Agenda Including Addeds
Planning and Environment Committee

The 9th Meeting of the Planning and Environment Committee

May 13, 2019, 4:00 PM

Council Chambers

Members

Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner, Mayor E. Holder

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

Pages

1. Disclosures of Pecuniary Interest

2. Consent

2.1 4th Report of the Trees and Forests Advisory Committee 3

2.2 Application - 1602 Sunningdale Road West - 3 Year Extension of Draft Plan of Subdivision 39T-11503 5

2.3 Application - 177 Edgevalley Road - Removal of Holding Provisions (H-9045) 30

2.4 City Services Reserve Fund Claimable Works - Riverbend South Subdivision Phase 1 40

2.5 ReThink Zoning Terms of Reference 44

2.6 Community Improvement Plans - New Measures and Indicators of Success 55

2.7 Building Division Monthly Report for March 2019 67

3. Scheduled Items

3.1 Not to be heard before 4:00 PM - Delegation - S. Ratz, Chair and A. Tipping, Vice-Chair, Advisory Committee on the Environment - 5th Report of the Advisory Committee on the Environment 72

3.2 Public Participation Meeting - Not to be heard before 4:00 PM - Application - 1081 Riverside Drive (Z-9017) 79

3.3 Public Participation Meeting - Not to be heard before 4:00 PM - Summerside Subdivision - 2910 and 3229 Turner Crescent (Phase 12B) - Request for Revisions to Draft Plan of Subdivision 39T-07508 (Z-9021) 98

3.4 Public Participation Meeting - Not to be heard before 4:30 PM - Application - 462, 468, 470 and 472 Springbank Drive (OZ-8995) 135

3.5 Public Participation Meeting - Not to be heard before 4:30 PM - Application - 4680 Wellington Road South (TZ-9027) 170

3.6 Public Participation Meeting - Not to be heard before 5:00 PM - Demolition Request for Heritage Designated Property - 123 Queens Avenue 187

3.7 Public Participation Meeting - Not to be heard before 5:00 PM - Demolition Request for Heritage Listed Property - 3303 Westdel Bourne 282

3.8 Public Participation Meeting - Not to heard before 5:30 PM - Application - 3557 Colonel Talbot Road (Z-9003) 314

3.9 Public Participation Meeting - Not to heard before 6:00 PM - 2096 Wonderland Road North (Z-9010) 335

3.10 Public Participation Meeting - Not to be heard before 7:00 PM - Public Site Plan Meeting - 112 St. James Street SPA18-140 383

4. Items for Direction

5. Deferred Matters/Additional Business

5.1 (ADDED) Not to be heard before 4:15 PM - D. Dudek, Chair, London Advisory Committee on Heritage - 6th Report of the London Advisory Committee on Heritage *414*

6. Adjournment

Trees and Forests Advisory Committee

Report

4th Meeting of the Trees and Forests Advisory Committee
April 24, 2019
Committee Room #2

Attendance

PRESENT: R. Mannella (Chair), T. Khan, J. Kogelheide, C. Linton, A. Meilutis, A. Morrison, M. Szabo, S. Teichert and R. Walker and H. Lysynski (Acting Secretary)

ABSENT: C. Haindl and G. Mitchell

ALSO PRESENT: A. Beaton, K. Hodgins and J.-A. Spence

The meeting was called to order at 12:15 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 (ADDED) A. Valastro - Removal of Trees and Exempting Property Owners from Planting Replacement Trees

That A. Valastro BE INVITED to attend a future meeting of the Trees and Forests Advisory Committee, to provide detailed information on her concerns, concurrent with the Civic Administration reporting back with respect to the following:

a) a request to address the definition of "hazardous trees";

b) a review of the current Tree Protection By-law;

c) the protection of young trees;

d) trees being used as dens by animals; and,

e) the requirement for property owners to replace trees that are removed from their property;

it being noted that the Trees and Forests Advisory Committee heard a verbal presentation from A. Valastro, with respect to the above-noted matters.

3. Consent

3.1 1st Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 1st Report of the Trees and Forests Advisory Committee, from its meeting held on January 23, 2019, was received.

3.2 2nd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 2nd Report of the Trees and Forests Advisory Committee, from its meeting held on February 27, 2019, was received.

3.3 3rd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 3rd Report of the Trees and Forests Advisory Committee, from its meeting held on March 27, 2019, was received.

3.4 Municipal Council Resolution - 2019 appointments to the City of London Advisory Committees

That it BE NOTED that the Municipal Council resolution from its meeting held on March 26, 2019, with respect to the 2019 appointments to the City of London Advisory Committees, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Mitigation Banking as it Relates to Urban Forest Strategy - C. Linton

That consideration of the mitigation banking relating to the Urban Forest Strategy BE POSTPONED to the next Trees and Forests Advisory Committee meeting.

5.2 Tree Planting in Subdivision - C. Linton

That consideration of the discussion on tree planting in subdivisions BE POSTPONED to the next Trees and Forests Advisory Committee meeting.

5.3 Trees and Forests Advisory Committee 2018 Work Plan

That consideration of the 2018 Trees and Forests Advisory Committee (TFAC) Work Plan Summary BE POSTPONED to the next TFAC meeting.

5.4 Trees and Forests Advisory Committee 2019 Work Plan

That consideration of the 2019 Work Plan for the Trees and Forests Advisory Committee (TFAC) BE DEFERRED to the new term of the TFAC.

6. Deferred Matters/Additional Business

None.

7. Adjournment

The meeting adjourned at 1:27 PM.

39T-11503
C.Smith

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: Foxwood Developments (London) Inc.**
1602 Sunningdale Road West
3 Year Extension of Draft Plan of Subdivision (39T-11503)
Meeting on: **May 13, 2019**

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the request from Foxwood Developments (London) Inc., for the property located at 1602 Sunningdale Road West that the Approval Authority **BE ADVISED** that Council supports the granting of a three (3) year extension of the draft plan of subdivision, submitted by Foxwood Developments (London) Inc. (File No. 39T-11503) prepared by Stantec Consulting Inc., certified David Bianchi, OLS (dated November 8, 2011), **as redline revised** which shows 18 low density residential blocks, six (6) medium density residential blocks, one (1) high density residential block, two (2) school blocks, two (2) park blocks, road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive **SUBJECT TO** the conditions contained in the attached Schedule "39T-11503.

Analysis

1.0 Description of Proposal

This application for Draft Plan of Subdivision Approval was accepted on November 11, 2011. It was circulated to the required agencies and municipal departments on November 18, 2011 and advertised in the London Free Press Civic Corner on November 26, 2011. A notice of Public Meeting was advertised in the London Free Press on March 10, 2012, and a notice of Public Meeting was sent out on March 20, 2012. The Public Meeting was held on March 26, 2012.

On May 16, 2012, Old Oak Properties appealed the recommended Official Plan and Zoning By-law amendments. The basis of the Old Oak appeals related to concerns regarding staff's planning analysis and justification for the Zoning By-law amendment for the future high rise development on Foxwood's lands which provides for a maximum height of 45 metres. It was also Old Oak's position that there have been changes to the servicing scheme that would negatively impact the ability to develop their lands consistent with the Community Plan and in a cost effective and timely manner. At the January 11, 2013 prehearing conference, Old Oak Properties withdrew their appeals based on new servicing options available for their lands. The Board agreed to the withdrawal of the appeals and advised the parties that the Official Plan and Zoning By-law amendments are now in force as of January 11, 2013

Staff issued draft approval of the subdivision with conditions on January 24, 2013. Old Oak Properties Inc., the property owners of high density residential designated lands

abutting the subdivision to the south-west at 2179 and 2201 Hyde Park Road, had concerns that the condition was insufficient to ensure the provision of full sanitary servicing for their property. Old Oak Properties Inc. appealed the draft plan of subdivision on February 15, 2013.

Staff met with representation of Old Oak Properties Inc. and Foxwood Developments (London) Inc. and based on their discussions and additional information provided by Foxwood, Old Oak was satisfied that their servicing concerns were properly addressed. On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal by Old Oak Properties Inc., was withdrawn by letter dated June 25, 2013.

As per Section 51 (51) of the ***Planning Act***, the draft approval lapse date was June 26, 2016.

On May 30, 2016 a three year extension in accordance with Section 2.2(p) of the Subdivision and Condominium Delegation and Approval By-law, to allow sufficient time for the completion of the detailed engineering review and registration of the remaining phases was granted by the Approval Authority. The current draft approved lapse date is June 26, 2019.

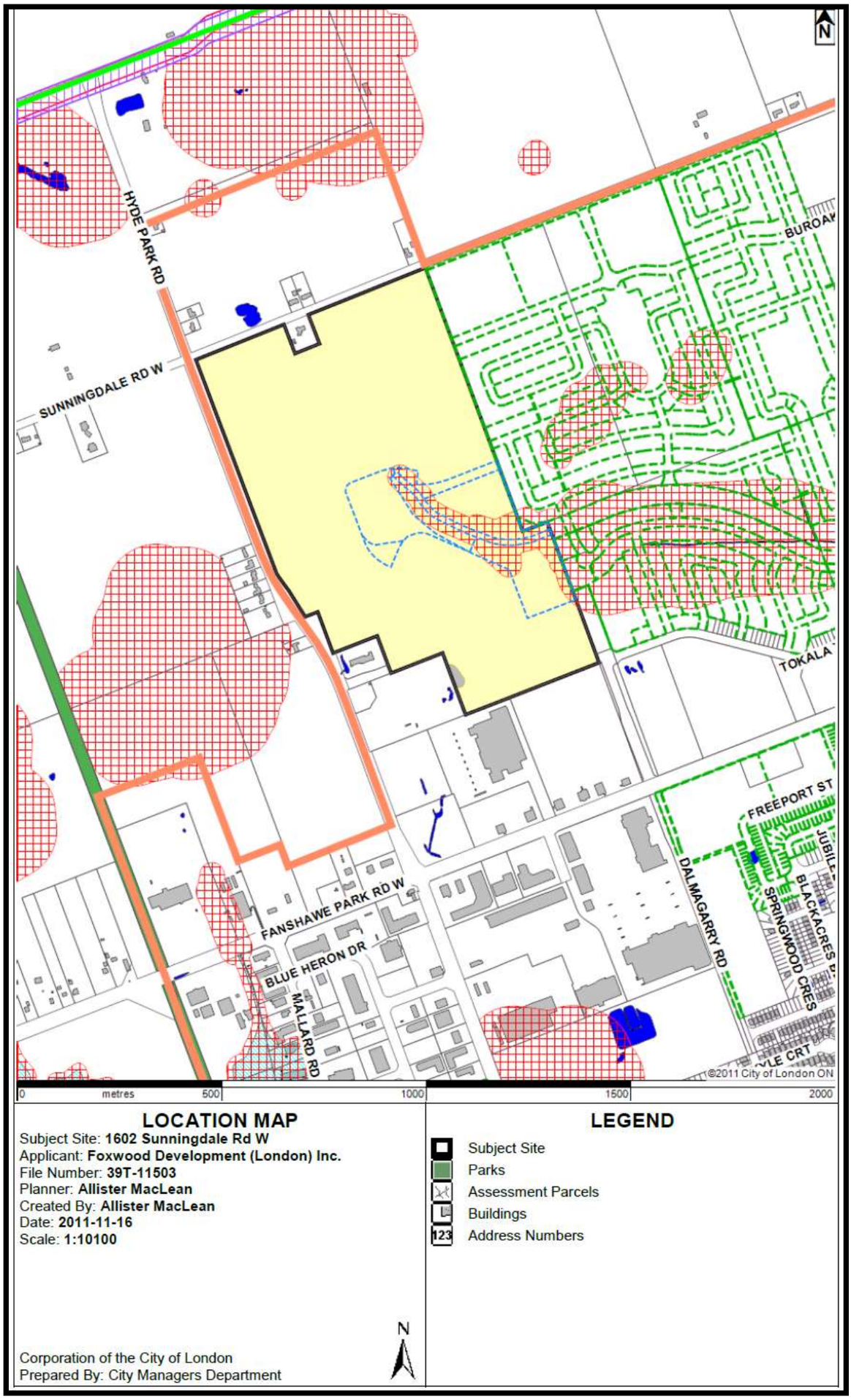
On October 6, 2015 the 1st phase of this subdivision (Plan, 33M-685) was registered, consisting of 95 single detached lots, one (1) medium density residential block, and various reserve blocks served by 1 new street and the extension of Dyer Drive and Tokala Trail. On October 18, 2018, the 2nd phase (Plan 33M-752) was registered, consisting of 110 single detached lots and 1 medium density block along with several 0.3 metre reserves, all served by the extension of a secondary collector road and five new streets.

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards and 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 June 26, 2022.

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 51 (33) & (47) of the *Planning Act*).

