge of the Transit Village.



**4.3 Issue and Consideration # 3 - Form**

*Provincial Policy Statement, 2014 (PPS)*

The proposed development is in keeping with the PPS as it provides an opportunity for intensification at an appropriate location taking into account the existing building stock in the area. The proposed development has considered the surrounding building stock by positioning its tallest portions along an arterial road where impacts will be reduced on the surrounding buildings located in the interior of the neighbourhood. The proposal has gone through an extensive design process helping to ensure that an appropriate development standard is established to help implement the intensification of the subject site. The subject site is located in a Transit Village which has convenient amenities, employment and shopping destinations based around a future bus rapid transit hub and currently in close proximity to several bus routes that stop at Masonville Mall. The



building's design and location help promote active transportation as they provide the ability for pedestrian and bicycles to access the nearby facilities and will help limit the need for a vehicle to carry out daily activities in conformity with the goals of the PPS [1.1.3.2, 1.6.7.4].

### Official Plan

The proposed form of development has made a strong effort to create a transition in scale through the proposed form of development in response to the surrounding land uses. Townhomes wrap the parking garage along Richmond Street and North Centre Road to create a similar scale and interface with the surrounding office and townhouse units. Additional townhomes have been included along the easterly parking garage to help create an active interface with the abutting continuum-of-care facility.

The development also positions increases in height and massing to appropriate locations. The development is L-shaped above the podium base and is significantly setback from the proposed 2-3 storey townhomes at grade. The mid-rise portion along Richmond Street reaches 10-storys where height is encouraged to locate and is 6-storeys along the northerly part of the site where the abutting lands increase significantly in elevations. The 18-storey tower portion of the apartment is located in the NW corner of the property where height impacts will be minimal. Through the use of the townhomes the development is able to reduce the visual impacts of the proposed parking structure. The main pedestrian access point is located directly at the intersection of Richmond Street and North Centre providing tenants easy access to the surrounding transit services and activity nodes.

The Official Plan also ensures that all developments conform to the Urban Design principles in Section 11.1. As part of a complete application the applicant provided an Urban Design Brief and attended the Urban Design Peer Review Panel to identify how the above-mentioned policies have been achieved through the building design and form. The original 22-storey apartment was well received by Staff and the Urban Design Peer Review Panel. Some minor concerns were raised about improving the cohesiveness of the building by further connecting the podium to the mid-rise and tower portions of the project through alternative design features. Removing the blank façade was suggested on the northwest corner of the podium that is prominent from the street by integrating other architectural elements of the building into this part of the elevation. Extending the proposed townhouse units along the Richmond Street frontage to create a stronger street presence was also recommended. The pedestrian access to the building was encouraged to be redesigned to give priority to accessibility to the front entrance through the reorientation of the access ramp. The proposed amenity area was also considered isolated in nature and the provision of greater surveillance of the area through an internal amenity space looking over it or simply moving it and providing a drop-off/rear-entry to the building was suggested as an alternative design feature.

In an effort to respond to the Urban Design panel's original comments and the public concerns a revised design was submitted and presented to the panel. The main changes included a reduction from 22-storeys to 18-storeys and shifting the height of the building from the SW corner of the site to the NW corner to help reduce shadows on abutting lands. The applicant also extended the townhomes along Richmond Street along the length of the parking structure, removed the at-grade amenity space located in the North East corner and identified that it would be placed atop the parking structure. The applicant provided a drop-off area instead in the NE corner as suggested by the panel and reoriented the accessibility ramp to the front entry. Fenestration to the NW corner was also added to articulate as an entrance to the project. After the revisions were made the proposed 18 storey, L-Shaped building was re-circulated to the public and reviewed by the Urban Design Review Panel. The panel was appreciative of the efforts made to try and address their original comments and provided follow up considerations

The panel provided additional recommendations based on the revised design which included:



- *Recommend an indoor amenity adjacent to rooftop amenity. There should be a mix of passive and active amenities*
- *The tower proportions could benefit from shifting the penthouse to the northwest corner of the floorplan. This will help create an elongated sense of the massing and assist with the overall form/expression of the tower.*
- *The landscape design should consider amenity for townhouses along the street*
- *Entrance design should be further refined to address the blank facades on the sides of the two townhouses - consider adding an active space near the main entry to eliminate the blank wall (side) of townhouse units. Further articulation of the massing in the form of an entrance canopy could also assist in creating a stronger sense of arrival at the corner.*
- *Suggest 3 storey townhouses along Richmond Street*
- *Give further attention to the east façade. At the moment it is hard to discern where the entrances into the building occur.*
- *Give further consideration to the function and design of the drop off area as it may cause confusion as there doesn't appear to be a functional entrance to access the building (other than to the pool)*
- *Wrapping corner with balcony – reconsider if it needs to wrap as these types of balconies tend to be used as storage and has the possibility of being unsightly.*

During the circulation of the revised design similar comments were received from the public along with a concern that the new apartment will impact the view corridor from the lands to the north. As a result the final design being recommended for approval received some additional changes. The wrapped balconies were removed to help reduce the visual massing of the building and townhome units were included along the east podium to help reduce the visual impact on the abutting senior's home. Due to the inclusion of these townhomes however, the proposed drop off circle had to be removed. The wing portion of the building along the north edge of the property was reduced from 8-storeys to 6 storeys and the height along Richmond Street was increased from 8-storeys to 10-storeys. This change in design provides a more effective overall design as it helps tie in the design of the penthouse on top of the tower portion to the mid-rise portion along Richmond Street.

The applicant has also provided their opinion on how the panel's concerns have been address through the final design.

- 1) *We have updated and changed all windows around the tower and podium to large punched windows of the same size.*
- 2) *Window walls have been added on the north and south side of the tower to provide a break between solid material in the tower.*
- 3) *The 2 townhouse units on the corner of the North Centre Road and along Richmond Street have been converted to Amenity Spaces allowing more glazing and a more lively entrance at this corner. The amenity space is double height. The architectural language of the amenity space complements the residential entrance and townhouses through using a combination of the same materials.*
- 4) *The north and south portion of the corner balconies are removed to reduce the weight around the corners of the tower.*
- 5) *3 townhouses are added to the North-east corner of the site. We have also added a secondary entrance near the parking entrance to provide pedestrian access to the elevator lobby from the drop-off area at the East of the site.*
- 6) *We have also reduced the height of the wing on the north side to 6 storeys and increased the height of the wing to the southwest to 10 storeys, to better incorporate the tower and southwest leg. We have a 2m setback on the 9<sup>th</sup> and 10<sup>th</sup> floor and use the full window wall to replicate the same look as the 16<sup>th</sup> to 18<sup>th</sup> floor of the tower.*

Additional design details that are considered minor in nature have been identified in the recommendation to the Site Plan Approval Authority to consider implementing through the site plan process. It is also important to consider that the proposed form of development will be controlled through the recommended bonus zone ensuring the



design being proposed is what is built. No other apartment building can be built at this height or density on the site without a rezoning. Other potential developments would be restricted to the limitations of the proposed R9-7 zone which is commonly used to implement MFHDR designation.

### The London Plan

The London Plan also helps guide the shape of development through form policies. The rationale used above under the current Official Plan in regards to scale and form of development also satisfies form policies of The London Plan. The proposed design is generally in keeping with the City Design Policies of the Plan and a high quality architectural design is being achieved. The development is transit supportive and the base is designed to establish and support a high-quality pedestrian environment [814].

The following form policies apply within the Transit Village Place Type:

1. All planning and development applications will conform with the City Design policies of this Plan.
2. High-quality architectural design will be encouraged within Transit Villages.
3. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation.
4. Convenient pedestrian access to transit stations will be a primary design principle within Transit Villages.
5. Consideration should be given to providing publicly-accessible pedestrian connections through a proposed development site connecting with the pedestrian network on existing and future adjacent sites.
6. All public works will ensure a highquality pedestrian environment through streetscape improvements such as widened sidewalks, upgrading the sidewalk material, planting street trees, installing benches and other street furniture, providing pedestrian lighting, and integrating public art.
7. The base of all buildings will be designed to establish and support a high-quality pedestrian environment.
8. Pedestrian traffic associated with rapid transit stations should be considered in the design of the station, the public realm, and adjacent developments.
9. Massing and architecture within the Transit Village should provide for articulated façades and rooflines, accented main entry points, and generous use of glazing and other façade treatments along sidewalk areas such as weather protection features to support a quality pedestrian environment.
10. Creative and distinctive forms of building design are encouraged within the Transit Villages.
11. Surface parking areas should be located in the rear and interior sideyard. Underground parking and structured parking integrated within the building design is encouraged.
12. Shared car and bicycle parking facilities and carshare/bikeshare programs will be encouraged within Transit Villages. Public changerooms and bicycle facilities will be encouraged.
13. Planning and development applications will be required to demonstrate how the proposed development can be coordinated with existing, planned and potential development on surrounding lands within the Transit Village Place Type.



#### 4.4 Issue and Consideration # 4 - Context

Through the public circulation a number of comments expressed that the existing residential community is low-rise and low density in nature and that the proposed high-rise development is not in keeping with the area. It should be noted that the intent of the existing land use designations in the area, planned through the 1989 Official Plan was to see a much larger residential density created through medium and high density developments to support the large commercial node. Although the existing zoning did not fully implement the 1989 Official Plan to its fullest extent it has always been identified and considered good planning to provide an increase in intensity and density in the area. This same rationale has been carried over into The London Plan which promotes increased intensities within the Transit Village in order for it to access local amenities, shopping destination, employment opportunities and support rapid transit.

It should also be noted that comparable development exists at North Centre and Fanshawe Park Road W, just west of Richmond, where a 12-storey apartment is located between a 4-storey apartment building and 2-storey townhomes. The proposed apartment has changed its design to respond to the surrounding land uses and it is not considered out of place to allow for a high quality designed building to be placed within the surrounding context.



#### 4.5 Issue and Consideration # 6 – Traffic

Another main point of contention through this process is the potential increase in traffic that the proposed development will create in relation to the ongoing traffic issues.



Several comments about existing cut through traffic along North Centre Road, the increase in truck and construction traffic and the high volumes of traffic along Richmond Street were received. A traffic impact assessment was not required as part of a complete application as the potential increase in traffic from the proposed development did not warrant the need for the study.

Both Staff and the Ward councillor followed up with the Transportation department based on the public concern and received the following comments.

*“In terms of the development, a traffic impact assessment is not required as part of the zoning application nor the Site Plan Consultation. A Site Plan application has not yet been submitted by the developer. The traffic study was not required since the trips generated by the development did not trigger a study as per the TIA guidelines and because the anticipated road improvements to the adjacent Richmond/FPR intersection in the near future based on the EA recommendations.*

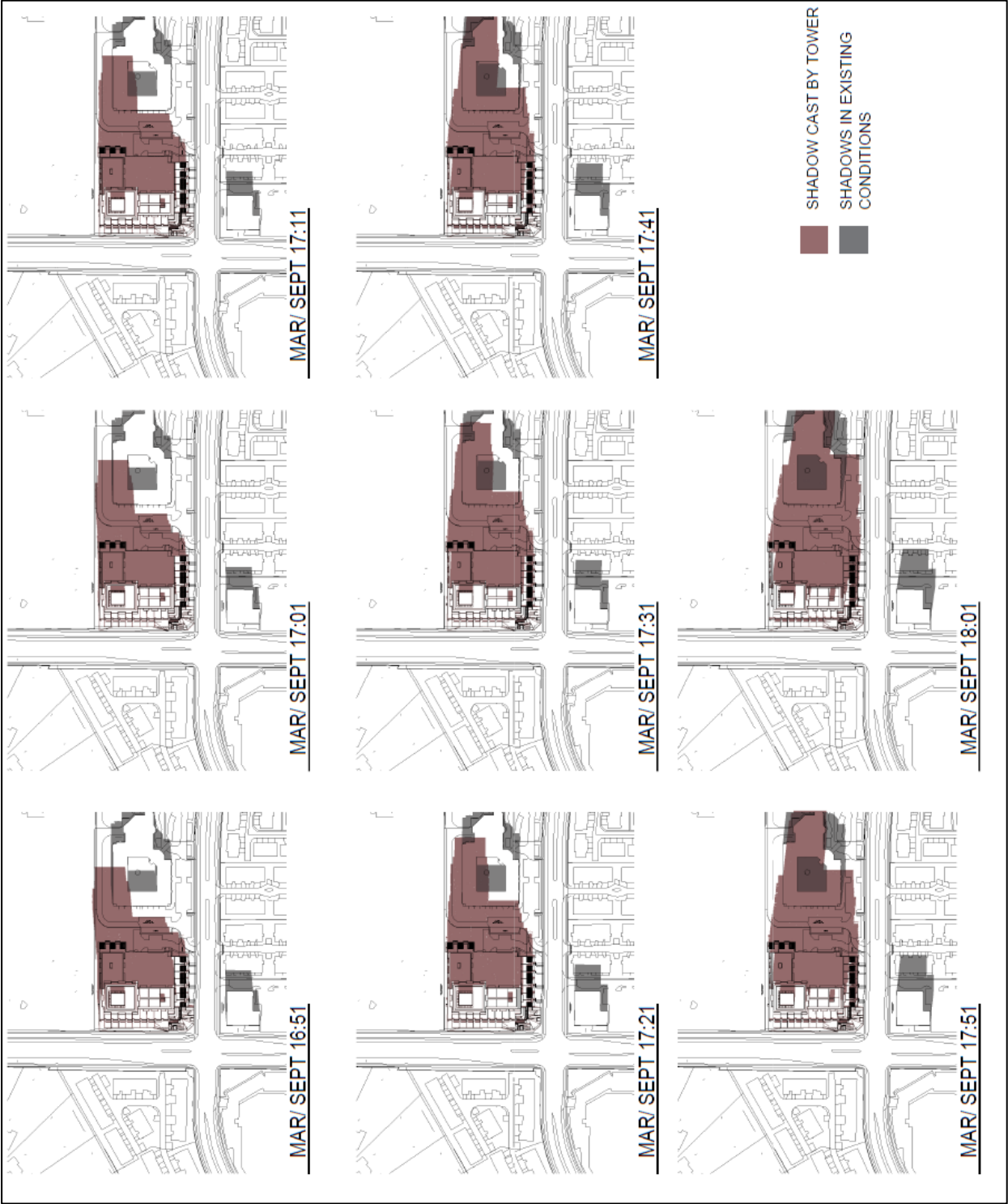
*Staff reviewed the collision history at the intersection and noted there have been no collisions in the past 5 years (typical period used for collision history) between vehicles and vulnerable road users (pedestrians and cyclists). As part of the Site Plan process staff can work with the applicant in regards to the Traffic Management Plan to limit construction truck traffic impacts to the street (such as only accessing north centre from Richmond). There are no intersection operational concerns associated with this development staff continually review traffic patterns at signalized intersections and make adjustments to traffic signal timing as required to ensure efficient operation. The projected traffic increase for the development is about a total of 70 trips in the AM peak hour and 86 trips in the PM peak hour, the existing transportation infrastructure will be able to accommodate this small increase in traffic.”*

Transportation Staff also approved a speed study along North Centre Road be undertaken to help address the ongoing concerns of the public. An environmental assessment is also being completed to deal with capacity constraints at Fanshawe and Richmond Street which should help reduce the need for traffic to cut through North Centre Road.

#### **4.7 Issue and Consideration # 6 - Shadows**

Another main concern of the public was the shadows cast from the proposed development. Upon review of the shadow studies the design of the building allows the shadows to move relatively quickly, traversing across amenity areas within approximately one hour. Concern has been raised about the amenity space in the centre of the Continuum-of-Care facility to the east and the impacts the shadows will have on that area. An analysis was completed showing the existing shadow from the Continuum-of-Care facility was cast over the outdoor amenity area prior to the shadow of the proposed apartment reaching it. There is a small increase in the shadow within the outdoor amenity area created by the proposed apartment. (See Below)  
The full shadow study is attached as Appendix D







#### 4.8 Issue and Consideration # 7 – Ground Water

Based on concerns about a high water table in the area a request was made at the Planning and Environment Committee meeting on July 16<sup>th</sup> to ensure that a hydrogeological report is completed. Although this would be required through the building permit process a holding provision is being recommended to ensure that it is completed at the site plan approvals process instead. The applicant has completed a preliminary assessment of the site and soil conditions which indicated that no concerns will arise as a result of the proposed apartment building. The report indicates that the proposed depth of construction will not impact the water table and only temporary dewatering may be required to accommodate the proposed footings. The volume of pumped groundwater is unlikely to exceed the MOE standard of 50,000L/ day. If the required volume of pumped water were to be close to or exceed MOE limits the Ministry would be required to provide approval of the development.

h-132 Purpose: To ensure that a Water Balance Study and a Hydrogeological Study is submitted as part of a complete Site Plan Application, the h-132 symbol shall not be removed until the results of each Study are accepted to the satisfaction of the City of London.

## 5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the City of London Official Plan policies and Transit Village Place Type policies of The London Plan. The proposal facilitates the development of an undeveloped lot and encourages an appropriate form of development. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial streets, large commercial node, and existing and future public transit facilities in the area.

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

September 17, 2018  
MC/mc

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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 230  
North Centre 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 October 2, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 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 designation of certain lands described herein from Multi-Family, Medium Density Residential to Multi-Family, High Density Residential on Schedule “A”, Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 230 North Centre Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014, and the Multi-Family, High Density Residential policies of the Official Plan.

The recommended amendment will facilitate a residential apartment building which is compatible with the surrounding land uses.

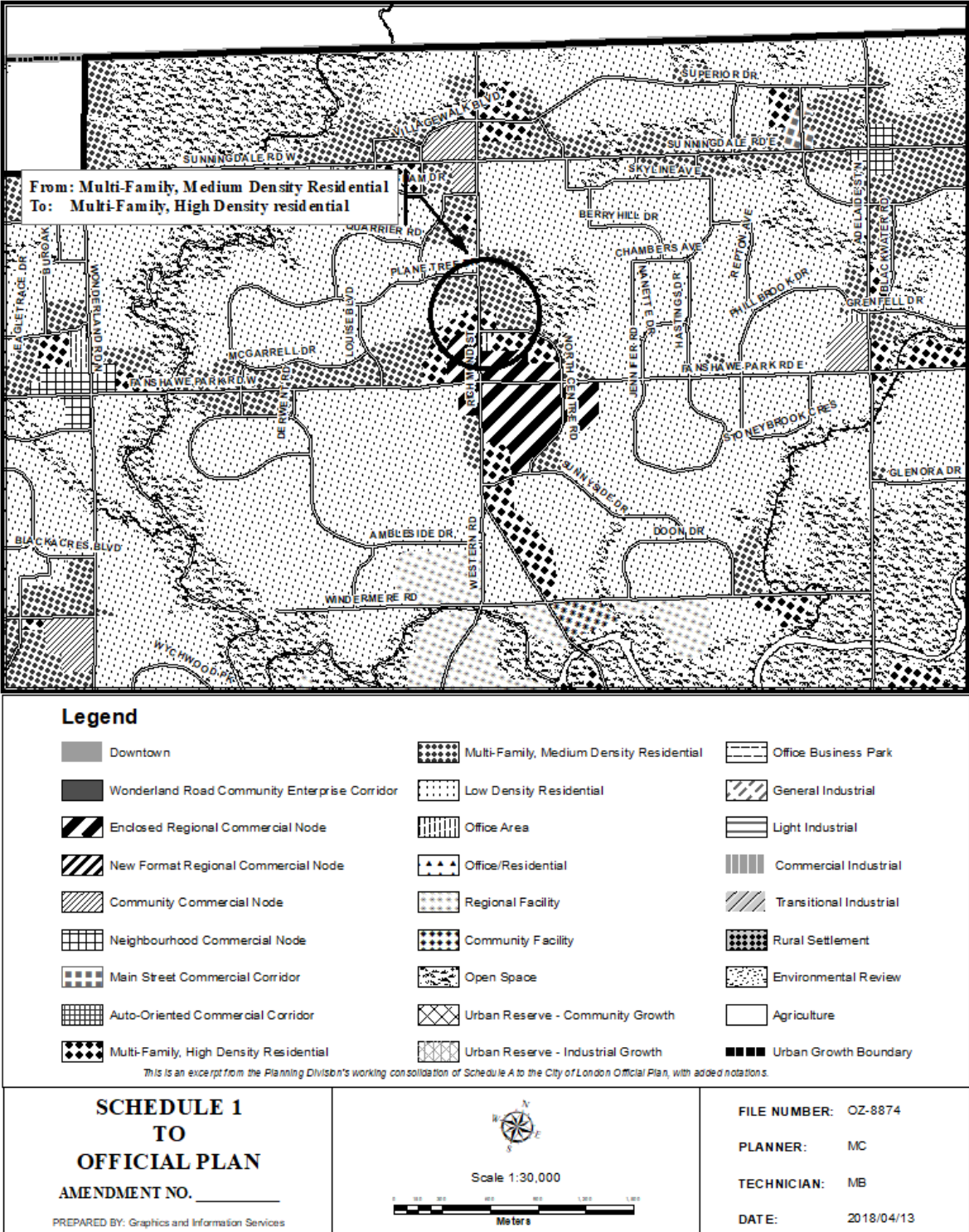
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 230 North Centre Road in the City of London, as indicated on “Schedule 1” attached hereto from Multi-Family, Medium Density Residential to Multi-Family, High Density Residential.

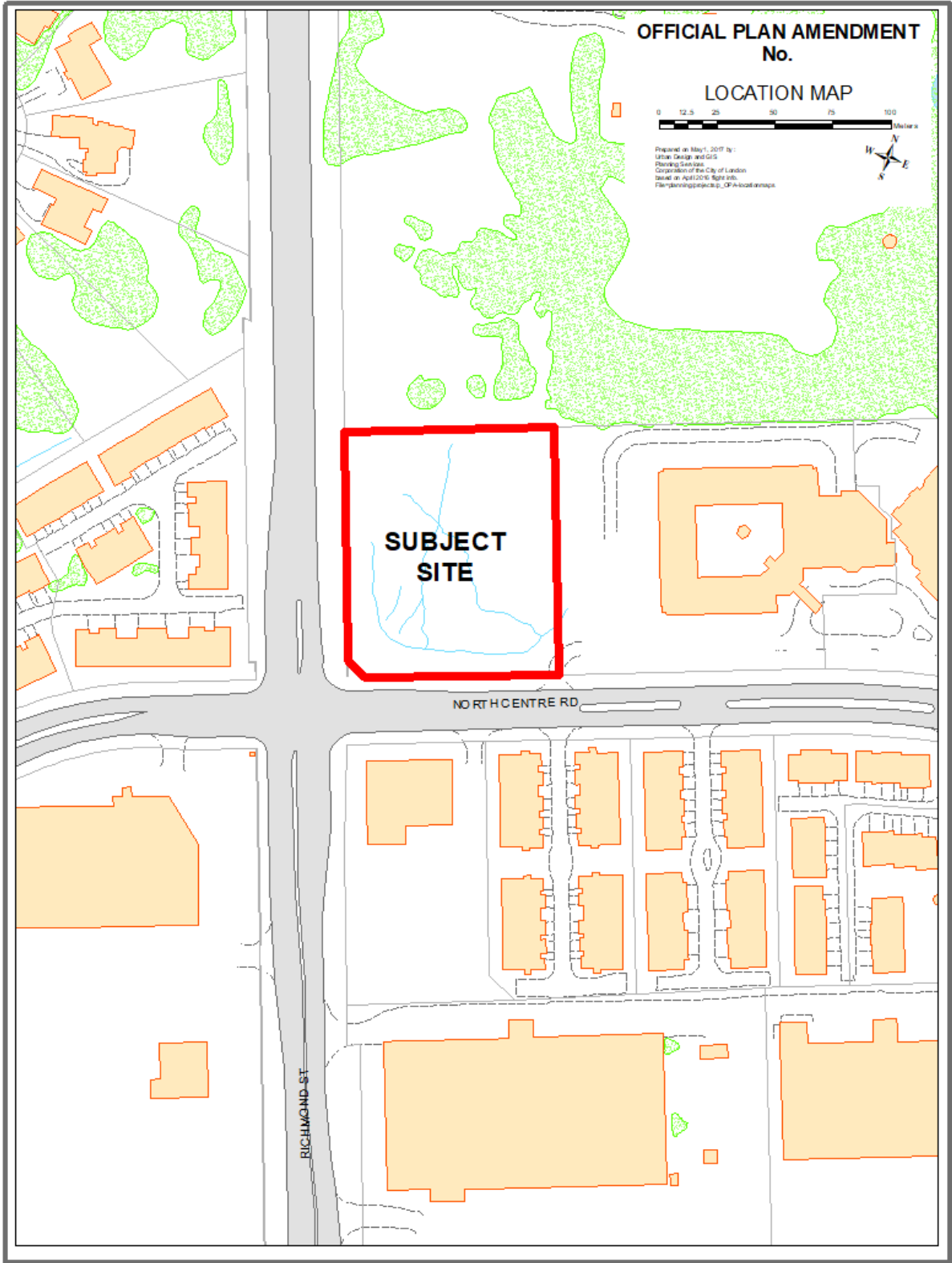


AMENDMENT NO:



PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consolid\amendments\oz-8310\mxd\scheduleA\_b&w\_8x11\_with\_SWAP.mxd







Appendix "B"

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 (230  
North Centre Road).

WHEREAS The Tricar Group has applied to rezone an area of land located  
at 230 North Centre Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number  
(number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to  
lands located at 230 North Centre Road, as shown on the attached map comprising  
part of Key Map No. A.102, from a Holding Residential R5/R7/R8 (h-5\*R5-  
7/R7\*D75\*H12/R8-4\*H12) Zone to a Holding Residential R9 Bonus (h-132\*R9-  
7\*B(\_)) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by  
adding the following new Bonus Zone:

4.3)      B(\_)              230 North Centre Road

The Bonus Zone shall be implemented through the required development  
agreements to facilitate the development of a high quality residential apartment  
building, with a maximum of 18-storeys, 230 dwelling units and density of 199 units  
per hectare, which substantively implements the Site Plan and Elevations attached  
as Schedule "1" to the amending by-law; and

- i)      Transit Station

The financial contribution of funding to the future Transit Station at  
Masonville Mall in the amount of 1% of the construction value up to  
\$250,000, for the provision of facilities, services, programming, public art  
or other matters for positive project enhancements to be provided at the  
time of site plan approval or construction of the station, whichever occurs  
first.

- ii)      1 level of underground parking
- iii)      Publicly accessible civic space located at the southwest corner.

The following special regulations apply within the bonus zone upon the execution  
and registration of the required development agreement(s):

a) Regulations:

- |     |                     |                            |
|-----|---------------------|----------------------------|
| i)  | Density             | 199 uph                    |
| ii) | Height<br>(maximum) | 62 metres<br>(203.40 feet) |



iii)	Exterior Side Yard Depth for floors 1-3 (minimum)	7.5 metres
iv)	Rear Yard Depth for floors 1-3 (minimum)	3.5 metres
v)	Rear Yard Depth for floors 4-15 (minimum)	6.5 metres
vi)	Rear Yard Depth for floors 16-18 (minimum)	12 metres
vii)	Maximum Lot Coverage	60%

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 October 2, 2018.

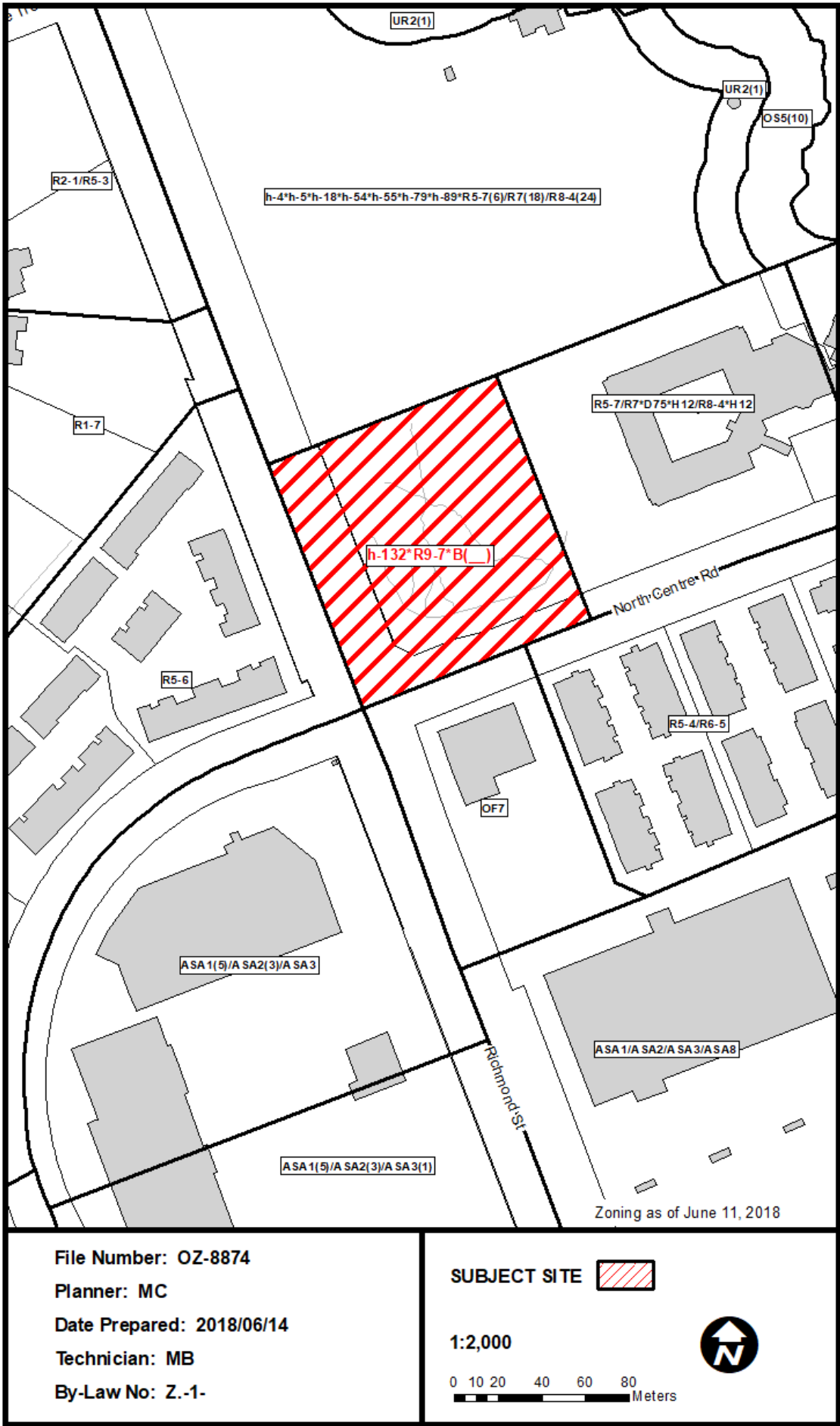
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 2, 2018  
Second Reading – October 2, 2018  
Third Reading – October 2, 2018



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





Schedule “1”







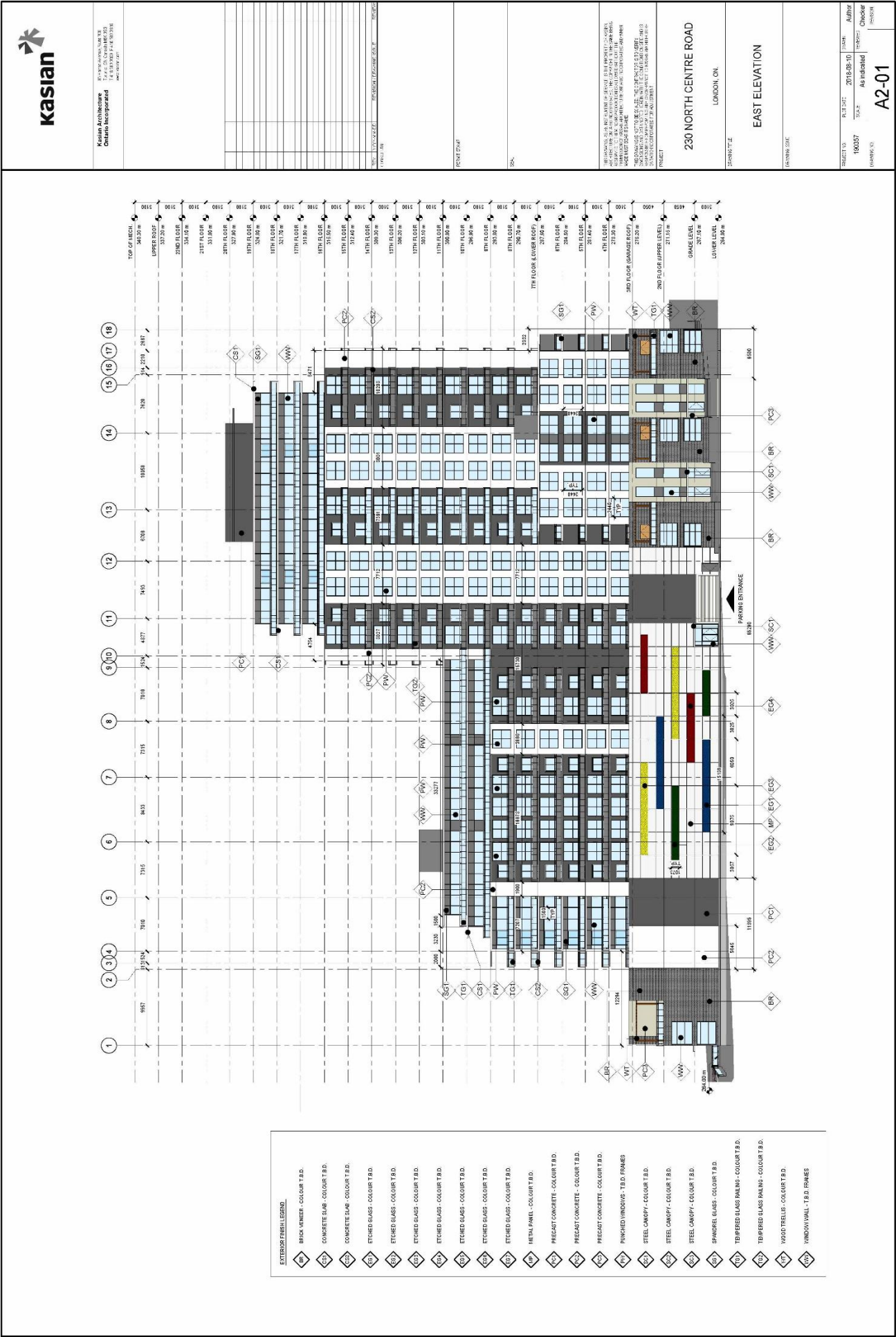














Appendix B – Public Engagement

Community Engagement

**Public liaison:** On February 21, 2018 Notice of Application was sent to 94 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 22, 2018. A “Planning Application” sign was also posted on the site.