39T-11503
C.Smith

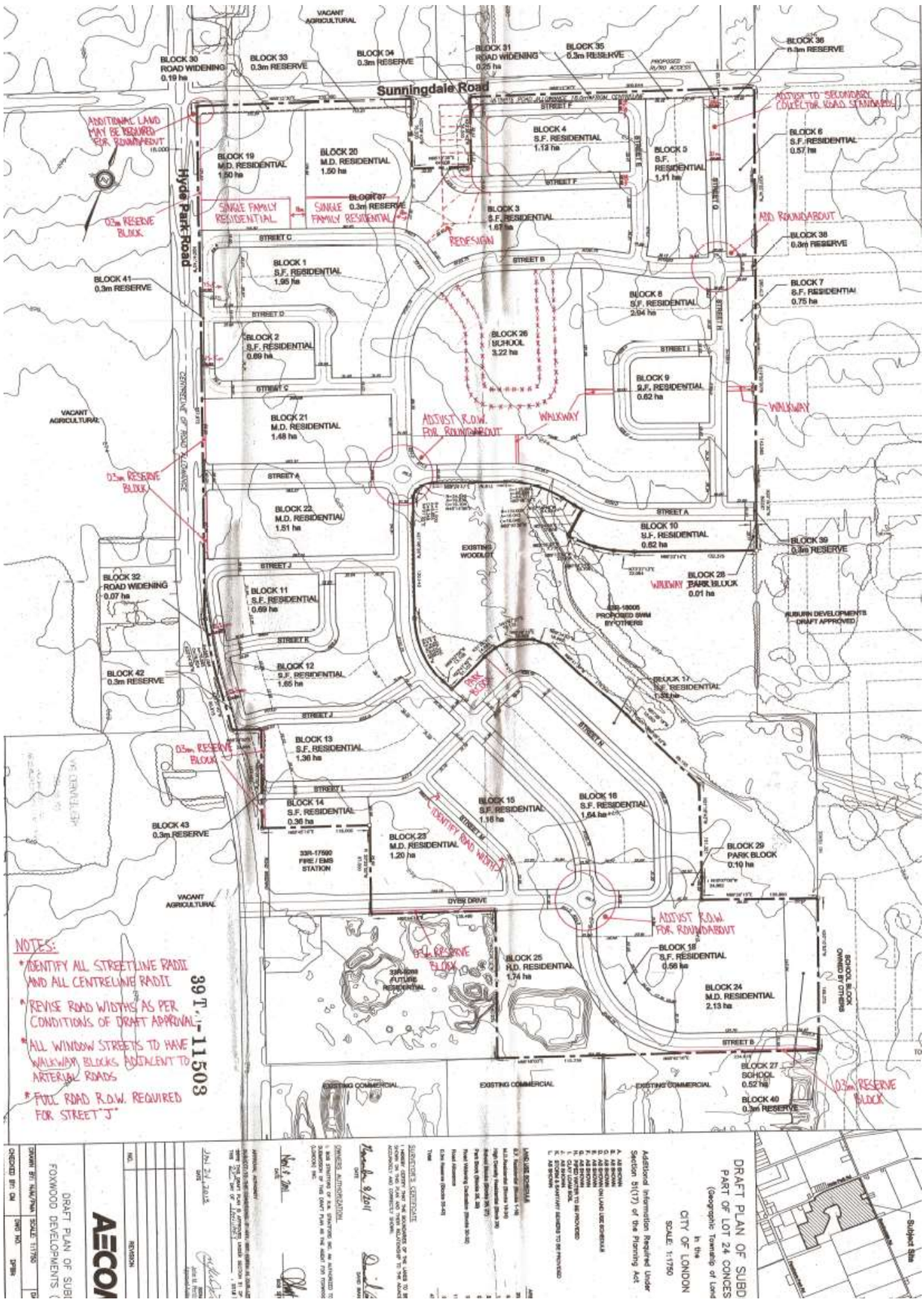
Location Map



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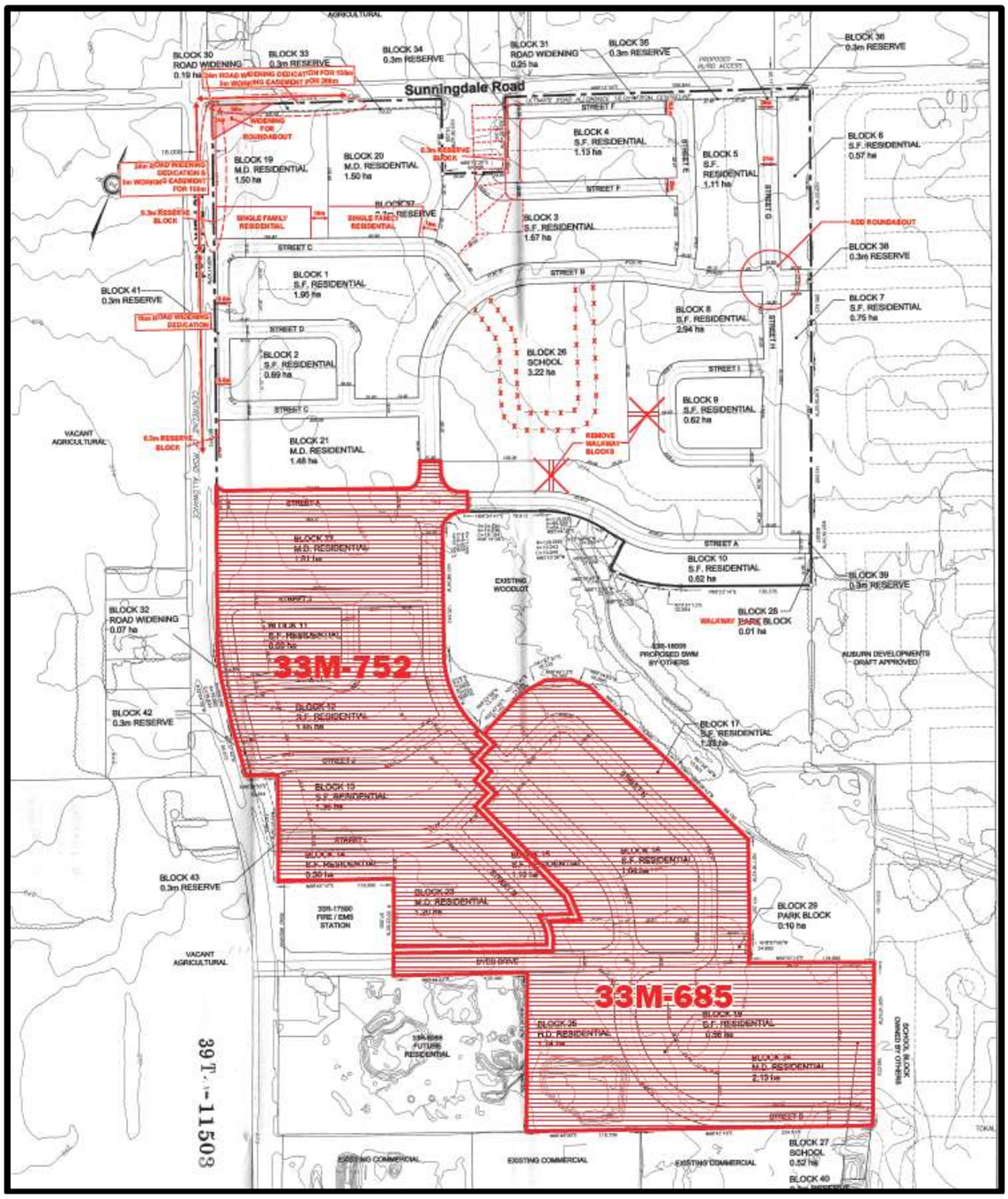
39T-11503
C.Smith

Approved Draft Subdivision Plan



39T-11503
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Proposed Updated Redlined Draft Plan



39T-11503
C.Smith

2.0 Conclusion

The attached revised conditions of draft approval plan are appropriate to ensure that this subdivision is developed under current City standards.

Prepared by:	**C. Smith MCIP, RPP** **Senior Planner, Development Planning**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P. Eng.** **Managing Director, Development and Compliance Services and Chief Building Official**
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/

CC: Matt Feldberg, Manager, Development Services
Lou Pompilii, Manager Development Services
Ismail Abushehada, Manager, Development Services

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Appendix 39T-11503

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-11503 ARE AS FOLLOWS:

NO. CONDITIONS

1. This draft approval applies to the draft plan submitted by Bob Stratford (File No. 39T-11503 prepared by AECOM Ltd, certified by David Bianchi, OLS (dated November 8, 2011), as redline revised which shows 18 low density residential blocks, six(6) medium density residential blocks, one(1) high density residential block, two (2) school blocks, two (2) park blocks, road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive.

2. This approval of the draft plan 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. The road allowances included in this draft plan shall be shown on the face of the plan 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. 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 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 required subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.

10. Phasing of this subdivision (if any) shall be to the satisfaction of the Approval Authority and the City Engineer.

11. 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. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City Engineer and the Approval Authority.

12. 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.

13. 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 Approval Authority and the City Engineer. The Owner acknowledges that, in the event that a submission does not include the complete information required by the General Approval Authority and the City Engineer, such submission will be returned to the Owner without detailed review by the City.

14. 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.

15. ~~As part of the Design Studies submission, the Owner shall obtain and submit to the Director of Development Planning a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. The Owner shall not grade or disturb soils on the property prior to the release from the Ministry of Culture~~.

16. The Owner shall not commence construction or installations of any services (e.g. 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; (e.g. 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.)

<u>Sanitary</u>

17. 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 250 mm diameter sanitary sewer located on 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;~~

    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 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.

18. ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:~~

    ~~i) Provide a sanitary drainage area plan identifying the preliminary sanitary sewer routing and any external areas to be serviced, to the satisfaction of the City;~~

~~ii) Provide an analysis which shall indicate the water table level of lands within this plan with respect to depth of the sanitary sewers and an evaluation of additional measures, if any, which will need to be incorporated in the design and construction of the sewers to ensure that the sewers will meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407. Any measures identified shall be included in the engineering drawings for the subdivision.~~

19. 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.

20. Prior to registration of any phase 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.

21. 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.

<u>Storm and Stormwater Management</u>

22. ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and a SWM Servicing Letter/Report of Confirmation to address the following:~~

    ~~i) Identify 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 Engineer;~~

    ~~ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City Engineer;~~

~~iii) Develop 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 Engineer. This Plan is to include measures to be used during all phases on construction; and~~

~~iv) Provide a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility to be built by the City.~~

~~v) Implement 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.~~

23. The ~~above-noted~~ accepted Storm/Drainage and a SWM Servicing Letter/Report of Confirmation submission 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 Medway Creek Subwatershed Study and any addendums/amendments;

ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;

iii) The requirements of the Hyde Park Road Road Widening and Improvements Municipal Class EA (January 2012);

iv) The accepted Fox Hollow Development Area Municipal Class Environmental Assessment (EA) Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (September 2010) and any addendums/amendments;

v) The approved Functional Stormwater Management Plan for Fox Hollow Stormwater Management System Functional Design Report Community SWM System;

vi) The City's Design Requirements for the Stormwater Permanent Private 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.;

vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;

viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;

ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and

x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

24. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater services for

this draft plan of subdivision:

i) Construct storm sewers to be tributary to the Medway Creek Subwatershed and outlet to the Heard Drain via the Regional Fox Hollow Community SWM System.

ii) Construct sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan, all to the specifications of the City Engineer;

iii) Construct and implement erosion and sediment control measures as accepted in the Functional SWM and/or Drainage Servicing Report for these lands satisfactory to the City Engineer and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith;

iv) Grade the boundary of the plan to blend in with the abutting SWM pond lands to the *south* ~~east~~ of this plan, to the satisfaction of the City Engineer, at no cost to the City.

25. 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, including the proposed regional SWM Facilities and related storm/drainage servicing, 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;~~

iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;

iv) Implement all geotechnical recommendations made by the geotechnical report accepted by the City;

v) Ensure post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems;

vi) Ensure that all existing upstream external flows traversing this plan are accommodated within the overall minor and major storm conveyance system, all to the specifications and satisfaction of the City Engineer.

26. Prior to the issuance of any Certificate of Conditional Approval for any lot and/or block in this plan, the SWM Facility, to be built by the City, to serve this plan must be constructed and operational.

27. 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.

28. 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."

Watermains

29. 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 diameter PVC watermain (high level) on Tokala Trail, ~~west of Dyer Crescent~~, and the existing 200 mm diameter watermain on Twilite Boulevard; ~~300 mm diameter PVC watermain (high level) on Hyde Park Road, north of Dyer Drive;~~

    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) Identify the available fireflows and appropriate hydrant colour code (in accordance with the City of London Design Criteria) on the engineering drawings;

    iv) Have the City of London install the fire hydrant colour code markers at the time of Conditional Approval.

30. *In conjunction with the first submission of engineering drawings, 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:*

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

~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information:~~

~~i) A water servicing report which addresses the following:~~
- ~~Identify external water servicing requirements;~~
- ~~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;~~
- ~~Oversizing of watermain, if necessary and any cost sharing agreements.~~
- ~~Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;~~
- ~~Water quality;~~
- ~~Identify location of valves and hydrants;~~
- ~~Identify location of automatic flushing devices, as necessary;~~
- ~~Looping strategy.~~

~~ii) Submit a servicing layout to the lots for the street townhouse configuration which indicates adequate separation requirements will be met for all servicing.~~

31. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations of the water servicing report, noted in condition 30. ~~29 i)~~, to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City. The requirements or measures which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.

32. *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.*

~~Prior to the issuance of any 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 removal. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.~~

33. With respect to the proposed medium density condominium 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*.*

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;

iiii) 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 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.

STREETS, TRANSPORATION & SURVEYS

Roadworks

34. ~~At the time of registration of this plan, the Owner shall dedicate to the City sufficient lands over Blocks 13 and 14 and over the west limit of Street 'L' to accommodate a future 15.5 metre realigned window street connection to Street 'J' (south leg) . Alternatively, The Owner shall make all necessary arrangements to extend Street 'L' over the existing Hyde Park Road road allowance to the west and north to align with Street 'J' as a City standard window street, as shown on the plan of subdivision, including, but not limited to land needs, design construction, etc.~~

~~Prior to assumption, the Owner shall build a future 15.5 metre realigned window street connection to Street 'J' (south leg) if the Hyde Park Road road allowance is not acquired or pay to the City an amount for the construction of the road connection between Street 'L' and Street 'J' (south leg) if the abutting lands are not available.~~

~~Should the street connection be made over the external lands, the City will transfer the dedicated lands back to the Owner of this plan and/or any payment made to the City for the construction of this road.~~

35. At the time of registration of this plan, the Owner shall dedicate to the City sufficient lands over Blocks 3 and 4 to accommodate a future 19.0 metre road connection between Street 'F' (north leg) and Street 'F' (south leg) should the future development of 1550 Sunningdale Road West not include a connecting road between these streets.

Prior to assumption, the Owner shall build a future 19.0 metre road connection between Street 'F' (north leg) and Street 'F' (south leg) if the abutting lands are developed without a road connection between Street 'F' (north leg) and Street 'F' (south leg) or pay to the City an amount for the construction of the road connection between Street 'F' (north leg) and Street 'F' (south leg) if the abutting lands are not built.

Should the street connection be made over the external lands, the City will transfer the dedicated lands back to the Owner of this plan and/or any payment made to the City for the construction of this road.

36. The Owner shall construct the following streets to secondary collector road standards:

    ~~i) Street 'A' between Hyde Park Road and Street 'B'~~
    ii) Street 'B'
    iii) Street G from Street 'B' to Sunningdale Rd E

37. ~~The Owner shall realign Street 'J' (south leg) on the final plan to provide a full width right-of-way at its intersection with the west leg of Street 'J', to the specifications of the City Engineer.~~

38. All through intersection and connections with existing and draft approved streets and internal streets 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. 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 on streets in this plan of subdivision, to the satisfaction of the City Engineer.

40. The Owner shall provide minimum 30 metre tapers at all locations in the Plan where streets are reduced in width (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.

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

    i) ~~Street 'A' (from Hyde Park Road to Street 'B'),~~ Street 'B', Street G' from Sunningdale Road West to Street 'B' have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres

    ii) Street 'A' (from Street 'B' to the east limit of the plan), Street 'C' (north and south legs), Street 'E', Street 'H'~~, Street 'J' (north and south legs)~~, ~~Street 'L' and Street 'M'~~ have a minimum road pavement width (exluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').

    iii) Street 'I' and Street 'F' (south leg) have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres;

    iv) Street 'D' ~~and Street 'K'~~ have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').

    v) Street 'C' (west leg), Street 'F' (north leg), realigned Street 'G', ~~Street 'J' (west leg) and Street 'L' (west leg)~~ have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 15.5 metres (50.8') in accordance with the City's window street standard UCC-2M.

42. ~~The Owner shall construct a gateway treatment on Street 'A' between Hyde Park Road and Street 'B' with a right of way width of 28.0 metres as per City standards.~~

43. The Owner shall construct Street G at the intersection of Sunningdale Rd W with a right of way width of 28.0 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City.

44. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Street 'G' and Sunningdale Road West ~~and at Street 'A' and Hyde Park Road,~~ to the specifications of the City, at no cost to the City.

45. 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	9.5 m
18.0 m	10.0 m

46. The Owner shall construct the window streets in this plan abutting the arterial roads 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.

47. The Owner shall ensure that no vehicular access will be permitted to any Lots/Blocks in this plan from Sunningdale Road West or Hyde Park Road. All vehicular access is to be via the internal subdivision streets.

Sidewalks/Walkway

48. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:
    ~~i) Street 'A' – from Hyde Park Road to Street 'B'~~
    ii) Street 'B'
    iii) Street 'G'

49. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
    i) Street 'A' (from Street 'B' to east limit of plan) – south boulevard
    ii) Street 'C' (north leg) – north boulevard
    iii) Street 'C' (south leg) – south boulevard
    iv) Street 'E – east boulevard
    v) Street 'F' (south leg) – south and west boulevards
    vi) Street 'H' – west boulevard
    ~~vii) Street 'J' (north leg) – north boulevard~~
    ~~viii) Street 'J' (south leg) – south boulevard~~
    ~~ix) Street 'L' – south boulevard~~
    ~~x) Street 'M' – east boulevard~~
    xi) Street 'I' – outside boulevard

50. The Owner shall provide sidewalk links from Street 'C', Street 'F', ~~Street 'J' and Street 'L'~~ to the proposed sidewalks on Hyde Park Road and Sunningdale Road West, respectively, 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 shall be provided on the plan to be registered.

51. Should the Owner direct any servicing within the walkway or the walkway 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.

\# *The Owner shall construct a 2.4 metre sidewalk on the frontage of the school block, Block 26, to the satisfaction of the City.*

Street Lights

52. 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 City of London

Boundary Road Works

53. ~~In conjunction with the Design Studies submission, the Owner shall undertake a traffic impact assessment in accordance with the City's Traffic Impact Assessment guidelines, to the satisfaction of the City Engineer. Prior to undertaking this assessment, the Owner shall meet with the City to discuss the scope and requirements of the assessment. The Owner shall undertake any recommendations of the assessment as required by the City Engineer, to the satisfaction of the City and at no cost to the City.~~

54. ~~In conjunction with Design Studies submission, the Owner shall have it's professional engineer verify the adequacy of the decision sight distance along Hyde Park Road at both Street 'A' and Dyer Drive and Sunningdale Rd W at Street 'G'. If the sight lines are not adequate in accordance with the Design Specifications and Requirements Manual, Street 'A' and Dyer Drive road works may be required on Hyde Park Road to establish adequate decision sight distance to the satisfaction of the City and at no cost to the City.~~

55. ~~In conjunction with the Design Studies submission, the Owner shall have it's professional engineer submit design criteria for the left turn and right turn lanes on Hyde Park Road at both Street 'A', Street 'G' and Dyer Drive and Sunningdale Rd W at Street 'G' for review and acceptance of the City.~~

56. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct left and right turn lanes along ~~Hyde Park Road at Street 'A' and~~ Sunningdale Road West at Street 'G' with sufficient storage and taper to accommodate traffic anticipated by the full build out of the Foxhollow area, to the satisfaction of the City*.*

57. The Owner shall ~~be required to~~ make minor boulevard improvements on Hyde Park Road and 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.

Road Widening

58. The Owner shall ~~be required to~~ dedicate sufficient land to widen Hyde Park Road and Sunningdale Road West to 18.0 metres ~~metres~~ (59.06') from the centreline of the original road allowance.

59. ~~The Owner shall provide a road widening dedication at the intersection of Sunningdale Road West and Hyde Park Road as indicated in the Hyde Park Road Environmental Assessment to accommodate a future roundabout, to the satisfaction of the City, at no cost to the City.~~

60. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of ~~Street 'A' with Hyde Park Road~~ and Street "G" with Sunningdale Road W. in accordance with the Z-1 Zoning By-law, Section 4.24.