54 replies were received (all comments were included in the July 16<sup>th</sup> report to the Planning and Environment Committee)

A Revised Notice of Application was circulated on July 4<sup>th</sup>, 2018 to 111 property owners, emailed to 43 individuals who expressed interest in the application. Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 5, 2018.

10 new responses were received.

24 additional comments were received through a community meeting with the Ward 4 Councillor.

**Responses:** A summary of the various comments received include the following:

Concern for:

- the proposed height of the building
- the impact of the shadows
- loss of privacy
- proposed scale too large, not in keeping with character of the area.
- limited surface parking
- lack of infrastructure to support the increase in density
- potential increases in traffic along North Centre Road
- safety concerns created for the seniors home and traffic accessing North Centre
- construction traffic/noise and dust
- impacts on ground water and natural heritage

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

Telephone	Written
	Peter White Executive Director, Government Relations and Strategic Partnerships Western University 2107 Stevenson Hall London , Ont. N6A 5B8
	Rob Croft 38-145 North Centre Rd London N5X4C7
	Roland Carson 30-145 North Centre Road
	Victoria Digby 16-1890 Richmond Street
	Dorren Holman 32-145 North Centre Road
	Michael Owen and Sharon Rich 275 Elderberry Avenue London Ontario N5X 0A1



Telephone	Written
	Ross Sturdy 9-205 North Centre Rd.
	William Evanson 32-270 North Centre Rd.
	Allyson Watson
	Donglin Bai 74 Orkney Pl London, On N5X 3S1
	<b>Hella Stahl</b>
	Marlene Thompson
	Peter & Louise Newson 4 - 1890 Richmond Street

Comments Received in response to the Revised Notice of Application sent out July 4, 2018

**From:** Peter White  
**Sent:** Friday, June 29, 2018 3:28 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Subject:** Question on 230 North Centre Development

Hi Mike,

Could you contact me when you have a few minutes. It appears that with the re-design of the project, that the new tower lay-out will have a larger impact on our property. As I had mentioned earlier, we were concerned about the impact of having the tower immediately abutting our property and being higher than the tree-line. In the sketches it appears that the relocated tower will have an even larger impact on our property – same impact in the months when foliage exists because even though the height is reduced the new location negates any benefit, but even more so in the fall and winter months. Let me know when we can discuss.  
Peter

Peter White  
Executive Director, Government Relations and Strategic Partnerships  
Western University  
2107 Stevenson Hall  
London , Ont.  
N6A 5B8

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**From:** rob croft  
**Sent:** Tuesday, July 10, 2018 11:36 AM  
**To:** City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; notricartower@gmail.com; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>  
**Cc:** Corby, Mike <mcorby@London.ca>  
**Subject:** File: OZ-8874 230 North Centre Road

In March 2018 I wrote a letter to Mr. Corby at City Planning expressing concern about Tricar’s application for a zoning amendment for 230 North Centre Road. I have had



months to become well informed about the City's different initiatives and more educated about the issues of planning and development. I have come to the same conclusion - that the Official Plan should not be amended from Medium Density to High Density Residential for 230 North Centre Road. Medium density will still allow intensification in keeping with The London Plan. There are many issues regarding this application, but I will pick a few.

### **Environment/Heritage**

The Gibbons Wetland which abuts the proposed development is designated as a Provincially Significant Wetland, and Environmentally Significant Area and part of the Arva Moraine PSW. Unfortunately, this designation was done rather late as some development close to the wetland and in the new buffer zone had already taken place in the 1990's and 2000's, before designation. Today, development would not be allowed in that area. The water table on this property and the surrounding area is known to be high and the soil type unstable. I had a conversation with the engineer from Stantec who is doing the geotechnical tests for Tricar and he recognizes the problems with this property. For the large apartment building proposed, the footings will have to include caissons, which are used in weak soil and can go much deeper than any basement or underground parking. This opens up the concern that water drained from this site during and after construction will likely come from connected underground streams and the wetland. The scale of this development will cover almost the whole 1.1 hectare with an impermeable surface, affecting the natural balance of runoff and infiltration. According to the City Planning Department, *"Through our internal circulation process it was determined there is no requirement for a Hydrogeological Study through the rezoning process."* This is a concern. Even though the property is a few meters outside of the ESA (but within the buffer zone) we do not fully know how all the underground streams are interconnected to the ESA. Also, this site is at the tip of a significant groundwater recharge area as well as a highly vulnerable aquifer, which once again indicates that a lower density development would reduce the pressure on this ESA. Direction #4 of the London Plan states: "Protect and enhance the health of our Natural Heritage System." The property to the north contains Gibbon's Lodge, a Priority 1 property in the City of London's Heritage Resources. Rezoning to permit a 22 storey building will detract from one of the City's most pristine examples of Tudor Revival. A modern skyscraper will be out of place, and destroy the view of downtown for the Lodge as well as residents to the north, east and west of "upper" Richmond Street.

### **Response to Tricar's Urban Design Brief**

In 1.4 SPATIAL ANALYSIS (pg. 1.6) the brief states the development will "contribute to the visual transition between low density land uses to the north and the proposed development". The transition from low rise residential to 22 storeys is shocking and the scale of the building is not in keeping with the existing developed area. The Official Plan Chapter 3 section 3.1.4 MULTI-FAMILY, HIGH DENSITY RESIDENTIAL OBJECTIVES states: "Promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to, the site." Clearly, this would not be the case. Tricar's building is more suited to the downtown area, not Masonville. Certainly, a 22 storey building does not create a "gateway" to the city; rather it is a visual block as mentioned above. Also, the 13 storey building at the NW corner of North Centre Rd is not "opposite" and will not create balance as it is almost half the height and not directly in the sightlines.

In 2.1 DESIGN RESPONSE TO CITY DOCUMENTS (pg 2.10, OPEN VIEWS), the brief states "Development of the site will not result in the obstruction of open views of natural features or landmarks". This is not an accurate statement. When walking or driving south on Richmond from Sunningdale Road the glorious view of London including downtown will be marred by this behemoth forever.

On page 2.11 ACCESS TO SUNLIGHT- The shadow study in the brief concludes that "no single part of a property is impacted for any significant length of time". Nearby



properties show hours of shadow, including the senior's complex. The shadow even reaches as far as the homes on Chantry Place! Light affects mood and lack of daily sun affects each individual differently. The privacy of many homes in this neighborhood will be compromised as well.

### **Richmond Street-Old Masonville**

Based on the SPECIFIC POLICIES FOR THE TRANSIT VILLAGE PLACE TYPE on page 203 in the London Plan (dated Dec 28 2016) special attention is paid to Richmond Street-Old Masonville as the centre of the transit hub. Even for those soon to be developed properties (1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street) the city has placed restrictions. On page 204 (4): "Mitigation of impacts on the surrounding established low density residential neighborhood by lowering the maximum height of townhouse dwellings and restricting the above grade height of basements through the use of zoning regulations." And (10) "Limiting the number of townhouse dwellings to four per block to break up the visual massing." None of this transitional sensitivity is taken into account by Tricar with respect to the single and 2 storey homes right across the street, and the seniors residence next door. 230 North Centre Road is ONE KILOMETER from this main transit hub.

Also, It should be noted that all the condominium residences on North Centre Road east and west of Richmond are shown as high density on Schedule A of the Official Plan Land Use Designation map and in Tricar's brief, (fig. 6 page 1.5). This is incorrect- they are zoned medium density in the City's Zoning Map.

230 North Centre Road is located right next to a Provincial Wetland, ESA and a heritage site, and is surrounded by an existing neighborhood of varying medium densities, established 20 years ago. If the property remains medium density, Tricar has the opportunity to do something really special and have as much as 100 units per hectare that integrate seamlessly with the natural and built surroundings.

A very informative website has been constructed by some local residents with their concerns and interesting observations:

[www.notricartower.com](http://www.notricartower.com)

I encourage all to have a look at this site, and please say no to rezoning.

Rob and Barb Croft  
38-145 North Centre Road

**From:** rob croft  
**Sent:** Friday, August 3, 2018 1:23 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Subject:** OZ-8874

Rob Croft  
38-145 North Centre Rd  
London N5X4C7

Mike Corby  
The City of London, Planning Services  
PO Box 5035  
London N6A4L9

Dear Mike,

Thanks for the opportunity to voice my concerns on the revised proposal by The Tricar Group to permit an 18 storey apartment on this 1 hectare site. I remain firm in my belief that it is not necessary to rezone this relatively small parcel of land but rather retain the medium density. Intensification can take place, with 75- 100 units per hectare



possible. This would allow a building height compatible with the surrounding area, and still be consistent with the City's vision of intensification. From the applicant's current amendment I have noted the following concerns:

- 1) The difference in footprint between the original 22 storey and the revised 18 storey building is almost negligible. With the tower moved to the north further up the slope on Richmond, the 12m difference in height is negated, making the building almost as tall. The residential units are now 215 instead of 218. The building still consumes practically the entire 1 hectare with no green space, limited visitor parking and poor utility vehicle access, creating safety issues. For comparison, the 13 storey apartment at 300 North Centre Road has 11 visitor parking spots, 2 handicap spots, and 16 additional numbered spots, yet cars still park on the street. It must be noted that the 18 storey proposal shown in The Report to Planning and Environment Committee, July 16 2018 omits to show the new shadow study, where the building still casts a giant shadow over adjacent residences. So the revised 18 storey is not much of an improvement. Any building of this size does not fit.
- 2) While The Tricar Group is reaching out to the community with a revised proposal it appears a bit of an illusion. As Mr. Carapella said in an article in the London Free Press dated April 3, 2018: "Even if it's 18 storeys, that won't make a difference," said Carapella. "A tower is a tower." He is quite correct in that statement. Tricar is presumptuous in using the Transit Village Place Type in the London Plan with bonusing as a way to ask for 18 (or 22) storeys. How can this be voted on now when the London Plan has not yet been fully ratified and BRT is still a vision?
- 3) Many of Tricar's design principles go against what City Planning has laid out in the Official Plan and The London Plan with regards to transition of scale, adjacent residential areas adversely affected by traffic, access to sunlight and privacy. Natural Heritage Objectives could also be affected due to the high water table and proximity to wetlands. I ask council to adhere to these planning principles when considering an 18 storey building.
- 4) I would like to quote Stephen Burke, author of Placemaking and the Human Scale City: (<https://www.pps.org/article/placemaking-and-the-human-scale-city>) "So if the human scale of any given environment is defined by its community, then *the outcome of placemaking is a human scale city*. We usually define placemaking as a community-led process, but another way to say this is that it is *human-led*. That is, change is driven by a group of individual human beings with names and connections to their physical surroundings built environment, not solely by trends in the real estate market, zoning laws, or large city agencies. And, as we always need to keep in mind, placemaking is a process, not an outcome."

And Scott Stringer in a press release opposing New York City Mayor DeBlasio:

*"When it comes to urban planning, we need to do a better job of listening to existing communities, engaging residents, and considering the long term impact of rezoning on the people who have lived in our neighborhoods most, if not all, of their lives. Once a developer's shovel hits the ground, the die has been cast for generations. We have to do this right."* – [NYC Comptroller Scott Stringer](#)

I echo the voices of the large majority of residents in the area. We ask Planning, PEC and all councillors to keep the existing Medium Density designation for 230 North Centre Rd.

Sincerely,

Rob Croft

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**From:** Rcarson  
**Sent:** Tuesday, July 10, 2018 1:25 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Subject:** RE: 230 North Centre Road - Revised Notice of Application

Thanks for sending this. Much appreciated.

In my opinion this project will destroy the serenity of our neighbourhood. Why is the city determined to countenance this? Considering the people living in the neighbourhood, why would they allow such an eyesore of a building to dot the skyline? The area is cannot assume such an increase in human and automobile traffic. I have lived here for since the neighbourhood was built and have watched the animals, the watershed, the beautiful habitat for eagles, hawks, groundhogs, deer and other wildlife get destroyed. This latest attempt to increase the population will bring health and safety issues, privacy issues, further destruction of habitat, traffic(accidents and congestion) and destruction of the tranquility of the neighbourhood. The seniors who moved here for that peace of mind and convenience will be subject to traffic harassment, intrusion of their privacy and possible accidents.

I hope the city planners have considered the toll such an addition will have on the people of this neighbourhood.

Tricar should not be allowed to build anything past 5 storeys in that corner. There's ample space further north and closer to the other behemoths they've already put in place. Already we have traffic and dangerous driving from the sunningdale crowd who use the north centre road as shortcut to the mall and other places.

I say no Tricar building on North Centre Road.

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**From:** Cassidy, Maureen  
**Sent:** Friday, July 20, 2018 1:29 PM  
**To:** Tomazincic, Michael <mtomazin@London.ca>; Corby, Mike <mcorby@London.ca>; acarapella@tricar.com  
**Cc:** Fleming, John M. <JmFlemin@london.ca>  
**Subject:** FW: 230 North Centre Road (OZ-8874)

Hi All,

A resident of North Centre Road sent me this email. I thought I would share it with you for your consideration as you move this file along through the process.

I have done quite a bit of reading about urban planning re density, good fit for neighborhoods, etc. and there seems to be a growing trend in N America and worldwide to build middle/mid-rise apartments in existing neighborhoods. Seems to be the in thing. Planetizen's article "Mid-Rise: Density at a Human Scale" was an interesting read.

I notice Tricar's Park West in Byron seems to fit this description. A great fit for the area, very tastefully done, retains 57% open space and is actually lower in height than the apartment next door. This apartment was built on 0.9 ha as opposed to 1.1 ha at 230 North Centre. Park West has about **135 uph**. This is close to what they are asking for at 230NC. Why not something similar for here? This reduced footprint will provide more green space for residents, address the seniors' complex concerns, U Western concerns and generally fit in well with the neighborhood/PSW. Tricar would be able to build a very tasteful and upscale building- not one that looks like it belongs downtown.

I hope that going forward, we will continue to have input and work with Tricar on a resolution.  
Have a good weekend.



Sincerely,

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**From:** VICTORIA DIGBY

**Sent:** Thursday, July 5, 2018 9:24 PM

**To:** Corby, Mike <mcorby@London.ca>; Cassidy, Maureen <mcassidy@london.ca>

**Subject:** Preliminary impressions of Tricar's New 3rd Design

Hello Mike and Maureen,

As you know, Tricar held an open house this past Tuesday evening. After personally reviewing the designs online and speaking to several people in the community about the new (3rd) Tricar design slated for 230 North Centre Drive, here are eleven preliminary observations that I wanted to share:

- Site is still overdeveloped even though the number of units is down from 230 to 215. (For all I know this could increase with bonusing)
- The main tower is 18 storeys tall with an 8 storey mini podium - again still too high for our medium density preference. If rezoned to high density, I fear bonusing will allow Tricar to push the storeys back up to the original application design (22+ storey height).
- Shadow studies are only minimally better.
- The one common/shared driveway w/Richmond Woods Seniors complex is still oversubscribed as it will serve as the primary auto & service entrance for Tricar development as well as the service entrance & underground parking entrance for the entire Richmond Woods complex. This problem continues to be an issue on all designs to date.
- The health/safety of all Richmond Woods residents who venture in and around the North Centre front of their property will be threatened as Tricar residents and their visitors who are in a hurry will be tempted to use either the Richmond Woods Villas entrance/exit or the Richmond Woods Village entrance/exit as a shortcut. This is very Dangerous.
- A lack of green space around the development continues to be an issue.
- The Tricar poster illustrations are misleading because of the property grade & the steepness of the Richmond Street hill driving south. Note that the main tower is built into the hill; so the 18 storey tower is actually 19 storeys high juxtaposed the mini tower. I question the sincerity of the developer when they misrepresent.
- There are still only five outdoor visitor parking spots for service vehicles - too few given the size of the complex being proposed. Because of it's close proximity to the Richmond Woods complex shared entrance, that low number of outdoor parking spots will be a temptation for Tricar visitors & their service vehicles to 'temporarily' park within the service entrance to Richmond Woods and possibly use the seniors paid/assigned parking spots; further, it has a strong potential to block the entrance/exit from Richmond Woods underground parking access point.
- That Tricar/Richmond Woods shared entrance is going to be unsafe and too busy because it is aligned with 215 North Centre Road - which has 20 units . . . so now that 76 vehicle morning departure (Tricar's numbers from their own study) & evening arrivals just about doubled if we include the service vehicles and the Richmond Woods seniors who park underground. . . . (all using the same small entrance). Not safe.
- This development is not like the proposed Soho development or even the Poole property along Fanshawe Park east. In this case, the onus is on Tricar to do its due diligence so as to foresee problems, bottlenecks and potential hazards that could occur because of the close proximity & shared entrance/exit with a seniors complex (Richmond Woods).
- Where is the ODA barrier free compliance around that secondary entrance? If there was an emergency call or fire in the back eastern side of the Tricar



development, how could an EMS or firetruck get in there quickly and without barriers? Or will they be parking in Richmond Woods reserved parking as well?!?!

- The primary entrance of the new design continues to be at the south west corner of Richmond and North Centre - but the parking is at the far north/eastern side of property. I question the practicality of such a sign and wonder if visitors & service trucks will just park along North Centre drive 'temporarily' - causing congestion issues at the stop light.
- The main tower is being shoved into the hill .... but it is tall enough to cause people entering the city (driving south on Richmond Street) to experience shock & awe as they move from the calming low residential zoning of Northcrest and Foxborough to the immediate north side of said property & then suddenly into a huge monolith structure of high density ... but then back down into medium density before moving into Loblaws commercial zoning area. If this tower is allowed, it's establishing inconsistent zoning privileges & displaying poor planning on the part of the city. Surely we can do better.

In conclusion, until this design is registered with the city as an official application, i must reserve further comments. The flaws that were present in the 22 storey design were passed on to the second design (15+12 storeys) and appear once again in this third design. Overdevelopment and poor design for this property can only be corrected by recognizing it for what it is: a community under siege by a developer who made a bad business decision. Tricar's inflated investment is not justification for rezoning or ignoring the interests of the local community.

I strongly urge the city to Reject the high density application!! Reject all Tricar designs to date. Instead request Tricar to go back and design a development which is consistent with medium density residential - it's current zoning.

Thank you for letting me have a voice on this new third design. I'm cc'ing some of the local residents who may share similar concerns.

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From: doreen holman  
Sent: Friday, July 27, 2018 11:47 AM  
To: Corby, Mike <mcorby@London.ca>  
Subject: Tricar tower

Hi Mike.

My concerns as a home owner living on NCRd are, 1-increase in traffic on NCRd 2-with that increase the safety factor 3-proposed size of tower 4-all buildings need to have a relationship to street and community, 18-22 stories would not do that I would welcome a structure that would meet present zoning regulations

Thank you,

Doreen Holman  
32-145 North Centre Rd  
London

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From: **Michael D Owen**  
Date: Mon, Jul 16, 2018 at 9:55 AM  
Subject: Tricar Tower  
To: "mayor@london.ca" <mayor@london.ca>, "mcassidy@london.ca" <mcassidy@london.ca>, "psquire@london.ca" <psquire@london.ca>, "joshmorgan@london.ca" <joshmorgan@london.ca>, "msalih@london.ca" <msalih@london.ca>, "notricartower@gmail.com" <notricartower@gmail.com>, "mvanholst@london.ca" <mvanholst@london.ca>, "barmstro@london.ca"



<barmstro@london.ca>, "jhelmer@london.ca" <jhelmer@london.ca>,  
"phubert@london.ca" <phubert@london.ca>, "ahopkins@london.ca"  
<ahopkins@london.ca>, "vridley@london.ca" <vridley@london.ca>,  
"sturner@london.ca" <sturner@london.ca>, "husher@london.ca" <husher@london.ca>,  
"tpark@london.ca" <tpark@london.ca>, "jzaifman@london.ca" <jzaifman@london.ca>

My wife and I are north London residents and strongly support the construction of the TriCar Tower.

Tricar has an excellent reputation as a developer (colleagues and friends live in their Sunningdale Road condos) and TriCar have shown willingness to cooperate with the city to find a site-appropriate design.

The North Centre Road site is appropriate to high-end condo living and development there must be viewed as protecting nearby farmland from further development.

Please do not allow the NIMBYs to control the city's development plan.

Michael Owen and Sharon Rich  
275 Elderberry Avenue  
London  
Ontario N5X 0A1

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From: **Ross Sturdy**  
Date: Thu, Jul 12, 2018 at 12:40 PM  
Subject: OZ-8874 Zone Change from Medium to High Density at 230 North Centre Rd, London, ON  
To:

Cc: Ross Sturdy, Tony Furlong

Good Morning,

When I first heard about the Tricar application for a zoning change from Medium to High Density at 230 North Centre Rd. London, ON. I was told by different people that it was a waste of time to fight this because the city never turns anything down from Tricar. I don't believe this. I feel that the city councillors have been elected to carefully consider each and every application and do what is best for the community and city, not a friend.

I also want to make it clear that I'm not against Tricar as I do feel they are a very good builder, but wonder why they didn't build 18 storey high-rise's on Sunningdale where they wouldn't disturb any senior retirement residents.

I hope it's not because they wouldn't want to disturb the more affluent area compared to this site.

Points To Consider:

1. It is certainly not fair to the senior residents of the retirement home to have an 18 storey, 215 unit, high density, high-rise built right beside them. 300+ parking spaces could mean over 600 cars coming in and out during a day which would create a lot of noise and confusion. The entrance to the parking garage is on the same side as the seniors retirement home which will create a lot of traffic noise. Also the noise from the horns beeping every time someone locks or unlocks their car would be disturbing.

2. The shadow study reveals that no one would lose their sunshine for more than four hours a day which is very high for anyone. The senior's retirement home would lose



the sunshine in their courtyard up to four hours a day. The study also shows that during the winter months of January, February, March the hill on Richmond St. would be in a shadow from sunrise until approximately 11:00am. This could be a real traffic hazard without the sun being able to melt the ice from the very high traffic hill.

3. North Centre Road has become very busy as it is used as a short cut to avoid the lights at Richmond and Fanshawe. Tricar has a 12 storey building on the West side of Richmond on North Centre Rd. where the traffic is not as busy. If you ever drive past this building you will always see a lot of cars parked on the street. The same thing will happen on the new high-rise which will make it very dangerous for the seniors trying to get across the road, many with walkers & canes.

When making your decision, please keep in mind, what is more important, the quality of life for our London seniors in the home or the 18 storey, high density Tricar high-rise. After you have read this e-mail please hit "return e-mail to sender," then "send" to confirm receipt.

Thanks  
Ross Sturdy  
9-205 North Centre Rd.  
London, ON.

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From: **Will Evanson**  
Date: Mon, Jul 16, 2018 at 4:49 PM  
Subject: Issues with Rezoning of 230 North Centre Road (File: OZ-8874)  
To: mayor@london.ca, mcassidy@london.ca, psquire@london.ca,  
joshmorgan@london.ca, msalih@london.ca,  
notricartower@gmail.com, mvanholst@london.ca, barmstro@london.ca,  
jhelmer@london.ca, phubert@london.ca,  
ahopkins@london.ca, vridley@london.ca, sturner@london.ca, jzaifman@london.ca

Hello honorable Mayor and esteemed Counselors,  
I am a resident of 270 North Centre Rd, and I'd like to submit to you my concern for Tricar's application to change my neighborhood to high density. Please do not approve this change. This change will effectively diminish the quality of life of the long-time residents in the area. The proposed, hideous tower is quite simply "over kill" fueled by the developer's greed.

Thank you,  
William Evanson  
32-270 North Centre Rd.



**Comments based on the original application that were not included in original submission of the Public Record.**

**From:** Victoria Digby  
**Sent:** Sunday, July 15, 2018 7:14 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Cc:** Turner, Stephen <sturner@london.ca>; Park, Tanya <tpark@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Helmer, Jesse <jhelmer@london.ca>  
**Subject:** Urgent: 230 North Centre Meeting July 16th.

Greetings from Seoul S Korea Mike,

I'm out of the country on business for the next few weeks and won't be able to attend Monday's meeting. However, It has been brought to my attention that Tricar has included lots of details in their report (for Monday's meeting) around the newest 18 storey application. I take great exception to this and wanted to voice my opinion via email. So I'm am hoping that in my absence you can read this at the meeting scheduled for July 16th Monday afternoon.

Here is my main concern: The lack of integrity Tricar has exhibited over the last five-six months.

Since filing the first application, I feel like Tricar has been intentionally misleading, confusing, misrepresenting, undermining, and misinforming all partners in this situation. Here are several examples to illustrate my point:

- 1) Tricar's over- the- top designs don't fit current zoning. Further, large profitable firms don't invest so much of their resources into an investment unless they know they can maximize it. So if Tricar knew something about this property, the application process or whatever early on that no one else knew about, then the playing field wasn't level from the start. Why do I feel like we are all bit players in a Tricar film?
- 2) Tricar's presumptuous behaviour to market (early on) a design that was yet to be approved is assuming a fait accompli with the City and residents. (ie posting two 5' x 10' four colour wooden signs on property around the date application was filed, holding an open house around the same time to solicit perspective tenants, launching a website to once again solicit sales). So not only have all designs to date been presumptuous but even Tricar's marketing strategy (in terms of what was for sale to the public) was falsely assumed and premature.
- 3) The foreshadowing statement made by a Tricar executive in a LFP article months ago showed a preference for 18 storeys all along because 'there's very little difference between 22 and 18 storeys' was the actual quote. Where did that come from? No one was talking about 18 stories back in Feb/March. .. but clearly Tricar was. Have the last five months been a game and was the LFP intentionally being misled?
- 4) Tricar used the Ward 5 councillor as a messenger back in late May/early June to meet with only six local residents to present a second preliminary design (12 storeys). No development details. No one from planning invited. No one from Tricar attended. The meeting left residents baffled and confused as to Tricar's true design intentions.
- 5) Just two weeks before the July 16th meeting, a second application is filed with a totally new 18+9+6 design. And now we find within supporting documents filed by Tricar that they've conveniently included many references to this second application (and third design). And yet, I received a letter from the city planning dept stating that the July 16th meeting was going to be a 'high level' one discussing the first application only. If Tricar includes discussion points on July 16th on both the first AND second applications ... then why should anyone else be held to a false guideline to only speak about the first application? We're being asked for input and our impressions ... but on what .... application 1, application 2 or a combination of them both? Tricar's rushed last-minute filing of application



two and their inclusion of said designs into the report for July 16th is meant to muddy the waters and confuse the situation.

- 6) The creation of a false public impression .... The LFP is contacted by Tricar a few weeks before the July 16th meeting to share the new design - even before it's been filed let alone approved! The public sees this as a compromise on Tricar's behalf -and a win for the residents .... making the City look like they were successful in brokering a settlement between two disputing parties. When in fact, there was no settlement, no discussion with residents about said design and certainly (at that time) no official status of the design. This is gamesmanship at our (resident) expense.
- 7) Resident signage in area was stolen by a Tricar employee. When caught and confronted back in May, Tricar sells the situation to the LFP as a 'misunderstanding'. When in fact this was Tricar throwing an employee under the bus. How often does an employee work solo on Sunday mornings (10am) wearing a company uniform and driving a company truck who responds (when asked by a local resident) "I'm just doing as I'm told" while removing lawn signs from public property not owned by Tricar? Tricar intentionally misrepresented the situation to the LFP when the evidence suggests something far more sinister.
- 8) The omission of relevant information in the second application design (partial inclusion of shadow studies "before and after"). Again, misrepresenting the impact of their development plan.

From my perspective, Tricar continues to engage in classic misrepresentation. And once again speaks to the lack of integrity the developer (Tricar) has shown since the outset. And if allowed, just makes the city complicit in perpetuating such persuasive tactics.

I'm going to make the assumption that Tricar is a good company lead by good people but in an attempt to maximize their return on this investment, they became trapped in their own escalation to commitment; finding themselves making poor decisions resulting in desperate judgements.

Mike, we need the City to hold this developer accountable and in check.

Please reject the application for rezoning 230 North Centre Drive. Send the developer back to the drawing board to come up with a plan that complies with current zoning and addresses the concerns of local residents.

Thank you.

Victoria Digby  
16-1890 Richmond street. London Ontario

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From: **doreen holman**

Date: Thu, May 24, 2018 at 7:09 AM

Subject: Issue with Rezoning of 230 North Centre Road (File: OZ-8874)

To: "mayor@london.ca" <mayor@london.ca>, "mcassidy@london.ca" <mcassidy@london.ca>, "psquire@london.ca" <psquire@london.ca>, "joshmorgan@london.ca" <joshmorgan@london.ca>, "msalih@london.ca" <msalih@london.ca>, "notricartower@gmail.com" <notricartower@gmail.com>, "mvanholst@london.ca" <mvanholst@london.ca>, "barmstro@london.ca" <barmstro@london.ca>, "jhelmer@london.ca" <jhelmer@london.ca>, "phubert@london.ca" <phubert@london.ca>, "ahopkins@london.ca" <ahopkins@london.ca>, "vridley@london.ca" <vridley@london.ca>, "sturner@london.ca" <sturner@london.ca>, "husher@london.ca" <husher@london.ca>, "tpark@london.ca" <tpark@london.ca>, "jzaifman@london.ca" <jzaifman@london.ca>

I am opposed to the construction of a high density tower at 230 North Centre road



My concerns have been expressed previously and like concerns are being expressed by all residents of the affected areas.

Thank you  
Doreen Holman  
145 NCRd

---

From: **Allyson Watson**

Date: Tue, Jun 26, 2018 at 7:48 AM

Subject: 230 North Centre Road

To: mayor@london.ca, "Cassidy, Maureen" <mcassidy@london.ca>, psquire@london.ca, joshmorgan@london.ca, msalih@london.ca, notricartower@gmail.com, mvanholst@london.ca, barmstro@london.ca, jhelmer@london.ca, phubert@london.ca, ahopkins@london.ca, vridley@london.ca, sturner@london.ca, husher@london.ca, tpark@london.ca, jzaifman@london.ca  
To City Council:

I feel strongly that the area has not been zoned for a high density housing building for a reason. We should respect that zoning policy and recognize that area is already very congested. There are 3 high density buildings at the corner of Richmond and Sunningdale already so there is plenty of housing in the area. Please respect the current zoning laws.

Allyson Watson

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From: **Donglin Bai**

Date: Sat, Jun 16, 2018 at 7:43 AM

Subject: Issues with Rezoning of 230 North Centre Road (File: OZ-8874)

To: mayor@london.ca, mcassidy@london.ca, psquire@london.ca, joshmorgan@london.ca, msalih@london.ca, No Tower <notricartower@gmail.com>, mvanholst@london.ca, barmstro@london.ca, jhelmer@london.ca, phubert@london.ca, ahopkins@london.ca, vridley@london.ca, husher@london.ca, tpark@london.ca, jzaifman@london.ca

Please stop violating the London By-laws and building such a large massive building!

Don

---

From: **Hella Stahl**

Date: Sun, Jun 3, 2018 at 7:14 PM

Subject: 22 story monstrosity on North Centre Road

To: "mayor@london.ca" <mayor@london.ca>, "mcassidy@london.ca" <mcassidy@london.ca>, "psquire@london.ca" <psquire@london.ca>, "joshmorgan@london.ca" <joshmorgan@london.ca>, "msalih@london.ca" <msalih@london.ca>, "notricartower@gmail.com" <notricartower@gmail.com>, "mvanholst@london.ca" <mvanholst@london.ca>, "barmstro@london.ca" <barmstro@london.ca>, "jhelmer@london.ca" <jhelmer@london.ca>, "phubert@london.ca" <phubert@london.ca>, "ahopkins@london.ca" <ahopkins@london.ca>, "vridley@london.ca" <vridley@london.ca>, "sturner@london.ca" <sturner@london.ca>, "husher@london.ca" <husher@london.ca>, "tpark@london.ca" <tpark@london.ca>, "jzaifman@london.ca" <jzaifman@london.ca>

Hello,



Is the city really considering allowing Tricar to deface our beautiful neighbourhood with a 22-story tower? Apart from standing out like a sore thumb amongst single and 2-story buildings, North Centre Road cannot handle the additional traffic brought on by a high density apartment building. What city planner would approve such a "mistake"? Are you going to hold an information meeting (Masonville library) to get input from residents who would be impacted by the high-rise tower?

If you really don't care about the damage you do to the character of our city, think about the legacy you create for yourself and your administration.

H. Stahl

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From: **Marlene Thompson**

Date: Sun, Jun 10, 2018 at 6:05 PM

Subject: Issues with Rezoning of 230 North Centre Road (File: OZ-8874)

To: mayor@london.ca, mcassidy@london.ca, psquire@london.ca, joshmorgan@london.ca, msalih@london.ca, notricartower@gmail.com, mvanholst@london.ca, barmstro@london.ca, jhelmer@london.ca, phubert@london.ca, ahopkins@london.ca, vridley@london.ca, sturner@london.ca, husher@london.ca, tpark@london.ca, jzaifman@london.ca

NO to the Tricar tower!

Richmond is already too busy. There are children trying to cross Richmond to go to school. It needs to be more pedestrian friendly. Put in a light at Richmond and Plane tree road. There is too much traffic and too many cars. We want to create community living not a huge metropolis. Bike lanes and sidewalks up and down Richmond right to Arva would be beneficial. If they need more housing keep it low. There is no need for a huge tower. Low level one story condos would be a better use of space. A tall, high rise would decrease privacy, ruin the view of the city and create too much congestion.

Thank you for your time.  
Marlene Thompson

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From: **Mary Birch**

Date: Sat, May 26, 2018 at 12:19 PM

Subject: Issue with Rezoning of 230 North Centre Road (File: OZ-8874)

To: mcassidy@london.ca, sturner@london.ca, ahopkins@london.ca, jhelmer@london.ca, tpark@london.ca

Please say no to Tricar.

Building is way too big for such a small space and way too tall for that location. Traffic is already an issue in this area. Thank you.

Mary Birch

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From: **Newson, Peter**

Date: Tue, Jun 19, 2018 at 8:32 AM

Subject: Issues with Rezoning of 230 North Centre Road (File: OZ-8874)

To: "mayor@london.ca" <mayor@london.ca>, "mcassidy@london.ca" <mcassidy@london.ca>, "psquire@london.ca" <psquire@london.ca>, "joshmorgan@london.ca" <joshmorgan@london.ca>, "msalih@london.ca"



<msalih@london.ca>, "notricartower@gmail.com" <notricartower@gmail.com>,  
"mvanholst@london.ca" <mvanholst@london.ca>, "barmstro@london.ca"  
<barmstro@london.ca>, "jhelmer@london.ca" <jhelmer@london.ca>,  
"phubert@london.ca" <phubert@london.ca>, "ahopkins@london.ca"  
<ahopkins@london.ca>, "vridley@london.ca" <vridley@london.ca>,  
"sturner@london.ca" <sturner@london.ca>, "husher@london.ca" <husher@london.ca>,  
"tpark@london.ca" <tpark@london.ca>, "jzaifman@london.ca" <jzaifman@london.ca>

Thank you for reading this note.

This tower is a bad idea -- independently of public transport plans for the Maisonville area.

The lot is small.

Visitor parking will be a problem. Is it really possible to have a few visitor slots for 21 storeys?

With shared access to the retirement home next door, visitors to the tower will use the Retirement visitors parking.

Not neighbourly, particularly for those that can't complain.

Using North Centre Road is not an option.

The shadow will affect the neighbors. Too close.

With the units selling at a premium, are the customers really going to use public transportation?

Or will they require parking for 200+ units?

If it is underground parking, there may be drainage issues involved which would require above-ground parking instead.

If the tower is part of the urban transportation plan --

How mature is the plan for transportation down Richmond Street to Dundas Street? Or even to Oxford Street.

Are they going to widen Richmond street?

Are they going through Western University down Western Road instead?

How would they return to Dundas and Richmond?

Enough for now. There is more but we are jealous of your time.

Thanks for reading.  
Peter & Louise Newson  
4 - 1890 Richmond Street



Ward Councillor Community Meeting Feedback Forms

COMMUNITY MEETING FEEDBACK

- Comments -

Additional Comments:

(Please use the back of the page should you require more space)

I was unable to attend the community meeting due to a previous engagement. [redacted] who was at the meeting asked me to comment.

My comments are derived from conversations at daily table discussions. We, at [redacted], are most concerned about the proposed luxury apartment building for the following reasons ---

- 22 stories is not within the promised low density area building
- much concern about increased traffic should the proposed 22 story building go ahead.
- a 22 story building will put a damper on how much sun our building will receive.
- will we be losing parking spaces?
- are we going to be subjected to development ground woes - as seen on page 1 London Free Press - Thursday May 3rd?
- when driving to Cherry Hill Mall, I noted the "high" rises measured about 10-12 stories. How "dwarfed" will we be if 22 stories are our neighbours.
- is 22 stories a publicity ruse so developers can reduce the height to 12 stories to make us satisfied??

☒ I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



## COMMUNITY MEETING FEEDBACK

- Comments -

### Additional Comments:

(Please use the back of the page should you require more space)

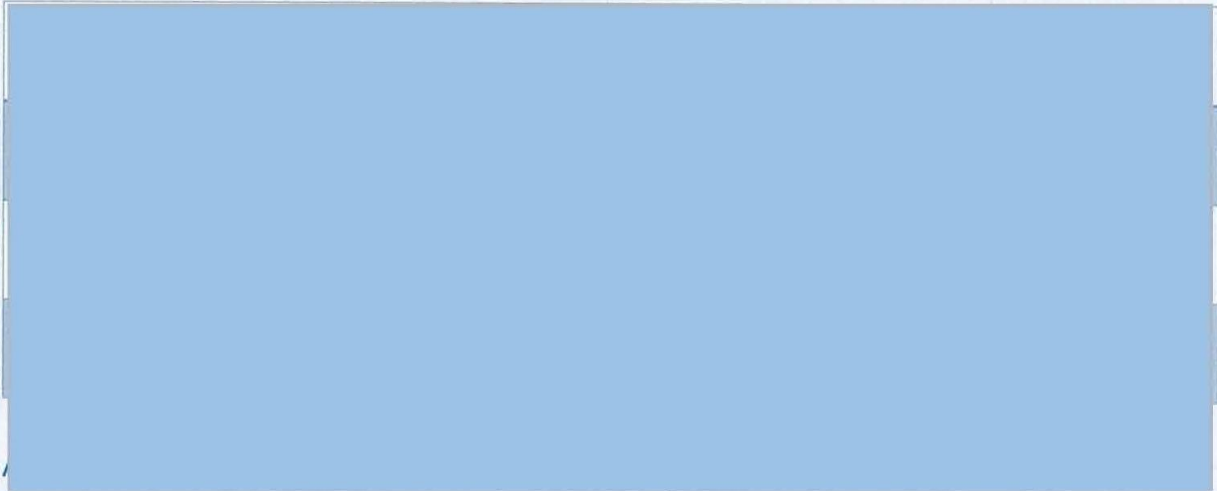
HIGH (HIGH) RISES - 22-STORIES!  
PLEASE KEEP THIS AREA MED. DENSITY  
20-25 YRS. BACK THIS AREA WAS HIGH DENSITY. DEVELOPERS  
AND CITY CHANGED IT TO MED. DENSITY. NICE CONDOS BUILT,  
RESIDENTIAL, LOW LEVEL, STABILIZED AT LOVELY AREA.  
FAST FORWARD NOW DEVELOPERS NOW LIKE THIS CHANGED  
BACK TO HIGH DENSITY FOR 22 STORIES!  
A HIGH (HIGH) RISE 22 STORIES, WOULD LOOK AND  
FEEL, GREATLY INTRUSIVE AND ODD - DO NOT CHANGE ZONING  
TRICAR YOU BUILT LOVELY DESIGNED BUILDINGS,  
- DESIGN A BUILDING MED. DENSITY THAT WILL COMPLIMENT  
AND ENHANCE THIS RESIDENTIAL AREA  
→ THIS HIGHRISE IS PROPOSED, ON THE FUTURE ZONING  
OF B.R.T. PROJECT, WHICH IS NOT EVEN IN THE FORESEEABLE  
FUTURE!

☒ I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -



(Please use the back of the page should you require more space)

My main concern is that the proposed development would be located in an existing residential neighbourhood zoned for low density housing. As I understand this would require changes in the city official plan and zoning by-law. Over the proposed tower would throw a shadow over our 3-storey block, especially the units on the West and N.W side. Notwithstanding the fact (already mentioned) that the entrance to the tower is on N.C Road, and all in-and-out traffic has to move close to our residence, causing traffic problems during rush-hours and worse in winter. It creates problems for our residents who cross the N.C Road often (with and without vehicles) for shopping in the neighbourhood. This will create a real safety problem.

In addition I understand that the height of the tower will restrict sunlight in our small courtyard and those units facing north into the exterior of the courtyard. This is exactly my case, and I receive sunlight (north-west) in my apartment in the late afternoon. This sunlight particularly in the spring is important to my quality of life. This sunlight is also important to the residents of all home community as it offers sheltered exterior space, in the spring that in our courtyard (of ample size).

Thank you for arranging the meeting and allowing for the additional comment.



I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

Richmond Woods Retirement Home.

[redacted]

[redacted] I watched them put in the road this spring. There were three large dump trucks waiting to replace the truck that was loading on the site. They took up the whole space on North Centre Road all the way to Richmond Street.

There was congestion there, what will it be like for traffic flow when they are building everything they want to do? I hope some one has done a good study on this.

[redacted]

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

A 22 Storey Apartment (condo), building is indeed too High at 22 Floors, for this area. It would Not blend in with ESTABLISHED neighbour hood.

This height of ~~this~~ would have to have the Zoning Changed -

The traffic would be a real problem, both in the community, and especially beside Richmond Woods Retirement Centre.

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



COMMUNITY MEETING FEEDBACK

- Comments -

Additional Comments:

(Please use the back of the page should you require more space)

A 22-STOREY BUILDING WILL GREATLY AFFECT MY RESIDENTIAL NEIGHBORHOOD.  
A MEDIUM-SIZED BUILDING, WHICH THIS AREA IS ZONED FOR, WOULD BE A NEIGHBORHOOD FIT.

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -



## Additional Comments:

(Please use the back of the page should you require more space)

It is totally beyond my imagination how this proposed behemoth of a 22 storied structure can possibly be constructed at a busy location of the NE corner of Richmond and North Central Road; Completely filling up the space, way above the height of its neighbouring two and three storied structures in its vicinity. [Redacted]  
[Redacted] this proposed construction, with its lower adjacent of 2 storied villas, is an eyesore and vehemently opposed by us seniors!

☒ I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



COMMUNITY MEETING FEEDBACK

- Comments -

Additional Comments:

(Please use the back of the page should you require more space)

I am concerned with the increase in traffic on North Centre Rd. People now use it as a short cut to cut off the Richmond and Fanshawe street corner.  
What will it be like with a 22 floor apt traffic ??

Having a high rise apt next to a retirement villiage is not too compatible

Elderly residence walk to the mall and this large unit will present a hazard for them crossing the road.

How will truck transport enter onto the property??

Progress yes, but at what cost.

☒ I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of



# COMMUNITY MEETING FEEDBACK

- Comments -

Additional Comments:

(Please use the back of the page should you require more space)

I am concerned about the increase of traffic flow on North Centre Rd.

A 22 story high rise would certainly increase the population of people living and travelling on North Centre - a smaller building would be less concerning.



I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

AS AN AVID WALKER I AM CONCERNED ABOUT THE  
EXTRA ~~T~~RAFFIC THAT HUGE BUILDING WOULD BRING.  
ALSD IT WILL TAKE AWAY SO MUCH SUNSHINE FROM  
SENIORS FACING THAT WAY. SO MUCH GLASS  
IN SUCH A HIGH RISE WILL BE SO OUT OF  
PLACE AND SPOIL THE WHOLE AREA.  
PLEASE THINK CAREFULLY BEFORE THE  
ZONE IS CHANGED



I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

IF THE OFFICIAL PLAN INCLUDING DENSITY WAS A GOOD PLAN WHEN IT <sup>WAS</sup> ~~IS~~ APPROVED, WHY IS IT NOT A GOOD PLAN NOW?  
DEVELOPERS ACQUIRE A PARCEL OF LAND KNOWING THE OFFICIAL PLAN DOES NOT MEET THEIR NEEDS. THEY THEN SEEK TO CHANGE THE PLAN, IN THIS CASE FROM LOW/MEDIUM DENSITY TO SUPER HIGH DENSITY, TO THE DETRIMENT OF THE COMMUNITY.  
RICHMOND WOODS IS HOME TO 400/600 SENIORS RANGING IN AGE TO OVER 100 YRS. MANY OF THESE HAVE MOBILITY ISSUES & INCREASED TRAFFIC WILL PUT THEM AT RISK  
SURROUNDING BUILDINGS ARE MEDIUM HEIGHT & TO SUGGEST A BUILDING 22 STORIES HIGH, DOES NOT FIT THE PROFILE OF THE AREA

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



COMMUNITY MEETING FEEDBACK

- Comments -

Additional Comments:

(Please use the back of the page should you require more space)

This is regarding the property on the corner of Richmond St. & North Centre Rd. in London.

I reside [redacted] near this property and am opposed to a 22 story building being built on this piece of property. It is not even a good location for any building causing a lot of traffic so near the corner of busy Richmond St. North Centre Rd. is also very busy with morning and evening traffic at rush hours - so it could cause major traffic problems in this area. Also any building that is too high would reduce wind, sun and view for residential area.

I am definitely opposed to any building that would change this nice residential area.

☒ I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

Apartment  
A 22 story apartment is a good  
choice for the corner and will  
'set' the site for more development  
on Richmond Rd North.

BRT  
The BRT will be a failure unless a  
solution is found for major delay  
caused by rail crossing and the corner  
of Bedford and Richmond Sts.



I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of  
London Staff in order to investigate the concerns I have outlined above.





Things to consider about Tricar's proposed Condominium Building at the corner of Richmond and North Centre Rd.:

1. Physical aspects:

A. The height of the building will cast a shadow that will shut off sunlight from the residents of 200 North Centre Rd. The woods behind Richmond Woods will be shadowed from the sun as it begins in the afternoon to set and residents in 180, facing the woods will be deprived of the only evidence they get of sunset.

B. A building this size will create new wind patterns. Some of those will affect those (often challenged people) who would regularly walk routes near the building.

\*\*\* C. A car traffic problem is a definite consideration. North Centre Rd. is now a busy thoroughfare (often used to avoid the congestion and traffic signals at Richmond and Fanshawe). The proposed building will increase the car traffic considerably.

Whatever the proposed parking facilities will be the number of cars used by the building's residents will cause a certain bottleneck, and danger at its entrances to the facilities. The car traffic of Richmond Woods will face difficulties of sight, entrance and egress from their facilities. These difficulties would be most evident if the Tricar parking entrance is on North Centre Rd. Such entrances on Richmond seem inconceivable.

2. Locale aspects:

\*\*\* A. Look around the neighbourhood at the height of other buildings: the only high one is the apartment-condominium structure sited well along West North Centre Rd. and a good distance from Richmond. Count the number of floors in this building.

B. Consider the view of London when approaching the city from the north by car (or foot). The view of The Forest City will be marred by a looming tower. The same marring will occur when leaving the city. (The only other living-complex on the left at the top of the hill is far enough up the hill to not be too noticeable



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

Change of zoning to high density can change the area under consideration to a much more crowded and complex area. This change could permit many types of businesses not in keeping with present situation where senior citizens live in quiet natural situations. Many seniors in [redacted] move about on "walkers" & wheelchairs with limited hearing and eye sight and mobility. Many senior citizens when first moving to [redacted] were assured that the areas now under consideration were <sup>designated</sup> ~~assured~~ by the London Planning Bd <sup>and</sup> would be used as compatible with the present land-use such as a possible Nursing Home care when we moved to [redacted] approximately five to eight years ago.

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

Additional Comments:

(Please use the back of the page should you require more space)

The zoning for this area should not be changed  
to allow 22 story appartments to be ~~as~~ built.

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

RE THE PROPOSED NEW HIGH RISE  
BLDG. FOR RICHMOND AT N. CENTAL RD.  
FAR TOO MANY STORIES TO FIT  
IN TO THE NEIGHBOR HOOD. AMBIANCE  
WILL BE DESTROYED. EXCESS TRAFFIC  
WILL PUT IN DANGER SENIOR  
RESIDENTS WHO DOMINATE THE AREA.

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



## COMMUNITY MEETING FEEDBACK

- Comments -

### Additional Comments:

(Please use the back of the page should you require more space)

HEIGHT - TOO TALL to be NEXT TO  
A RETIREMENT HOME

TRAFFIC - A very big big INCREASE  
ON NORTH CENTRAL RD  
& the CORNER AT RICHMOND  
ST. THE RESIDENTS OF  
RICHMOND WOODS WILL  
HAVE A TOUGH TIME.



I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

We oppose a high rise building to be built next  
[redacted]  
[redacted] do not wish to be "shadowed" [redacted]  
[redacted] with a High Rise Building blocking our  
view and for obstructing an enjoyable sunset in the  
evening. We also will be disturbed [redacted]  
lives by the excessive noise of the construction work.  
Also the traffic will be increased and it will also  
become noisier and much more dangerous for us Seniors  
Please do not leave us shadowed in darkness [redacted]  
[redacted] s. We will be in total darkness [redacted]  
[redacted]

☒ I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of  
London Staff in order to investigate the concerns I have outlined above.



# COMMUNITY MEETING FEEDBACK

- Comments -

## Additional Comments:

(Please use the back of the page should you require more space)

RE PROPOSED BUILDING - CORNER OF  
NORTH CENTRE RD. + RICHMOND STREET.

1. The building should be in keeping with the surrounding area.

2. The driveway is so close to the entrance on Richmond Woods which would be another safety issue.

3. On Richmond St. the high rise bldgs. are 12 stories high, whereas the proposed bldg on North Centre Rd. is 22, which is unacceptable. The traffic on North Centre Rd. would be prohibitive. It is a very short rd., and that much traffic would make it a hazard safetywise for Richmond Woods residents.

10VER

☒

I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



205# n101

4. There was a comment regarding the water table. I would like to know if this is a problem for Richmond Woods.



## COMMUNITY MEETING FEEDBACK

- Comments -

### Additional Comments:

(Please use the back of the page should you require more space)

I am very concerned about the size + height of the the proposed high rise condo, 22 floors, at the corner of North Centre Rd and Richmond St. right beside the existing Richmond Row Seniors building, 3 floors, and the apartment buildings, 5 floors. It will also impact the housing areas across the road.

- The proposed high rise condo building will cause
1. a huge increase in traffic on North Centre Rd
  - 2 the size + height of the high rise will block the sun on patios of the Richmond Woods Seniors at the side of the new condos
  - 3 It will affect the underground parking garage (see over) =



I give my Councillor (Councillor Maureen Cassidy) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.



- where cars from both existing buildings enter & exit and the path which many of the seniors use for walking <sup>on</sup> in good weather  
to where would cars from the new Condo enter & exit?
5. The height of the High Rise Condo will change the living conditions of many, many people in the single family dwellings across the Road from Richmond Woods & also ~~will~~ <sup>would</sup> be impacted ~~by the~~ <sup>by the</sup> landscape <sup>change</sup> of the area & extra traffic.



The residents of Richmond Woods Retirement Community oppose the proposed Official Plan Amendment to change 230 North Centre Road from medium density to high density. Please maintain the medium density zone.



### Agency/Departmental Comments

#### Urban Design Peer Review Panel, July 5, 2018

The Panel provides the following feedback on the submission to be addressed through the Official Plan and Zoning Bylaw amendments underway:

The Panel is appreciative of the proponent's efforts to address Panel comments as outlined in their presentation. Highlights of these changes include:

- The extension of townhouses along the entire Richmond Street frontage
- Shifting the outdoor amenity area to the podium rooftop
- Introducing a vehicular drop off area (however further consideration of its function is required)
- Reorienting the accessibility ramp to the front entry

The Panel has the following recommendations based on the revised design:

- Recommend an indoor amenity adjacent to rooftop amenity. There should be a mix of passive and active amenities
- The tower proportions could benefit from shifting the penthouse to the northwest corner of the floorplan. This will help create an elongated sense of the massing and assist with the overall form/expression of the tower.
- The landscape design should consider amenity for townhouses along the street
- Entrance design should be further refined to address the blank facades on the sides of the two townhouses - consider adding an active space near the main entry to eliminate the blank wall (side) of townhouse units. Further articulation of the massing in the form of an entrance canopy could also assist in creating a stronger sense of arrival at the corner.
- Suggest 3 storey townhouses along Richmond Street
- Give further attention to the east façade. At the moment it is hard to discern where the entrances into the building occur.
- Give further consideration to the function and design of the drop off area as it may cause confusion as there doesn't appear to be a functional entrance to access the building (other than to the pool)
- Wrapping corner with balcony – reconsider if it needs to wrap as these types of balconies tend to be used as storage and has the possibility of being unsightly.

Concluding comments:

The Panel supports the overall design concept with the integration of the design recommendations noted above.

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. Subject to the comments and recommendations above, the proposed development represents an appropriate solution for the site.

Sincerely on behalf of the UDPRP,

Janine Oosterveld, MCIP RPP (UDPRP Chair)

#### Upper Thames River Conservation Authority, July 5, 2018

- Upon review of the current assessment report mapping, we wish to advise that there are **no vulnerable areas** identified for this area.
- The UTRCA has no objections to this application.

#### London Hydro, July 24, 2018

- Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required.



- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

## **Development Services Engineering – August 2, 2018**

### **Transportation**

No comments for the re-zoning application.

The following items are to be considered during the site plan approval stage:

- Road widening dedication of 24.0m from centre line required on Richmond Street
- Use existing access as a Joint access with adjacent property to the east
- Detailed comments regarding access design and location will be made during the site plan process

### **SWED**

Comments for the re-zoning application.

- The Owner agrees to have a qualified consultant carry out a hydrogeological investigation to determine the potential short-term and long-term effects of the construction associated with the development on existing ground water elevations, private wells in the area (if present), and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. Elements of the hydrogeological investigation should include, but are not limited to the following:
  - Installation of borehole and monitoring wells at select locations across the Site
  - Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction.
  - Evaluation of water quality characteristics (both groundwater and surface water, if applicable), and the potential interaction between shallow groundwater and surface water features.
  - Completion of a water balance for the proposed development.
  - Evaluation of construction related impacts, and their potential effects on the shallow groundwater system.
  - Evaluation of construction related impacts, and their potential effects nearby domestic water wells (if present) and/or impacts on local significant natural features.
  - Development of appropriate short-term and long-term monitoring plans (if applicable).
  - Development of appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.

The following items are to be considered during the site plan approval stage:

- As part of the N.W.1 Retirement Residence it was located a ponding area over the municipal 230 North Centre Road to attenuate storm runoff. How will this ponding area be accommodated in the development of 230 North Centre Road.
- The Owner's consulting engineering to address how the quantity controls for the adjacent Old Age Retirement Home, which are currently located on the proposed site, are to be dealt with.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.



- If the number of parking spaces exceed 30 the owner is to be required to have a consulting Professional Engineer addressing water quality to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MOECC standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Functional Storm/Drainage Servicing Brief.
- Consultant to confirm if an MOECC ECA is required.

## **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**

- Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
  - 1.1.3 Settlement Areas
    - 1.1.3.2
    - 1.1.3.3
    - 1.1.3.4
  - 1.6.7.4
  - 1.4 Housing

In accordance with section 3 of the Planning Act, all planning decisions ‘shall be consistent with’ the PPS.