The Owner shall provide a road widening dedication of 24.0 metres from the

centerline required on Sunningdale Road West from Hyde Park Road to a point 150 metres east of Hyde Park Road, to the satisfaction of the City, at no cost to the City.

\# *The Owner shall provide a road widening dedication of 18.0 metres from centerline required on Sunningdale Road West from a point 150 metres east of Hyde Park Road to the easterly limit of this Plan, to the satisfaction of the City, at no cost to the City.*

\# *The Owner shall provide a road widening dedication of 24.0 metres from centerline required on Hyde Park Road from Sunningdale Road West to a point 150 metres south of Sunningdale Road West, to the satisfaction of the City, at no cost to the City.*

\# *The Owner shall provide a road widening dedication of 18.0 metres from centerline required on Hyde Park Road of 18.0 metres from centerline from a point 150 metres south of Sunningdale Road West to the southerly limit of this plan, to the satisfaction of the City, at no cost to the City.*

\# *The Owner shall provide a daylight triangle at the southeast corner of Sunningdale Road West and Hyde Park Road measuring 56.0 metres east of Hyde Park Road and 34.0 metres south of Sunningdale Road West (measured from the existing property line, to the satisfaction of the City.*

\# *The Owner shall provide a temporary 3.0 metre wide working easement on Sunningdale Road West from Hyde Park Road to a point 200.0 metres east of Hyde Park Road and on Hyde Park Road from Sunningdale Road West to a point 150.0 metres south of Sunningdale Road West, to the satisfaction of the City.*

Traffic Calming

61. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct roundabouts, including splitter islands, at the following intersections in accordance with the Design Specifications and Requirements Manual and to the satisfaction of the City:

    ~~i) Street 'A' and Street 'B'~~
    ii) Street "G" and Street "B"

    ~~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.~~

62. ~~In conjunction with the Design Studies submission, the Owner shall have it's professional engineer proposed traffic calming measures along Street 'B' including parking bays, curb extensions and other measures, to the satisfaction of the City.~~

63. The Owner shall construct traffic calming measures along Street 'B' *as per the accepted Design Studies and engineering drawings*, including parking bays, curb extensions and other measures to the satisfaction of the City.

Construction Access/Temporary/Second Access Roads

64. The Owner shall utilize construction access routes designated by the City.

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

66. 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 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.

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

68. The Owner shall construct a temporary/emergency access to Sunningdale Road West or Hyde Park Road in a location satisfactory to the City, provide any necessary easements and include a temporary left turn lane on Sunningdale Road West or Hyde Park Road, at no cost to the City, to the specifications and satisfaction of the City.

69. 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.

GENERAL CONDITIONS

70. Prior to the issuance of any 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.

71. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services and grading situated on private lands outside this plan, and shall provide satisfactory easements to the City over the sewers, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.

72. *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.*

~~In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.~~

73. 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.

74. The Owner shall have the common property line of Hyde Park Road and Sunningdale Road West 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 Hyde Park Road and Sunningdale Road West are the future 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 elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City.

75. 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.

76. 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.

77. 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.

78. 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.

79. The Owner's professional engineer shall provide inspection services for all work during construction by it's professional engineer for all work to be assumed by the City, and have it's professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City.

80. ~~In conjunction with the Design Studies 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.~~

81. 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".

82. *In the event that Low Impact Development (LIDs) are proposed, the Owner shall have a qualified consultant complete a hydro geological investigation or provide an update to the existing hydro geological investigation, to determine, including but not limited to, the following:*

i.) An Evaluation of groundwater levels, and groundwater flow direction(s) based on seasonal fluctuations. Seasonality effects are critical when evaluating the hydrogeological regime of the Site. Seasonality will also be particularly important if Low Impact Development (LIDs) are being considered.

ii.) An evaluation of the LID considerations proposed for the development, including provision of seasonal groundwater fluctuations and LID invert elevations. Details regarding the long-term operations of the on-site LIDs should be included.

iii.) Discussion related to the water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction), including sediment and erosion control measures and dewatering discharge locations.

iv.) Evaluation of construction related impacts, and their potential effects on the shallow groundwater system, including potential effects nearby domestic water wells (if present) and/or impacts on local significant natural features.

v.) Discussion regarding mitigation measures associated with construction activities specific to the development (e.g., specific construction activities related to dewatering).

vi.) Development of appropriate short-term and long-term monitoring plans (if applicable).

vii.) Development of appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.

~~In conjunction with the Design Studies submission, the Owner shall submit a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction.~~

83. ~~In conjunction with the Design Studies 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 the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil~~

~~conditions and fill needs in the location of any existing watercourses or bodies of water on the site.~~

84. 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 above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

85. ~~Prior to the issuance of any Certificate of Conditional Approval, any remedial or other works as recommended in the above accepted hydro geological report shall be implemented by the Owner, to the satisfaction of the City, at no cost to the City.~~

86. 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.

87. ~~In conjunction with the Design Studies 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 Engineer.~~

~~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 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, to the satisfaction of the City.~~

88. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements 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.

89. 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 Engineer.

90. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City Engineer, at no cost to the City.

91. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

92. The Owner shall remove any temporary works associated with this plan when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City, at no cost to the City.

93. ~~The Owner shall make all necessary arrangement with the abutting property owners (eg. Block 14 abutting the south boundary) to regrade on the abutting properties, where necessary, to accommodate the grading and servicing of this plan, to City standards, to the satisfaction of the City~~

94. The Owner shall co-ordinate the work associated with this plan of subdivision with the City's proposed construction of the Regional Fox Hollow Community SWM system adjacent to the *south* ~~east~~ boundary of this plan, to the satisfaction of the

City, at no cost to the City.

95. ~~The Owner shall grade, service and seed all park blocks to the satisfaction of the Manager of Parks Planning and Design within 1 year of registration of the plan of subdivision which contains the park block.~~

96. The proposed development must meet all existing grades at property lines where it abuts all City owned open space lands.

97. ~~At the design study stage, the owner shall prepare a conceptual park layout for the City owned lands and the redlined park block. The concept plan will illustrate the park layout and matching grades. The City will undertake the construction of the park once the phase containing this block has been registered.~~

98. The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and/or Open Space Blocks. Fencing shall be completed to the satisfaction of the Manager of Parks Planning and Design, within 1 year of the registration of the plan.

99. ~~At the Design Study stage, the owner shall illustrate the inclusion of the multi-use pathway system into the gateway design of Street A from the roundabout to Hyde Park Road. The design studies should also address how safe bicycle and pedestrian movements can be accommodated at the proposed roundabout at Dyer Drive and Street "A" should this location be required as a component of the bicycle/multi-use system.~~

100. ~~Block 29 and the redlined park block accounts for a portion of the required parkland dedication. The remaining~~ Parkland dedication for Blocks 1-24 will be taken as cash-in-lieu as per By-law CP-9.

101. The Owner shall register on title and include in all Purchase and Sale or Lease 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 amenities that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard. 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

102. As part of the ~~Design~~ 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 City. The proposed block lotting plan shall also be reviewed and accepted with respect to City services, road geometries, easement requirements, etc., to the satisfaction of the City. The accepted lotting pattern shall be reflected on the final registered plan.

103. *In conjunction with* ~~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 General Manager of Planning and Development. The approved parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan.

104. *In conjunction with* the ~~Design Studies~~ Engineering Drawing submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future single detached lots abutting Hyde Park Road and Sunningdale Road which considers noise abatement measures

that are to be applied in accordance with the requirements of the M.O.E. and City Official Plan policy to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.

105. ~~In conjunction with engineering drawing 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 indicated on streets in this plan with R4-3 zoning. 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.~~

106. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on streets in this plan with R4-3 zoning, to the satisfaction of the City Engineer.

107. 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.

108. 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.

109. ~~In conjunction with the engineering drawing 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, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, foundation design, removal of existing fill (including but not limited to organic and deleterious materials), the placement of new engineering fill, any necessary setbacks related to slope stability for lands within this plan 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.~~

Should the current or any future Owner submit a revised development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process.

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.

In conjunction with engineering drawings 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 Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.

Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Tokala Trail in Plan ____ and Twilite Boulevard in 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.

The Owner shall either register against the title of Block 26 in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

The Owner shall incorporate the accepted recommendations of the various accepted servicing reports/design studies (eg. sanitary servicing design, storm and SWM design, water servicing, transportation requirements, hydrogeological, geotechnical, etc.) in the accepted engineering drawings to address all servicing issues, to the satisfaction of the City Engineer, at no cost to the City.

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: Drewlo Holdings Inc.**
177 Edgevalley Road
Removal of Holding Provisions
Meeting on: **May 13, 2019**

Recommendation

That on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Drewlo Holdings Inc. relating to the property located at 177 Edgevalley Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 21, 2019 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R5/Residential R6 (h*h-54*R5-7/R6-5) Zone **TO** a Residential R5/Residential R6 (R5-7/R6-5) Zone to remove the "h" and "h-54" holding provision.

Executive Summary

Summary of Request

The applicant has requested removal of the "h" and "h-54" holding provision from newly registered Block 134 in Plan 33M-757, municipally addressed as 177 Edgevalley Road, which requires the necessary securities be provided and a development agreement is executed prior to development, and requires noise attenuation measures be incorporated into the approved site plan.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h" and "h-54") symbol from Block 134 of newly registered plan of subdivision (33M-757) to permit the development of cluster townhouses on the Block.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the required security has been submitted and the development agreement has been signed, and the noise attenuation measures have been incorporated into the site plan. All issues have been resolved and the holding provisions are no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject property is located just south of the Thames River, east of Highbury Avenue North and on the north side of Edgevalley Road. The subject site is within a recently approved Plan of Subdivision known as the Edgevalley Subdivision (former file 39T-05505), which was registered on December 18, 2018 as 33M-757. The subject site is approximately 3.23ha in size.

1.2 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Multi Family, Medium Density Residential

- Existing Zoning - a Holding Residential R5/Residential R6 (h*h-54*h-100*R5-7/R6-5) Zone

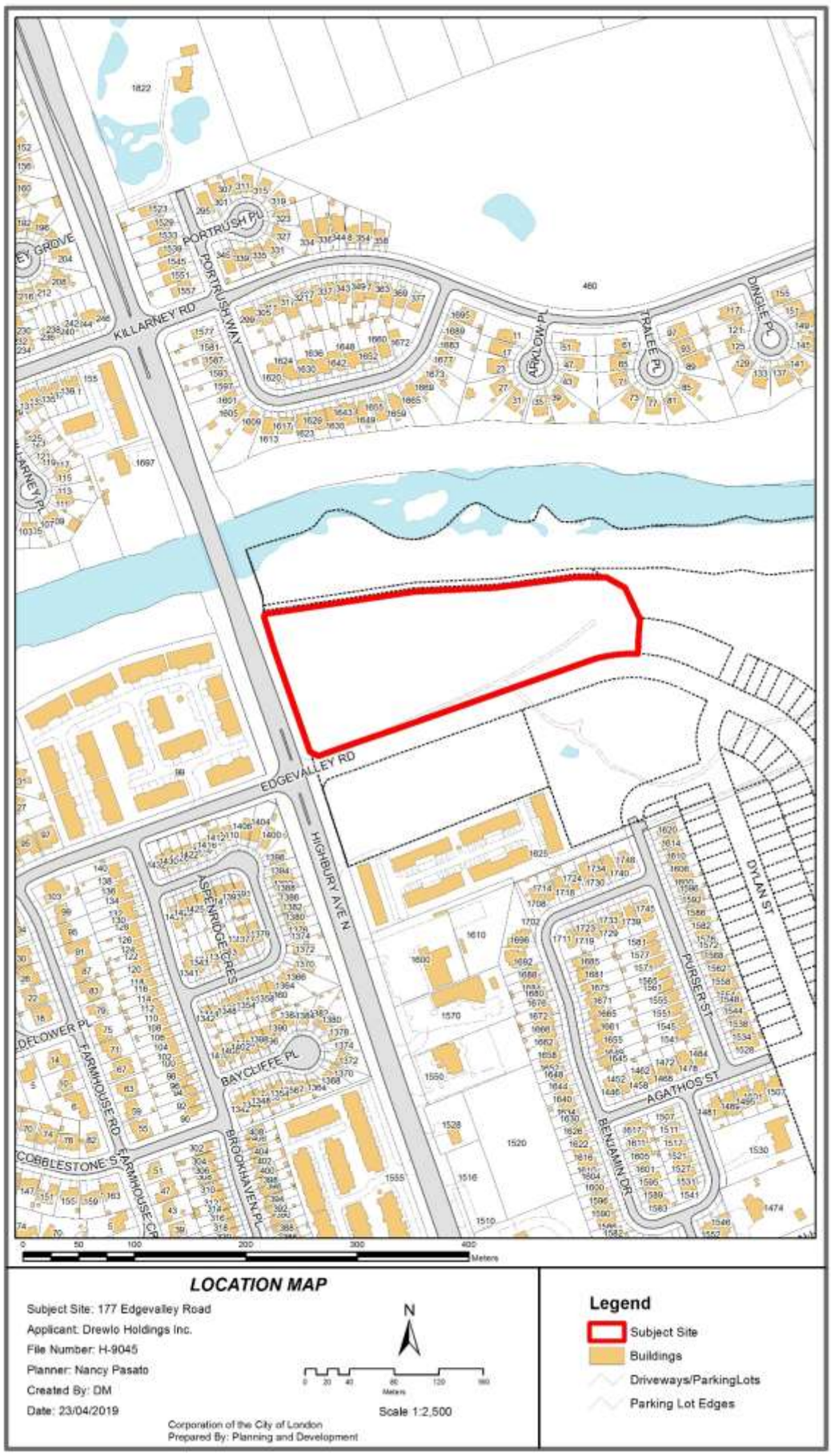
1.3 Site Characteristics

- Current Land Use – vacant
- Area – 3.2 ha (7.9 acres)
- Shape – irregular

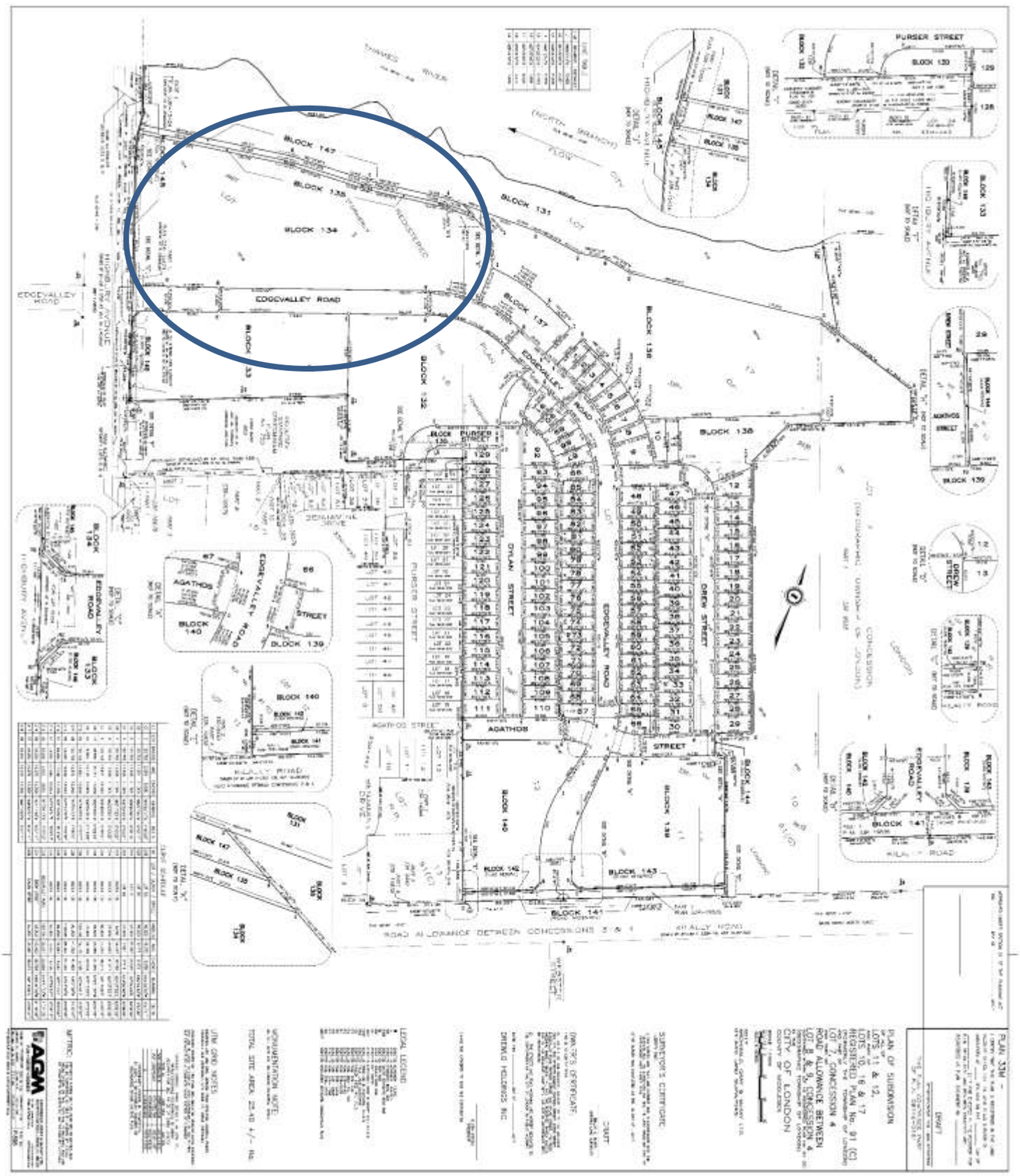
1.4 Surrounding Land Uses

- North – Thames River
- East – Stormwater Management Pond/open space
- South – vacant/future multi-family or high density residential uses
- West – cluster townhouse dwellings

1.5 Location Map



Approved Edgevalley Subdivision Plan with Block 134 - 33M-757



2.0 Description of Proposal

2.1 Development Proposal

The subject site contains a recently approved site plan for a cluster townhouse development comprised of 139 residential units.



Figure 1 - Approved site plan

3.0 Relevant Background

3.1 Planning History

Drewlo Holdings Inc. submitted an application for draft plan of subdivision and zoning by-law amendment on March 31, 2005. The public meeting was held on February 27, 2006. Council resolved that the draft plan and concurrent zoning by-law amendment be approved on March 6, 2006. Draft approval was granted on March 22, 2006. A three year extension to the draft approval was granted by the Approval Authority on March 22, 2009.

On May 4, 2011, the applicant submitted a revised draft plan of subdivision consisting of 129 single detached lots, 5 medium density blocks, 1 high density block, 2 park blocks, all served by the extension of Edgevalley Road, Agathos Street and Purser Street and 2 new local streets. The public meeting was held on December 12, 2011. A three (3) year extension and approval of the revised draft plan with conditions was granted by the Approval Authority on February 10, 2012.

Since this time, several draft approval extensions have been granted by the Approval Authority and Council (August of 2015, January of 2017, and most recently, an emergency extension in July of 2018). Final Approval was granted on December 19, 2018 and the plan has been registered as 33M-757.

Most recently, a removal of holding provision (H-8892) application was approved by Planning and Environment Committee and Municipal Council in January of 2019. The application to remove the holding provisions permitted the development of the single detached lots within the plan of subdivision.

3.2 Requested Amendment

The applicant is requesting the removal of the “h” and “h-54” holding provision from Block 134 in recently approved registered plan 33M-757.

3.3 Community Engagement (see more detail in Appendix B)

In response to the Notice of Application, no comments were received.

3.4 Policy Context (see more detail in Appendix C)

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s).

The London Plan and the 1989 Official Plan contain policies with respect to holding provisions, the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the “h” holding provision and is it appropriate to consider its removal?

The “h” holding provision states:

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

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.”

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

4.2 What is the purpose of the "h-54" holding provision and is it appropriate to consider its removal?

The "h-54" holding provision states that:

Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

The noise assessment report submitted by the Applicant was accepted through the site plan application. The noise assessment report recommended various noise attenuation measures including noise walls to protect rear and side yard amenity areas, building construction, installation of air conditioning within units, and warning clauses within the development agreement. These mitigation measures have been included in the final site plan. This satisfies the removal of the holding provision.

5.0 Conclusion

The Applicant has entered into a development agreement for this site, provided the necessary security, and implemented the necessary noise attenuation measures into the site plan. Therefore, the required conditions have been met to remove the "h" and "h-54" holding provision. The removal of the holding provision is recommended to Council for approval.

Prepared by:	**Nancy Pasato, MCIP, RPP** **Senior Planner, Development Planning**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P. Eng.** **Managing Director, Development and Compliance Services and Chief Building Official**
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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Services - Planning
Ismail Abushehada, Manager, Development Services - Engineering

May 6, 2019
NP/np Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\8- May 13\Draft 177 Edgevalley Rd H-9045 NP 1of1.docx

Previous Reports and Applications Relevant to this Application

November, 1990 - Report to Planning Committee on Kilally Road Area Study and subsequent adoption of Official Plan amendments.

June, 2003 - – Report to Planning Committee to provide an update on the Kilally Road Area Study and amend the Official Plan.

July, 2005 - Report to Planning Committee to delete the aggregate resource designation from Schedule B of the Official Plan (O-6899)

February, 2006 - Report to Planning Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments (39T-05505/Z-6897)

March, 2009 - Report to Planning Committee to recommend a three year extension to the draft approved plan of subdivision (39T-05505)

December, 2011 - Report to Built and Natural Environment Committee to recommend a revised draft plan of subdivision and associated zoning by-law amendments (39T-05505/Z-7942)

June 15, 2015 – Report to Planning Committee to recommend a one year extension to the draft approved plan of subdivision, with a two year extension to be done administratively (39T-05505)

September 6, 2016 – Report to Planning Committee to recommend a revised zone for the high density block within the draft plan (Z-8618)

January 8, 2018 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-05505)

January 21, 2019 - Report to Planning and Environment Committee on Removal of Holding Provisions for a portion of the subdivision (H-8892)

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 177 Edgevalley Road.

WHEREAS Drewlo Holdings Inc. has applied to remove the holding provision from the zoning for the lands located at 177 Edgevalley 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 provision from the zoning of the said lands;

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

1. Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 177 Edgevalley Road, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5/Residential R6 (R5-7/R6-5) Zone comes into effect.

2. This by-law shall come into force and effect on the day it is passed.

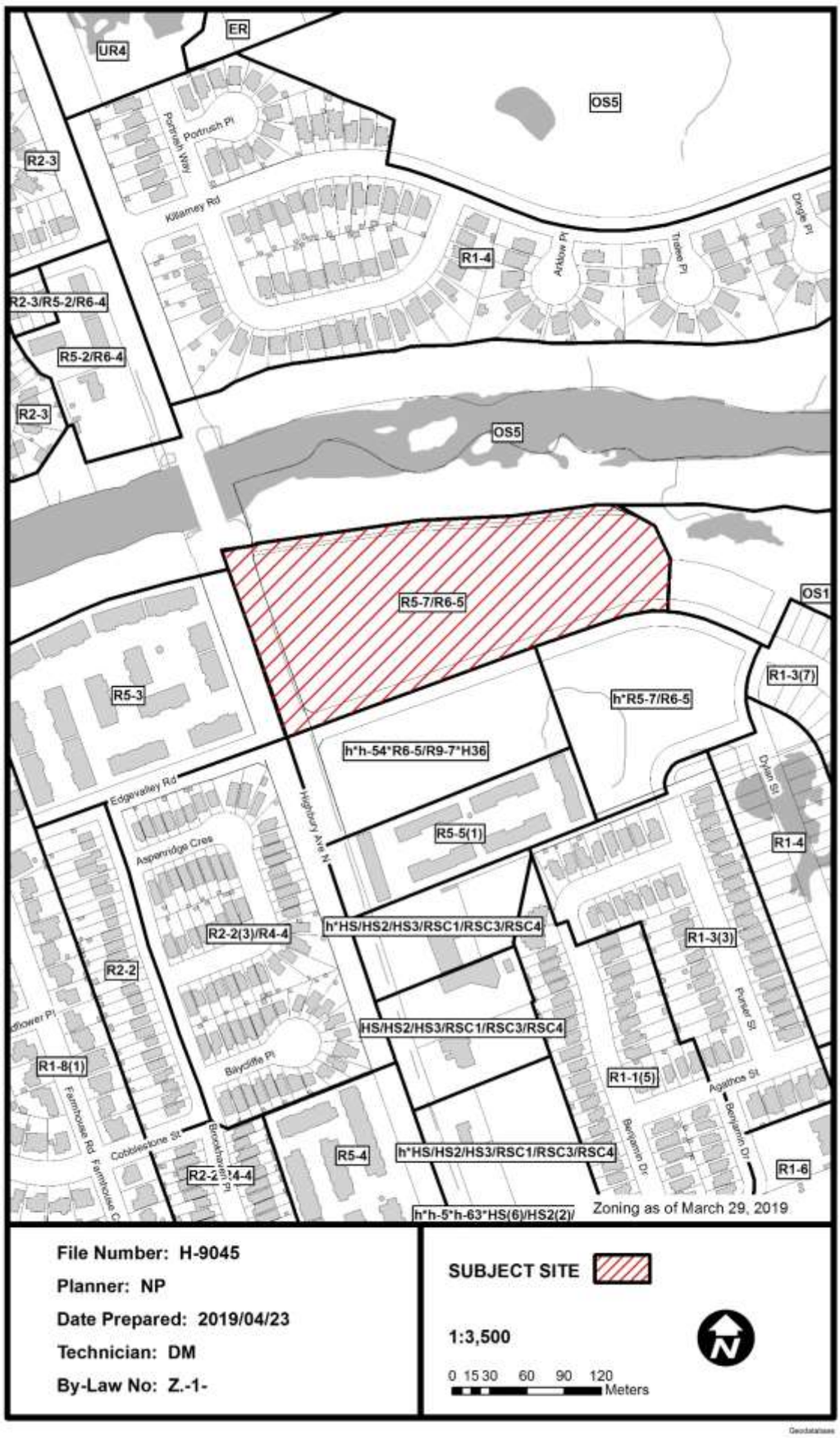
PASSED in Open Council on May 21, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

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



Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **George Kotsifas**
Managing Director, Development & Compliance Services & Chief Building Official
Subject: **City Services Reserve Fund Claimable Works – Riverbend South Subdivision Phase 1**
Date: **May 13, 2019**

Recommendation

That, on the recommendation of the Director, Development Finance, the following actions **BE TAKEN** with respect to the subdivision agreement between The Corporation of the City of London and Sifton Properties Limited for construction of City Services Reserve Fund claimable works related to the Riverbend South Subdivision Phase 1;

(a) the revised Special Provisions contained in the Subdivision Agreement for construction of City Services Reserve Fund claimable works related to the Riverbend South Phase 1 Subdivision (33M-711 / 39T-14505) outlined in Section 2.0 below, **BE APPROVED**; and

(b) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix "A".

Previous Reports Pertinent to this Matter

Planning and Environment Committee, November 28, 2016, Agenda Item 4, Subdivision Special Provisions Applicant: Sifton Properties Limited Riverbend South Subdivision (Phase 1) - 39T-14505

Commentary

1.0 Background

The special provisions for the Riverbend South Phase 1 Subdivision Agreement between the Corporation of the City of London and Sifton Properties Limited were approved by Council on December 6, 2016. Under this agreement, the Owner is to construct minor roadworks which include sidewalks, streetlighting and channelization on Westdel Bourne along with oversized watermains, sewers and parks related infrastructure identified under the 2014 Development Charges (DC) Background Study. The purpose of this report is to seek authorization to amend the special provisions of the Subdivision Agreement and Source of Financing to align with the revised scope of work and updated costing.

The committed funding associated with these works was based on preliminary engineering design estimates that were included in the special provisions of the Subdivision Agreement. Subsequent discussions between the Owner, their Consulting Engineer and Staff have resulted in an expansion of the scope of work to include an additional multi-use pathway and associated lighting on Westdel Bourne which provides a regional benefit to growth. In addition, the actual tendered unit costs related to the Westdel Bourne channelization work were slightly higher than the preliminary estimated amounts. These construction and engineering cost variances have been captured under a revised work plan addendum in accordance with the DC By-law.

2.0 Revised Special Provisions

Staff is recommending that the Subdivision Agreement conditions related to DC claimable works be amended as follows:

The anticipated reimbursements from the Fund are:

(i) for the construction of left turn channelization and right turn taper on Westdel Bourne at Upperpoint Boulevard, the estimated cost of which is $93,000 *(previously approved $90,450)*, as per the accepted work plan;

(ii) for the installation of street lights on Westdel Bourne, from Upperpoint Boulevard to Oxford Street West, the estimated cost of which is $112,000 *(previously approved $16,500),* excluding HST, as per the accepted work plan;

(iii) for the installation of a multi-use pathway on Westdel Bourne along the frontage of this Plan, the estimated cost of which is $78,000 *(previously approved $26,880),* excluding HST as per the accepted work plan;

(iv) for engineering costs associated with the work plan, an amount of $43,000 *(previously approved $20,573),* excluding HST;

3.0 Conclusion

The DC claimable works associated with the Riverbend South Subdivision Phase 1 have been validated by Staff and are eligible for reimbursement under the current DC By-law.

Staff are recommending that Council approve the revised special provisions and the attached Source of Financing in Appendix A to enable a claim payment to Sifton Properties Limited.

Prepared by:	**Jason Senese, CGA, CPA, MBA** **Manager, Development Finance**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Finance**
Submitted by:	**George Kotsifas, P. Eng.** **Managing Director, Development & Compliance Services & Chief Building Official**

Cc.: Jason Davies, Manager, Financial Planning & Policy,
Sifton Properties Limited

Appendix A: Source of Financing

Appendix A – Source of Financing Report

#19073
May 13, 2019
(33M-711 / 39T-14505)

RE: City Services Reserve Fund Claimable Works
Riverbend South Subdivision Phase 1 - Sifton Properties Limited
Capital Budget Project TS1651 - Minor Roadworks-Channelization (Subledger 2405704)
Capital Budget Project TS1653 - Minor Roadworks - Sidewalks (Subledger 2405707)
Capital Budget Project TS1654 - Minor Roadworks - Streetlights (Subledger 2405705)

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that these works cannot be accommodated within the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Development and Compliance and Chief Building Official and the Manager, Development Planning, the detailed source of financing is:

ESTIMATED EXPENDITURES		**Approved Budget**	**Additional Funding**	**Revised Budget**	**Committed To Date**	**This Submission**	**Balance for Future Work**
TS1651 - Minor Roadworks - Channelization							
Engineering		$482,487		$482,487	$441,594	$5,540	$35,353
Construction		3,091,248		3,091,248	3,027,454	2,479	61,315
Utilities		27,535		27,535	27,535		0
		3,601,270	0	3,601,270	3,496,583	8,019	96,668
TS1653 - Minor Roadworks - Sidewalks							
Engineering		$101,652	$1,872	$103,524	$96,863	$6,661	$0
Construction		903,710	$9,857	913,567	861,064	$52,503	0
		1,005,362	11,729	1,017,091	957,927	59,164	0
TS1654 - Minor Roadworks - Streetlights							
Engineering		$210,026		$210,026	$190,026	$10,621	$9,379
Construction		1,677,810		1,677,810	1,495,092	97,002	85,716
		1,887,836	0	1,887,836	1,685,118	107,623	95,095
NET ESTIMATED EXPENDITURES		**$6,494,468**	**$11,729**	**$6,506,197**	**$6,139,628**	**$174,806** 1)	**$191,763**
SOURCE OF FINANCING							
TS1651 - Minor Roadworks - Channelization							
Capital Levy		$28,419		$28,419	$27,548	$67	$804
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2)	3,386,540		3,386,540	$3,282,724	7,952	95,864
Other Contributions (Developer)		186,311		186,311	186,311		0
		3,601,270	0	3,601,270	3,496,583	8,019	96,668
TS1653 - Minor Roadworks - Sidewalks							
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) & 3)	1,005,362	11,729	1,017,091	957,927	59,164	0
TS1654 - Minor Roadworks - Streetlights							
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2)	$1,887,836		$1,887,836	$1,685,118	$107,623	$95,095
TOTAL FINANCING		**$6,494,468**	**$11,729**	**$6,506,197**	**$6,139,628**	**$174,806**	**$191,763**

1) **Financial Note - Construction**

	TS1651	**TS1653**	**TS1654**	**Total**
Contract Price	$93,000	$78,000	$112,000	$283,000
Less amount previously approved (Nov/2016)	90,564	26,405	16,675	133,644
Net Price	$2,436	$51,595	$95,325	$149,356
Add: HST @13%	317	6,707	12,392	19,416
Total Contract Price Including Taxes	2,753	58,302	107,717	168,772
Less: HST Rebate	274	5,799	10,715	16,788
Net Contract Price	$2,479	$52,503	$97,002	$151,984

Financial Note - Engineering

	TS1651	**TS1653**	**TS1654**	**Total**
Contract Price	$17,868	$11,667	$12,938	$42,473
Less amount previously approved (Nov/2016)	12,424	5,121	2,501	20,046
Net Price	$5,444	$6,546	$10,437	$22,427
Add: HST @13%	708	851	1,357	2,916
Total Contract Price Including Taxes	6,152	7,397	11,794	25,343
Less: HST Rebate	612	736	1,173	2,521
Net Contract Price	$5,540	$6,661	$10,621	$22,822
Total - Construction & Engineering	$8,019	$59,164	$107,623	$174,806

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Study completed in 2014.