### **City of London Official Plan**

3.4. Multi-Family, High Density Residential  
3.4.1. Permitted Uses  
3.4.2 Location  
3.4.3. Scale of Development

11.1. Urban Design Policies

19.4.4. Bonus Zoning

### **The London Plan**

Our Vision For The Transit Village Place Type (806)

Role Within The City Structure (807, 808)

Transit Village  
Permitted Uses (811)  
Intensity (813)  
Form (814)  
Bonusing Provisions (1652)

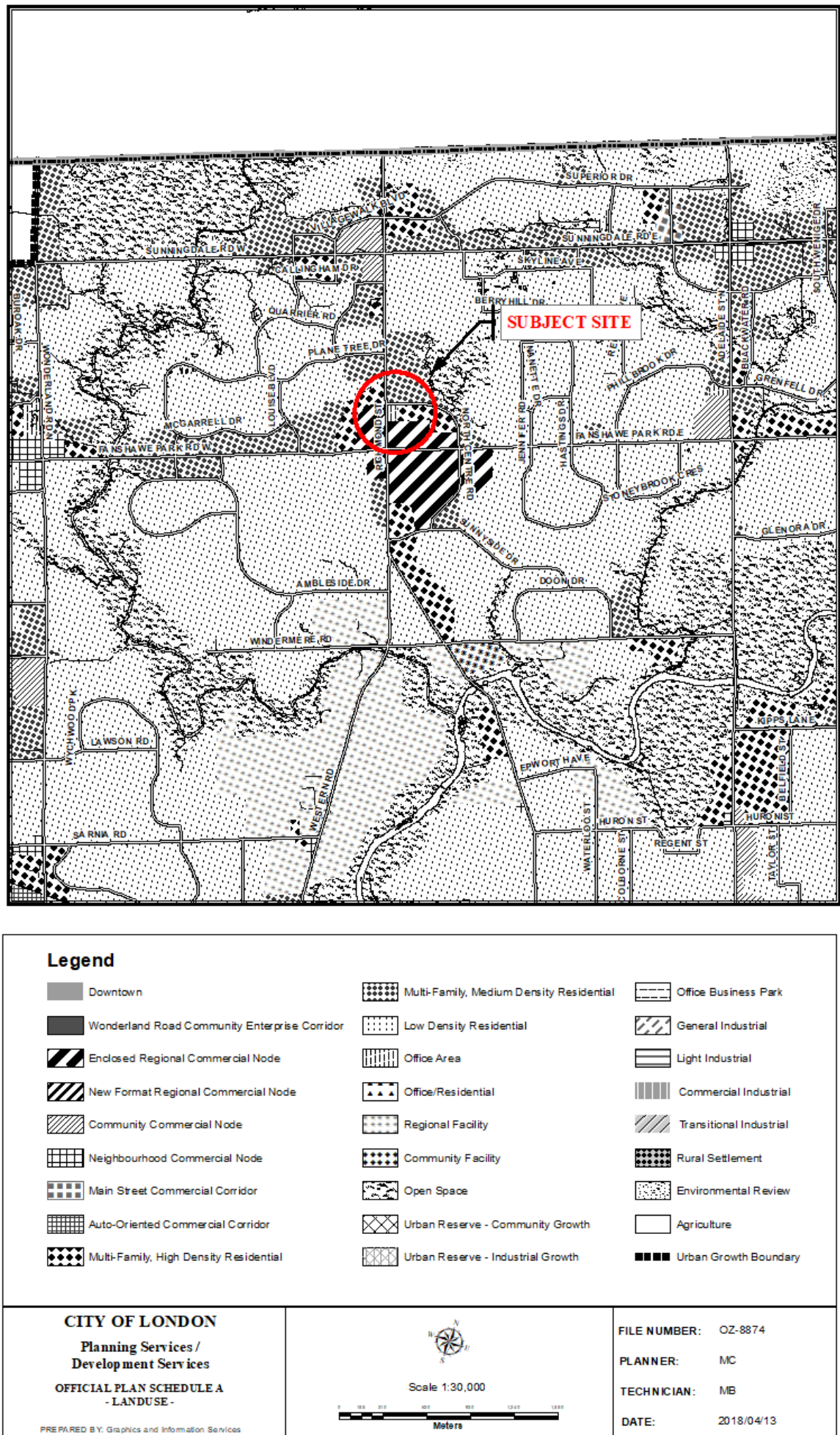
### **Z.-1 Zoning By-law**

### **Site Plan Control Area By-law**



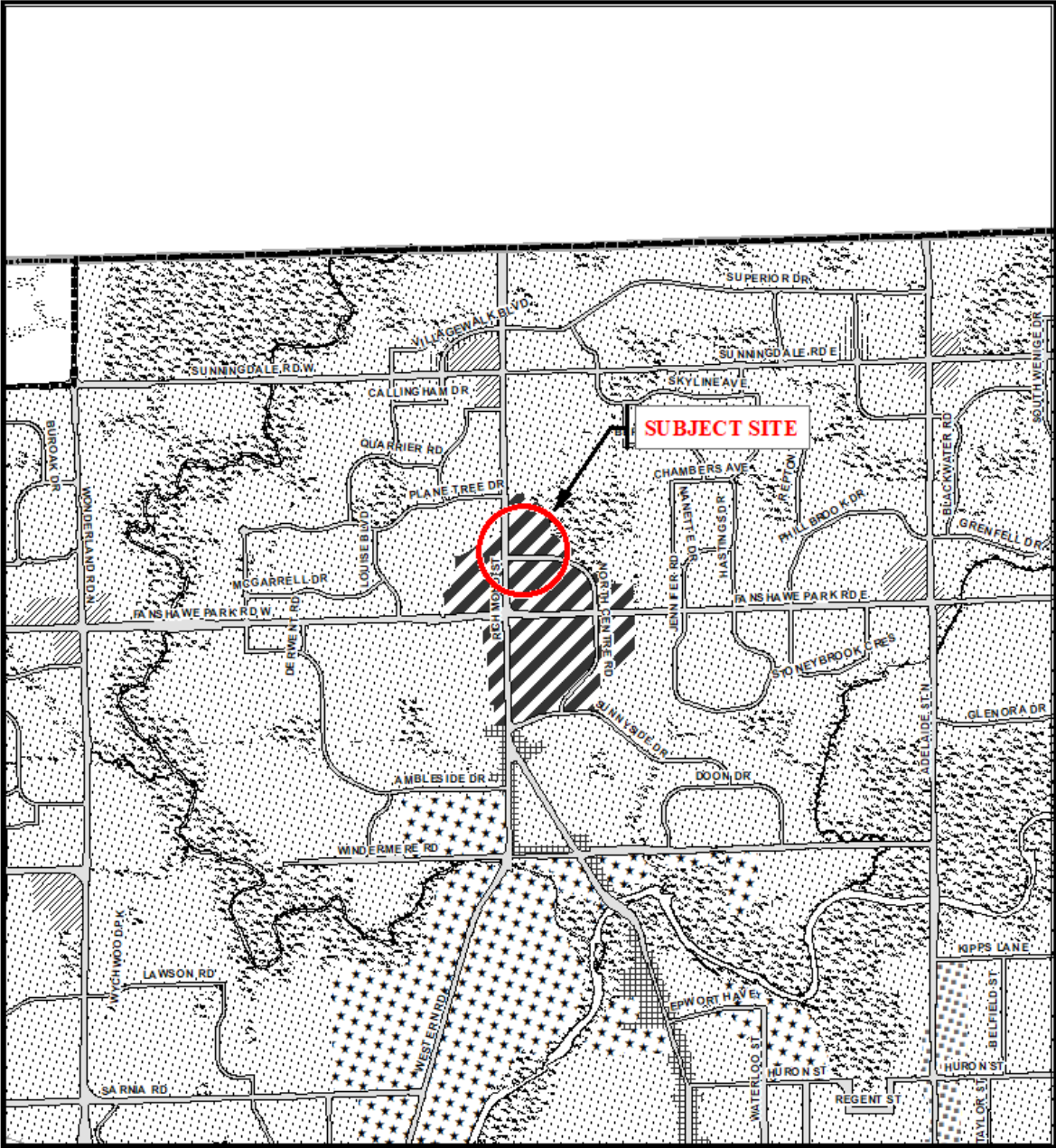
Appendix D – Relevant Background

Additional Maps



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





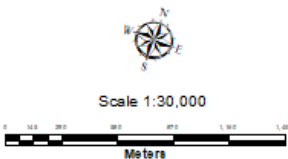
Legend

- |                        |                          |   |
|------------------------|--------------------------|---|
| 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.

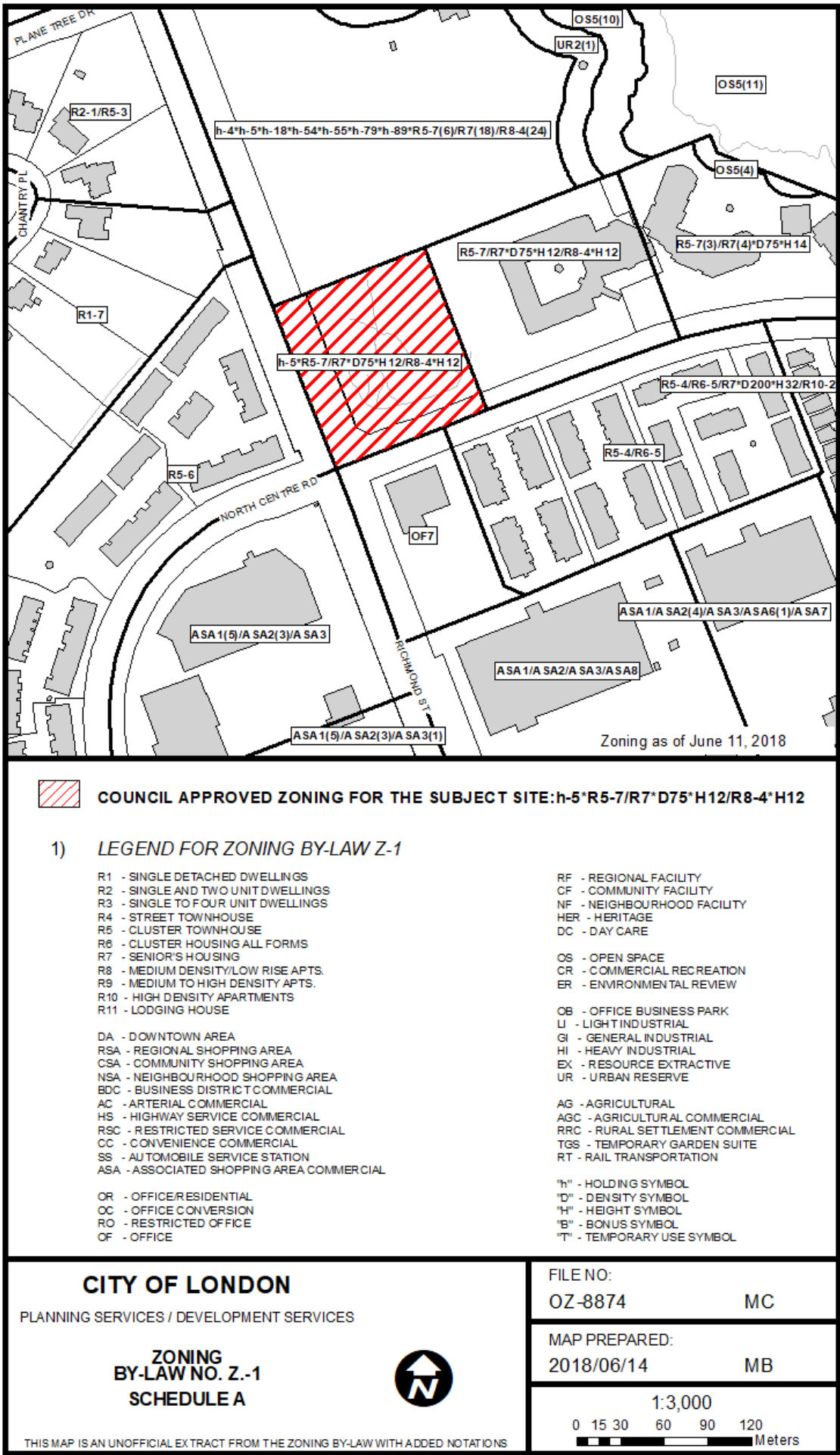
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

**CITY OF LONDON**  
Planning Services /  
Development Services  
  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**  
  
PREPARED BY: Planning Services



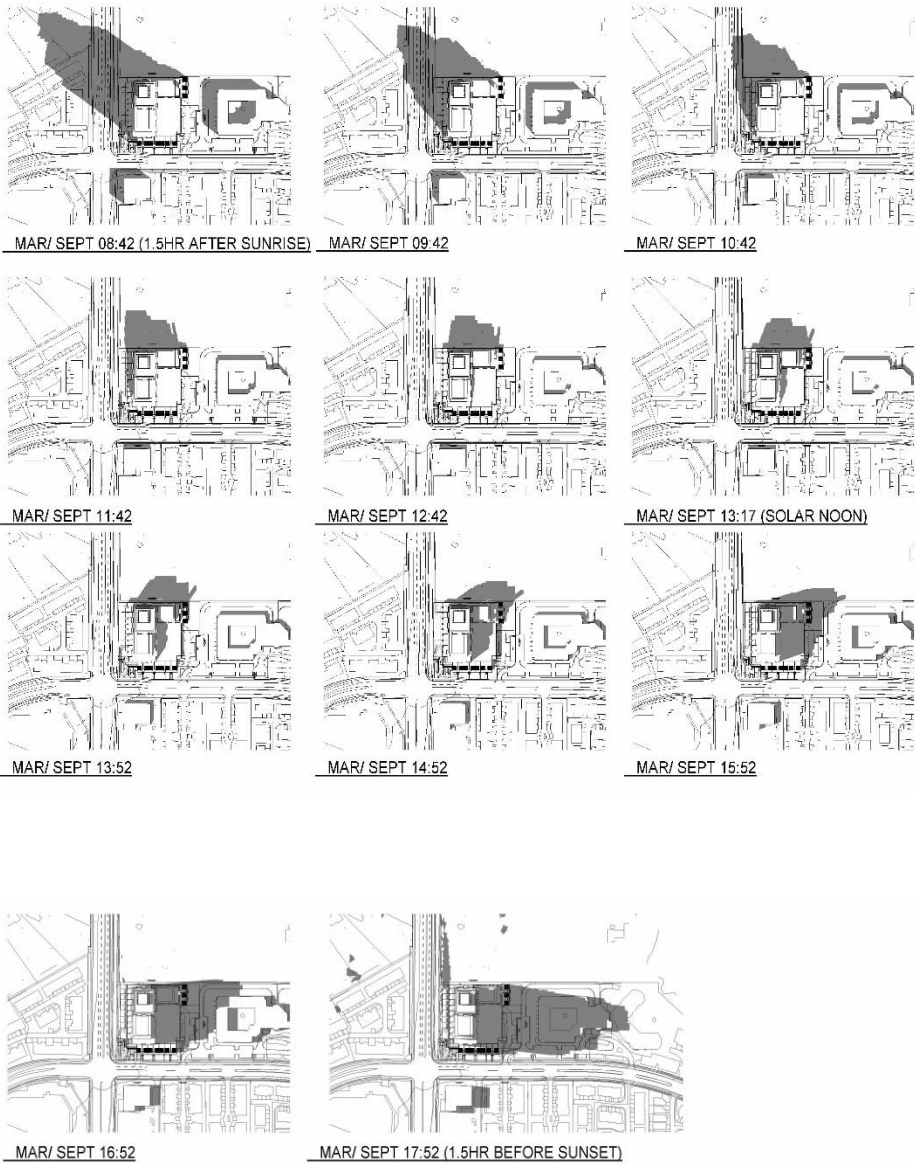
**File Number:** OZ-8874  
**Planner:** MC  
**Technician** MB  
**Date:** April 13, 2018







Shadow Study



  
Sunrise: 07:12 A.M.  
Solar Noon: 13:17 P.M.  
Sunset: 19:22 P.M.  
Latitude, Longitude: (46.1610632656634, -79.398193369376)  
**SPRING/ FALL EQUINOX\_1**  
230 NORTH CENTRE ROAD  
LONDON, ON.  
**A-801**  
2018-08-10  
PROJECT 190357



  
Sunrise: 07:12 A.M.  
Solar Noon: 13:17 P.M.  
Sunset: 19:22 P.M.  
Latitude, Longitude: (46.1610632656634, -79.398193369376)  
**SPRING/ FALL EQUINOX\_2**  
230 NORTH CENTRE ROAD  
LONDON, ON.  
**A-802**  
2018-08-10  
PROJECT 190357







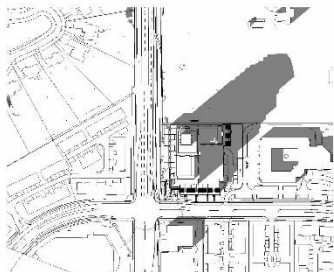




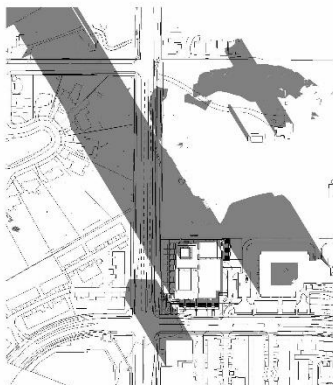
DEC 13:22



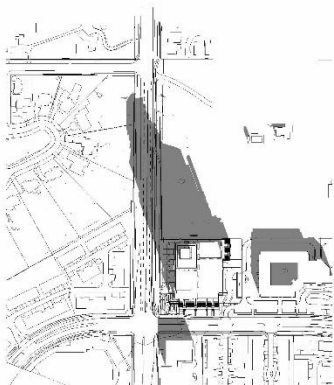
DEC 14:22



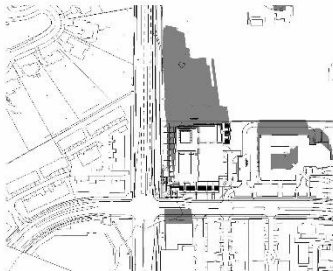
DEC 15:22 (1.5HR BEFORE SUNSET)



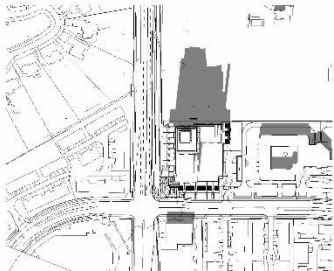
DEC 09:22 (1.5HR AFTER SUNRISE)



DEC 10:22



DEC 11:22



DEC 12:22 (SOLAR NOON)



Sunrise: 07:52 A.M.  
Solar Noon: 12:22 P.M.  
Sunset: 16:53 P.M.

Latitude, Longitude: (46.1610632656634, -79.398193389376)

WINTER SOLSTICE\_2  
230 NORTH CENTRE ROAD  
LONDON, ON.

A-806  
2018-08-10  
PROJECT 190357



Sunrise: 07:52 A.M.  
Solar Noon: 12:22 P.M.  
Sunset: 16:53 P.M.

Latitude, Longitude: (46.1610632656634, -79.398193389376)

WINTER SOLSTICE\_1  
230 NORTH CENTRE ROAD  
LONDON, ON.

A-805  
2018-08-10  
PROJECT 190357







Pg 1 of 15

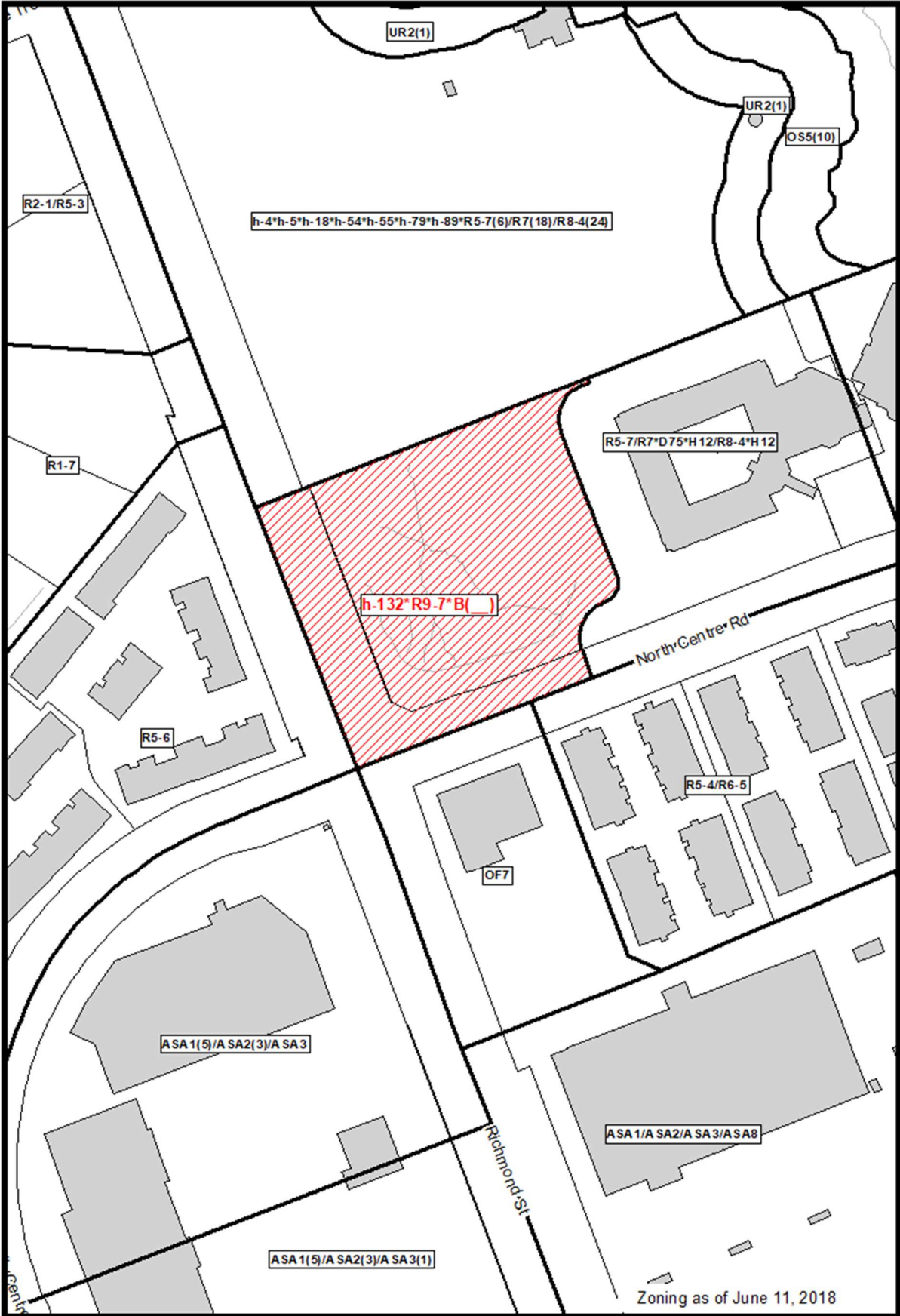
Richmond Woods  
14 September 2018

The Mayor and Council of the City of London


We, the residents of Richmond Woods retirement community, wish to be on record as opposed to the proposal to change the zoning designation of 230 North Centre Road from medium density to high density.



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



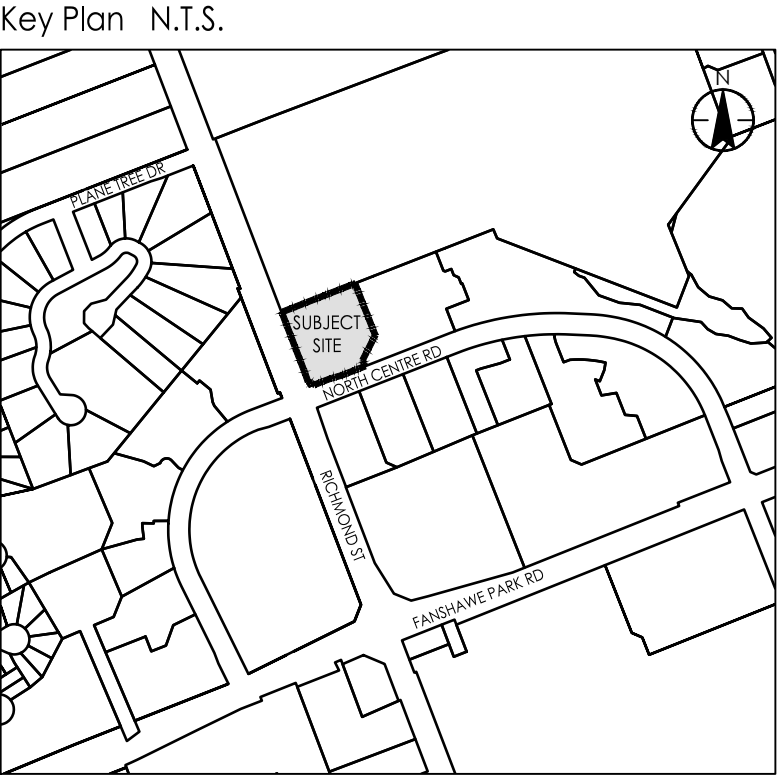
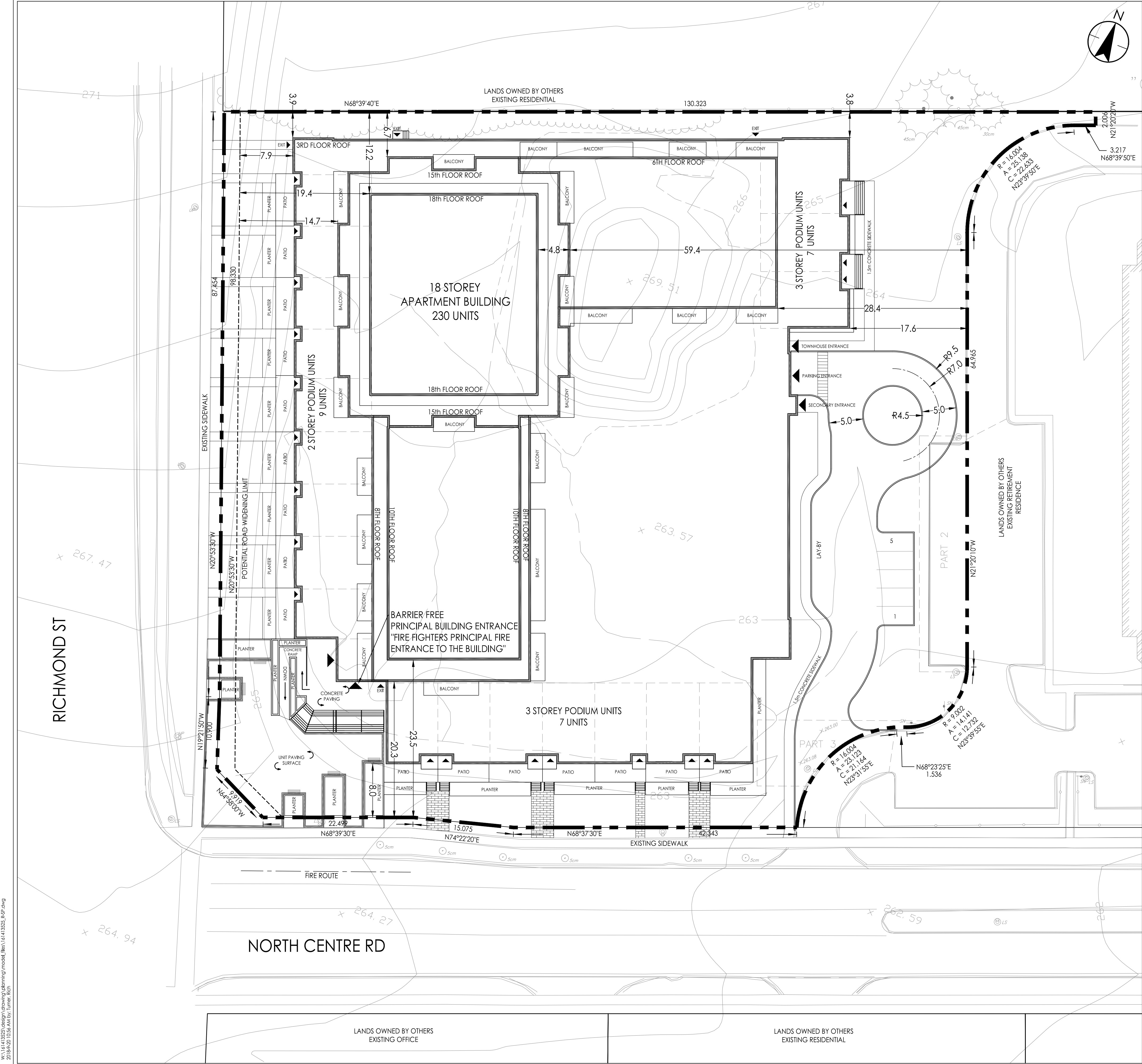
File Number: OZ-8874  
Planner: MC  
Date Prepared: 2018/06/14  
Technician: MB  
By-Law No: Z.-1-

SUBJECT SITE   
1:2,000  
0 10 20 40 60 80 Meters





W:\161413525\design\drawing\planning\mored\161413525\_161413525\_161413525.dwg  
2016-05-20 10:55 AM by: Turner, Ren



- Legend
- SITE BOUNDARY
  - ▶ PRINCIPLE BUILDING ACCESS
  - ▶ SECONDARY BUILDING ACCESS



Stantec  
600-171 Queens Avenue  
London ON N6A 5J7  
Tel. 519-645-2007  
www.stantec.com

Liability Note  
The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay.

Design Data:		
Zone:	h R9-7(1)	
Proposed Use:	High Density Residential (230 Unit Apartment Building)	
Site Area (m²)	11,606.5 m² / 1.160 ha	
Gross Floor Area (m²)	TBD	
Regulation	Requirement	As Shown on Plan
Lot Area Minimum (m²)	1,000 m²	11,606.5 m²
Lot Frontage Minimum (m)	30.0 m	79.9 m
Front Yard Depth (m) - North Centre Road	7.0 m 9.0 m 10.0 m	8.0 m (3rd floor) 20.3 m (8th floor) 23.5 m (10th floor)
External Side Yard Depth (m) - Richmond Street North	9.0 m 13.0 m 14.0 m	7.9 m (3rd floor)* 14.7 m (15th floor) 19.4 m (18th floor)
Interior Side and Rear Yard Depth (m) Minimum (Tower)	4.8 m (Interior) 9.6 m 21.6 m 25.2 m 7.0 m (Rear) 9.6 m 21.6 m 25.2 m	17.6 m (3rd floor) 26.4 m (6th floor) 59.4 m (15th floor) 64.2 m (18th floor) 3.8 m (3rd floor)* 6.7 m (6th floor)* 6.7 m (15th floor)* 12.2 m (18th floor)*
Landsaped Open Space (%) Minimum	30%	33.8%
Lot Coverage Maximum (%)	30%	59.5% *
Height Maximum (m)	12.0 m	42 m*
Density - Units per Hectare Maximum	150 uph	199 uph*
Off-Street Parking (Parking Area Number 1, 2 or 3)	Units x 1.25 = 288	5 Surface 308 Underground
Accessible Parking	2 + 2% of total parking = 9 Spaces	Type A = 13 Type B = 12 Total = 25 Spaces
Long-Term Bicycle Parking	0.75 per unit = 173	234

1 - GARBAGE TO BE STORED WITHIN THE BUILDING AND BROUGHT OUT TO GARBAGE STAGING AREA FOR PICK-UP.  
2 - MAIL TO BE PROVIDED VIA A COMMON INDOOR ROOM UNIT IN ACCORDANCE WITH CANADA POST MULTI-UNIT POLICIES

Revision	By	Appd.	YY.MM.DD
2. BUILDING OPTION 2 FOR UDPRP	RT	CH	18.06.13
1. FOR ZONING BY-LAW AMENDMENT APPROVAL	RT	CH	18.02.02
Issued	By	Appd.	YY.MM.DD
File Name: 161413525_rap	RT	CH	RT
	Dwn.	Chkd.	Dsgn.
Permit-Seal			YY.MM.DD

Client/Project  
THE TRICAR GROUP

230 NORTH CENTRE ROAD

London, ON Canada

Title  
SITE PLAN

Project No. 161413525	Scale HORZ - 1 : 300 3 0 6m
Drawing No.	Sheet
	Revision

1

1 of 1

0



From: doreen holman  
Sent: Thursday, September 13, 2018 9:53 AM  
To: City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>  
Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

Redo I got for Tricar cannot happen for all the reasons previously presented at several mtgs

Doreen Holman  
32-145 North Centre Rd  
London

From: Paul Digby  
Sent: Thursday, September 13, 2018 10:47 AM  
To: City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>  
Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

Dear Elected Leaders

I am quite frustrated and disappointed at the arrogance of Tricar. After several meetings and community feedback, this company has shown a total disregard to the stated direction of our elected leaders and concerned citizens.

On July 16, 2018 counselors past the following amendment:

"Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc.;"



The revised proposal( September 24/18) increases the density ( massing) and presents little change to the height.(overlook and shadowing).

The bottom line.....the message being send and received is the following. .... Tricar can do anything they want, they can ignore the wishes of the community, including our seniors, as well as the direction from our elected leaders because they overpaid for the land and need to correct the mistake by overbuilding on a small parcel of land.

With an election around the corner, what message do you as community leaders want to send to the voters?

Do the right thing !

Paul Digby  
16/1890 Richmond Street  
London

From: Joan Brania

Sent: Thursday, September 13, 2018 11:10 AM

To: City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>

Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

We are greatly opposed to the Tricar tower. They are dishonest bullies.  
The shade and high density factor is not fair to local residents.

Joan Brania

**From:** I.G. WALKER

**Sent:** Thursday, September 13, 2018 11:50 AM

**To:** City of London, Mayor <mayor@london.ca>; Cassidy, Maureen



<mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>

**Subject:** Reject Rezoning Application of 230 North Centre Road File OZ-8874.

say NO to changing current medium density to high density

From: Ann Marie Patrick

Sent: Thursday, September 13, 2018 12:03 PM

To: City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>

Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

The community is not being heard! Tricar is not listening to the valid concerns of the neighbourhood. The whole idea of changing the density zoning is wrong - morally and ethically. This development will drastically change the tone and livability of our area. We bought here because of the neighbourhood and now the rules are being changed. NOT RIGHT. Listen to people who live in the neighbour hood and know what this change will mean to us all. NO TRICAR TOWER!!!