3) The additional funding requirement of $11,729 for Project TS1653 - Minor Roadworks-Sidewalks is available as a drawdown from the City Services - Road Levies Reserve Fund. Committed to date includes claims for DC eligible works from approved development agreements that may take many years to come forward.

The 2014 DC Study identified a 20 year program for minor roadworks-sidewalks (DC14-RS000069/TS1653) with total projected growth needs of $1,590,300. The total funding is allocated to the capital budget proportionately by year across the 20 year period. The total requirements for TS1653 exceeds the funding for the 20 year program and therefore an additional drawdown from City Services-Roads Reserve Fund is required. The DC funded programs are presented to Council in the annual DC Monitoring Report. Adjustments can also be made by Council through the annual Growth Management Implementation Strategy process and the multi-year budget updates. If total growth exceeds the estimates, the growth needs can be adjusted through the DC Bylaw update which is required every five years by the DC Act.

ms

Kyle Murray
Director, Financial Planning & Business Support

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **John M. Fleming**
Managing Director, Planning and City Planner
Subject: **ReThink Zoning Terms of Reference**
Meeting on: **May 13, 2019**

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the attached Terms of Reference for ReThink Zoning, which is the process to prepare a new zoning by-law to replace the existing Zoning By-law No. Z.-1 **BE APPROVED**.

Executive Summary

These Terms of Reference provide the guiding principles, goals, and objectives for ReThink Zoning, which is the process we will implement to prepare a new Zoning B-law that will replace the existing zoning by-law no. Z.-1.

The Terms of Reference are included in the appendix to this report and describe the overarching goal, objectives, desired outcomes, work plan, project team, and engagement strategy for the project.

Report

Why ReThink Zoning in London?

The London Plan was approved by City Council in June, 2016 and provides a vision for the type of City London will become. The London Plan addresses many aspects of city building, and one of the central pieces of the plan is the different Place Types that make up the city structure. Achieving this vision requires development within each Place Type to contribute to that goal, which requires there to be a zoning by-law that is consistent with and supportive of the London Plan.

ReThink Zoning is the process of writing a new zoning by-law for London. It is also an opportunity to consider development regulations support the goals and vision for the city that have been established in the London Plan. When the London Plan was being developed through the ReThink London engagement process, a community conversation took place around the type of City Londoners want. ReThink Zoning is the continuation of that conversation and moves it into a new phase where instead of asking what kind of city we want London to become, our new focus is on how we will get there.

Using the name ReThink Zoning for this process is important to set the tone for the project. ReThink Zoning was chosen for two main reasons:

1. To link this project to the successful and award-winning undertaking that was *ReThink London*. By continuing to use the word “ReThink” a clear connection is made between the London Plan and this process, it signals to Londoners that the work we did through ReThink London is continuing to frame the planning decisions we make. It also limits the potential for the discussion to return to the city building principles that are addressed in the Plan.
2. To encourage creativity and innovation. Zoning is an important regulatory tool we have to implement their official plans by ensuring development is consistent with the plan. The London Plan, includes policies for development on individual properties, and the new regulatory tool will establish the planning permissions to achieve that policy direction. By rethinking zoning, we can consider approaches

to regulation that have been successfully applied elsewhere or original ideas explored that are uniquely suited to the London Plan's approach.

Does London Need a New Zoning By-law?

The London Plan has been adopted by Council and approved by the Province, and it is currently moving through the Local Planning Appeal Tribunal (LPAT) appeals process. Through a decision made by the LPAT in August, 2018 the majority of the London Plan policies are in force. Therefore, the City is required to update by-laws necessary to implement the vision, goals, key directions, and other policies of the London Plan.

There are two main reasons to replace Zoning By-law Z.-1 now that the London Plan has been approved. They are:

1. The *Planning Act* requires a zoning by-law to conform to the in-force official plan.
2. The current Z.-1 Zoning By-law was used as a tool to implement the 1989 Official Plan, and is therefore not aligned with the policies of the London Plan.

1. Compliance with the *Planning Act*

The Planning Act requires that all by-laws must comply with an official Plan. Section 24(1) of the *Act* states that, "*despite any other general or special Act, where an official plan is in effect, no public work shall be undertaken and, except as provided in subsections (2) and (4), no by-law shall be passed for any purpose that does not conform therewith.*" Because Zoning By-law Z.-1 was written and approved as a tool to implement the 1989 Official Plan its regulations work to achieve the policies of that Plan. The London Plan includes a new vision for the city and new policies that in some cases require different forms of development. Therefore, a new by-law that conforms to the new plan in required.

In addition, Section 26(9) of the *Act*, which deals with updates to an official plan, states that, "*No later than three years after a revision under subsection (1) or (8) comes into effect, the council of the municipality shall amend all zoning by-laws that are in effect in the municipality to ensure that they conform with the official plan.*" Therefore, because the official plan has been entirely rewritten, in order to comply with this requirement the zoning by-law must be replaced to conform to The London Plan.

2. Implementing the London Plan

The second reason to replace Zoning By-law Z.-1 is to achieve The London Plan's vision, values, key directions, and other policy objectives. The London Plan includes a new city structure, a new approach to city building, and new ideas about what kind of city London should grow to become. It has replaced the traditional concept of Land Use Designations with Place Types, which consider the use, intensity, and form of development equally to achieve great places throughout the city.

The London Plan was developed through a multi-year process of conversation and engagement with Londoners. Now that those conversations have resulted in the London Plan, we must update the zoning regulations that are inherently linked to the implementation of the Plan.

Draft Terms of Reference – What We Heard

City Council received draft Terms of Reference in August, 2018 and gave direction to staff to circulate the draft to key stakeholders and to allow for public comments about the project. In the months following that direction, the main message that we heard was to include opportunities for meaningful engagement throughout the process. This has been reflected in the attached terms of reference, which include a long period of public engagement and conversation around the issue of how we should apply zoning in London.

Meetings were held with the London Area Planning Consultants, the Urban League of London, and with the London Development Institute and London Home Builders Association. In each meeting the need for public and stakeholder engagement was identified as key to the project's success. In addition to public engagement events, a

stakeholder working group will be formed to provide a forum for regular feedback from key stakeholders throughout the process. This group will meet regularly beginning in the public engagement phase of the process, which follows the release of a background information report.

Advisory Committees were also circulated the terms of reference and asked to provide comments. Comments from the Environmental and Ecological Planning Advisory Committee identified a need to include environmental protection in the objectives and desired outcomes as well as within the required skillsets of the project team. This has been incorporated into these sections. Comments from advisory committees that pertain to the contents of the by-law that will be prepared will be kept until the appropriate phase of this project.

Terms of Reference

The terms of reference provide an overview of the project and offer a transparent view of what work will be done in what timeframe to prepare new zoning for London. The Terms of Reference take a high-level view of the project, as their purpose is to guide the way we complete the work plan by grounding it in an overarching goal, objectives, and desired outcomes.

The draft terms of reference are separated into five sections:

1. An Introduction to the project
2. Goals, Objectives, and Desired Outcomes
3. Work Plan
4. Project Team
5. Community Engagement

1. Introduction

The introduction establishes the purpose of the project and why the project is necessary.

2. Goals, Objectives, and Desired Outcomes

This section provides guiding principles for this project, to ensure that all who are involved are working towards the same end.

3. Work Plan

The proposed work plan is separated into two phases. Phase 1 includes background research and consultation, with the outcome of Phase 1 being a decision on the type of by-law and the approach to be taken. Phase 2 will include preparation of the by-law.

Details are provided for Phase 1, but it is recognized that Phase 2 will depend in large part on the outcomes of Phase 1 so only general information is provided. A deliverable of Phase 1 includes detailed terms of reference for Phase 2.

4. Project Team

Three teams are identified in the terms of reference:

- Project team – includes City staff and consultants who will complete the work for this project. This team will be led by City Planning and will also include consultants and key City staff who work with zoning.
- Steering Committee – this team includes senior leaders and managers whose portfolios interface with zoning matters. This team will offer guidance and advise to the project team at key decision points in the project.
- Technical Resource Group – this team will be comprised of staff from various City Service Areas who will contribute to various stages of the project. They represent other disciplines whose input is important for the success of the project and staff with special expertise to contribute.

The terms of reference includes information regarding the hiring of consultants, who will be a part of the project team. Required skills and experience are outlined in the terms of reference as well as a summary of expectations and responsibilities.

5. Community Engagement Strategy

This section overviews the strategy to provide opportunities for community input and to ensure information is available and accessible with regards to this project.

Next Steps

Following the approval of these terms of reference staff will immediately begin working on the project. The first step will be to develop a request for proposals and retain a consultant to assist with delivery of the work plan.

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Recommended by:	**John M. Fleming, MCIP, RPP** **Managing Director, Planning and City Planner**

May 6, 2019

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Appendix – ReThink Zoning Terms of Reference

1.0 ReThinking Zoning in London

In 2011, the City of London – including Council, staff, and all of its citizens – began a conversation about the future of our city. It started with a call to action on the importance of civic engagement in a successful local government, and ended in June, 2016 when City Council adopted the London Plan – a new plan for growth and development in our city.

The London Plan is the culmination of a community conversation, it represents the shared vision, values, and goals for all Londoners. The Plan's key directions are a summary of this vision for the City, and the rest of plan provides a framework to achieve that vision. The next step in the process of planning our city is to examine tools that help us realize the vision we have set.

One important tool to achieving the planning framework articulated in The London Plan is the zoning by-law. London's current zoning by-law is dated, having been prepared following the approval of the 1989 Official Plan to help implement that Plan. With The London Plan we have a new, more strategic approach to City Building that requires a new by-law for its implementation.

ReThink Zoning is a continuation of the original conversation about how Londoners want to see their City grow – only the focus has now shifted from broader policy matters to more technical questions about how we should realize the vision. Instead of asking Londoners what kind of city do you want to live in, we will be working with Londoners to determine how we should get there and how each development across the city should be considered.

1.1 Planning Act Requirements

The *Planning Act* is the applicable legislation for planning matters in Ontario. It requires the City of London to have an Official Plan and permits the City to regulate development through zoning in order to implement the Plan. The *Act* says that no by-law shall be passed that does not conform with the Official Plan (Section 24(1)). The *Act* also requires that when an Official Plan is updated after a comprehensive review, a municipality shall update the zoning by-law within three years of coming into effect (Section 26(9)). Because The London Plan completely replaces the 1989 Official Plan, it is necessary that a new by-law be prepared that conforms to and implements its policies within three years.

1.2 Implementing the London Plan

The London Plan provides a strategic approach to development in London that is based on City Building policies, a City Structure Plan, and a variety of place types. The City Building Policies provide the over-arching direction for how we will grow as a city over the life of the Plan and define the shape, character and form of the City. The City Structure Plan identifies five key foundations that inform the other policies of the Plan: The Growth Framework, The Green Framework, The Mobility Framework, The Economic Framework, and The Community Framework. Each place type is planned to play a unique role within the City Structure and has its own identity and character. The place types work together to create a complete city. All aspects of the place type must contribute to the achieving the Plan's objectives, including the use, intensity, and form of every building and parcel of land.

Zoning is the tool that we currently use to regulate the land use, intensity, and form of development. Therefore, zoning should be viewed as an extension of the Plan and a mechanism to meet its city building goals. A zoning tool that is linked intrinsically to the policy direction of the London Plan is necessary for the implementation of the Plan.

2.0 Overarching Goal, Objectives, and Desired Outcomes

This is a major project that will have a lasting impact on how London will be shaped to meet the vision established in The London Plan. This section describes the guiding principles for the project.

2.1 Overarching Goal

To continue the momentum of ReThink London, implement the London Plan, and foster the growth and development of a great city.

2.2 Objectives

- To create the best implementation tool to fit London's current and future needs
- To implement The London Plan's vision, values, and key directions
- To implement The London Plan place types in terms of use, intensity, and form
- To create a user-friendly and plain language document while recognizing the regulatory nature of the by-law
- To make use of new technologies available for the application and administration of zoning
- To allow for flexible application of the by-law while maintaining a level of certainty and predictability
- To create a tool that allows for efficient planning processes

2.3 Desired Outcomes

- Quality developments across the City that contribute to our city-building goals
- Efficient planning processes that result in great neighbourhoods
- A by-law that can be understood by all users involved in the planning process – including developers, professionals, community groups, and the general public
- A by-law that meets all legislative requirements, is defensible on its planning merits, and includes clear, enforceable regulations.
- A by-law that is intrinsically linked to The London Plan with obvious connections to the use, intensity, and form requirements of the place types as well as the City Building, Environmental Policies, and Our Tools parts of the Plan.

3.0 Work Plan

ReThink Zoning will not be a mere update to the current Zoning By-law Z.-1 to reflect London Plan place types. Through this process we will consider the full range of possibilities that are available under the *Planning Act* and will look carefully at approaches being taken in other cities, to see whether there are opportunities to improve on how we regulate development in our city. The work plan includes time for this research to be completed and analyzed, and needs to be flexible to allow later stages to fit with whatever direction or approach is identified as the best fit in London. To achieve this, a two-phase work plan is proposed. Details are provided in these terms of reference for Phase One, however Phase Two will be refined after the details of the types of tools and approaches will be utilized has been confirmed through Phase One. Detailed Terms of Reference for Phase Two are included as a deliverable in Phase One.

3.1 Phase One

Phase One will provide an opportunity to investigate alternate approaches to development regulation and determine what tools should be used to implement the London Plan to achieve its goals.

Tasks to be completed in Phase One include:

- Prepare an RFP and work plan for the completion of Phase One
- Retain a consultant(s) to work collaboratively with staff to complete Phase One
- Complete background research with regards to:
    - Ontario legislated requirements for zoning, including options available to municipalities for the implementation of Official Plans
    - The London Plan policies and directions, in regards to compatibility with different development regulation options available in Ontario
    - Best practices from North America and other comparable parts of the world
    - Review existing Zoning By-law No. Z.-1 to identify areas of strength or concern, determine what is working and what needs improvement in the new by-law to achieve the overall goals

    - Engagement with key stakeholders to assess strengths and weaknesses of our current by-law and the desired outcomes of a new by-law
    - Public engagement program to listen to ideas, concerns, and suggestions from Londoners
- Identify key elements/components/areas to be addressed through the new zoning by-law
- Recommend the best zoning approach to implement the policy directions of The London Plan
- Prepare Terms of Reference for Phase 2 – the preparation of the by-law, based on the direction provided by Council

Deliverables to be submitted in Phase One include:

Deliverable	Assignment
• Terms of Reference (Phase 1) – to include Community Engagement Strategy for Phase 1	Prepared by staff
• Request for Proposal (RFP) for consultant to undertake Phase 1	Prepared by staff
• Background Paper – overview of research and engagement findings and linkages to The London Plan	Prepared by consultants
• Recommendation Report – Analysis of issues, recommended tool, draft terms of reference for Phase 2	Prepared by staff, based on recommendations from the consultants
• Terms of Reference (Phase 2) – to include Community Engagement Strategy for Phase 2	Prepared by staff

3.2 Phase Two

Phase Two is when the new by-law will be prepared, based on the approach confirmed through Phase One. The information in this section is general in nature and will be clarified in the detailed Terms of Reference to be prepared in Phase One.

Tasks that will be completed in Phase Two include:

- Prepare a detailed inventory of existing development
    - Review land use
    - Review intensity – may include height, gross floor area, coverage, floor plate area, density in units per hectare, number of bedrooms, parking, floor area ratio
    - Review form – may include site layout (parking, landscaping, orientation, setbacks, and building location on a site), and buildings (massing, step-backs, materials, architecture)
    - Identify and analyze patterns of development to assist in property-appropriate zoning tools
    - Where appropriate, use new technologies to obtain this information (may include LiDAR, remote sensing, or other technologies)
- Analyze and recommend technologies for the administration and presentation of zoning information
    - Explore opportunities of GIS based applications
- Prepare outline of by-law, consideration to be given to:
    - Organization – chapters, types of zones, etc
    - Layout – use of tables, figures, illustrations, document design, etc
- Prepare and test sample zones against existing conditions and potential development opportunities
- Prepare first draft of by-law, provide opportunity for stakeholder and public comments
- Prepare second draft of by-law, circulate for stakeholder and public comments
- Review required amendments to other city by-laws/documents resulting from the replacement of the current zoning by-law

- Prepare final by-law for approval

Deliverables to be prepared in Phase Two include:

Deliverable	Assignment
• Inventory and analysis of existing development	Deliverables will be prepared collaboratively by a City staff and consultants. Specific assignments to be confirmed through Phase Two Terms of Reference.
• Mapping/zoning data overview and recommendation	
• First Draft By-law	
• Second Draft By-law	
• Results of public and stakeholder feedback	
• Amendments to other City by-laws and documents	
• Final By-law for approval	

3.3 Project Scope

The nature of large projects such as ReThink Zoning often includes “scope creep” resulting from the encroachment of additional tasks than was originally planned. It is important to ensure that the scope of this project remains focused in order to achieve the milestones identified in the Project Schedule.

3.4 Project Schedule

Work to be completed	Target completion date
Terms of Reference and RFP for Consultant(s)	Q2, 2019
Retain consultants	Q3, 2019
Background Paper	Q1, 2020
Public Engagement	Q1-Q3, 2020
Recommendation Report	Q4, 2020
Terms of Reference – Phase 2	Q4, 2020
Phase 2	2020-2021 – details to be determined based on Phase Two Terms of Reference.

4.0 Project Teams

Staff from various departments within the Corporation as well as a co-nsulting team will contribute to the success of ReThink Zoning. This section describes the roles of staff and the consultant to be retained on the project.

4.1 City Staff

This project is part of the City Planning work plan and will be completed under the guidance of the Managing Director, Planning and City Planner as Corporate lead and project sponsor. As a major Corporate project, the participation and perspectives of staff from City Planning, Development & Compliance Services, Legal & Corporate Services and Engineering & Environmental Services will be essential to project delivery. The Project Manager will be the Manager, Planning Policy and the Project Coordinator will be a Planner in Planning Policy. At the outset, three groups of staff will be established to contribute to the completion of this important project.

4.1.1 Steering Committee

The Steering Committee will be made up of senior leaders at the City and managers whose service areas interface with the Zoning By-law. The role of the Steering Committee will be to provide input, advice, and guidance to the Project Team and will

be particularly involved at any key decision point during the project. The Steering Committee will include:

- Managing Director, Planning and City Planner (Steering Committee Chair)
- Managing Director, Development and Compliance Services and Chief Building Official
- Managing Director, Environmental and Engineering Services and City Engineer
- Managing Director, Corporate Services and City Solicitor
- Manager, Long Range Planning and Sustainability
- Director, Development Services
- Manager, Planning Policy (Project Manager)

4.1.2 Project Team

The project team includes City staff and consultants who will be working closely on the project. Project team members or their designates will develop the project components and recommendations that will be considered by the Steering Committee. Through the Project Manager, recommendations from the project team will be brought to the Steering Committee for consideration. Team members will be required to participate in the project on a regular basis. The Project Manager and Project Coordinator will provide leadership to this team and will be the primary source of information and communications on behalf of the project team. The makeup of the project team will include:

- Manager, Planning Policy (Project Manager) – City Planning
- Planner, Planning Policy (Project Co-ordinator) – City Planning
- Manager, Long Range Planning & Sustainability – City Planning
- Manager, Current Planning – Development & Compliance Services
- Manager, Development Services (Site Plan) – Development & Compliance Services
- Manager, Zoning and Public Property Compliance – Development & Compliance Services
- Solicitor II, Legal and Corporate Services

Project team participants may also include other members of City Planning and Development & Compliance staff, depending on the project component and expertise required.

4.1.3 Technical Resource Group

Most internal Service Areas and divisions will contribute at some point during this project. They will not be required to play a major role for all phases of the project but will provide input as needed. Individuals from various Service Areas will be identified to participate in the project as needed.

4.2 Hiring Consultants

Given the scope and complexity of this project, consultants will be retained to support staff in completing the work plan and providing specialized expertise throughout the process. A request for proposals will be prepared and issued following the approval of these terms of reference.

Contracts for this project may be divided into the project phases, recognizing that the zoning approach will be identified at the end of Phase One and may require specific knowledge and experience not anticipated at this time.

The selected consultant(s) will have a strong background in planning implementation, and should have an understanding of different approaches to zoning. The consultant team will need to be able to understand The London Plan vision, values, key directions, and policies and identify ways to achieve its objectives through regulation. The consultant team will demonstrate the values that guide all planning decisions in London – these are to be accountable, be collaborative, demonstrate leadership, be inclusive, be innovative, and think sustainably.

It is anticipated that there will be a team of consultants retained as multiple areas of expertise will be required. Some of the specialized areas include:

- City planning – ReThink Zoning is a planning review first and foremost. It is required that the lead consultant will include professional planners that understand the implications of use, intensity, and form as well as environmental protection.
- Urban design – The London Plan integrates urban design into the planning process and approaches to regulation that consider how to ensure an engaging and attractive public realm will be important.
- Mapping/GIS – new and innovative approaches to the mapping components of the zoning by-law are encouraged, and it is expected that the consulting team will bring expertise on this issue.
- Community engagement – public input is important to the success of this project. Effective engagement with the community must be integrated into all parts of the project.
- Application review processes – implementation of the new by-law must work for those who are applying and interpreting the by-law, therefore consideration of this and other administrative matters must be included. The consulting team should have experience and insight into how the new by-law would be "operationalized".

4.2.1 Expectations and responsibilities

The consulting team will work closely with the Project Manager and Project Team to complete the work plan for this project. Deliverables will be submitted to the Project Team who will coordinate with the Steering Committee and make recommendations, based on the information provided by the consultants, to City Council. The Work Program section of this report identifies what tasks will be led by the consultant team.

4.3 Project Governance and Reporting

Responsibility for reporting and delivery of this project will lie with City Planning. City Council is the approval authority and will provide final direction for this project. Reports will be brought to the Planning and Environment Committee, which will host public participation meetings related to the project. The Planning and Environment Committee will recommend to Council, who will make the decision when required.

5.0 Community Engagement Strategy

This project requires input from a variety of stakeholders, agencies, and the public if it is to be successful. This project will give direction to the way we grow as a city and will shape our neighbourhoods, urban centres, and other places within London. While the intent is not to engage in a discussion about first principles – issues like the city structure and the vision for each place type have been established through The London Plan – there is plenty of opportunity for stakeholders and the public to help shape our approach to how we implement the Plan.

Equally important during this project is the availability of information. Londoners will want to know where this project stands, what opportunities they have to participate, and how changes to the zoning by-law could affect their properties and communities. Through the various tools available, including the city website, social media, open houses, traditional advertising, and other approaches, we will strive to provide up-to-date and useful information to the public regarding the project.

All members of the public are invited to participate throughout the ReThink Zoning process. Some key stakeholders have been identified and will be invited to meet with staff and discuss the options to replace our zoning by-law. A stakeholder working groups will be established to review and comment at each step in the process. Key stakeholders include:

- All City Service Areas
- Advisory Committees to Council
- Public agencies – eg: London Economic Development Corporation, Upper Thames River Conservation Authority, London Hydro, London Housing Development Corporation, Ministry of Municipal Affairs.
- Community organizations – eg: business improvement areas, the Urban league of London, neighbourhood associations, ratepayer groups.

- The Development Industry – eg: London Development Institute, London Home Builders Association, London Association of Planning Consultants, and other members of the Building and Development Liaison Forum.

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **John M. Fleming**
Managing Director, Planning and City Planner
Subject: **City of London**
Community Improvement Plans – New Measures and Indicators of Success
Meeting on: **May 13, 2019**

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following report with respect to draft measures and indicators of success for the financial incentives programs offered through the City of London's Community Improvement Plans **BE RECEIVED** for information.

IT BEING NOTED that these measures will be circulated for feedback and modified as necessary within a future report to Municipal Council to include the measures within the relevant Community Improvement Plans.

Executive Summary

The Community Improvement Plan (CIP) Service Review was completed in 2017 with numerous recommendations for changes to the existing financial incentive programs including the introduction of new performance measures and indicators of success. This report provides an update on the preliminary measures and indicators of success that Staff are now considering. The next steps in the process are to consult with stakeholders on the proposed measures and targets, develop methodology to ensure consistent measuring over time, and bring a future report to PEC to amend the CIPs and adopt the measures.

Background

1.0 Previous Reports

Previous reports pertinent to this matter are summarized in Appendix A.

2.0 Introduction

A Community Improvement Plan is a tool prescribed by Section 28 of the *Planning Act* intended to re-plan, redesign, redevelop, and rehabilitate a designated area (the community improvement project area) because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reasons.

A community improvement project area can be the entire municipality or defined portions of the municipality. Community improvement requires policies in the City's Official Plan in order to authorize Municipal Council to undertake the preparation of CIPs.

The *Planning Act* defines community improvement as

> "…the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures,

works, improvements or facilities, or spaces therefor, as may be appropriate or necessary."

The Ontario Ministry of Municipal Affairs and Housing *Community Improvement Planning Handbook* lists the following as objectives of a CIP:

- To focus public attention on local priorities and municipal initiatives;
- To target areas in transition or in need of repair, rehabilitation and redevelopment;
- To facilitate and encourage community change in a co-ordinated manner;
- To stimulate private sector investment through municipal incentive-based programs.

It is because of the City's ability to provide incentive-based programs (grants and loans) that community improvement is often used as a tool to encourage and support community and economic redevelopment. In other words, the City may provide incentives to encourage private sector entities to invest in a way that supports the City's policy goals and objectives – such as improving buildings, investing in an area in need of improvement, or contributing to the economic development of an area.

It is important to recognize that CIPs go beyond just providing financial incentives to property owners. For example, the Hamilton Road Area CIP includes a variety of actions related to public realm improvements, safety, and parks improvements.

The 2015-2019 Strategic Plan identifies Municipal Council's vision, mission, values and strategic areas of focus for 2015 to 2019. Municipal Council has recognized the importance of improving neighbourhoods and communities in its Strategic Plan. In particular, the Urban Regeneration strategy to use community improvement plans to coordinate City and private investment to meet both local and city-wide priorities, as well as investing more in heritage restoration, brownfield remediation, urban regeneration, and community improvement projects.

Though in draft at the time of writing this report, the 2019-2023 Strategic Plan continues to include the theme of community improvement in its outcomes, expected results, and strategies.

3.0 Community Improvement Plan Service Review

The Civic Administration undertook an extensive CIP Service Review in 2016 and 2017, which resulted in a May 2, 2017 Municipal Council resolution. The CIP Service Review recommended changes to existing financial incentive programs, introduced financial incentive programs to new or expanded areas, and requested the CIPs be amended to include performance measures and indicators of success.

This report will focus on the measures and indicators of success. The relevant clause of the May 2, 2017, Municipal Council resolution is provided below.

At its meeting held on May 2, 2017, Municipal Council resolved:

n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:

i) Airport Area Community Improvement Plan;
ii) Brownfield Community Improvement Plan;
iii) Downtown Area Community Improvement Plan (including the "Richmond Row" expansion area);
iv) Heritage Community Improvement Plan;
v) Industrial Community Improvement Plan;
vi) Old East Village Community Improvement Plan; and
vii) SoHo Area Community Improvement Plan;

Historically, the City's CIPs have not included measures to identify when a community or neighbourhood was considered improved and no longer in need of financial incentives. This report outlines Staff's preliminary ideas for new measures and indicators of success for the Downtown, Old East Village, SoHo, Hamilton Road Area, and draft Lambeth CIP financial incentive programs. These five CIPs are being grouped together because they focus on commercial/mixed-use areas and offer the same loan and grant programs. The other CIPs (Airport Area, Brownfield, Heritage, and Industrial Lands) will be looked at individually at a future date.

The Hamilton Road Area CIP was adopted after the CIP Service Review was completed. The Lambeth CIP is in draft and is anticipated to be adopted later in 2019. These CIP were written to include success measures and baseline conditions. Despite these CIPs not being included in the aforementioned Municipal Council resolution, the success measures will be monitored, evaluated, and updated as needed to ensure consistent measures and indicators of success are used for the related financial incentive programs across all CIPs.

Financial Incentive Programs

The following section outlines: (1) the financial incentive programs offered through the Downtown, Old East Village, SoHo, Hamilton Road Area, and draft Lambeth CIPs, (2) the existing measures found in the program guidelines for each loan or grant, as well as (3) discusses the new measures and indicators of success Staff are considering to implement. Table 1 provides a summary of the available financial incentive programs.

Table 1 Financial Incentive Programs (2019)

CIP (Year Adopted)	Financial Incentive Programs
Downtown (1996)	Façade Improvement Loan Forgivable Façade Improvement Loan Upgrade to Building Code Loan Forgivable Upgrade to Building Code Loan Rehabilitation and Redevelopment Tax Grant Residential Development Charges Grant
Old East Village (2005)	Façade Improvement Loan Forgivable Façade Improvement Loan Upgrade to Building Code Loan Forgivable Upgrade to Building Code Loan Rehabilitation and Redevelopment Tax Grant Residential Development Charges Grant
SoHo (2011)	Façade Improvement Loan Upgrade to Building Code Loan Rehabilitation and Redevelopment Tax Grant
Hamilton Road Area (2018)	Façade Improvement Loan Forgivable Façade Improvement Loan Upgrade to Building Code Loan Forgivable Upgrade to Building Code Loan
Lambeth (2019 pending)	Façade Improvement Loan

Each financial incentive program will have at least one new measure to help determine its success. The measures that are being considered relate to the objective of the financial incentive program itself, but also the vision, goals, and objectives of the CIPs. As the objectives of each financial incentive program are related, the number and types of measures overlap between the programs to help determine if the area is improving as a whole.

Finally, the measures are designed that they can be measured on a regular basis in a consistent fashion. In some cases, the program or mechanism for how to measure needs to be created and implemented.

4.0 Façade Improvement Loan

4.1 Program Description

The Façade Improvement Loan is a 0% interest 10-year loan to cover 50% of the cost of the eligible façade works to a maximum of $50,000. The loan repayments begin six months after the advancement of funds issued after the work has been completed. The loan repayment is on a monthly basis. Full repayment can be made at any time without penalty.

4.2 Availability

The Façade Improvement Loan program has been available in the Downtown since 1986, Old East Village since 2006, SoHo since 2013, Hamilton Road Area since 2018, and Lambeth upon adoption of the CIP and its financial incentive program guidelines.

4.3 Purpose

The purpose of the Façade Improvement Loan program is to assist property owners with façade improvements, such as new storefronts, windows, doors, lightning, signage, and brick repair, as well as to bring participating properties into conformity with the City of London Property Standards By-law, if necessary.

4.4 Objectives

The objectives of the Façade Improvement Loan program are to:

- Support the maintenance, improvement and beautification of the exterior appearance of buildings;
- Encourage reinvestment in London that complies with appropriate design guidelines (for example, Downtown Heritage Conservation District or the Old East Village Commercial Corridor Urban Design Manual);
- Help make the area interesting and aesthetically pleasing for residents, patrons, and visitors alike;
- Bring participating properties into conformity with the City of London Property Standards By-law, if necessary.

4.5 Existing Measures

The Municipal Council approved Façade Improvement Loan program guidelines contain numerous measures that are used to monitor the Façade Improvement Loan program including:

- Number of applications approved and denied;
- Commitment value for the loan;
- Total loan amount;
- Total construction cost of the project;
- Total public investment vs. private investment;
- Pre-assessment property value;
- Post-assessment property value;
- Use type (targeted vs. non-targeted);
- Number of forgivable loans;
- Number of loan defaults;

These measures have traditionally been collected to allow Staff to calculate the private investment vs. public investment ratio, manage the day-to-day operations of the loan program, and report out data in the State of the Downtown Report (or other reports) as needed. Beyond calculating the private-public investment ratio, these existing measures have not been used to determine how successful the loan program has been in meeting its purpose and objectives. In other words, measuring progress and uptake, but not performance.

4.6 New Measures and Indicators of Success

Staff are working to develop and implement a façade rating system as a new tool to better determine if this loan program is meeting its purpose and objectives and

ultimately, if the program is being successful in ensuring quality façades and storefronts are being constructed.

A façade rating system will require baseline data and a target to achieve. A preliminary target of 90% of façades rated excellent or good has been suggested, but this number will be refined for each area that offers the Façade Improvement Loan program once the baseline has been established.

Staff are also developing recommended changes to the Façade Improvement Loan program that would be implemented upon reaching the target value of good or excellent façades. These changes could include changing the focus of the loan program (for example, focusing on the façades that are not excellent or good, or on a particular sub-area, or on a particular part or element of the façade).

5.0 Forgivable Façade Improvement Loan

5.1 Program Description

The Forgivable Façade Improvement Loan operates in the same manner as the Façade Improvement Loan; however, the forgivable loan program offers an additional incentive to property owners by forgiving a portion of the loan if the ground floor of the property is occupied by a targeted use. The loan forgiveness occurs as an annual grant based on the loan payments made in a calendar year. The Forgivable Façade Improvement Loan program grants back a maximum of 25% of the annual loan payments.

5.2 Availability

The Forgivable Façade Improvement Loan program has been available in targeted areas of the Downtown from 2008 to 2015 and 2018 to the present, Old East Village from 2008 to 2015 and 2018 to the present, and the Hamilton Road Area since 2018.