From: Frank Birch

Sent: Thursday, September 13, 2018 5:08 PM

To: City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen



<sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>

Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

I'm very disappointed With Tricar continuing to push for an unacceptably tall condo complex in our residential area.

Please vote down/disapprove Tricar's rezoning application.

Regards  
Fran Birch  
1890 Richmond St  
London, ON  
N5X 4J1

From: Victoria Digby]  
Sent: Friday, September 14, 2018 3:55 PM  
To: Corby, Mike <mcorby@London.ca>  
Subject: Request to postpone sept 24 council vote in 230 North Centre

Mike,  
We are trying to get ready for this sept 24 th meeting - but we are facing a huge challenge because we're finding ourselves reacting to late information being sent to us rather than being actively involved with the new Tricar design front the start.

It's been coming to us in pieces, we're trying to get it out to the public for opinion ASAP.

But I am extremely disappointed that the community portion of the motion (stating there would be 'community involvement' made) at the end of the July 16th meeting is seriously lacking.

Mike - Please accept this request to take us off the 24th of sept and place us down the road a few months.

We need more time. We need to have our voices included in this process. I just received your sept 5th notice four days ago .... if I just got it, how many other residents are just getting theirs and not having to to review, discuss and share their views of Tricar's design.



Your help on this matter would be appreciated. Please advise ... what can be done to pull 230 North Centre vote off the agenda Sept 24th?

Looking forward to your response.

Victoria Digby  
1890 Richmond street

From: Michelle Bogdan Stanescu  
Sent: Friday, September 14, 2018 4:51 PM  
To: Corby, Mike <mcorby@London.ca>; csaunber@london.ca  
Cc: PEC <pec@london.ca>  
Subject: Request to Postpone September 24 Meeting for Project OZ-8874

Good Afternoon Mike, Cathy, & PEC Council Members,

It has come to my attention that there is a council meeting set for Monday, September 17, where the public can request the addition of an agenda item for discussion during the open portion at 7:30 pm.

I would like to request the addition of a motion to postpone the "230 North Centre Road (Project Ref: OZ-8874)" public meeting, currently set for September 24, 2018 at 7:30 p.m.

The reason for my postponement request is three-fold.

(1) When the developer first publicly presented their proposal to the *Planning and Environmental Committee (PEC)* on July 16, 2018, the council unanimously voted the passing of the following amendment... "Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc.; it being noted that planning staff will continue to process the application and will consider the public, agencies, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application;".

Since the meeting on July 16, both the developer and PEC committee have not meet the above requirement of working with the community. A public PEC meeting should not be held until all requirements set by PEC council on the July 16 are met.

(2) It has been extremely difficult to understand the differences between each proposal Tricar has submitted. Especially the most recent proposal. Tricar's proposals for 230 North Centre Road are constantly changing, and each proposal seems to have different documentation being distributed (ex: sometimes just a handful of



renderings, sometimes a fully written proposal). This had made the overall proposal process very confusing.

Additionally, my neighbours and myself are receiving conflicting information regarding what is going to be proposed on September 24th. We have conflicting information regarding the number of towers, building heights, design, parking levels, etc. Example, by chatting with Maureen and Mike about this project, I've received conflicting explanation regarding elevation and number of towers via email.

**Maureen Cassidy Email (Aug.30):** 3 connected structures of 18, 16 and 6 stories with 2 storey townhouses fronting along Richmond and North Centre Road.

**Mike Corby Email (Sept.6):** 18 storey tower with two storey wings totalling 16 storeys. One 10-storey wing along Richmond and one 6- storey wing along the north side of the development. No mention of townhouses.  
(emails attached).

I believe our community needs more time to have a clear understanding of what will actually be presented to our community from the developer.

(3) City bylaws mention a 20 day notification period before public council meetings. A number of my neighbours have stated that they have not been informed properly. Even by reviewing the physical mailer sent out, the average notification was delivered with less than 14 days notice (My mailer came to my house on Wednesday, September 12 – even though it states that it was printed September 5th).

**Please** -- we need more time to work TOGETHER on this project as a community. I'm sure we can find common ground and develop a beautiful building solution that works for everyone and makes all three parties happy.

Thank you for your time and consideration,  
**Michelle Stanescu**

**From:** Donglin Bai

**Sent:** Monday, September 17, 2018 4:50 PM

**To:** City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>

**Subject:** Reject Rezoning Application of 230 North Centre Road (File: OZ-8874)



Dear City Councillors,

My name is Donglin Bai and I own a condo unit (unit 49) at 250 North Centre Road and I have windows facing Richmond Street and the proposed building across the street. I came to the last meeting on July 16<sup>th</sup> to against the previous Tricar towel proposal (OZ-8874) and I was happy that the councillors voted to against the Tricar proposal. A few months past and I saw the new proposal for revised Tricar Tower and to my surprize I have not see any substantial reduction in the height and the total number of units to be built. The original concerns on shadowing, blocking sun shine, too high a density for this low-medium desity area, lost of privacy etc. were still the same and have not been addressed at all for this newly revised proposal. I do not understand why the developer is simply ignoring all these valid and legitimate concerns. I hope that you guys can help to voice our local residents concerns to reduce the building size substantially and the total number of units in this property. Thank you for your consideration,

Donglin Bai

From: Bev Boss

Sent: Monday, September 17, 2018 5:19 PM

To: Corby, Mike <mcorby@London.ca>

Subject: North centre

Hi Mike

I am trying to make sense of all that is going on regarding Tricar and their proposed 22 storey on North Centre.

It is my concern that Tricar has not held up their end of continuing to work with the community as proposed by a motion from Maureen at the last city council meeting. North Centre residents were waiting for word from Tri car. I left for Italy sept 13 and up till then had no word from Tri car.

This is unacceptable and makes it terribly difficult to have a decision made on this matter At the next Sept meeting.

After reading the emails I fail to understand why this decision cannot be postponed due to their lack of communication to the neighbouring residents. More time is needed and I feel this would be inconsiderate of council to ignore the concerns of the taxpayers regarding this issue. Please advise?

Regards

Bev Boss



145 North Centre

From: Susan Gliksman

Sent: Wednesday, September 19, 2018 4:49 PM

To: Corby, Mike <mcorby@London.ca>; PEC <pec@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; City of London, Mayor <mayor@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Tomazincic, Michael <mtomazin@London.ca>

Subject: Tricar Application on the PEC agenda Sept. 24/18

Please accept the attached letter in response to the application. Our concerns need to be heard. The Tricar Application should be sent back to the drawing board.

MSCC #582

Foxborough Chase

1890 Richmond St.

London, ON N5X 4J1

2018 Sept. 20

To: Ward 5 Councillor, Maureen Cassidy, the Planning and Environment Committee, and members of City Council, Mike Corby, City Planner, Mike Tomazincic, Senior Planner

Subject: Proposed Tricar Development @ 230 North Centre Road

This letter is being written on behalf of the concerned residents of 48 homes in our condo corporation, a development located just north of the Tricar site and the university property, Gibbons Lodge.

The proposal for a 22 storey building was first presented by Tricar in February 2018. The proposal was predicated on the concept of a transit hub being located in a high density community. With London considering a Bus Rapid Transit plan, the Tricar request for a change from medium to high density with bonusing for the property at 230 North Centre Road, seemed to fall in line with the city's plans.

While on the surface Tricar's purchase and proposed development of this property ticked all the boxes, Tricar failed to take into account many aspects of The London Plan and the community input that was gathered at several meetings in Ward 5 and city hall. The Planning and Environment Committee is scheduled to hear the latest



proposal on September 24 @ approximately 7:00 p.m.

The original design showed a 22 storey tower with a 6 storey wing on top of 2 levels of parking and 12 podium units at street level.

The second version in July was 16 or 18 storeys with 2 - 6 storey wings on top of 2 levels of parking and 17 podium units.

The current design proposes a building with 16 storeys, an 8 storey wing and a 4 storey wing on top of 3 levels of parking garage, with 18 podium units (2 and 3 storey townhouses) at the base of the building. The height of the building does not include the mechanical rooms on top.

Following the July presentation at the city planning committee, Tricar did not hold any further meetings with the community despite the recommendation from the planning committee. Furthermore, the design that is going back to the PEC on Sept. 24 has been distributed to the community without information on the site plan, elevation of the building, exterior parking spaces, shadow studies, emergency access routes as well as the plans for outdoor green space for residents.

The existing medium density designation for this site has a maximum of 75 units per hectare. Tricar is asking for a change to a high density designation which has a maximum of 150 units per hectare but also wants to take advantage of a bonusing exception. The current proposal contains 211 units and covers almost the entire site in hard surface. There are over 300 indoor parking spaces and over 200 bicycle spaces.

There is little outdoor parking evident, which suggests that there will be significant increases in street parking. Other multi unit buildings in the area have indoor and adequate outdoor parking for visitors, residents, emergency and service vehicles as well as disabled parking.

The Tricar request for high density flies in the face of so many precepts of The London Plan, from compatibility with the neighbourhood, Green and Healthy City policies, outdoor amenity spaces for residents, to appropriate transition to the surrounding neighbourhood.

Lastly, despite all the protests and suggestions from the community, Tricar appears to be merely paying lip service to the public. City planners seem to favour this proposal again in spite of the objections from the community. All of the public input appears to be an exercise in futility. The developer and city planners are hanging their hats on the concepts of a transit hub, London's BRT proposal and the push for infill development. Whether or not the city's transit plans come to fruition, we will be left with a monstrous development that has no green space, overshadows its neighbours, obstructs views of the downtown for anyone living to the north of the new building and brings increased traffic and safety issues to an area populated by seniors, and



families with school age children that are bussed to school.

The target market for this proposed building, with a total of 28 residential floors, will be mostly empty nesters looking for a luxury condo unit. The 211 unit owners will have 1-2 cars and are not likely to be using public transit. How can City planners and City Council in good conscience think that this Tricar development on this scale is desirable, appropriate or necessary? Will the next city council agree with the decision?

Sincerely  
Susan Gliksman, Director  
Jack Hardy, President  
Gerry Killan, Director  
Richard Voegelin, Director  
Victoria Digby, Director

**From:** MARY BIRCH  
**Sent:** Wednesday, September 19, 2018 6:32 PM  
**To:** Corby, Mike <mcorby@London.ca>; PEC <pec@london.ca>  
**Subject:** Tricar tower

I'm very disappointed With Tricar continuing to push for an unacceptably tall condo complex in our residential area.

Please vote down/disapprove Tricar's rezoning application.

Regards  
Frank and Mary Birch  
[1890 Richmond St](#)  
[London, ON](#)  
N5X 4J1

**From:** Alena Robin  
**Sent:** Wednesday, September 19, 2018 6:37 PM  
**To:** PEC <pec@london.ca>; Corby, Mike <mcorby@London.ca>  
**Cc:** notricartower@gmail.com  
**Subject:** No to TRICAR Tower

**Dear City Council,**



At the last public meeting on July 16th, our concerns were loud and clear. We convinced the PEC council to unanimously vote yes to an motion that was supposed to make Tricar go back to the drawing board. Approximately 2 months have passed, but Tricar has done NOTHING to alter their proposal regarding 230 North Centre Road. In fact, Tricar's most recent "revised" proposal actually INCREASED THE DENSITY on the property. The developer isn't listening. We need to turn to you, elected officials, and convince you to reject the current proposal. Please hear our concerns. We say no to the Tricar Tower, no to the Transit city project.

Thank you.

Alena Robin  
&  
Raul Manuel Lopez Bajonero  
250 North Centre Road, unit 52

**From:** Newson, Peter

**Sent:** Wednesday, September 19, 2018 8:13 PM

**To:** PEC <pec@london.ca>; Corby, Mike <mcorby@London.ca>

**Subject:** Presentation Monday September 24 regarding the Tricar application for a tower at 230 North Centre Road.

We live at 4-1890 Richmond Street.

I will not be able to attend the meeting September 24th.

However, this is a short note to emphasize my disappointment with the updated Tricar application for 230 North Centre Road.

The update does not materially address any of the issues put before the council earlier.

The council has received my earlier comments which essentially address the squeezing of a very large and tall tower onto a very small lot.

To the detriment of the neighborhood.

An earlier Tricar application for condominiums a few years ago also required a zoning change -- their tower on the east side of Richmond Street across from Uplands drive.

The motivation for the condominium tower at that time was that there was little supply of high-rise condominiums in the area. Quite true.

They were able to push through an approval.

*But why, then, did they change that tower to rental units -- without returning to council for approval?*



Can Tricar be trusted to keep their promises?

Regards,

Peter & Louise Newson

From: COTTLE

Sent: Wednesday, September 19, 2018 8:55 PM

To: Corby, Mike <mcorby@London.ca>

Cc: PEC <pec@london.ca>;

Subject: Tricar residential buildings

Dear Mike Corby

I am writing to express my concerns and complete opposition to the Tricar development on North Centre Road, London.

I live directly opposite this site.

With the proposed size and density of units onsite, the impact on this street will be enormous, especially with just one access point. The height is totally out of keeping in the surrounding area and will provide significant shadow over my home and neighbourhood. Additionally I am greatly concerned for the increased traffic with related safety impact on this road and area.

This application must be rejected in consideration of my and local community legitimate concerns.

Sincerely

Nigel Cottle

21- 215 North Centre Road  
London  
Ontario

**From:** Joy Peace

**Sent:** Wednesday, September 19, 2018 8:58 PM

**To:** City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>;



notricartower@gmail.com; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Corby, Mike <mcorby@London.ca>

**Subject:** issues with Rezoning of 230 North Centre Road (File: OZ-8874)

Dear Sir /Madam,

We are the owners of Unit 5, Unit 6 and Unit 7, 215 North Centre Rd. We are emailing you all to voice our concerns regarding the potential development of a Tricar high-rise and high density building at the location of 230 North Centre Road.

Dramatically Increased population density will definitely have a very negative impact on the quality of our life in this community. We strongly urge you all to vote and reject the proposal until Tricar can come up with a plan which is less population highly dense and a better natural blending for the rest of community.

Thank you all very much for your vote of rejection to the proposal on Monday, September 24, 2018.

Sincerely,  
Yacheng Yang (unit 5)  
Jing Jing Ding (unit 6)  
Ray and Marg Mclean (unit 7)

215 North Centre Rd.

**From:** jan cottle

**Sent:** Thursday, September 20, 2018 12:19 PM

**To:** PEC <pec@london.ca>; Corby, Mike <mcorby@London.ca>

**Cc:** notricartower@gmail.com

**Subject:** Tricar Building North Centre Road

I am writing to express my great concern with the proposal by Tricar to build high density housing on North Centre Road.

This would seriously and negatively impact this neighborhood in many ways. The volume of traffic would significantly impact the flow of traffic, the entrance could not possibly support that many vehicles' and the flow of traffic would be terrible for seniors who now can cross back and forth without the worry and stress of heavy constant traffic.



Also, most of the entire neighborhood will be affected by the shadow caused by this massive high rise, I think it extremely inconsiderate that Tricar have no regard for the fact that we will be in a constant shadow of darkens and not be able to enjoy the sun on our patio or deck. The skyline will be forever changed and this area is a low density, this proposed building would be a devastation to all of the residents in this neighborhood. Surely city planners have a responsibility to support the very people living and enjoying their home and neighborhood and not force upon them this horrendous building.

Jan Cottle  
215 North Centre Road



**From:** jan cottle  
**Sent:** Thursday, September 20, 2018 12:19 PM  
**To:** PEC <[pec@london.ca](mailto:pec@london.ca)>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>  
**Cc:** [notricartower@gmail.com](mailto:notricartower@gmail.com)  
**Subject:** Tricar Building North Centre Road

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Jan Cottle  
215 North Centre Road



**From:** Orlando da Silva  
**Date:** September 20, 2018 at 9:55:58 AM EDT  
**To:** <[csaunder@london.ca](mailto:csaunder@london.ca)>, <+[hlysynsk@london.ca](mailto:hlysynsk@london.ca)>  
**Subject:** 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road, London - 0Z-8874.



Sent: Thursday, September 20, 2018 11:16 AM  
To: Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>; Lysynski, Heather  
[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>  
Subject: 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road, London - 0Z-8874.

I think this is a great project and I am on the list to buy a unit. In my view it is very compatible with the area and also fits well into the London Plan. Tricar has demonstrated again and again that it is a responsible and quality developer and recognized Provincially for quality and customer satisfaction.

I was disappointed and dismayed at the level of posturing and attention seeking conducted by a small group of residents. They seemed to be attacking Tricar more so than the development for some reason. Very disappointing considering Tricar's commitment and investment in the City of London.

I believe the project will enhance the surrounding neighborhood and will be sold out by the time it is completed.

Regards

Hector Morrison  
McGarrell Drive  
London



**Dear City Council,**

At the last public meeting on July 16th, our concerns were loud and clear. We convinced the PEC council to unanimously vote yes to an motion that was supposed to make Tricar go back to the drawing board. Approximately 2 months have passed, but Tricar has done NOTHING to alter their proposal regarding 230 North Centre Road. In fact, Tricar's most recent "revised" proposal actually INCREASED THE DENSITY on the property. The developer isn't listening. We need to turn to you, elected officials, and convince you to reject the current proposal. Please hear our concerns. We say no to the Tricar Tower, no to the Transit city project.

Thank you.

Alena Robin  
&  
Raul Manuel Lopez Bajonero  
250 North Centre Road, unit 52



Dear Planning and Environment Committee,

Please accept the following written delegation with respect to the Z-8921 Zoning By-law Amendment for 745 and 747 Waterloo St. Unfortunately, while I believe we were within the deadline of 9am Sept 17th for feedback, Michelle Knieriem has advised us that she has already finalized and submitted her report, and that we should direct our written delegation to the Planning and Environment Committee.

In addition, we would like to submit an oral delegation at the Planning and Environment Committee meeting on Monday September 24th. Could you please advise if we need to make a formal request in advance in order to have this opportunity?

Sincerely,

Lila Neumann and Delilah Deane Cummings, Piccadilly Area Neighbourhood Association Co-Chairs

----- Forwarded message -----

From: **Lila Neumann**

Date: Sun, Sep 16, 2018 at 5:45 PM

Subject: Re: Z-8921 feedback

To: Knieriem, Michelle <[mknieriem@london.ca](mailto:mknieriem@london.ca)>

Cc: Delilah Cummings

September 16, 2018

Dear Michelle Knieriem,

The Piccadilly Area Neighbourhood Association (PANA) would like to submit further details regarding our concerns about the Z-8921 Zoning By-law Amendment for 745 and 747 Waterloo St.

We understand that the current zoning would normally require 27 spaces and the buildings have been operating with 16 (8 on site and 8 on the boulevard). The new zoning changes would require 30 parking spaces, and the applicant is seeking to have the property remain with only 16 spaces. In addition, the nature of the businesses and clientele would be likely to change from the existing short stays of patrons coming to make purchases, to longer visits in the case of medical/dental offices.

PANA has been in consultation with local residents, who have identified significant parking and traffic issues already in this area that we are worried will be exacerbated:

- Piccadilly Street already suffers from very high levels of traffic and on-street parking due to drop offs and pick-ups at multiple school buildings and multiple daycare buildings in the immediate area.
- Free on street parking is also used by staff and patrons of nearby businesses.
- Cars are regularly parked in excess of the 2 hour parking limit.
- Waterloo and Piccadilly is especially problematic, which is where overflow parking from these properties would most likely occur.



- Cars are regularly parked blocking residence driveways, in the private driveways of residents, and on corners in violation of the “no parking on corner” signs.
- Drivers often illegally and sometimes dangerously circumvent installed traffic calming at Wellington and Piccadilly St, and residents report people driving over curbs as well as onto boulevard grass.
- Residents and their guests are often unable to find street parking near the front of their homes.
- Traffic sight lines are poor given the current volume of street parking and the issues with illegal U-turns on Wellington immediately south of Piccadilly.
- Residents have reported people cutting across private property to get from their parked car to their destination without needing to walk around the whole block.

In addition, we have some further questions about the plan to operate with only 16 parking stalls:

- How much parking will need to be designated for any rental units on upper floors of the buildings?
- How many of the parking stalls will need to be reserved for Accessible spots?
- Have all the existing 16 spots been found to meet the stall size and aisle width requirements?
- Is there any intention to have paid parking on site in the future, which could further burden free on-street parking?
- Is there any planned on-site bicycle parking requirement?

Previous planning reports for this immediate area have recognized the multitude of impacts, beyond just parking, that stem from any zoning change. PANA would like to have the city consider the responses already provided by PANA with respect to the area, including the following as well as more recent documents:

- January 2002 - Piccadilly Area Neighbourhood Community Facilities Study: Day Care Centres & Private Schools
- February 11, 2002 - report to Planning committee - application by I028147 Ontario Limited (Montessori House of Children) 2 Kenneth Avenue - application to change the zoning from R2-2 to R2-2( ) to permit accessory uses to the Montessori School at 71 1 Waterloo Street.
- May 13, 2002 - Report to Planning Committee recommending Official Plan amendment to change the policies of Section 3.6.4 (Community Facilities) to address the concentration of community facilities in established residential areas and to require adequate on-site parking and drop-off and pick up facilities for such uses.

Sincerely,

Lila Neumann and Delilah Deane Cummings, PANA Co-Chairs



MSCC #582  
Foxborough Chase  
1890 Richmond St.  
London, ON N5X 4J1  
2018 Sept. 20

To: Ward 5 Councillor, Maureen Cassidy, the Planning and Environment Committee, and members of City Council, Mike Corby, City Planner, Mike Tomazincic, Senior Planner

Subject: Proposed Tricar Development @ 230 North Centre Road

This letter is being written on behalf of the concerned residents of 48 homes in our condo corporation, a development located just north of the Tricar site and the university property, Gibbons Lodge.

The proposal for a 22 storey building was first presented by Tricar in February 2018. The proposal was predicated on the concept of a transit hub being located in a high density community. With London considering a Bus Rapid Transit plan, the Tricar request for a change from medium to high density with bonusing for the property at 230 North Centre Road, seemed to fall in line with the city's plans.

While on the surface Tricar's purchase and proposed development of this property ticked all the boxes, Tricar failed to take into account many aspects of The London Plan and the community input that was gathered at several meetings in Ward 5 and city hall. The Planning and Environment Committee is scheduled to hear the latest proposal on September 24 @ approximately 7:00 p.m.

The original design showed a 22 storey tower with a 6 storey wing on top of 2 levels of parking and 12 podium units at street level.

The second version in July was 16 or 18 storeys with 2 - 6 storey wings on top of 2 levels of parking and 17 podium units.

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Following the July presentation at the city planning committee, Tricar did not hold any further meetings with the community despite the recommendation from the planning committee. Furthermore, the design that is going back to the PEC on Sept. 24 has been distributed to the community without information on the site plan, elevation of the building, exterior parking spaces, shadow studies, emergency access routes as well as the plans for outdoor green space for residents.

The existing medium density designation for this site has a maximum of 75 units per hectare. Tricar is asking for a change to a high density designation which has a maximum of 150 units per hectare but also wants to take advantage of a bonusing exception. The current proposal contains 211 units and covers almost the entire site in



hard surface. There are over 300 indoor parking spaces and over 200 bicycle spaces. There is little outdoor parking evident, which suggests that there will be significant increases in street parking. Other multi unit buildings in the area have indoor and adequate outdoor parking for visitors, residents, emergency and service vehicles as well as disabled parking.

The Tricar request for high density flies in the face of so many precepts of The London Plan, from compatibility with the neighbourhood, Green and Healthy City policies, outdoor amenity spaces for residents, to appropriate transition to the surrounding neighbourhood.

Lastly, despite all the protests and suggestions from the community, Tricar appears to be merely paying lip service to the public. City planners seem to favour this proposal again in spite of the objections from the community. All of the public input appears to be an exercise in futility. The developer and city planners are hanging their hats on the concepts of a transit hub, London's BRT proposal and the push for infill development. Whether or not the city's transit plans come to fruition, we will be left with a monstrous development that has no green space, overshadows its neighbours, obstructs views of the downtown for anyone living to the north of the new building and brings increased traffic and safety issues to an area populated by seniors, and families with school age children that are bussed to school.

The target market for this proposed building, with a total of 28 residential floors, will be mostly empty nesters looking for a luxury condo unit. The 211 unit owners will have 1-2 cars and are not likely to be using public transit. How can City planners and City Council in good conscience think that this Tricar development on this scale is desirable, appropriate or necessary? Will the next city council agree with the decision?

Sincerely

Susan Gliksman, Director  
Jack Hardy, President  
Gerry Killan, Director  
Richard Voegelin, Director  
Victoria Digby, Director



**From:** Main

**Date:** September 20, 2018 at 9:50:18 AM EDT

**To:** <[csaunder@london.ca](mailto:csaunder@london.ca)>, <[hlysynsk@london.ca](mailto:hlysynsk@london.ca)>

**Subject:** 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road, London - 0Z-8874.



**From:** danae.hillis

**Sent:** Thursday, September 20, 2018 10:17 AM

**To:** Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>; Lysynski, Heather <[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>

**Subject:** 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road, London - 0Z-8874.

D Hillis



From: MARIACLARA ORDOÑEZ  
Sent: Thursday, September 20, 2018 10:48 AM  
To: Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>; Lysynski, Heather  
<[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>  
Subject: 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road,  
London - 0Z-8874



From: Monica Gajda  
Sent: Thursday, September 20, 2018 12:04 PM  
To: Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>; Lysynski, Heather  
<[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>  
Subject: 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road,  
London - 0Z-8874.

Sent from my iPhone  
Monica Gajda



**From:** Penny Reath

**Date:** September 20, 2018 at 9:54:43 AM EDT

**To:** <[csaunder@london.ca](mailto:csaunder@london.ca)>, <+[hlysynsk@london.ca](mailto:hlysynsk@london.ca)>

**Subject:** 230 North Centre Road - 0Z-8874

I am writing to show my support for Tricar's new project at 230 North Centre Road, London - 0Z-8874.



Dear Mike Corby

I am writing to express my concerns and complete opposition to the Tricar development on North Centre Road, London.

I live directly opposite this site.

With the proposed size and density of units onsite, the impact on this street will be enormous, especially with just one access point. The height is totally out of keeping in the surrounding area and will provide significant shadow over my home and neighbourhood. Additionally I am greatly concerned for the increased traffic with related safety impact on this road and area.

This application must be rejected in consideration of my and local community legitimate concerns.

Sincerely

Nigel Cottle

21- 215 North Centre Road  
London  
Ontario



**From:** Allyson Watson

**Sent:** Thursday, September 20, 2018 11:05 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Subject:** Reject Rezoning Application of 230 North Centre Road File OZ-8874.

I am concerned that no substantial changes have been made to the plans for the Tricar Tower. I think the public has been quite patient and direct in asking for plans that take into account environmental issues, traffic issues, safety issue to name a few issues.

Please hold Tricar accountable to the community's requests.

Allyson Watson



**From:** Bejia 2nd Winds

**Sent:** Friday, September 21, 2018 7:30 AM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; [psquire@london.ca](mailto:psquire@london.ca) <??psquire@london.ca>; [joshmorgan@london.ca](mailto:joshmorgan@london.ca) <??joshmorgan@london.ca>; [msalih@london.ca](mailto:msalih@london.ca) <??msalih@london.ca>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; [barmstro@london.ca](mailto:barmstro@london.ca) <??barmstro@london.ca>; [jhelmer@london.ca](mailto:jhelmer@london.ca) <??jhelmer@london.ca>; [phubert@london.ca](mailto:phubert@london.ca) <??phubert@london.ca>; [ahopkins@london.ca](mailto:ahopkins@london.ca) <??ahopkins@london.ca>; [vridley@london.ca](mailto:vridley@london.ca) <??vridley@london.ca>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; [husher@london.ca](mailto:husher@london.ca) <??husher@london.ca>; [tpark@london.ca](mailto:tpark@london.ca) <??tpark@london.ca>; [jzaifman@london.ca](mailto:jzaifman@london.ca) <??jzaifman@london.ca>; [notricartower@gmail.com](mailto:notricartower@gmail.com) <??notricartower@gmail.com>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Subject:** NCR Resident in dispute with Rezoning Application of 230 North Centre Road File #OZ-8874

To: The City of London Mayor, Council Members, PEC Committee Members & City Staff.

My name is Bejia Auger. I am a 7 year resident at 145 North Centre Road. I am in agreement with my fellow neighbours, community, regarding all of the ongoing unresolved issues directly attached to TriCar's application to change the Medium Density Zoning, to High Density for a future build at 230 NCR. The original and ongoing issues include Over intensivation of mass, shadowing, parking spots, traffic, shared driveway/emergency access/wetlands preservation/vista loss/community loss of lifestyle and safety, high water table/soil stability and enviroment issues... all of these issues remain Unresolved by TriCar.

However, today I want to breifly address the 82 page report, written by Mike Corby, released on line Sept. 19, which supports a recommendation that TriCar's Rezoning Application be accepted. This report is problematic in several areas where information given is misleading, to out dated, to completely incorrect. I do state, that I remain fully APPOSED to this Rezoning Application.

It has been implied that TriCar has been working with the community, on going, to improve this application. THEY HAVE NOT.

At the end of the July 16 meeting, PEC gave an unanimous direction for Staff members and TriCar to continue working with the community and each other to reduce mass, shadowing, overlook etc...NEITHER TriCar, or Staff members have communicated directly with the NCR Community, although Staff, TriCar and Western (?) have met with each other a number of times. THIS WAS NOT THE DIRECTION, and interferes with the NCR Community's rights to be part of this process.

In Mike Corby's report, a number of vital facts and illustrations have been misrepresented, and or based on outdated materials:

- 1) The list (pg. 35) remains incomplete to community concerns which have been well covered over the months.
- 2) Re: Safety of Seniors @ Richmond Woods (next to 230 NCR) and other numerous seniors in 4 Condo Corps across the road.
- 3) Shared Laneway, 230 (230+ Units) & Richmond Woods will all enter/exit from NCR opposite 4 additional Condo Corp enter exits within 7-75 meters from Richmond. Traffic Congestion is a problem and concern that needs to be addressed, now, not after the fact of injury (to possible deaths of our elderly pedestrian residents).



4) On pg. 77-78, outdated maps incorrectly display the most western end of NCR. NCR circles around, at the western end, to join

back onto Fanshawe Park Road. The 12 Storey Apartment, located at the corner of NCR and Fanshawe Park Road, is not a

"mirror" image of the 230 Rezoning App. The most western NCR apartment overlooks Fanshawe Park Road, 2 strip malls, 1

school and Masonville Mall, and was built on land that was designated High Density. It is misleading to both incorrectly depict

NCR as not connecting to Fanshawe Park Road at (both) ends of our 2 block street, or to not show the correct location of the

the apartment build, which can not be rightfully compared to 230 NCR build when accurately presented.

5) Pg. 4'1.4 INCORRECTLY states that West of 230 NCR is residential/commercial, IT IS NOT; however, there is an additional

Seniors Complex at the far west end of NCR (that makes 2 Senior Complexes on our short 2 block street).