5.3 Purpose

Same as section 4.3

5.4 Objectives

Same as section 4.4

5.5 Existing Measures

Same as section 4.5

5.6 New Measures and Indicators of Success

The Forgivable Façade Improvement Loan program will be subject to the new measures and indicators of success of the standard Façade Improvement Loan program as discussed in Section 4.6, but will also have an additional measure focusing on the percentage of building ground floors in the targeted area that are occupied with a targeted use.

Baseline data is needed to determine the percentage of ground floors in the targeted area that are occupied with a targeted use. A preliminary target of 95% of the ground floors in the targeted area occupied with a targeted use has been suggested, but this target will be refined for each area once the baseline data has been collected.

Staff are also developing recommended changes to the Forgivable Façade Improvement Loan program that would be implemented upon reaching the target value of good or excellent façades, as well as the target for targeted uses. These changes could include revising the targeted area to encourage targeted use where they are needed most.

6.0 Upgrade to Building Code Loan

6.1 Program Description

The Upgrade to Building Code Loan is a 0% interest 10-year loan to cover 50% of the cost of the eligible works to a maximum of $200,000. The loan repayments begin six months after the advancement of funds issued after the work has been completed. The

loan repayment is on a monthly basis. Full repayment can be made at any time without penalty.

6.1 Availability

The Upgrade to Building Code Loan program has been available in the Downtown since 1999, Old East Village since 2006, SoHo since 2013, and the Hamilton Road Area since 2018.

6.2 Purpose

The Upgrade to Building Code Loan Program is intended to assist property owners with the financing of building improvements that are often necessary to ensure older buildings comply with current Building Code Requirements. The costs associated with these improvements frequently pose a major issue for building owners wanting to upgrade their properties. This issue is amplified in neighbourhoods where much of the building stock is older and needs major rehabilitation.

6.3 Objectives

The objectives of the Upgrade to Building Code Loan program are to:

- Support the maintenance, improvement, beautification, and viability of the historic building stock in older commercial neighbourhoods in London;
- Encourage the development of residential units in older buildings through conversion and adaptive re-use;
- Support the development of distinctive, interesting and attractive commercial spaces in existing buildings to assist in the regeneration of older neighbourhoods;
- Help ensure that buildings are safe for residents, patrons, and visitors alike by meeting Ontario Building Code and Fire Code regulations;
- Bring participating buildings and properties into conformity with the City of London Property Standards By-law, if necessary.

6.4 Existing Measures

The Municipal Council approved Upgrade to Building Code Loan program guidelines contain numerous measures that are used to monitor the Upgrade to Building Code Loan program including:

- Number of applications approved and denied;
- Commitment value for the loan;
- Total loan amount;
- Total construction cost of the project;
- Total public investment vs. private investment;
- Pre-assessment property value;
- Post-assessment property value;
- Use type (targeted vs. non-targeted);
- Number of forgivable loans;
- Number of loan defaults;

These measures have traditionally been collected to allow Staff to calculate the private investment vs. public investment ratio, manage the day-to-day operations of the loan program, and report out data in the State of the Downtown Report (or other reports) as needed. Beyond calculating the private-public investment ratio, these existing measures have not been used to determine how successful the loan program has been in meeting its purpose and objectives.

6.5 New Measures and Indicators of Success

Staff are considering to track the success of this loan program through the number of consecutive years the amount of applications received and their value have been below a to-be-determined threshold. In other words, have new applications stopped being submitted because property owners no longer need to upgrade their buildings or is private demand and investment great enough that City assistance is no longer needed. A potential threshold for future discussion is three successive years of less than two applications per year with a total value of less than $100,000.

Similar to the Façade Improvement Loan program, Staff are developing recommended changes to the Upgrade to Building Code Loan program once the target is met. These changes could include transitioning the program to target specific streets or buildings that have not used the program.

7.0 Forgivable Upgrade to Building Code Loan

7.1 Program Description

The Forgivable Upgrade to Building Code Loan operates in the same manner as the Upgrade to Building Code Loan; however, the forgivable loan program offers an additional incentive to property owners by forgiving a portion of the loan if the ground floor of the property is occupied by a targeted use. The loan forgiveness occurs as an annual grant based on the loan payments made in a calendar year. The Forgivable Upgrade to Building Code Loan program grants back a maximum of 12.5% of the annual loan payments.

7.2 Availability

The Forgivable Façade Improvement Loan program has been available in targeted areas of the Downtown from 2008 to 2015 and 2018 to the present, Old East Village from 2008 to 2015 and 2018 to the present, and the Hamilton Road Area since 2018.

7.3 Purpose

Same as section 6.3

7.4 Objectives

Same as section 6.4

7.5 Existing Measures

Same as section 6.5

7.6 New Measures and Indicators of Success

The Forgivable Upgrade to Building Code Loan program will be subject to the new measures and indicators of success of the standard Upgrade to Building Code loan program as discussed in Section 5.6, but will also have an additional measure focusing on the percentage of building ground floors in the targeted area that are occupied with a targeted use.

Baseline data is needed to determine the percentage of ground floors in the targeted area that are occupied with a targeted use. A preliminary target of 95% of the ground floors in the targeted area occupied with a targeted use has been suggested, but this target will be refined for each area once the baseline data has been collected.

City Staff are also developing recommended changes to the Forgivable Upgrade to Building Code Loan program that would be implemented upon reaching the target for applications received, as well as the target for targeted uses. These changes could include revising the targeted area to encourage targeted use where they are needed most.

8.0 Rehabilitation and Redevelopment Tax Grant and Residential Development Charges Grant

The Rehabilitation and Redevelopment Tax Grant (“Tax Grant”) and the Residential Development Charges (DC) Grant have been grouped together because they have a similar purpose and objective, which is revitalizing and creating a vibrant neighbourhood.

8.1 Program Descriptions

The Tax Grant program helps property owner’s transition to a higher tax assessment as a result of property improvements. Through this program, the City provides a ten-year tax grant for an eligible property, with annual grant amounts declining over this ten-year period. The total grant value is based on the increase in municipal taxes resulting from the rehabilitation and/or redevelopment of the property according to the MPAC

assessment. There are three grant levels: (1) rehabilitation of Part IV designated heritage properties, (2) rehabilitation/Renovation of non-designated heritage properties, and (3) redevelopment grant for new buildings developed on vacant or cleared sites.

The Residential DC Grant program helps reduce the cost of developing residential dwelling units by providing a grant equal to a rebate of DCs for residential units constructed. DCs are required to be paid “upfront” at the time the building permit is issued. The Residential DC program grants back a portion of the residential DCs paid by the applicant over an approximately ten-year schedule until 100% of the residential DCs have been repaid to the applicant.

8.2 Availability

The Tax Grant has been available in the Downtown (excluding Richmond Row) since 1996, Old East Village since 2006, and SoHo since 2018. The Residential DC Grant is available in the Downtown (excluding Richmond Row) and Old East Village.

8.3 Purpose

The Tax Grant and Residential DC Grant are intended to provide economic incentive for the rehabilitation and redevelopment of properties, with the end goal of creating an exciting, exceptional, vibrant, and healthy neighbourhood, as well as attracting new residents to Downtown, Old East Village, and SoHo.

8.4 Objectives

The objectives of the two grant programs are to:

- Grow our economy through investing in the city;
- Stimulate and assist private property owners to rehabilitate buildings to ensure long-term viability;
- Encourage the preservation of significant heritage resources;
- Foster a diverse and resilient economy;
- Develop new residential units;
- Promote the intensification and redevelopment within the existing built-up area;
- Encourage the development of residential units in older buildings through conversion and adaptive re-use;
- Strengthen the property assessment base.

8.5 Existing Measures

The Municipal Council approved program guidelines for the grant programs contain numerous measures for monitoring, including:

- Number of applications;
- Pre-assessment value;
- Post-assessment value;
- Total construction value of building permits;
- Number of residential units created;
- Level of grant (for Tax Grant applications);
- Increase in assessed value of participating property;
- Total grant amount.

These measures have traditionally been collected to allow Staff to calculate the value of the grant programs, manage the day-to-day operations of the programs, and report out data in the State of the Downtown Report (or other reports) as needed.

8.6 New Measures and Indicators of Success

For the two grant programs, Staff are looking to take a holistic and community improvement project area wide approach to measuring their success. These new measures and indicators of success will help determine if the neighbourhood is improving and at what point the programs should be “cut back” and reassessed. The new measures and indicators of success for the grant programs will also take into consideration the new measures previously discussed for the loan programs.

The new measures and indicators of success that Staff are considering for the two grant programs include:

- Façade quality / façade rating system;
- Percentage of targeted uses;
- Existing loan program measures (number of applications, amount of loans issued, private vs. public sector investment, etc.);
- Total population;
- Population growth;
- Vacancy rates (ground floor retail, office, and residential);
- Assessment growth;
- Pedestrian counts.

Staff are of the opinion that the above measures and tracking the changes of those measures over time from a baseline to a target would help indicate if the neighbourhood is improving. For example, better quality facades and property owners investing in their buildings, a growing population, a healthy vacancy rates, and more feet on the street would be an indication of a neighbourhood moving towards revitalization.

Staff are still working on baseline data and preliminary targets for each measure. A “stepping down” approach is also being considered, where the two grant programs would have multiple targets and as each successive target is met it would trigger a reduction in the grant funding, a reassessment of the bigger picture, and a sunset clause for when that reduction in funding would occur.

Using the Downtown as an example, targets that have been considered include a total population of 10,000 persons (often cited as the number needed to sustain a full scale grocery store) and a doubling of pedestrian volumes on key streets, such as Dundas Street and Richmond Street.

Proposed New Measures and Indicators of Success Summary

The proposed new measures and indicators of success can be summarized as being better at determining if, individually, a financial incentive program is meeting its purpose and objectives, but also, if the neighbourhood, or more technically, the community improvement project area is improving in a manner that supports the vision of the CIP. Working together the existing and new measures will allow for a more robust evaluation of the City’s financial incentive programs on a regular basis. Table 2 summarizes the potential new measures detailed in the previous sections of this report.

Table 2 New Measures and Indicators of Success Summary

Financial Incentive Program	Potential New Measure
Façade Improvement Loan	• Façade quality / façade rating system
Forgivable Façade Improvement Loan	• Façade quality / façade rating system • % of Targeted Uses
Upgrade to Building Code Loan	• # of applications received below a to-be-determined threshold
Forgivable Upgrade to Building Code Loan	• # of applications received below a to-be-determined threshold • % of Targeted Uses
Rehabilitation and Redevelopment Tax Grant and Residential Development Charges Grant	• Façade quality / façade rating system • Percentage of targeted uses • Existing loan program measures • Total population • Population growth • Vacancy rates • Assessment growth • Pedestrian counts

Next Steps

The next steps in developing measures and indicators of success for the financial incentive programs offered through the Downtown, Old East Village, SoHo, Hamilton Road Area, and draft Lambeth CIPs are:

- To refine the measures and indicators of success through discussion with the City staff, BIAs, development community, and others who access the financial incentive programs;
- Develop the methodology and collect the baseline data. A methodology for each measure and indicator of success will be developed to ensure data can be collected consistently in future years;
- Finalize the targets;
- Report back to Planning and Environment Committee (PEC) to amend the Downtown, Old East Village, SoHo, Hamilton Road Area, and draft Lambeth CIPs to include the measures and indicators of success for the financial incentive programs;
- Concurrently begin investigating measures and indicators of success for the Airport Area, Brownfield, Heritage, and Industrial Lands CIPs and report to PEC as needed.

Conclusion

This report summarizes the potential new measures and indicators of success for the City's loan and grant programs available through the Downtown, Old East Village, SoHo, Hamilton Road Area, and draft Lambeth CIPs. Staff will continue to gather baseline data for the new measures and establish targets in conjunction with stakeholders. A future report to Planning and Environment Committee will seek to amend the CIPs to adopt the measures and indicators of success.

Prepared by:	**Graham Bailey, MCIP, RPP** **Planner II, Urban Regeneration**
Submitted by:	**Britt O'Hagan, MCIP, RPP** **Manager, Urban Regeneration**
Recommended by:	**John M. Fleming, MCIP, RPP** **Managing Director, Planning and City Planner**
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	

May 3, 2019
GB/gb

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Appendix A – Previous Reports

August 26, 2013 – Strategic Change in Delivery of Development Charge Exemptions and Incentives Policies – Report to Strategic Priorities and Policy Committee to provide Municipal Council with a recommended change in approach for exempting forms of development in the Development Charges By-law, as well as the use of CIPs to strategically provide for and finance grants for development charges paid related to economic development or area re-development.

March 25, 2014 – Development Charges Grant for Downtown, Old East Village, and SoHo CIP Areas – Report to Planning and Environment Committee to circulate a draft Residential Development Charges Grant Program. Municipal Council referred these program guidelines back to the Civic Administration and they were replaced by the program guidelines circulated at the February 2, 2015 PEC meeting.

February 2, 2015 – Development Charges Grant Program for Downtown and Old East Village CIP Areas – Report to Planning and Environment Committee to circulate the draft program guidelines for the Residential Development Charges grant program for public review and comment.

March 2, 2015 – Development Charges Grant Program for Downtown and Old East Village CIP Areas – Report to Planning and Environment Committee to provide Municipal Council with an update on the circulation of the draft program guidelines for the Residential Development Charges grant program and hold the mandatory public participation meeting.

April 7, 2015 – Evaluation of Community Improvement Plan Incentives – Report to Planning and Environment Committee to direct the Civic Administration to undertake a comprehensive review of the City's existing CIPs and associated incentives.

May 19, 2015 – Development Charges Grant Program for Downtown and Old East Village CIP Areas – Report to Planning and Environment Committee to complete the administrative process changes with respect to the delivery of Downtown and Old East Village residential DC exemptions through a CIP program.

February 1, 2016 – Evaluation of Community Improvement Plan Incentives – Report to Planning and Environment Committee to provide background on the legislative basis for municipal incentives and the CIPs that allow for such incentives, to describe the financial incentives currently offered by the City, to evaluate each program and recommend potential changes to be considered through a comprehensive CIP Service Review, documents the range of new incentive programs that have been posed that will be considered through the CIP Service Review, and recommends that no additional contributions be made to the incentive funding envelope beyond what has already been budgeted through the 2016-2019 budget submission.

August 22, 2016 – Public Engagement Process for the Evaluation of Community Improvement Plan Incentives – Report to Planning and Environment Committee to provide an update to Municipal Council on the consultation undertaken to date as part of the CIP Service Review, a description and evaluation of the current CIPs and programs, and a description and preliminary evaluation of the potential new CIPs and programs that have been proposed to Municipal Council for consideration.

April 27, 2017 – Service Review of Community Improvement Plan Incentives – Report to Planning and Environment Committee to update Municipal Council regarding the evaluation of current CIP programs and the results of the consultation process. This report concludes the CIP Service Review. This report also provides recommendations for Municipal Council's consideration on the range of financial incentives offered through the City's CIP programs, and recommended changes to those programs. The report also identifies next steps, including budgeting for both the revised and future programs, and subsequent amendments to the City's CIPs.

Development and Compliance Services
Building Division

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

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

Date: April 11, 2019

RE: **Monthly Report for March 2019**

Attached are the Building Division's monthly report for March 2019 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of March, 884 permits had been issued with a construction value of $121.2 million, representing 281 new dwelling units. Compared to last year, this represents a 0.5% decrease in the number of permits, a 54.3% decrease in the construction value and a 57.8% decrease in the number of dwelling units.

To the end of March, the number of single and semi-detached dwellings issued was 126, which was a 32.2% decrease over last year.

At the end of March, there were 687 applications in process, representing approximately $963 million in construction value and an additional 1,474 dwelling units, compared with 763 applications having a construction value of $518 million and an additional 932 dwelling units for the same period last year.

The rate of incoming applications for the month of March, averaged out to 16.9 applications a day for a total of 355 in 21 working days. There were 43 permit applications to build 43 new single detached dwellings, 14 townhouse applications to build 55 units, of which 5 were cluster single dwelling units.

There were 356 permits issued in March totalling $37 million including 88 new dwelling units.

Inspections

BUILDING

Building Inspectors received 1,957 inspection requests and conducted 2,518 building related inspections. An additional 14 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 218 inspections were conducted this month per inspector.

Based on the 1,957 requested inspections for the month, 94% were achieved within the provincially mandated 48 hour time allowance.

CODE COMPLIANCE

Building Inspectors received 453 inspection requests and conducted 753 building related inspections. An additional 139 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 5 inspectors, an average of 135 inspections were conducted this month per inspector.

Based on the 453 requested inspections for the month, 100% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 712 inspection requests and conducted 965 plumbing related inspections. An additional 3 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 161 inspections were conducted this month per inspector.

Based on the 712 requested inspections for the month, 99% were achieved within the provincially mandated 48 hour time allowance.

NOTE:

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

AD:cm
Attach.