6) TriCar is accessing special bonusing awards made available by the London Plan (presently under appeal), in accordance with

BRT Plan (presently not passed), which has designated Masonville Area as the North Transit Villiage (in accordance, if BRT

goes ahead in future). 230 NCR is not mid the proposed Transit Villiage; it is the last, most north property included (for some

reason?). TriCar expect more than reasonable High density and Bonusing based on these pending plans; however, at the same

time TriCar fails to recognize, or respect the transitioning language and directions that outline the introduction of a high

density build to a low to medium density established community. It is the intent of the London Plan to respect surrounding

communities of lower density requiring a gradual transitioning into high density that cooperates with and respects the

surrounding community. Our community has been effectively marginalized throughout this process. TriCar has "cherry picked"

parts of the London Plan/BRT/Transit Villiage Vision to suit their own agenda, while ignoring community and enviromental

concerns/rights, and now TriCar has included you, our City officials, your regulations, guidelines and directions...and still Mike

Corby has written a (somewhat misleading/inaccurate) report, seemingly ignoring TriCar's consistant Non-Compliance, and

rather giving his recommendation, to PEC, to allow the rezoning of 230 NCR File #8874.

\*I have an important question about this above fact: How can it be that Mike Corby can write a 82 page (inaccurate) report, giving his recommendation to PEC to approve this Rezoning App, PRIOR TO THE FINAL MEETING, Sept 24, at which our Community has our last chance to address Council/PEC/Staff on this final TriCar Plan. How can we feel that our voices are even heard, and we're not just going through the steps, but the decision is already made, before our input? This seems very backwards, and inappropriate to a just process.

How do you expect the overwhelming MAJORITY of the North Centre Road Community to accept all of these breaches, in actions, in information, in misleading language used to imply false information ie. has complied, has communicated, has adjusted...

On July 16, you PEC set TriCar and Staff Committee back to communicate with the Community of NCR and "reduce mass, shadow...etc. etc. Units were at 215 at the time of this



direction. There has been NO Communication/meeting with NCR community, and TriCar has return with an INCREASED Plan of 230 Units. Do you not care that they are not even listening to you, never mind the community that relies on our City Representatives to Represent Us.

There are many other issues that can be discussed, but I will end here with this final statement:

I, Bejia Auger, remain APPOSED to the current TriCar Proposal File # OZ-8874. I request that PEC diligently review "all" inconsistencies/incorrect information given by Mike Corby, in his Sept 19, 2018 report, to you that clearly misrepresents the facts and unfairly sways his recommendation to support TriCar; this despite an approximate 98% APPOSAL by our NCR community. I ask that in accordance with errors in this process, in information/reporting, and given the late (some-no) notifications to NCR Community of changing plans and final Sept 24 meeting date, that PEC/Staffing/Representative find TriCar in Non-Compliance in their responsibilities throughout this process and REJECT THIS APPLICATION FOR REZONING FILE #OZ8874.

I thank each one of you, for reading my response, as well as those of my many neighbours. We are a strong and loyal community to our City and to our Representatives. Please return this loyalty with a fair and respectful decision which includes us your constituents , in your voice.

Exhausted and Sincerely

Bejia Auger, #6-145 North Centre Road, London, Ontario. N5X 4C7



**From:** Kumon-London Northeast-Cynthia MacKinnon  
**Sent:** Thursday, September 20, 2018 5:07 PM  
**To:** Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>  
**Cc:** [notricartower@gmail.com](mailto:notricartower@gmail.com); Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>  
**Subject:** Density concerns for the tricar proposed project at 230 North Centre Rd

Dear Councillors,

I would like to make my concerns public with regard to the Tricar proposal for 230 North Centre Rd.

I am very concerned about the high density nature of this project. The volume of cars which will empty onto North Centre Rd is going to add stress to an area of the city already named "**Calamity Corners**" on the London City map. I work in a corner office at 235 North Centre Rd and I face out to Richmond/North Centre Rd's intersection. I can tell you that there is a high volume of speeding traffic which enters London coming from the North . Vehicles do not always slow as they should and there appears to b a high volume of accidents here already. This is definitely not a spot in the city for taking such chances in moving from low/mid density to higher traffic density!

I am also very concerned about the high water table and soil stability for supporting a tall structure here. The developer of the office building I am in had to respect many factors when they built our 3 story office building and I would expect other developers to be held to the same rules.

Other concerns about preserving the Gibbons wetland buffer zone and worries for neighboring seniors crossing the road on North Centre Road are also on my mind.

Please consider the above points at your upcoming meeting,  
Cynthia MacKinnon- Proprietor in suite 203 -235 North Centre Rd



From: Julia Chemali

Sent: Friday, September 21, 2018 4:42 AM

To: City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

Dear Mayor of London and City Council Members,

I am writing to you this letter because of my concerns of the many negative affects that the building of the Tricar Tower will have to my neighbourhood.

First of all Tricar has done nothing to fix the problems/effects on my community that a high density tower would create. The intersection of Richmond St and Fanshawe Pk. Rd is already quite congested with traffic and there are often accidents at that intersection. The city has done nothing to adapt and make the infrastructure of the roads safer with the growing population in the area. By adding more high rise buildings which means a denser population with no change in the roads means more véhicules on the road meaning more accidents.

The property of Western University Gibbon's Lodge will lose the the beautiful view it now has because of over development in an established low/medium density neighbourhood. We do pride ourselves on having this beautiful property in our neighbourhood with it's nature surroundings.

It would be much better to revitalize existing downtown buildings to make them more livable and reduce vacancy rates than to keep letting the downtown area deteriorate and leave the north end of the city with it's beautiful nature. It is downtown London that needs more work done than anything else in the city, a real shame of how it has become compared to other Canadian cities which are booming and a place that people want to go to.

The developer has also made no attempt to find a compromise with our community as had been agreed upon to reduce massing, shadow or over-look.

Please do something to stop this development for the area residents.

Thanking you in advance,

Julia Chemali  
1997 Valleyrun Blvd  
London, ON



From: Dave Stollar

Sent: Thursday, September 20, 2018 9:29 PM

To: City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

Hello,

Just a quick note regarding the proposed development for 230 North Centre Rd. We are not against the whole development and are actually looking forward to seeing this property developed. It is just our strong belief that the proposed Tower portion is too tall for this area. The property where the Tower is to be located is already at a higher elevation if it is at road grade. We suggest that the tower be restricted to a maximum of 10 storeys above the road grade. This would closely match the elevation of the white tower located to the west on North Centre rd.

Regards ,  
Dave Stollar  
Donna Morrison  
31-145 North Centre Rd



Stoneybrook Heights/Uplands Residents Association

Second presentation to City of London Planning Committee

RE: Tricar Proposal - 230 North Centre Rd. FILE OZ-8874

September 24, 2018

- RA does not support the amended proposed buildout.
- Scale of development is incompatible with existing development, which has been in place for 5 to 20 years.
- All development to date has respected the densities outlined into OMB decision to which our Association was a party, together w the City of London.
- The significant concerns advised to Planning Committee at the public meeting in July remain.
- With regards to Councillor Cassidy's motion directing both the Planning Dept. and Applicant meet with the community, we confirm no discussions were either attempted, arranged or held.
- It is highly unusual for our Association not to have had any discussions with either party, as this is a routine part of the City's Community Planning Process. This is of particular concern as the Landholder (Sifton Properties), City and CA accepted the Board's Order 20 years ago. Sifton respected the density and scale limitation for Block 6 which is roughly the same size of Block 7.
- It is beyond comprehension why the passed council resolution was not completed.
- The resultant amended proposal is compromised as it did not come from a comprehensive community consultation as per Council's recent direction.

Other issues of concern are:

. Insufficient visitor parking of 5 parking spots for proposed density of 230 uph. Many units will have more than one vehicle. The proximity to the university generally denotes more than 2 residents per unit. The overflow parking will be on the street parking along North Centre Rd., which is routinely filled at the moment. Overflow parking will then fall into the various retail parking lots through out the area.

. Bonusing is generally considered to provide public benefit. This does not seem to be the case in this instance. For example, bonusing is supplied because Masonville is denoted a transit hub. Masonville has always been a transit hub in the north end. In addition, bonusing is supplied in effect for BRT which will not come to fruition for at least a further 5 years. We note BRT is not a decided Council matter. This is absurd.

. Inflation this year is 3%. Any monetary proposal as noted in 4.3 under OP 2) should be adjusted for annual inflation compounded over the eventual timing of payment as it occurs, and over and above \$250,000 if this is the case. Otherwise, the real dollar value received in the future, will be less.



. Overall, bonusing provided is 48% higher than the standard 150 uph. The scale of this development does not fit in with "the surrounding building stock" aka neighbourhood (4.3 PPS). Simply put, the "strong effort to create a transition in scale" is not nearly enough, especially when one considers the substantial bonusing provided to assist w the transition. (4.3 OP).

. The comparable development of 12 stories noted on North Centre west of Richmond is 50% lower than the proposed 18 stories for Block 7 (4.4 Issue and Consideration #4 – Context).

. Within the context of the OMB Decision, with all development to date in 6 of 7 blocks meeting the OMB zoning designation, Block 7 should be developed within the same parameters. We are discussing lands north of North Centre Road.

. In particular, the water table is very high. Again, we draw a comparison to Sifton's development on Block 6 as it relates to size, scale and compatibility within Tricar's proposal on the same sized piece of land.

. Finally, we do not support any change in zoning without relative the hydro and geotechnical reports, due to issues within the entire block. If something goes wrong on Block 7, it will impact the entire quadrant.

. We remind both Planning Committee and Council, we await an explanation for the lack of discussion/meetings w both the City and the applicant, which is routine. The broader community is having a hard time understanding such a blatant "oversight".

September 21, 2018

Submitted by Gloria McGinn-McTeer

Past President, Stoneybrook Heights/Uplands Residents Association



From: Jane Jackson

Sent: Friday, September 21, 2018 1:20 AM

To: City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

Subject: Reject Rezoning Application of 230 North Centre Road File OZ-8874.

Dear planning committee,

My husband and I have lived at 185 North Centre Road for 19 years. We are so disappointed to think that this council would consider allowing such a monstrosity to be built in this residential area. Tricar has carried on with their request with no regard for the impact this will have on those in the retirement community next door to their structure, or anyone else in our area. Tricar should be denied the ability to build such a large structure in this established low to medium density neighbourhood.

They have not made any compromise with the height, and find it disgusting although not surprised as this company tends to always get what it wants in London.

Please show us that you are listening and looking out for us, the neighbours of this area, that are going to be impacted so negatively, thru shadowing, and traffic, etc, by voting against this monolithic structure and forcing Tricar to bring its height down to the medium density maximum, or at the most 10 stories.

Sincerely,  
Jane and Scott Jackson



To: Planning & Environment Committee; Mike Corby, City Planner;  
City Councillors;  
From: Jessie Chesnut, 145 North Centre Rd, London  
Date: September 20, 2018  
Subject: OZ-8874 -- 230 North Centre Road, Tricar – **ISSUES**

1 At the public meeting with the Planning and Environment Committee on July 16, they voted Yes unanimously to a motion that “Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduce shadow or overlook, reduce massing...” MEETING WITH THE COMMUNITY HAS NOT BEEN DONE. Tricar’s plan is the 3<sup>rd</sup> brought forth and and it has not reduced massing.

2 **NEGATIVE IMPACT ON** Our North Centre Road and surrounding community of townhomes, senior residences and one apartment building set into the west hill. With Tricar’s plan for this massive building with minimal green space – 230 units plus 17 podiums (?), the well-being of our neighbourhood will be reduced. Many of us are seniors and this massive building will contain at least 500 additional people along with many vehicles, all using and misusing North Centre Road, including the senior’s residence, Richmond Woods. NOISE created by this mass of people and cars, vehicles for the building parking on the street will all create CHAOS for North Centre residents! OUR QUALITY OF LIFE IS IMPORTANT AS MEMBERS OF LONDON.

3 **MEDIUM DENSITY** – That is what this area is designated as. North Centre and surrounding area homes and buildings are all built as low-lying buildings, all, including the malls, fit into this pre-established community. One exception is the Tricar building at 300 North Centre (west side), one building, 12-stories, built into the hill behind. The bottom two are underground parking; also outdoor resident parking. Up and behind are multi-decade evergreen trees so from behind on top of the hill, you can only see the top of the windows of the top floor of 300 NC. This building offers greater than 5 guest parking spaces (that’s what 230 North Centre has) for many fewer units. It also has an auto roundabout across the front of the building. 230 Building, with 3 towers & 17 podiums (latest proposal), has one east-side laneway to move anything in and out of this building ... vehicles – including service, fire, ambulance, not to mention people. There is NO one way in and another way out.



And note that this same laneway is the same laneway that Richmond Woods' service vehicles use.

230 North Centre, as proposed 3x's is NOT compatible with the transition height and intensity of the surrounding area.

4. DENSITY AND BONUSING: This is an election ISSUE! Meant to bring builders to develop land in London, the height and density should not result in an inappropriate scale of development. But this is definitely the issue against Tricar at 230 North Centre. The scale of this building, up and out, takes up almost the entire piece of land—no room to move about it – for vehicles or people. In Tricar's case, it appears they have no care for residents who live around North Centre. I believe from the last meeting Tricar stated that there would be an estimated 700 extra vehicle day trips from this building, plus foot traffic. Hard to imagine!

An April 17, 2018 report by the C.D.Howe Institute says "Ontario Should Scrap Opaque Density Bonusing Deals with Developers." It further states that "deals made behind closed doors" often result in amenities that do not address the neighbourhood's concerns. None of the traditional rationales behind density bonusing provides an adequate argument for its use in place of other, fairer and more transparent planning tools."

Density Bonusing needs to be rethought by our City Council. It only benefits the developer and the city – it creates ill will with a neighbourhood.

5. Concern About High WaterTable for this North Centre Area. A Geotech Report must be done before not after at Tricar's expense. Also the Western property at the top of the hill abuts 230 North Centre – is an Environmentally Significant Area, provincially significant wetlands, part of the Arva Moraine.

Tricar has put no thought, no care, into our North Centre neighbourhood, and had no meeting of issues with our group.



**From:** Laila Ibrahim

**Sent:** Thursday, September 20, 2018 10:50 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Subject:** Fwd: Reject Rezoning Application of 230 North Centre Road (File: OZ-8874)

Sent from my iPhone

Begin forwarded message:

**From:** Laila Ibrahim

**Date:** September 20, 2018 at 10:41:49 PM EDT

**Subject:** Reject Rezoning Application of 230 North Centre Road (File: OZ-8874)

Dear sir,

I would like to point out my concern about the Rezoning Application of 230 North Centre Road "Tricare building" that affecting our neighbourhood, I would like to Point out that the developer has not made any attempt to find a compromise with the community (as per the agreed upon addendum created by the PEC council on July 16).

a Addendum snippet below:

"Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc.;"

With this new proposal - Tricar did not reduce shadowing (still 18-storeys) and they actually increased density (from 215 units to 230 units).

Also I would like to point out that Planning Staff and Tricar have not consulted with the community regarding revising this proposal - as suggested by the PEC committee.

Tricar has done nothing to fix the issues created by a high-density development. Concerns like:

a Tower shadowing, Reduction in quality of life for retirement residents, Safety issues (shared driveway – only one entrance), Traffic problems, Speeding Issues, Unfair bonusing, Privacy issues, Water table concerns, Loss of vital wetlands (buffer issues), Western University's Gibbons



Lodge property view loss, Overdevelopment in an established low/medium density neighbourhood (no transitional intensification), revitalize pre-existing downtown buildings (make them more livable and reduce large vacancy rates).

Thanks  
Laila Ibrahim  
145 North Centre Road



**From:** Michelle Bogdan Stanescu

**Sent:** Thursday, September 20, 2018 2:28 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>; Saunders, Cathy <[cсаunder@london.ca](mailto:cсаunder@london.ca)>

**Subject:** Reject Rezoning of 230 North Centre Road (File: OZ-8874)

**Importance:** High

Good Afternoon Councillors and Planning Staff,

My name is Michelle Stanescu and I am a resident at 145 North Centre Road and I am emailing you today with my final comments regarding 230 North Centre Road (Project Ref: OZ-8874).

**Mike Corby** - Please add my comments to the upcoming PEC meeting notes.

**I request that councilors reject the rezoning application of 230 North Centre Road.**

**The first reason** why I'm requesting a rejection of this proposal is because both Tricar and Planning Staff have failed to be compliant with the motion unaminomously accepted by Councillors at the July 16 PEC meeting. Additionally, the developer's third proposal (to be presented on September 24<sup>th</sup>) has failed to address any of the concerns brought up by community at the previous PEC meeting.

Concerns like:

Shadowing and overlook

Massing and Density (new proposal actually increased massing from 215 units to 230 units)

Reduced quality of life for residents of Richmond Woods Retirement Centre

Traffic congestion concerns with one shared entrance onto North Centre Road

Traffic safety concerns with one shared entrance (bypass using Richmond Woods or issues for emergency response vehicles due to one shared entrance).

View shed for Gibbons Lodge and Richmond St still affected (lost)

Lack of visitor parking (parking issues will occur with only 5 surface visitor parking spots for a proposed 230 units).

Natural habitat disruption of designated wetlands (Gibbons ESA)

Inappropriate scale of development in pre-existing community. Over-intensification of a small piece of land.

Lack of green space.

No geotechnical report. This report needs to be completed prior to rezoning.

Lack of transitional intensification in our designated transit village area (one storey bungalow next to an 18 storey development isn't right).



When the developer first publicly presented their second proposal to the *Planning and Environmental Committee (PEC)* on July 16, 2018, the committee unanimously voted the passing of the following amendment... "Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc.; it being noted that planning staff will continue to process the application and will consider the public, agencies, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application;".

At this meeting, even Councillor Turner stated that "this is still a very live conversation and I would anticipate that there is still a lot of questions and issues that need to be resolved prior to it coming to us [*Planning and Environmental Committee*] for approval. And I would imagine that the form it will take when it finally lands here will be somewhat different. Even from the iterations it has gone through from the 22 storeys to the 18 storeys." (Approx. time of comment 4:06:00 - <https://pub-london.escribemeetings.com/meeting.aspx?Id=d17bed3c-5efe-4cde-a631-e3ff9bc8191d&Agenda=Merged&lang=english#18>).

Since the PEC meeting on July 16, both the developer and planning staff have stopped the conversations with the community and not meet the above addendum requirement of working with the community on developing a new iteration of the proposal. There have been no opportunities for the public to meet with Tricar and/or Planning Staff to work on developing a proposal that reduced the number of concerns presented at previous meeting (listed above). All my neighbours (including myself) were surprised to hear that a "revised" proposal would go before PEC councillors – when we were not included in any conversations post the first PEC meeting on July 16 2018. My community has been silenced and our concerns are being swept under the rug.

Additionally, the new proposal to be presented on September 24<sup>th</sup> does not reduce the shadowing or overlook or massing – as promised in the motion passed at the PEC at the last meeting. "Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc". The elevation of 18 storey building has stayed same as what was presented on July 16<sup>th</sup>, and the massing of the building actually INCREASED (from 215 units to 230 units).

As our elected officials, you need to hold developers accountable to protect our communities. You are our voice in ensuring valid concerns are addressed (and fixed), and that a reasonable proposal are presented.

**The second reason** why I request councillors to reject this proposal is due to the inconsistent notifications to the community. It has been extremely difficult to understand the differences between each proposal Tricar has submitted. Especially Tricar's most recent proposal (i.e. third proposal to be presented on September 24). Tricar's proposals for 230 North Centre Road have constantly changed, and each proposal seems to have different documentation being distributed (ex: sometimes just a handful of renderings, sometimes a fully written proposal, sometimes nothing). This had made the overall proposal process very confusing. All previous proposals were officially posted on the City of London's website. This most recent – third- proposal has not been released on the City website, and my community has had to hear about the changes through word-of-mouth. All previous proposals had drawings submitted and posted on the City website as its own stand alone document.



- First Proposal Submitted: February 15, 2018 (Posted on the City of London Website).
- Second Proposal Submitted: June 14, 2018 (Posted on the City of London Website).
- Third Proposal – Never posted on the City of London Website.

This has lead to a number of conflicting reports regarding the number of towers, building heights and elevations, design, parking, etc. For example, by chatting with Maureen Cassidy and Mike Corby about this project, I've received conflicting explanation regarding elevation and number of towers via email.

**Maureen Cassidy Email (Aug.30):** 3 connected structures of 18, 16 and 6 stories with 2 storey townhouses fronting along Richmond and North Centre Road.

**Mike Corby Email (Sept.6):** 18 storey tower with two storey wings totalling 16 storeys. One 10-storey wing along Richmond and one 6- storey wing along the north side of the development. No mention of townhouses.

I believe it is a basic right for our community have a clear understanding of what will be presented to our community from the developer. The proposal should be rejected until the developer is compliant with city publication by-laws (20-days notice) and transparent with their designs.

**My final reason** to request the rejection of this proposal is due to my current frustrations with bonusing allotments given to this proposal.

When originally proposed, building bonuses were supposed to be an incentive given by the city to encourage developers to build within London, while still benefiting the community. When bonusing was originally proposed it stated that requests from the city "had to be reasonable". **Height and density should NOT result in an inappropriate scale of development.** "So we aren't just bonusing to receive public art but rather, height and density is fitting with good planning and compatible with the surrounding neighbourhood" (John Fleming, October 7 2014). Bonusing in my area extremely favours developers and hurts my community. This is the last sliver of land that needs to be developed on North Centre Road. **When it comes to infill development in established neighborhoods, I plead for councilors to find an appropriate balance in development and respect the character of my established community.** On page 198 of The London Plan it states that Transit Villages will have quote "Transition height and intensity between...surrounding neighbourhoods". A 18 storey building less than 33 meters from a 1 storey bungalow is not compatible development and it shows just how Tricar is trying to take advantage of the BRT bonusing. This proposed high-density development does not have "transitional intensification" due to this extra bonusing.

As Councillor Cassidy mentioned at the July 16 PEC meeting "Masonville Place... this is a major commercial zone...with a high concentration of employment. It's not simply about people living in a high density or medium density residential area...but getting people from other areas of the city on transit to these employment areas." (Maureen Cassidy at 3:43:00 - <https://pub-london.escribemeetings.com/meeting.aspx?Id=d17bed3c-5efe-4cde-a631-e3ff9bc8191d&Agenda=Merged&lang=english#18>). Each Transit Village Hub has different character and community of development. What is developed around the downtown hub verses the Masonville hub is very different. However, bonousing allotments are the same for each transit



village hub. I believe the character of each hub needs to be taken into consideration, and that each community's Transit Village Hub have a different allotment of bonusing maximums and minimums.

Our individual communities are not one-size fits all. A more community driven approach with reduced bonusing allotments would be perfect for my area. However, if these outrageous bonusing incentives stay I cannot accept a high density proposal for my community – as it has no benefit for my community and will only create problems.

Thank you for your time in reading my email and for your consideration.

I sincerely, hope you will vote to reject the rezoning proposal for 230 North Centre Road (Project Ref: OZ-8874).

Development can still happen at medium density, and it would be a perfect fit for my community.

Sincerely,  
Michelle Stanescu  
Resident of 145 North Centre Road



Ross Sturdy

**Sent:** Friday, September 21, 2018 8:41 AM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Cc:** [notricartower@gmail.com](mailto:notricartower@gmail.com);

**Subject:** Reject Rezoning Application of 230 North Centre Road (File: OZ-8874)

I'm writing this email to express my real disappointment at the non actions taken to the addendum listed below.

On July 16, 2018 the PEC unanimously voted "yes" to have the city Planning Staff, the Applicant and Community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc... Since that time, in my opinion both Tricar and PEC committee have failed to meet the above requirement of working with the community as we cannot find anyone in the community that has received notice of a meeting or been requested to input any information. In fact, they not only have ignored the addendum to work with the community but have went the opposite way and increased the density from 215 units to 230. This is totally unacceptable.

Please review the following points.

1. Quality Of Life Reduced

The new 230 unit, high density apartment building right beside Richmond Woods will have a real negative impact on the lives of the senior retirement residence. For some of them this is their entire world. The city must consider our seniors lives ahead of a high density apartment building. They will suffer from shadowing, privacy reduction, safety concerns on an already busy road along with the excessive noise of traffic moving through the shared driveway. Can you imagine every time 230 cars are locked and unlocked the noise that will result from horns blowing?

2. PEC Statement

After the July 16, 2018 community had their views communicated, a couple of the PEC members said that this new building beside the seniors home was the same as the one at the corner of Fanshawe and North Centre Rd. which didn't have any problems. I would like to point out that this is not the same at all.

- a) There is no shadow on the retirement home as the tower beside it is on the North side of the home.
- b) The tower contains just over 100 apartments which is less than half the size of the proposed one at 230 North Centre Rd.
- c) If you drive past this tower you will always see cars parked on the road and their visitor parking filled. Double that for the far busier road at 230 North Centre.

3. The City Cannot Continue With Urban Spread

This was a statement made at the July 16, 2018 meeting. If this is the case:

- a) Why did the PEC and the city allow Tricar to build two 14 storey buildings on Sunningdale Road instead of 18 or 22 storey ones like they propose here?
- b) Why is the city allowing a new medium density subdivision to be built on Sunningdale Road instead of high density?
- c) There are many new apartment buildings going up in North London that are around the 12 to 14 storey height. Why should the seniors have a high density building beside them while the rest of the area has lower ones?



d) There is a huge amount of empty building downtown which should be converted to apartments to stop Urban Spread. Downtown is the perfect spot for BRT riders to live as they are at the centre of the city.

The height of this new building is being determined by the proposed BRT. Shouldn't we wait until the building of the BRT has been fully authorized? This is like putting the cart before the horse and everyone will suffer.

Regards  
Ross & Shirley Sturdy  
9-230 North Centre Rd  
London, ON  
N5X4E2



**From:** rob croft  
**Sent:** Thursday, September 20, 2018 11:45 PM  
**To:** Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>  
**Subject:** Fw: OZ-8874 230 North Centre Road

Morning Mike,

This email I sent Sept 4 got missed from the Sept 19 agenda I recieved. I would really appreciate if you could include in the added items.

Thanks,

Rob

On Tuesday, September 4, 2018 12:32 PM, rob croft

Hi Mike,

It has been over 7 weeks now since the PEC meeting regarding Tricar's proposal. At that meeting the committee voted in favour for this amendment: *"Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc.; it being noted that planning staff will continue to process the application and will consider the public, agencies, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application;"* Since then I have not received any notification for an opportunity to review any design changes. I am concerned about the time left to be able to comment on any new design for this building and the impacts it might have on the area. The PEC vote gave us all some hope that our voices were heard and our concerns had merit, but now I am feeling that Tricar's power as a large company is taking precedence over any concerns we have. I believe a compromise can be achieved that would appease both sides - remember we as a community are not asking for single storey homes to be built on this site and fully accept that some type of multi storey apartment will be built. It just needs to fit in with the surrounding built area. So far nothing Tricar has submitted comes close to appeasing any of the concerns- they just seem to be moving the same huge boxes around.

It has been a stressful 7 months for many in this community. I hope our concerns will continue to be taken seriously and we will have an opportunity to review any new plans.

Regards,

Rob Croft



**From:** Ramon Marti

**Sent:** Friday, September 21, 2018 5:05 AM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Subject:** Reject Rezoning Application of 230 North Centre Road File OZ-8874.

Dear Sirs,

We, the residents and home owners near the corner of North Centre Rd and Richmond, are very concerned about the problems that a building like the one proposed by TriCar will bring to the area. This is already a very congested area with traffic problems every day!!!  
Please reconsider allowing this project to be developed.

Ramon Marti



**From:** Robin Whimster

**Sent:** Friday, September 21, 2018 8:48 AM

**To:** PEC <[pec@london.ca](mailto:pec@london.ca)>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); Richard McCullough

**Subject:** Tricar Tower - File OZ-8874

Dear Planning Committee,

I live in 250 North Centre Road, looking onto Richmond Street. I am concerned about the proposed Tricar Tower. I am disappointed with the latest application:

- the massing has been worsened on the Richmond side, with the increase to 10 storeys from 8 in the previous revision. This is not in accordance with the Committee's direction to the developer.
- The geotechnical report may significantly alter the possibilities for this site. Surely this report should be completed before approval is given to the developer.

I look forward to more attention to the Committee's direction from the developer, and site concerns.

Sincerely,

Robin Whimster  
55-250 North Centre Road



**From:** VICTORIA DIGBY

**Sent:** Thursday, September 20, 2018 3:27 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Subject:** Concerned Citizen: Rezoning Application of 230 North Centre Road File OZ-8874.

To: The City of London Mayor, Council Members, PEC Committee Members & City Staff:

My name is Victoria Digby, I have been a resident of London for 28 years and currently live at 1890 Richmond Street. I am writing to express my deep concerns over the recommendation found in the 82 pg. report from Mike Corby (City Planning Dept.) to the PEC that was filed and posted online Wed., Sept 19th regarding The Tricar Group 230 North Centre Road File OZ:8874.

In a few days this matter will come before some of you . . .and possibly within a few weeks this matter could come to all of you for a vote and it is with this possibility in mind that I am writing to formally voice my concerns.

The citizens that live in and around 230 North Centre Road (NCR) have only been aware of the Tricar plans for said property a little over 6 months; however, within that timeframe an impressive grass-roots movement has been formed by local residents to increase awareness of the matter. Although I knew how I felt (shocked) from the very first open house I attended in March, I wasn't sure if others in the area shared my views. But over time, it's become very clear that there is strong opposition for rezoning 230 NCR from its current medium density to a proposed high-density development. The list on pg 35 of Plannings Report is incomplete. I would like to offer a more indepth-complete list of reasons below:

- **SAFETY FOR SENIORS:** There has been no mention in the report from planning nor from Tricar regarding safety concerns for hundreds of Richmond Woods Seniors living next door who will share sidewalks, driveway and emergency exits/entrance w/development; seniors crossing streets who walk daily year-round are at serious risk.
- **SHARED ENTRANCE/EXITS ONTO NCR:** There is no mention in the report from planning of the anticipated traffic congestion near NCR @ Richmond Street because of the location of driveways. See pg 5 map: notice that if this development is built, four separate major developments will enter/exit onto NCR opposite from each other - two shared (230 & 200 NCR), the other two only several feet from one another (235 & 215 NCR) . . . all within 65-75 meters from Richmond. Bottleneck of congestion will ensue.
- **OUTDATED MAPS MISLEAD READER:** The maps (pg. 77 & 78) near the end of the report are seriously outdated and thus misleading - they don't show the current western arm of NCR as a true ring road linking Richmond to Fanshawe Pk Rd. It's heavily travelled now - with this application from Tricar, it will become over intensified.



- **INACCURATE REFERENCING:** Misleading as written within Pg 4 - '1.4 Surrounding Land Use' - the report states that West of the property is residential/commercial. That is not accurate - (See pg. 5) there is no commercial activity west - only residential PLUS another Continuum-of-Care complex at the far western arm of that road (that's right, two seniors complexes on the same road). For commercial retail you have to go south where Best Buy, etc are located.
- **OVERDEVELOPMENT:** The proposed height of the building is over development - it's excessive infilling which disregards gentle transitioning (see pg. 198 of The London Plan). If built, this will be the tallest building north of Oxford Street. Tricar has shown several designs over the 6 months, with the latest design actually increasing their density from 215 to 230. . .so much for compromise, community involvement and current land owner/resident consideration.
- **COMMUNITY VOICE MISSING:** Residents feel we are under siege by a developer with deep pockets with business objectives that don't include consideration of current land owners or local resident concerns. Where is our voice? Where is the community involvement in planning? The metrics provided in the report are misleading (pg. 8 - 3.3 Community Engagement). I never signed anything, so my presence wasn't counted and I've been one of the more engaged residents in this matter! What about the overflow of attendance to the Ward 5 open house - where concerned residents flooded the Hospice Care meeting room. . . was that counted? I've been involved early on in this process and I've never met with planning one on one. Also, the only time I've met or spoken to anyone at Tricar was at the initial open house when a salesperson wanted to sell me on one of the 'spacious floorplans' . . . and the other was when Mr. Carapella responded to my email about a Tricar employee stealing/hiding our signs and where we could find them. The count is flawed. The numbers are not accurate. Letters and phone calls from residents are missing. The system keeping track is full of errors.
- **DEVELOPMENT TOO LARGE:** The area is made up of stable neighbourhoods. The proposed scale is too large, not in keeping with character of the area - especially juxtaposed a major seniors complex (with considerable less storeys) and several acres of private University land to its immediate north which abuts wetlands where an abundant amount of wildlife live.
- **SHADOW CONCERNS:** Residents in area continue to be concerned about the impact of the shadows on the quality of their life. We have seen many shadow study's . . . With so many inconsistencies in this report, I'm not convinced these are from the current high density drawing. . .and thus could be misleading. However, based on the drawings shown near the back of the report, such shadows would be expected living in a downtown core but not on the edge of town in a stable neighbourhood.
- **PRIVACY CONCERNS:** The developer continues to emphasize the focus on privacy for new tenants over the loss of privacy for those that already live in area. Why don't we matter?
- **LACK OF GREEN SPACE:** Misleading drawing (see pg 7) shows a lot of green space around development - but realize that the boulevards on NCR are only approx. 25-30 inches wide between sidewalk and road. No where in the report from planning nor from Tricar is the limited green space in the application addressed adequately. If Tricar is allowed to build 230 units @ (coincidentally) 230 NCR, then where is the quality of life in the area for residents? Once again, the map on pg 77 of the report is misleading;



currently showing open green space to the immediate north side of property which is private land where UWO President lives - Gibbons Lodge. It is not open space for public use and according to Western spokesperson, Peter White, is not going to be changed any time soon either. The land to the immediate right of Gibbons Lodge is shown again as open - but that is protected environmental wetland area - again, not for public use.

- **BONUSING FOR LOCAL COMMUNITY:** According to the report (pg. 14), the bonusing that is being offered is predicated on a future Transit Station at Masonville Mall up to a limit of \$250,000. That's nothing to Tricar . . . one unit in the new complex they are proposing will sell for more than that. Also, the report states that 1 level of underground parking will also be included along with publicly accessible civic space (main lobby). How is this an exchange for the local residents in the area? According to urban planning expert Marcy Burchfield, Ex Director of the Neptis Foundation, "bonusing is an exchange of greater density for a public benefit that is worked out with the community". I'm not aware anyone from our immediate community was involved with the terms of this negotiated bonus. Not all cities allow bonusing (i.e. Oakville) - why does London? Bonusing transfers leverage away from Council and sells it for pennies on the dollar to big developers. London is in high demand - Council doesn't have to incentivize a developer any more to build a quality product that meets the needs of the market. Let market forces reign. London needs to get out of the bonus business and let it begin with rejecting the rezoning application for 230 NCR.
- **LIMITED SURFACE PARKING:** Pg 6 of report states the plan allows for only 5 parking spaces at grade. For a structure as large as the one proposed, how many visitors will travel underground to find 'the additional visitors' spot . . . and will choose instead to park in the shared driveway entrance of those spots currently paid for and reserved for senior residents living in Richmond Woods? The tower is being called 'apartments' which implies rentals . . . so, how many students who rent there will search high and low for visitor parking? They'll park on Richmond or NCR - just like they do now in front of apartments near University Gates. There is additional concern that the corner of NCR & Richmond will become a temporary parking spot for delivery trucks and service vehicles - adding to an already congested area, especially during rush hour.
- **HIGH WATER LEVEL AREA:** Water run off is a major concern to those living east, south and west of development. While I'm confident that Tricar will find ways to waterproof their own footings, the impact within this high-water table area presents a serious concern to those who already have major basement flooding issues. If the current infrastructure is challenged by high water levels, then how much more stress will a huge high rise building place on the system? Will the city be exposed for foreseeable insurance claims and lawsuits for damage caused from flooding?
- **HISTORY OF LAND PRECLUDES:** As it is stated in report (pg. 7) this land has a history that places it in a unique situation. It was under debate and appeal for many years - what is there now is the result of decisions made by previous councils and bodies. The area has been pre-zoned medium density. . . giving other developers since 1995 and residents moving in to area implied guidelines in terms of what to build and expect from inspectors. While the area can remain within the Transit Village area, there needs to be special labelling given to the allowed height on this development - held to the medium density zoning allowance. Special consideration within the Transit Village designated areas has just recently been granted, so this would not be a precedent setting act.



- **TRICAR'S OVERPAYMENT WAS A BAD BUSINESS DECISION:** Let's admit what this is: a developer trying to maximize their profit. But, what Tricar is attempting to do, flies in the face of all good reasoning and solid planning. They over purchased for that land from Sifton with the belief that they could get their intended return on investment through a simple rezoning application . . .all in the name of servicing the Transit Village designation. What they didn't anticipate or perhaps care about was the voice of the community and how Council (being the elected voice of the people) would question their development plans - insisting on 'working with the community' (as the PEC motioned July 16th). Maintaining the medium density will still allow Tricar to exploit that land . . . just not physically assault it as they are intending.
- **PROTECTION OF WETLANDS & NATURAL HERITAGE:** If Council is concerned about the number of high rises in downtown London that impede airspace for flying birds, then how can it turn around and agree to rezoning so as to allow building a large high rise on one acre (approx.) of land? There are falcons, owls, eagles and numerous birds living to the north in the Western/wetlands property. Animals don't follow zoning guidelines. Consistent application of concern over wildlife in this city would be prudent and appreciated at 230 NCR, which sits on the edge of the Masonville watershed. We are concerned for possible loss of habitat for the many animals that live literally next door to planned development.
- **REVITALIZE DOWNTOWN CORE:** Concerns are that planning and Tricar are trying to make Masonville the new downtown. If this happens, then our current downtown really will become the "Old Downtown" by virtue of creating a new one! The name 'old downtown' will imply 'less-than' 'out-dated' and 'old-fashion'. That's developing on too many fronts - not sustainable. If revitalization of the core is desired, then why isn't one developer encouraged to free-up their vacant buildings to tenants?
- **INCONSISTENT NOTIFICATIONS:** The timelines and details as set out early on in the report (pg 7 & 8) are inaccurate and incomplete. Ask any resident if they have been receiving regular updates and notifications from Planning and/or Tricar. They would say 'no'. Even when our Ward Councillor was attempting to get facts, the developer played her by giving old designs and information to share with community. If it wasn't for our persistence sending emails to Mike C., Maureen C. and asking questions to many sources throughout the City, we would be nowhere. From the outset, it's been hit and miss . . .and more misses in terms of letting the community know what's going on. *Example #1: It began with people living within 120 metres being notified - the problem with that? 230 NCR abuts UWO land (1 private residence) and Richmond Woods Seniors complex (the office was notified but not the hundreds of residents). It didn't include those living in 145 NCR, Chantry Place or Foxborough Chase and others. Example #2: July 3rd open house - residents from 145 NCR never received notice. Example #3: July 16th PEC meeting - even those that wrote letters over the prior months weren't informed.*
- **TOO MANY OFFICIAL PLANS BEING USED AS GUIDES:** I'm feeling the affects of 'rough justice' that favours the developer over concerns from residents. I'm still not sure which Official Plan is being used as the legal document guiding Council on this matter. It's not fair to Council. It's not fair to constituents. I would welcome more transparency in this area as so many aspects of the new London Plan are still under appeal.



I understand that City Planners have a vision - their behaviours are consistent with what a city planning dept would do. I also understand that business are out to maximize profit. Again, I get it. But what Tricar is doing now is placing council in an unfair and tough position because they came in with an outrageous design upfront followed by little to no compromise. Council needs to hold the line and be the voice of compromise and reason between city staffers and big developers to consider the needs of those that currently live (and plan on living) in the area. But know that in the end, it'll be Council members that suffer the consequences of of an outcome that favours big development . . not Tricar, nor city staff that approve it. Please reject the application for rezoning 230 NCR and send a message loud and clear to the residents of this city that they still have a strong voice in how this vision of London unfolds.

I thank you for your consideration and time reading this letter.

Victoria Digby  
16-1890 Richmond Street  
London, Ontario N5X 4J1



**From:** Bev Boss

**Sent:** Thursday, September 20, 2018 3:01 PM

**To:** Michelle Bogdan Stanescu

**Cc:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; [notricartower@gmail.com](mailto:notricartower@gmail.com); van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Armstrong, Bill <[BArmstro@london.ca](mailto:BArmstro@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Hubert, Paul <[phubert@london.ca](mailto:phubert@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Ridley, Virginia <[vridley@london.ca](mailto:vridley@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Usher, Harold <[husher@london.ca](mailto:husher@london.ca)>; Park, Tanya <[tpark@london.ca](mailto:tpark@london.ca)>; Zaifman, Jared <[jzaifman@london.ca](mailto:jzaifman@london.ca)>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>; Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>

**Subject:** Re: Reject Rezoning of 230 North Centre Road (File: OZ-8874)

Thank you to all the community who have worked diligently with this issue.

Tri car You are "bullies" trying to throw your money around with no consideration to the homeowners who are affected by your hurendous proposal.

I am extremely disappointed with our so called city council who have allowed it to go this far. You think shadowing is no big deal. Well as a retired Social Worker, sunshine is extremely important to our health and well being. Especially to our dear seniors of Richmond Woods who have worked so hard and are entitled to their amazing community of rays of sunshine and peace in their community.

The disrespect of Tri car to try to over rule the OMB ruling of medium density speaks to their character and greed.

I have been in the Masonville area for over 30 years and choose North Centre to enjoy my retirement. The peace and tranquility.

If I want chaos I can go through the gate to Masonville and get my fill.

City Council you need to listen to your community and taxpayers who DO NOT WANT this in their community.

I am new in the North Centre Community but will fight to the bitter end and appeal the decision of city council if they approve this preposterous plan of 18, 16, and oh more stories.

Sincerely disappointed

Bev Boss

145 North Centre

We will accept NOTHING but MEDIUM DENSITY as per the ruling of the OMB.

City Council you need to listen and respect your community of taxpayers and elders.



**From:** Denis

**Sent:** Thursday, September 20, 2018 7:48 PM

**To:** PEC <[pec@london.ca](mailto:pec@london.ca)>; Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>

**Cc:** [notricartower@gmail.com](mailto:notricartower@gmail.com)

**Subject:** Written Concerns About Proposed Tricar Development at 230 North Centre Rd.

Hello,

My name is Denis and I live at 185 North Centre Road. I have lived at this address since 2009. I have a number of concerns with the proposed Tricar residential tower at 230 North Centre Rd.; however, I'm sure many residents in this neighbourhood will address a majority of my concerns, so I'd like to focus on one concern in particular.

My concern is for the neighbouring retirement home residents at Richmond Woods Retirement Village. There are often many of them walking on the sidewalks and crossing North Centre Rd. while they're using various mobility aids; sometimes, they do not cross at the nearest light at North Centre Rd. and Richmond St. but, rather, they walk outside of this pedestrian crosswalk area, crossing North Centre Rd. north/south, in order to save time. Oftentimes, even if they crossed at this nearest pedestrian crosswalk, the light changes so quickly that anyone with mobility issues would not have time to properly cross in any available direction. The increased traffic from a high density residential tower, like the proposed Tricar tower, would undoubtedly lead to accidents and, possibly, fatalities. Already the traffic on North Centre Rd. is much heavier than a few years ago due to the new housing developments just north of here. Increasing the population with a high-density tower situated directly on North Centre Rd. will only lead to greater (unsustainable) vehicle volume and will put these senior residents in direct danger.

It is already difficult enough for my wife and I - who are two able-bodied adults - to safely walk along North Centre Rd. (e.g. my wife was almost hit twice in broad daylight: once by a car exiting the commercial plaza at 235 North Centre Rd. and again while crossing at the North Centre Rd. and Richmond St. lights by a southbound vehicle turning left from Richmond St. onto North Centre Rd.). The vehicle traffic as a result of this proposed development will make walking unsustainable, particularly for those residents with mobility issues. Indeed, it's important that Council be concerned about the impact of overdevelopment of this pre-established low/medium density neighbourhood. It's even more important, however, to consider the pre-established demographics of this community and those demographics include a large retirement home with several residents that have mobility issues. Overdevelopment of this neighbourhood will undoubtedly impact their safety.

Best,

Denis



# London Advisory Committee on Heritage

## Report

The 9th Meeting of the London Advisory Committee on Heritage  
September 12, 2018  
Committee Rooms #1 and #2

Attendance                      PRESENT: D. Dudek (Chair), S. Adamsson, D. Brock, J. Cushing, H. Elmslie, H. Garrett, S. Gibson, T. Jenkins, J. Manness, K. Waud and M. Whalley and J. Bunn (Secretary)

ALSO PRESENT: J. Dent, L. Dent, K. Gonyou and K. Gowan

The meeting was called to order at 5:30 PM.

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that the following pecuniary interests were disclosed:

- a) T. Jenkins disclosed pecuniary interests in clauses 2.3 and 3.13 of this Report, having to do with a Notice of Planning Application and Heritage Impact Assessment for a zoning by-law amendment at 723 Lorne Avenue and a Cultural Heritage Evaluation Report for the Wharncliffe Road Bridge over the Thames River, respectively, but indicating that her employer is involved in both of these projects; and,
- b) J. Manness disclosed a pecuniary interest in clause 5.10 of this Report, having to do with a discussion related to vacant heritage buildings, but indicating that he owns a vacant heritage property.

### 2. Scheduled Items

#### 2.1 6th Annual Emancipation Day Celebration

That it BE NOTED that a verbal presentation and the attached flyer, from J. Turner and J. O'Neil, with respect to the Emancipation Day Celebration scheduled for September 23, 2018 at Westminster Ponds Environmentally Significant Area, were received.

#### 2.2 Heritage Alteration Permit Application - 836 Wellington Street By-law No. LS.P. - 3104-15

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the *Ontario Heritage Act* to remove and replace the existing slate roof on the building located at 836 Wellington Street, consent BE GIVEN with the condition that the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed; it being noted that the London Advisory Committee on Heritage is satisfied with the proposed shingle brought forward by the applicant;

it being noted that the attached presentations from K. Gowan, Heritage Planner, and C. and R. Leishman, property owners, with respect to this matter, were received.

#### 2.3 Notice of Planning Application and Heritage Impact Assessment - Zoning By-law Amendment – 723 Lorne Avenue

That the following actions be taken with respect to the Notice of Planning Application, dated August 29, 2018, from M. Knieriem, Planner II and the



Heritage Impact Assessment (HIA) dated August 2018 and communication dated September 6, 2018, from ASI Archaeological Cultural Heritage Services with respect to the property located at 723 Lorne Avenue, located in the Old East Heritage Conservation District:

a) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied by the recommendations of the above noted HIA; and,

b) the Civic Administration BE ADVISED that the LACH prefers development concept 1 from the above-noted Notice of Planning Application;

it being noted that the attached presentation from M. Knieriem, Planner II, with respect to this matter, was received.

#### 2.4 Victoria Park Precinct Study

That it BE NOTED that the attached presentation and Community Information Meeting Notice, from M. Knieriem, Planner II, with respect to the Victoria Park Precinct Study, were received.

#### 2.5 Rapid Transit – Cultural Heritage Screening Report – Update

That the Civic Administration BE REQUESTED to undertake the following actions with respect to the update on the Rapid Transit Cultural Heritage Screening Report:

a) provide the London Advisory Committee on Heritage (LACH) with the final Cultural Heritage Screening Report (CHSR);

b) consult the LACH on the post-Transit Project Assessment Process (TPAP), Cultural Heritage Evaluation Process (CHER) and Heritage Impact Assessment (HIA) methodology;

c) consult the LACH with respect to the proposed groupings of properties for the completion of Cultural Heritage Evaluation Reports (CHERs) and/or Heritage Impact Assessments (HIAs); and,

d) consult the LACH on the identification of individual properties which warrant individual, property-specific, CHERs and/or HIAs;

it being noted that the attached presentation from J. Hodgins, Engineer-in-Training, Environmental and Engineering Services, with respect to this matter, was received.

### 3. Consent

#### 3.1 8th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 8th Report of the London Advisory Committee on Heritage, from its meeting held on July 11, 2018, was received.

#### 3.2 Public Meeting Notice - Zoning By-law Amendment - 391 South Street

That it BE NOTED that the Public Meeting Notice, dated July 25, 2018, from S. Wise, Senior Planner, with respect to a zoning by-law amendment for the property located at 391 South Street, was received.



- 3.3 Public Meeting Notice - Zoning By-law Amendment - 131 King Street
- That it BE NOTED that the Public Meeting Notice, dated July 26, 2018, from M. Corby, Senior Planner, with respect to a zoning by-law amendment for the property located at 131 King Street, was received.
- 3.4 Notice of Public Meeting - 2186121 Ontario Inc. - 1146-1156 Byron Baseline Road
- That it BE NOTED that the Notice of Public Meeting, dated July 25, 2018, with respect to a zoning by-law amendment application for the properties located at 1146-1156 Byron Baseline Road, was received.
- 3.5 Notice of Planning Application - Draft Plan of Subdivision and Zoning By-law Amendments - 3080 Bostwick Road
- That it BE NOTED that the Notice of Planning Application, dated August 17, 2018, from S. Wise, Senior Planner, with respect to a draft plan of subdivision and zoning by-law amendments for the property located at 3080 Bostwick Road, was received.
- 3.6 Public Meeting Notice - Draft Plan of Vacant Land Condominium and Zoning By-law Amendment - 459 Hale Street
- That it BE NOTED that the Public Meeting Notice, dated August 23, 2018, from L. Mottram, Senior Planner, with respect to a draft plan of vacant land condominium and zoning by-law amendment for the property located at 459 Hale Street, was received.
- 3.7 Notice of Study Commencement - Adelaide Street North Municipal Class Environmental Assessment Study
- That it BE NOTED that the Notice of Study Commencement from H. Huotari, Parsons Inc. and M. Davenport, City of London, with respect to the Adelaide Street North Municipal Class Environmental Assessment Study, was received.
- 3.8 Notice of Public Information Centre - Riverview Evergreen Dyke - Municipal Class Environmental Assessment
- That it BE NOTED that the Notice of Public Information Centre, from P. Adams and A. Spargo, AECOM Canada, with respect to a Schedule B Municipal Class Environmental Assessment for the Riverview Evergreen dyke, was received.
- 3.9 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 900 King Street and 925 Dundas Street
- That it BE NOTED that the Notice of Planning Application, dated August 8, 2018 and the Public Meeting Notice, dated September 5, 2018, from M. Campbell, Planner II, with respect to Official Plan and zoning by-law amendments for the properties located at 900 King Street and 925 Dundas Street and the Cultural Heritage Evaluation Report and Heritage Impact Assessment, dated August 2018, from Common Bond Collective, with respect to the property located at 900 King Street, were received;
- it being noted that the London Advisory Committee on Heritage (LACH) will be required to comment on the cultural heritage attributes of the above-noted property at a later date;



it being further noted that the LACH is not opposed to the proposed zoning by-law amendment.

3.10 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 470 Colborne Street

That the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research assessment and conclusions of the Heritage Impact Review, dated June 2018, from Kirkness Consulting, with respect to the property located at 470 Colborne Street; it being noted that the LACH is not opposed to the proposed Official Plan and zoning by-law amendment and that a Heritage Alteration Permit may be required for any exterior alterations;

it being further noted that the Notice of Planning Application, dated August 29, 2018, from B. Debbert, Senior Planner, with respect to the above-noted matter, was received.

3.11 Long Term Water Storage Class EA - N. Martin

That it BE NOTED that the communication from N. Martin, AECOM, with respect to the Long Term Water Storage Class Environmental Assessment, was received.

3.12 Cultural Heritage Evaluation Report - Wenige Expressway Bridge (4-BR-14) Highbury Avenue Over the Thames River

That it BE NOTED that the London Advisory Committee on Heritage supports the findings of the Cultural Heritage Evaluation Report, dated January 2018, from AECOM Canada, with respect to the Wenige Expressway Bridge (4-BR-14), Highbury Avenue over the Thames River.

3.13 Cultural Heritage Evaluation Report - Wharncliffe Road Bridge (1-BR-07) Over the Thames River

That it BE NOTED that the London Advisory Committee on Heritage supports the findings of the Cultural Heritage Evaluation Report, dated May 9, 2018, from ASI Archaeological and Cultural Heritage Services, with respect to the Wharncliffe Road Ridge (1-BR-07) over the Thames River.

3.14 Letter of Resignation - B. A. Vazquez

That it BE NOTED that the letter of resignation from B. Vazquez, was received; it being noted that the London Advisory Committee on Heritage (LACH) thanks Mr. Vazquez for his time and effort over his years on the LACH.

3.15 Public Meeting Notice - Zoning By-law Amendment - 745 and 747 Waterloo Street

That it BE NOTED that the Public Meeting Notice, dated September 5, 2018, from M. Knieriem, Planner II, with respect to a zoning by-law amendment for the properties located at 745 and 747 Waterloo Street, was received.



#### **4. Sub-Committees and Working Groups**

##### **4.1 Planning and Policy Sub-Committee**

That it BE NOTED that the Planning and Policy Sub-Committee Report, from its meeting held on September 4, 2018, was received.

##### **4.2 Stewardship Sub-Committee**

That it BE NOTED that the Stewardship Sub-Committee Report, from its meeting held on August 29, 2018, was received.

#### **5. Items for Discussion**

##### **5.1 Removal of Properties from the Register**

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the properties identified in Appendix A of the staff report, dated September 12, 2018, BE REMOVED from the Register (Inventory of Heritage Resources); it being noted that the demolition requests were processed following the applicable legislation and practice at the time of the request and that no further notification or consultation is required.

##### **5.2 Guidelines for the Installation of Photovoltaic Technology on Heritage Designated Properties**

That the Civic Administration BE REQUESTED to report back at a future meeting of the London Advisory Committee on Heritage with respect to further information related to proposed City of London Guidelines for the Installation of Photovoltaic Technology on Heritage Designated Properties; it being noted that the attached presentation from K. Gowan, Heritage Planner, with respect to this matter, was received.

##### **5.3 Heritage Alteration Permit Application by E. Seminara - 187 Dundas Street - Downtown 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* for upgrades to the commercial storefront and signage to the building located at 187 Dundas Street, within the Downtown Heritage Conservation District, BE PERMITTED, with the term and condition that the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed; it being noted that the attached presentation from L. Dent, Heritage Planner, with respect to this matter, was received.

##### **5.4 Request for Designation of 432 Grey Street by the Trustees of the London Congregation of the British Methodist Episcopal Church in Canada**

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, of Municipal Council's intent to designate the property located at 432 Grey Street to be of cultural heritage value or interest for the reasons outlined in the revised attached Statement of Cultural Heritage Value or Interest; it being noted that the attached presentation from L. Dent, Heritage Planner, with respect to this matter, was received.



5.5 Distribution of Expanded Archaeological Project Information Lists

That it BE NOTED that the Monthly List of Archaeological Projects Questions and the Fact Sheet, dated July 30, 2018 from the Ministry of Tourism, Culture and Sport, were received.

5.6 Digital Publication of the Updated "Inventory of Heritage Resources"

That the Civic Administration BE REQUESTED to add the Register (Inventory of Heritage Resources) to the City of London's Open Data Portal; it being noted that a communication from M. Whalley, with respect to this matter, was received.

5.7 Heritage Planners' Report

That it BE NOTED that the attached submission from K. Gonyou, L. Dent and K. Gowan, Heritage Planners, with respect to various updates and events, was received.

5.8 Mayor's New Year's Honour List

That it BE NOTED that the 2019 Mayor's New Year's Honour List Nomination Request letter, dated July 23, 2018, from the City Clerk, was received.

5.9 LACH 2018 Work Plan

That the following actions be taken with respect to the 2018 London Advisory Committee on Heritage (LACH) Work Plan:

a) the revised attached 2018 Work Plan BE RECEIVED; it being noted that changes were made to the distribution of the LACH budget; and,

b) the item on the above-noted work plan, with respect to heritage signage and plaque placement and funding, BE REFERRED to the Education Sub-Committee for review and a report back to the LACH.

5.10 Vacant Heritage Buildings - Discussion

That it BE NOTED that a verbal update from K. Gonyou, Heritage Planner, with respect to vacant heritage buildings was received.

5.11 Community Heritage Ontario Newsletter - Summer 2018

That it BE NOTED that copies of the Community Heritage Ontario newsletter dated "Summer 2018", were distributed to the members of the London Advisory Committee on Heritage.

**6. Deferred Matters/Additional Business**

None.

**7. Adjournment**

The meeting adjourned at 8:57 PM.





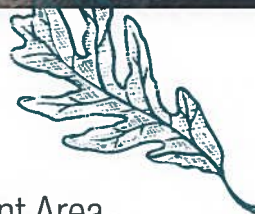
# THE MEETING TREE

## Emancipation Day Celebration

Join us to celebrate freedom from slavery.

**Sunday, September 23**

1:30 – 5:30 p.m.



Westminster Ponds Environmentally Significant Area  
(enter from Commissioners Road via Parkwood Hospital entrance)

Transportation will be provided from the picnic area to  
The Meeting Tree trail. Closed toe footwear is recommended.

Kick off National Forest Week at the Emancipation Day Celebration!

Guests are invited to join us for a picnic, live music,  
family-friendly activities and a tree giveaway.



A photo from the Emancipation Day  
Celebration held at Springbank Park in  
August 1970.

Source: London Free Press

LONDON  
*Heritage*  
COUNCIL



**ReForest London**  
planting the future today



**London**  
CANADA

Find us on  **The 6<sup>th</sup> Annual Emancipation Day Celebration**








## Heritage Alteration Permit 836 Wellington Street

London Advisory Committee on Heritage  
Wednesday September 12, 2018

london.ca




## Property Location + Status




- Designated –Part IV under the *Ontario Heritage Act* (By-law No. L.S.P.3250-29 ) –March 6, 1995

Location of 836 Wellington Street




## Property Description



- Queen Anne and Edwardian styling
- Constructed c.1907
- Heritage attributes include:
  - Original slate roof
  - Wooden brackets
  - L-shaped porch
  - Interior oak features

836 Wellington Street (c. 1995)



## Policy

- Heritage Alteration Permit approval is required under Section 33(1) of the *Ontario Heritage Act* for the alteration of any part of the property if the alteration is likely to affect the property's heritage attributes; attributes are set out in the by-law designating the property.
- The Designating By-law for 836 Wellington Street (L.S.P.3250-29) specifically refers to the original slate roof
- The alteration of the slate roof was undertaken prior to obtaining Heritage Alteration Permit approval





## Heritage Alteration Permit



- Heritage Alteration Permit (HAP) application submitted August 20, 2018
- The HAP application proposes:
  - removal of the slate tiles
  - replacement with asphalt shingles

836 Wellington Street- after removal of slate roof and replacement with asphalt shingles (July 10, 2018)




## Scope of Work




- Remove all slate tiles from the existing slate roof; and
- Replace slate with asphalt shingles
- Replace with "GAF Slateline" asphalt shingles.

GAF brochure for "GAF Slateline" Asphalt Shingles



## Analysis

- Slate tiles have deteriorated and need replacement
- Replacing with slate is understood to be cost prohibitive
- Review 'Eight Guiding Principles in the Conservation of Built Heritage Properties' (Ministry of Culture);
  - Principle 7. *Legibility: New work should be distinguishable from old*
- Use of asphalt shingles is suitable
  - Style of the material does not credibly express the heritage attribute being replaced
- Style of conventional asphalt shingles allows for new work to be clearly distinguishable



## 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 33 of the *Ontario Heritage Act* to remove and replace the existing slate roof on the building located at 836 Wellington Street, consent **BE GIVEN** with the following terms and conditions:

- The proposed asphalt shingle replacement be in the style of conventional asphalt shingles;
- The final material and style of the shingle replacement shall be to the satisfaction of the Heritage Planner; and
- The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.



# **Briefing Note for LACH on Replacing our Slate Roof**

**By Caroline and Rory Leishman**

836 Wellington Street, London, Ontario

September 12, 2018





## **Heritage Alteration Permit**

Throughout our efforts to replace our worn-out, 111-year-old slate roof, we have attempted, in good faith, to comply with all regulations for Heritage Designated Properties. To this end, we began by consulting the Heritage Designated Properties section on the website of the City of London, where we read the following advice on heritage regulations:

The listing of a property or structure indicates that the property satisfies certain approved criteria based on its architecture, history and context. A listing also indicates the need for special treatment of the property under the Planning Act, the Ontario Heritage Act, the Ontario Building Code and specific city policies such as demolition.

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

On the basis of this advisory, we failed to deduce that a Heritage Alteration Permit is required to replace a decrepit slate roof.



## **Architectural Considerations**

We also looked to London's Heritage pages for architectural guidance on replacement of a slate roof, but found nothing. We then conducted an extensive internet search which turned up the following document: "[9.0 conservation guidelines -- City of Windsor](#)."

In section 9.3.1 Slate, this document advises:

If total replacement of a slate roof is required, and new slate is not a feasible option, the new roofing material should be as visually similar to the original material as possible, with respect to colour, texture and detail.

Correspondingly, the fourth of the Ontario Ministry of Culture's Eight Guiding Principles in the Conservation of Built Heritage Properties states:

4. RESPECT FOR ORIGINAL FABRIC: Repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.

In the report on our heritage application permit that was submitted earlier this week to your Committee on behalf of the City of London, we found out for the first time that London's heritage planners maintain that replacement of a slate roof should conform to the seventh of the Eight Guiding Principles:

7. LEGIBILITY: New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.

Experts evidently disagree on this point: In a telephone interview on Tuesday, September 11, Bert Duclos, Heritage Outreach Consultant and contact person for Municipal Heritage Committees in the Culture Services Unit of the Ontario Ministry of Tourism, Culture and Sport, affirmed that in replacing a worn-out, slate roof, homeowners should attempt as best they can to comply with the fourth of the Ministry's Guiding Principles by choosing a material that resembles the original fabric as much as possible.



## Why We Chose GAF Slateline

We are proud of the heritage status of our home and would have preferred to replace our worn-out roof with scalloped, natural slate like the original. However, at an estimated cost of \$80,000, that option, even if such a product could be found, would have been simply unaffordable for us.



GAF Slateline partially installed on our house

Based on the advice of the Windsor Conservation Guidelines, we asked Brad Kerr of Davidoff Roofing and Eric Maas, President, Murray Shaw Roofing for estimates on replacing our slate roof with the best quality, affordable shingles that would most closely resemble the original slate. Kerr recommended CertainTeed Carriage House and Maas proposed GAF Slateline. Both estimates were in the range of \$17,000 to \$20,000.

Later, we discovered that CertainTeed Carriage House and GAF Slateline are both recommended by the historic preservation offices in [Columbus](#), Ohio, and [Portsmouth](#), Virginia, as appropriate replacements for natural slate.



## **GAF Slateline and Other Options**

GAF Slateline Antique is a premium dimensional shingle that is intended to provide "The Look of Slate at a Fraction of the Cost." We agree with Krista Gowan, Heritage Planner for London, that this shingle is "inauthentic in style, detail and proportions" to our old slate. But the same is true of every other shingle that she said she would be willing to recommend. Having carefully examined all of Ms Gowan's proposed alternatives, we have concluded that GAF Slateline remains much the best choice in that it resembles the colour of the old slate on our roof, has a distinguished appearance consistent with the stately quality of our heritage home, and conforms to the maximum feasible extent with both the "Legibility" and "Original Fabric" requirements in the Ministry of Culture's guidelines for heritage homes.

Before arriving at this conclusion, we spent dozens of hours over many days examining alternatives to GAF Slateline proposed by Ms Gowan, beginning with Euroshield Heritage Slate and EDCO Metal Slate. Both of these are premium products that bear some resemblance to slate, but each would cost about \$55,000 to instal on our roof-- an amount we cannot afford.

Ms Gowan then suggested that we consider GAF Timberline HD, Malarkey Legacy and IKO Dynasty. In response, we explained that we would prefer not to install any of these products because they are designed to resemble wood shakes, not slate. Finally, on August 14, Ms Gowan suggested we consider: "A simple, 3-tab shingle like those on the roofs of many of your neighbours." In an email later that day, we asked if she would approve the GAF Marquis Weathermax, which GAF describes as "the top of the line in traditional 3-tab shingles." Ms Gowan responded: "Yes, an asphalt shingle that is simple in style ( e.g. no bold shadow lines or tapered cut-outs) would receive a positive recommendation. The GAF Marquis Weathermax is an example of an asphalt shingle that is simple in style."



## **GAF Slateline vs GAF Marquis Weathermax**

Research Roofing is a company whose stated aim is “to give homeowners and commercial building property managers an impartial insight into the roofing industry.” In an evaluation of three-tab shingles, the reviewer states:

Three tab shingles are quickly becoming obsolete.... They do not have very high uplift ratings for wind and I can’t remember the last time an architect specked them out for a commercial product.

Research Roofing has also published a general review of several higher-end [Specialty Roof Shingles](#) including GAF-Slateline. This review states:

Here you will find many a shingle not often seen on homes or buildings but when they are, you are sure to notice. Specialty shingles make up less than 5% of the total shingle market for one primary reason – cost. Specialty shingles, in general cost more than a common dimensional shingle but there is a payoff. The average specialty shingle carries a 50 year to LIFETIME warranty on the product.

In fact, GAF Slateline has a “Lifetime Ltd. transferable warranty” with coverage for “[winds of up to 130 mph](#),” whereas GAF Marquis Weathermax comes with only a “[25-year, limited transferable warranty](#)” that includes just an “80 mph Ltd. Wind Warranty.”



## Conclusion

These are some of the reasons we maintain that GAF Slateline is much the best, most distinguished, reasonable and affordable product for our roof.

Settling this issue is a matter of urgent concern. With a large portion of our roof still covered with a tarp, we are eager to get new shingles installed before winter arrives and our house gets severely damaged by leaks.



GAF Slateline



GAF Marquis Weathermax





Our tall house is particularly vulnerable to high winds.



## 723 Lorne Ave (Z-8454) City-initiated Zoning By-law Amendment for the Former Lorne Avenue Public School Property

September 12, 2018



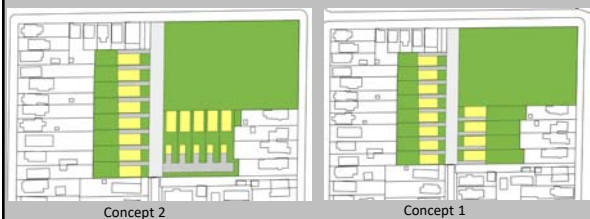
### Subject Property



- Property Area  
➤ 1.36 hectares
- Existing Permitted Uses:  
➤ Neighbourhood Facilities
- Proposed Uses:  
➤ Parkland  
➤ Low-rise Residential Infill Development



### Proposed Land Use Concept

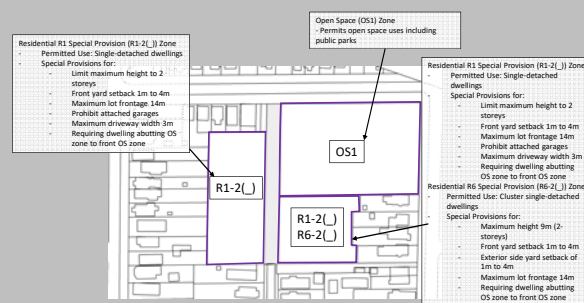


Concept 2

Concept 1



### Proposed Zoning By-law Amendment





### HIA Recommendations and Staff Response

Recommendation 1: The architectural elements, materials, and pallets of new buildings should be consistent with the policies and guidelines described in Section 4.5 of the Old East Heritage Conservation District Conservation and Design Guidelines (2006). Plans and drawings demonstrating how the building is consistent with the policies and guidelines should be submitted and approved as a condition of site plan approval.

*Response:*

- *The subject site will not be required to go through site plan approval*
- *Any proposals for the development of the single detached dwellings or cluster single detached dwellings will require a Heritage Alteration Permit, at which point Staff will review for consistency with the policies and guidelines to ensure fit.*



### HIA Recommendations and Staff Response

Recommendation 2: A landscape plan should be established for properties within the new development, incorporating the Streetscape Design Guidelines described in Section 5 of the Old East Heritage Conservation District Conservation and Design Guidelines report. The landscaping plan should be submitted and approved as a condition of site plan approval.

*Response:*

- *The subject site is not required to go through site plan approval*
- *A landscape plan will be required from proponents for the Request for Proposals procurement process and the submissions will be evaluated to ensure the Streetscape Design Guidelines are incorporated.*



### HIA Recommendations and Staff Response

Recommendation 3: As per the Request for Demolition report produced by the City of London (dated August 28, 2017) the following salvaged elements from the Lorne Avenue Public School should be incorporated into an interpretation strategy for the proposed open space:

- The school bell; and
- Aluminum lettering that had been affixed to the north façade of the building.

*Response:*

- *The school bell and aluminium lettering have been retained and incorporated into the park design.*

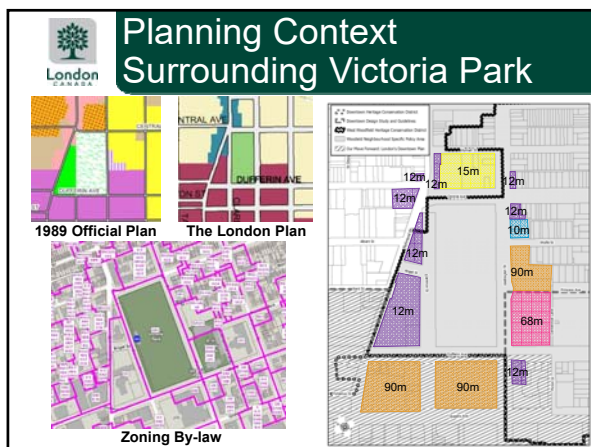


### Next Steps

- September 24, 2018 – Report to Planning and Environment Committee
- Fall, 2018 – Return to UCC for further clarification on right-of-way width
- 2018-2019 – Park design and community information meetings to inform park design
- 2018-2019 – Procurement process (similar to Sherwood Forest Public School)











## Community Information Meeting #1

Date: October 1, 2018

Time: 6:30 p.m. to 8:30 p.m.

Location: London Public Library – Central  
Branch (251 Dundas Street)  
Stevenson and Hunt Room





London  
CANADA

# City of London Planning Services COMMUNITY INFORMATION MEETING

M. Knieriem

Tel: 519-661-CITY (2489) ext. 4549 | Fax: 519-661-5397

Email: [mknieriem@london.ca](mailto:mknieriem@london.ca) | Website: [www.london.ca](http://www.london.ca)

## WHAT

Meeting to inform a planning study for the lands surrounding Victoria Park. Your participation at this event and comments will help the consultant and City Staff prepare a comprehensive plan to guide any future development of the properties surrounding Victoria Park.

## WHERE

**London Public Library – Central Branch  
Stevenson and Hunt Room  
Located at: 251 Dundas Street**

## WHEN

**Monday October 1, 2018  
From: 6:30 p.m. to 8:30 p.m.**

## WHO

Everyone, including residents, businesses, property owners and anyone interested in contributing, your opinion is needed.

## HOW TO GIVE COMMENTS

Please call in, mail, email or fax your comments to the City of London Planning Division, 206 Dundas Street, London, ON, N6A 1G7, Attn: Michelle Knieriem (phone: 519-661-2489 x4549; email: [mknieriem@london.ca](mailto:mknieriem@london.ca))



PLEASE NOTE: This meeting is a community meeting which the City's Planning Services at times convenes when in the opinion of the Managing Director, Planning and City Planner, the community should have a further opportunity to obtain information regarding a planning application. There will be a future public participation meeting required under the Planning Act, held at the Planning and Environment Committee, which will give you an opportunity to comment to Municipal Council on the planning application.

Personal information collected at this meeting is collected under the authority of the Planning Act, R.S.O. 1990 and may be used for the purpose of informing you of future information meetings and Statuary Public meetings relating to this matter.



# London Advisory Committee on Heritage Meeting

September 12, 2018







# Background

WSP Canada Inc. has prepared a Cultural Heritage Screening Report ( **CHSR**) for the proposed Bus Rapid Transit system (**BRT**). The City is following the Transit Project Assessment Process (**TPAP**), and this CHSR document will be part of the Environmental Project Report (**EPR**). The study area includes the BRT project footprint and adjacent properties.

The purpose of this CHSR is to review primary and secondary documentation and mapping to establish a developmental history of the study area and identify properties with recognized or potential cultural heritage value or interest (**CHVI**).

Part IV, Part V and listed properties have been included for assessment where impacts are anticipated. Additional properties within and adjacent to the study area have been screened for known or potential CHVI. The CHSR makes recommendations about whether a **CHER**, **HIA**, or no further heritage work is recommended.



# Changes Since Draft CHSR (Feb. 2018)

How LACH comments have been incorporated :

- Properties identified by LACH as being of no heritage concern have been identified in the CHSR and will not require further heritage assessment
- 30 additional properties recommended by LACH have been added to the CHSR
- Additional properties now Listed on the City's Register
- Individual properties located within the HCDs have been included

Additionally, MTCS has requested more information on the nature of the potential impacts to directly affected properties:

- A section outlining the level of potential impacts has been added to the CHSR
- The CHSR identifies potential low , medium or high impacts to the CHVI of identified properties



# Next Steps

Properties identified as requiring further cultural heritage work in the draft CHSR (Feb. 2018) have been added to the City's Register.

Properties with High , Medium and High -Medium potential impacts are recommended for CHERs and/or HIAs during Detail Design.

Properties with Low or Medium -Low potential impacts are not recommended for CHERs and/or HIAs during Detailed Design.

Individual HIAs will be completed for:

- Designated properties
- Properties that have been identified as having CHVI through a CHER
- Key properties of concern identified by heritage staff and LACH

Group HIAs will be completed for:

- Properties designated within HCDs with landscape -level impacts

General mitigation approaches will be developed for:

- Properties adjacent to impacted properties
- Properties that may be indirectly impacted by the proposed work



# How LACH will influence CHERs and HIAs after TPAP

LACH's input is required to:

- Provide feedback on the Post -TPAP CHER and HIA methodology
- Recommend groupings of similar buildings which may be assessed together in Grouped CHERs
- Identify key properties which may require individual CHER/HIA



# What happens after TPAP?

- Detail Design of the BRT corridors, then construction.
- Construction of the BRT corridors will occur in stages.
- Rapid Transit team will continue to work closely with Heritage Planner and LACH to conserve cultural heritage resources during Detail Design
- Archaeological assessments







## Guidelines for the Installation of Photovoltaic Technology on Heritage Designated Properties


London Advisory Committee on Heritage  
Wednesday September 12, 2018

london.ca




## Background

- In 2012 the London Advisory Committee on Heritage (LACH) endorsed the document "Solar Panel Guidelines for Designated Heritage Properties" as an official City of London guideline document.
- A recent Heritage Alteration Permit application renewed the momentum for a guideline document that applies to all heritage designated properties.
- The proposed guidelines have been circulated to the LACH's Planning and Policy Sub-Committee.




## Overall Goal



The goal of the guidelines is to ensure the installation of photovoltaic (PV) technology does not result in adverse impacts to heritage designated properties.

**Guidelines for the Installation of Photovoltaic Technology on Heritage Designated Properties**



## Objectives

**Objectives of the guidelines are to:**

- Provide direction on the installation of PV technology on properties designated under Part IV and/or Part V of the Ontario Heritage Act
- Supplement Heritage Conservation District Plans
- Ensure installation of PV technology on heritage designated properties conform to the Ontario Ministry of Culture's "Eight Guiding Principles for the Conservation of Built Heritage Properties"
- Encourage consultation with a Heritage Planner for heritage designated properties as well as non-designated properties that are listed on the City of London's Register (Inventory of Heritage Resources)





## Staff Recommendation


That, on the recommendation of the Managing Director, Planning and City Planner, the "Guidelines for the Installation of Photovoltaic Technology on Heritage Designated Properties" (Appendix A) **BE ENDORSED** by Municipal Council.



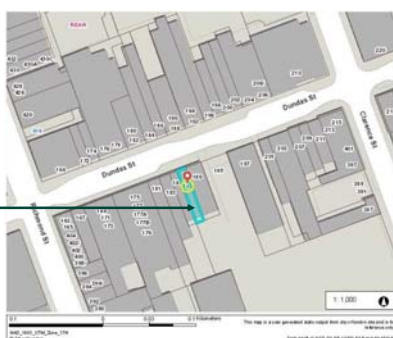
 **Heritage Alteration Permit**  
**187 Dundas Street**

London Advisory Committee on Heritage  
Wednesday September 12, 2018


london.ca

 **Property Location + Status**


- Designated – Part V OHA
- Downtown HCD



187 Dundas Street

 **Property Description**

- 3-storey, commercial building
- Constructed c1887
- Part of Union Block
- Heritage features –
  - di-chromatic brick
  - predominant red brick
  - stone trim at lintels/decorative courses
  - corbel table at cornice
- Varied signage, unified by sill datum line



The Union Block, 183-189 Dundas Street – front facade (August 2018)

 **Heritage Alteration Permit**

- Heritage Alteration Permit application met Conditions for Referral to the LACH (By-law No. C.P.-1502-129)
- Unapproved alterations (removal of signage and portions of the existing storefront)
- Bring into compliance – with OHA and policies and guidelines of the *Downtown Heritage Conservation District Plan*



187 Dundas Street – unapproved alterations underway (July-August 2018)





## Scope of Work

**New storefront glazing system**


- new soffit and side alcove tiling
- new power door operator
- existing metal trim on either side of storefront opening to remain
- existing floor tiling to remain

**New signage w/in existing signboard**

- preparation of existing plywood sheathing at signboard to receive new composite backboard for signage
- Hardie board 'Reveal' panel system over existing sheathing with aluminum trim surround
- new fascia capping signboard
- new sign graphics



Proposed Building Elevation – Coloured



## Analysis

Application compliant with the policies and guidelines of the *Downtown Heritage Conservation District Plan* (Sections 6.1.3.1 – Storefronts; and, 6.1.3.4 – Signage):

- ✓ Appropriate use of decorative features in storefront design (signboard and fascia, display windows)
- ✓ Retention of small recessed entranceway
- ✓ High % of storefront glazing
- ✓ Signage limited to horizontal band over storefront, where previous sign was located
  - ✓ does not detract from, obscure or destroy any important heritage features and improves the streetscape

Upgrades proposed to the commercial storefront and signage conforms with the policies and guidelines of the Downtown HCD Plan, and it is recommended that the Heritage Alteration Permit application be approved.



## Staff Recommendation

Upgrades proposed to the commercial storefront and signage – at 187 Dundas Street – conform with the policies and guidelines of the *Downtown HCD Plan*, and it is recommended that the Heritage Alteration Permit application be approved.

---

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 for upgrades to the commercial storefront and signage to the building located at 187 Dundas Street, within the *Downtown Heritage Conservation District*, **BE PERMITTED** with the following terms and conditions:

(a) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.



**Appendix D – Statement of Cultural Heritage Value or Interest**

**Legal Description**

PLAN 178 PT LOT 13 N/S GREY REG

**Roll Number**

432 Grey Street: 050140037000000

**Description of Property**

The property at 432 Grey Street is located on the north side of Grey Street between Colborne and Maitland Streets. It is adjacent to 430 Grey Street, which is the location of Beth Emanuel British Methodist Episcopal Church (c1868). The building on the property at 432 Grey Street (known as the Fugitive Slave Chapel) was originally located at 275 Thames Street, part of Lot 26, south of Bathurst Street, in the City of London. It is a 1-storey, wood-framed structure, dating from 1853-1855, and built in the vernacular style. The building originally functioned as a place of worship for the African Methodist Episcopal Church congregation (at 275 Thames Street), and was later sold in 1869 and converted to a residential use. The building was relocated to 432 Grey Street in 2014.

**Statement of Cultural Heritage Value or Interest**

The property at 432 Grey Street is of significant cultural heritage value because of its physical or design values, its historical or associative values, and its contextual values.

The cultural heritage interest of the property and building at 432 Grey Street is based on its associations with: 1) the early development of the Black community in London; 2) its later connections to the Underground Railway; and, 3) the emergence in London of a branch of the African Methodist Episcopal Church – later renamed the British Methodist Episcopal Church. The building, originally used for the intended purpose as a house of worship, also marks one of the oldest extant structure used as a church in London and is the first African Methodist church in London. The building's construction dates from the mid-1800s and reflects wood-framing using bent structural system and assembly. Its current location historically links the building to its surroundings in SoHo as an area where – in the late 1800s – a more prosperous Black community relocated from the Thames Street area. Situated adjacent to Beth Emanuel Church at 430 Grey St, together both buildings represent two eras of a common history of the Black community in London.

**Heritage Attributes**

The heritage attributes which support or contribute to the cultural heritage value or interest of the property at 432 Grey Street include:

- The one-storey vernacular cottage style building form with pitched-end gable roof;
- A symmetrical front façade with a single centered door and two evenly spaced window openings;
- Original exterior materials dating to the time of construction; including (but not limited to) all wood elements used on the exterior, bent structural system and assembly; and,
- One open, non-divided interior space or room.







## Request for Designation 432 Grey Street – Fugitive Slave Chapel



London Advisory Committee on Heritage  
Wednesday September 12, 2018

london.ca




## Property Location

- Adjacent to Beth Emanuel BME Church (c1868) – designated Part IV-OHA; listed on CRHP
- SoHo Neighbourhood
  - historically associated with Black settlement in London, mid-1800s





## Heritage Status


- Property at 432 Grey Street not presently listed on the *Register*
- Building currently on this property (known as the Fugitive Slave Chapel), previously designated at its original location at 275 Thames Street



The Slave Chapel building at its original location, 275 Thames Street (2012)



The Slave Chapel building relocated to 432 Grey Street (April 2015)



## Background – Municipal Direction

- **March 2013** – Request for Demolition – 275 Thames St (property LISTED on the Register)
- **April 30, 2013** – Defer Demolition – Council concurs with PECs recommendation to defer demolition, pending the possible relocation of the building to another site
- **September 24, 2013** – Notice of Intent to Designate – PEC recommends that Notice be issued due to a perceived degree of uncertainty regarding the future of the Slave Chapel building
- **December 3, 2013** – Designated – 275 Thames Street was designated under Part IV OHA
- **November 2014** – Relocation – the Slave Chapel building was moved from its original address at 275 Thames Street to 432 Grey Street

.....Tear back of accumulated materials covering up the original building .....

- **February 2016** – Repeal of Designation – designation of 275 Thames Street was repealed to allow for its re-designation on its new property at 432 Grey Street
- **June 2018** – Municipal Council directed that a Statement of Cultural Heritage Value or Interest be prepared for the Fugitive Slave Chapel at its current location at 432 Grey Street (2018-06-13 Resolet 3.1-10-PEC)





## Property Description – Insights from Tear-Back

- Original timber-frame building was very solidly constructed, w/(4) east-west bents;
- Exterior clad with tongue and groove pine clapboards;
- Façade distinguished by the use of narrower boards (1x4 T&G) than those used along the sides and back;
- Fairly large sized windows symmetrically placed on the front and back, with the two on the west and one on the east seeming located for convenience;
- 4 over 4 sash windows;
- Peaked-arched window shape with similarly peaked wooden window trim
- Side door at rear; transom above front door; central chimney;
- Interior consisted of one large room; and,
- Absence of podium (dais) across the north part of the structure



1926 London Advertiser photograph of the "Fugitive Slave Chapel" (Carty, 1926)



## Historical Background – 1

- Fugitive Slave Chapel, original location 275 Thames Street
  - Described as being located in the "heart of the 'Hollow'", this area was where many Black Londoners lived prior to being able to afford to buy or rent property in other parts of the City.
- Recent research (H. Neary) has established a chain of title dating to 1847 when Crown Land was acquired.
- September 6, 1847, carpenter William Clark received the original deed for the lot and sold to the Trustees of the "African Methodist Church"; Trustees were all members of London's Black community.
  - [...] "in trust that they shall erect, or cause to be built there on, a house or place of worship for the use of the Members of the African Methodist Episcopal Church."
- Trustees of the "African Methodist Church" built a small frame church on Thames Street likely completed between 1853-1855
- Building at 275 Thames Street was a place of worship for London's Black community by the mid-1850's.



## Historical Background – 1



Detail of Sheet 41 of the 1892, revised 1907 Fire Insurance Plan showing the property at 275 Thames Street, prior to relocation to 432 Grey Street. Courtesy Western Archives



## Historical Background – 1



GRAND TRUNK R.R. BRIDGE AND SOUTH-WEST RIVER SECTION, 1897.

1897 view from Wortley Road of properties backing the Thames River at Thames Street





## Historical Background – 2

- With the abolishment of slavery across the British Empire (1833) and by means of the Underground Railroad, Upper Canada became a sanctuary for Black slaves from the U.S.
- Most of the Black immigrants coming to Canada before the Civil War settled in the larger towns and cities; by the 1840s, the London area had a sizeable number of Black refugees.
  - According to D. Hill in *Freedom Seekers*, "London was a prime sanctuary as it was small, offered fugitive slaves a cheap place to live and, being inland, there was less of a threat of kidnapping" (Jenkins, 4; ref Hill, 51).
- City records reveal that London had also become an important central meeting place for Black refugees from other parts of Ontario (Jenkins, 5; ref Hill, 54).
  - It is suggested that John Brown – an American anti-slavery advocate of the pre-Civil war period – visited London on more than one occasion, and it is possible the Chapel was associated with these visits (Jenkins, 5; ref Carty).



## Historical Background – 1



1888 Fire Insurance Plan showing the property at 432 Grey Street, adjacent to 430 Grey Street property with Beth Emanuel Church indicated.

- With an increase in prosperity, many in the Black community relocated to an area near the corner of Grey and Maitland streets
- In May 1869, the Trustees of the British Methodist Episcopal Church sold 275 Thames Street, and the congregation moved to 430 Grey Street where a new, larger church was built – known as Beth Emanuel British Methodist Episcopal Church.
- After 1869, the once Slave Chapel building at 275 Thames Street became a residential dwelling.



## Historical Background – 1



Photograph of Beth Emanuel British Methodist Church and Fugitive Slave Chapel side-by-side on Grey Street properties (April 15, 2015)



## Evaluation (O. Reg. 9/06)

### PHYSICAL/DESIGN VALUE:

- Early wood-framed structure dating from (1853-1855), built in the vernacular style
- Structure originally used for the intended purpose as a house of worship, marks the oldest extant structure used as a church in London and is the first African Methodist church in London
- Materials of construction, and the ways in which they were used, are all very representative of good quality, mid-1800s Ontario construction





## Evaluation (O. Reg. 9/06)

### HISTORICAL ASSOCIATIVE VALUE:

- Association with the Black community which took shape in the formative years of London's early growth
- Use as a chapel as a branch of the African Methodist Episcopal Church which, in 1856, became the British Methodist Episcopal Church
- Association with the later construction of Beth Emanuel British Methodist Church at 430 Grey Street
- A built remnant of the community of African Canadians whose roots are anchored in the history of the Underground Railroad
  - probable links to the activities of John Brown, the American anti-slavery advocate of the pre-Civil war period



## Evaluation (O. Reg. 9/06)

### CONTEXTUAL VALUE:

- Historically linked to its surroundings in SoHo as an area where – in the late 1800s – a more prosperous Black community relocated from the Thames St area
- Situated adjacent to Beth Emanuel Church at 430 Grey St, together both buildings represent two eras of a common history of the Black community in London



## Cultural Heritage Value or Interest – Heritage Attributes

The heritage attributes which support or contribute to the cultural heritage value or interest of the property at 432 Grey Street include:

- The one-storey vernacular cottage style building form with pitched-end gable roof;
- A symmetrical front façade with a single centered door and two evenly spaced window openings;
- Original exterior materials dating to the time of construction; including (but not limited to) all wood elements used on the exterior, bent structural system and assembly; and,
- One open, non-divided interior space or room.



## Conclusion

- The evaluation found that 432 Grey Street – the Fugitive Slave Chapel – is a significant cultural heritage resource that meets the criteria for designation under the *Ontario Heritage Act* for its physical/design values, historical/associative values, and contextual values.
- Property should be protected under Section 29 of the *Ontario Heritage Act* based on the prepared Statement of Cultural Heritage Value or Interest.





## Staff Recommendation

That, on the recommendation of the Managing Direct, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property located at 432 Grey Street, that notice **BE GIVEN** under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property at 432 Grey Street to be of cultural heritage value or interest for the reasons outlined in Appendix D of this report.



## Heritage Planners' Report to LACH: September 12, 2018

1. Heritage Alteration Permits processed under Delegated Authority By-law:
  - a. 559 Waterloo Street (West Woodfield HCD): Freestanding sign
  - b. 350-356 Queens Avenue (West Woodfield HCD): Landscape alterations, stage
  - c. 186 King Street (Downtown HCD): Signage
  - d. 182 Duchess Avenue (Wortley Village- Old South HCD): Porch alterations
  - e. 430 Wellington Street (Downtown HCD): Signage
  - f. 808 Talbot Street (Part IV): Porch newel post
2. Report to PEC: Passage of Heritage Designating By-law – 660 Sunningdale Road East
3. Report to PEC: Passage of Heritage Designating By-law – 2096 Wonderland Road North
4. Notice of Intent to Designate: 172 Central Avenue
5. Notice of Study Completion: Adelaide – CP Grade Separation – Environmental Study Report (ESR) prepared for public review on September 20, 2018 – October 19, 2018
6. Community Information Meeting – Victoria Park Precinct Plan – Monday October 1, 2018 at 6:30pm in Stephenson & Hunt Room, Central Branch, London Public Library (251 Dundas Street)

## Upcoming Heritage Events

- Saturday Strolls at Eldon House – Saturdays in August and September. More information: <https://www.eventbrite.ca/e/saturday-strolls-tickets-41882678218>
- More MidMod Movies VI – Thursdays, 7pm at Stephenson & Hunt A, Central Branch, London Public Library
  - September 13: Le Corbusier in India
  - September 20: People in Glass Houses: The Legacy of Joseph Eichler
  - September 27: Eileen Gray: Designer and Architect
  - October 4: Modern Ruin: A World's Fair Pavilion
  - October 11: Bruno [Mathsson] is Back
  - October 18: Quite Elegance: The Architecture of Hugh M. Kaptur
- Doors Open London – Saturday September 15 and Sunday September 16– more information: [www.londonheritage.ca/doorsopenlondon](http://www.londonheritage.ca/doorsopenlondon)
- 10<sup>th</sup> Annual Pow Wow at Museum of Ontario Archaeology – 10:00am-4:30pm, Saturday September 15 and Sunday September 16. More information: <http://museumpowwow.ca/>
- 6<sup>th</sup> Annual Emancipation Day Celebration – 1:30-3:30pm, Sunday September 23, 2018 at the Meeting Tree (Westminster Ponds, behind Parkwood Institute, 550 Wellington Road South – entrance off Commissioners Road East). More information: Justine Turner, [justine@emancipationdaycelebration.com](mailto:justine@emancipationdaycelebration.com), 519-697-3430. <https://www.londontourism.ca/Events/Festivals-and-MultiCultural-Events/Emancipation-Day-Celebration>
- Official opening of Centre at the Forks at Museum London on Sunday September 30, 2018 at 1pm. More information: [www.museumlondon.ca](http://www.museumlondon.ca)
- ACO London Region and London & Middlesex Historical Society "Pumpkin Patch Bus Tour" – Saturday October 6, 2018. More information: <https://www.eventbrite.ca/e/two-castles-a-pumpkin-patch-bus-tour-tickets-49529810998>



**LONDON ADVISORY COMMITTEE ON HERITAGE  
2018 WORK PLAN  
(March 14, 2018)**

	<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) 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>



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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	None	Building a Sustainable City 6b	Annually



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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	None	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	None	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	\$8000	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		



To: City Of London Planning and Environmental Committee.

August 27, 2018

We, residents of Byron, wish to obtain delegation status so that, as community representatives, we can address the Planning and Environmental Committee to request that they recommend the deletion of the clause of the Byron Valley Conceptual Nature Trail Plan on city lands North of Commissioners Road West, south of the Thames River and west of Halls Mill Road and Old Bridge Road. This Nature Trail Plan is associated with the development at 1355 Commissioners Road West.

At the initial Public Meeting held on November 22, 2016 it was resolved that, due to the large number of Byron Residents in attendance who were opposed to the Nature Trail, the "Civic Administration be directed to provide the plan for the trail at a community meeting held in Byron".

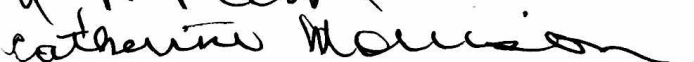
A Community Information Meeting and Open House for the Byron Valley -Draft Conceptual Nature Trail was held March 8, 2018. At that meeting there were approximately 85 Byron residents in attendance who were opposed to the Nature Trail Plan. This was apparent when it was decided to take an informal vote to see who was opposed to the Nature Trail and when, due to the opposition to the plan, Mr Andrew Macpherson threw up his hands and, to paraphrase, said that there was no point in wasting any more of the city staff's time if nobody wanted it and perhaps the whole project should be scrubbed and the money used somewhere else.

Much to the surprise of many Byron residents who assumed this project would go no further, the city staff have now confirmed this project is indeed going forward. We have been told by city staff that this pathway is for local residents only, despite the overwhelming opposition from the local residents to this Nature Trail because of a multitude of Environmental and safety concerns this trail would create.

The following Byron residents are representing the concerned local Byronites.

Leah Usaty Black - Stephen Street 

Debbie Park - Halls Mill Place 

Catherine Morrison - Stonegate Condominiums 

Etta Washburn - River Ridge Condominiums 

Jeff Santin - Halls Mill Road 

Mike Laliberte - Old Bridge Road. 