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

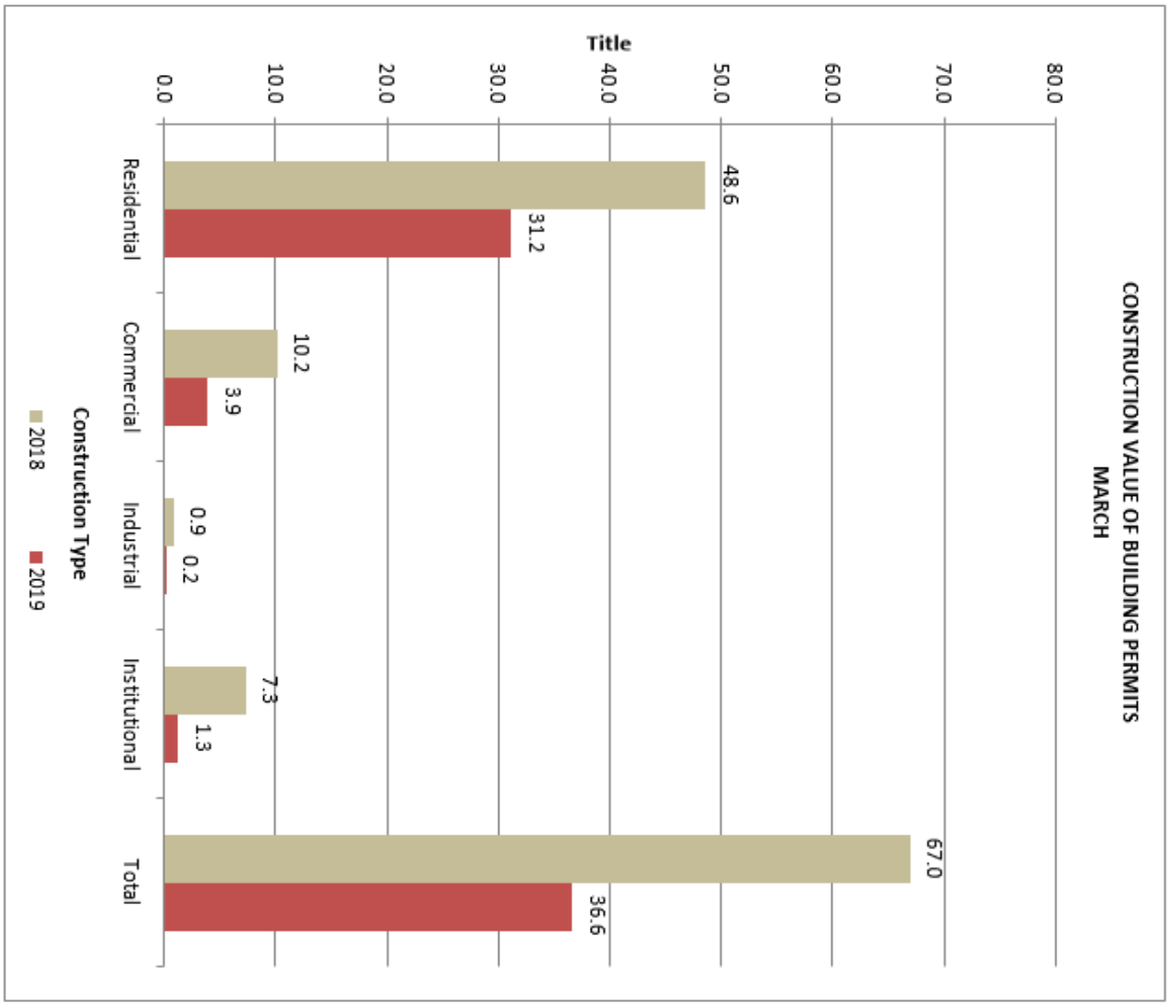
CITY OF LONDON

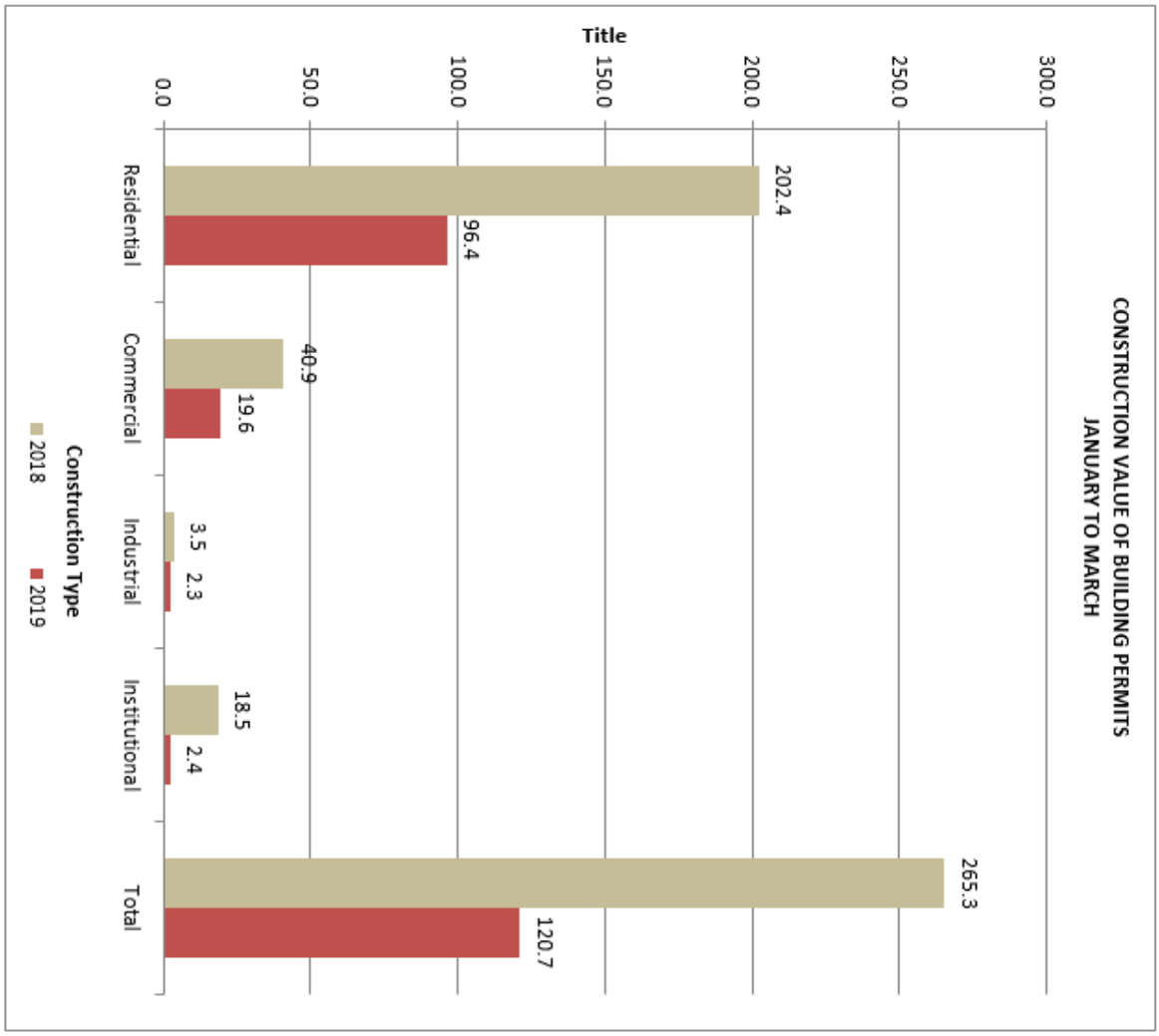
SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF March 2019

	March 2019			to the end of March 2019			March 2018			to the end of March 2018		
CLASSIFICATION	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	48	18,507,510.00	48	126	51,400,020.00	126	69	27,847,160.00	69	186	76,398,167.00	186
SEMI DETACHED DWELLINGS	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
TOWNHOUSES	7	5,780,800.00	27	36	27,781,690.00	131	25	16,582,680.00	57	46	28,630,426.80	102
DUPLEX, TRIPLEX, QUAD, APT BLDG	2	2,275,000.00	4	3	3,525,000.00	4	0	0.00	0	2	87,517,920.00	363
RES-ALTER & ADDITIONS	124	4,601,115.45	9	331	13,728,925.45	20	130	4,164,460.00	6	307	9,893,747.00	16
COMMERCIAL -ERECT	0	0.00	0	2	1,329,480.00	0	1	3,903,200.00	0	4	24,135,200.00	0
COMMERCIAL - ADDITION	1	300,000.00	0	2	2,800,000.00	0	1	725,000.00	0	2	940,000.00	0
COMMERCIAL - OTHER	63	3,624,150.00	0	139	15,472,470.00	0	41	5,564,100.00	0	105	15,826,416.97	0
INDUSTRIAL - ERECT	0	0.00	0	1	100,000.00	0	0	0.00	0	0	0.00	0
INDUSTRIAL - ADDITION	0	0.00	0	2	65,000.00	0	1	700,000.00	0	1	700,000.00	0
INDUSTRIAL - OTHER	5	243,200.00	0	20	2,116,900.00	0	6	169,299.00	0	16	2,835,248.00	0
INSTITUTIONAL - ERECT	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0
INSTITUTIONAL - ADDITION	0	0.00	0	0	0.00	0	0	0.00	0	1	2,800,000.00	0
INSTITUTIONAL - OTHER	11	1,259,900.00	0	26	2,401,570.00	0	9	7,305,000.00	0	56	15,669,350.00	0
AGRICULTURE	0	0.00	0	1	10,000.00	0	0	0.00	0	0	0.00	0
SWIMMING POOL FENCES	10	357,732.48	0	13	455,732.48	0	18	348,071.50	0	20	361,571.50	0
ADMINISTRATIVE	13	56,000.00	0	25	56,000.00	0	11	83,000.00	0	24	93,000.00	0
DEMOLITION	15	0.00	9	26	0.00	15	8	0.00	6	15	0.00	11
SIGNS/CANOPY - CITY PROPERTY	2	0.00	0	9	0.00	0	1	0.00	0	2	0.00	0
SIGNS/CANOPY - PRIVATE PROPERTY	55	0.00	0	122	0.00	0	25	0.00	0	102	0.00	0
TOTALS	356	37,005,407.93	88	884	121,242,787.93	281	346	67,391,970.50	132	889	265,801,047.27	667

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

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CONSTRUCTION VALUE OF BUILDING PERMITS
MARCH
Title
80.0
70.0
60.0
50.0
40.0
30.0
20.0
10.0
0.0
Residential
Commercial
Industrial
Institutional
Total
48.6
31.2
10.2
3.9
0.9
0.2
7.3
1.3
67.0
36.6
Construction Type
2018
2019


CONSTRUCTION VALUE OF BUILDING PERMITS
JANUARY TO MARCH
Title
300.0
250.0
200.0
150.0
100.0
50.0
0.0
Residential
Commercial
Industrial
Institutional
Total
202.4
96.4
40.9
19.6
3.5
2.3
18.5
2.4
265.3
120.7
Construction Type
2018
2019

City of London - Building Division

Principal Permits Issued From March 01, 2019 to March 31, 2019

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Jennum Wellington Properties Inc. Jennum Wellington Properties Inc.	1025 Wellington Rd	Alter-Retail Store-Interior Alter For Retail Store	0	104,600
Sifton Limited Sifton Properties Limited	1080 Upperpoint Ave A	Erect-Townhouse - Condo-Erect New Townhouse Building A. 5 Units. 1 Storey,	5	909,600
Stormfisher Environmental Ltd Stormfisher Environmental Ltd	1087 Green Valley Rd	Add-Offices-Cm - Add Office Shell Only ¿Sealed Guard Drawing	0	300,000
Graystone Homes Ltd. Graystone Custom Homes Ltd.	1170 Riverbend Rd 9	Erect-Townhouse - Cluster Sdd-Erect - Cluster Sfd - 1 Storey, 2 Car Garage, 5 Be	1	486,700
Cheryl Balsillie Pond Mills Square Realty Inc C/O Romspen Asset Corp	1200 Commissioners Rd E	Alter-Medical Offices-Alter Interior For Office, Change Of Use From Reta	0	744,600
Western University, Board Of Governors Western University, Board Of Governors	1201 Western Rd N/S	Alter-University-Elborn College - Interior Renovations To Library S	0	110,000
Starlight Enterprize Ltd	123 St George St	Alter-Offices-Alter- Offices - Second Floor Area For Offices And	0	125,000
Thames Valley District School Board Thames Valley District School Board	125 Sherwood Forest Sq	Alter-Schools Secondary, High, Jr. High-Alter - Sir Frederick Banting Secondary School Lig	0	536,000
The Board Of Governors, The University Of Western Ontario	1255 Western Rd	Alter-University-Alter Ivey School Loading Dock / Garbage Recycling	0	191,000
1331 Hyde Park Road Holdings Inc	1331 Hyde Park Rd	Alter-Automobile Sales & Service-Alter - Cm - Indian Motorcycle - Interior Tenant F	0	340,100
Ryan Hevey Wonderland Commercial Centre Inc.	1365 Beaverbrook Ave	Alter-Dental Offices-Alter - Interior Tenant Fit Up For Dental Office,	0	130,000
1700 Hp Inc 1700 Hp Inc	1700 Hyde Park Rd	Alter-Dental Offices-Commercial - Alter For Dental Office In Unit 5	0	150,000
The Ridge At Byron Inc.	1710 Ironwood Rd 14	Erect-Townhouse - Cluster Sdd-Erect New Build, 1 Storey, 2 Car Garage, 1 Bedroom	1	390,600
Sherwood Forest Square Ltd Sherwood Forest Square Ltd.	190 Sherwood Forest Sq Clubhouse	Erect-Apartment Building-Erect - 1 Storey Recreation Centre With Basement S	0	1,400,000
Sifton Limited Sifton Properties Limited	2020 Logans Run D	Erect-Townhouse - Rental -Erect New Townhouse Building D. 4 Units. 1 Storey,	4	441,600
Bluestone Properties Inc.	240 Oakland Ave	Install-Site Services-Site Servicing For 250 Oakland Ave	0	1,300,000
Underhill Holdings London Inc	247 Trott Dr	Add-Apartment Building-Changing From Sfd To Secondary Dwelling Unit. Addi	1	228,800
Greengate Village Limited	2700 Asima Dr	Erect-Apartment - Condo-Erect Block 57, Units: 2698, 2702, 2706, 2710.	4	875,000
Qwest Homes Inc. Qwest Homes Inc.	2810 Sheffield Pl 4	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 1 Storey, 2 Car,	1	286,800
1221022 Ontario Inc 1221022 Ontario Inc	300 Sovereign Rd	Alter-Plant For Manufacturing-Alter Interior For Extraction Space Condition: **	0	147,200
1187682 Ontario Limited C/O Donna Hickey	312 Commissioners Rd W	Alter-Clubs, Non Residential-Interior Alteration For Community Centre. Frr	0	200,000
2585306 Inc. 2585306 Ontario Inc.	3260 Singleton Ave B	Erect-Townhouse - Condo-Erect - Townhouse Block - 10 Unit - 3 Storey, 1 Ca	10	2,400,000
Youth Opportunities Unlimited	333 Richmond St	Alter-Offices-Comm - Alter Basement And Levels One And Two For Y	0	400,000
Clfi Wonderland Rd. Inc., 1279059 Ontario Inc.	3409 Wonderland Rd S	Alter-Restaurant <= 30 People-Interior Alter For Baskin Robbins, Unit 2	0	110,000
Thames Valley District School Board Thames Valley District School Board	365 Belfield St	Alter-Schools Elementary, Kindergarten-Alter Interior To Remove Shop Classes And Replace	0	212,000
Cedar Hollow Developments Limited	600 Guiness Way J	Erect-Townhouse - Condo-Erect, 5 Units , 2 Storey Townhouse Block With Sin	5	865,500
Tolpuddle Housing Co-Operative Inc	656 King St	Alter-Apartment Building-Phase 2 Of Interior Repair After Fire, Unit 13, 14	0	108,000
John Fragis Jfk Holdings Inc	666 Wonderland Rd N	Alter-Retail Store-Cm - Alter - Tenant Fitup For Retail Shop. Remove	0	104,100
1524851 Ontario Inc	691 Richmond St	Alter-Retail Store-Tenant Fit-Up For New Retail Store. Combine Existi	0	200,000
Tony Devincenzo 724 Dundas Inc.	724 Dundas St	Alter-Retail Store-Comm - Alt - Main Floor Retail And Second Floor Ap	0	380,000

Total Permits 30 Units 32 Value 14,177,200

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Advisory Committee on the Environment

Report

The 5th Meeting of the Advisory Committee on the Environment
May 1, 2019
Committee Room #4

Attendance

PRESENT: S. Ratz (Chair), K. Birchall, M. Bloxam, S. Hall, M. Hodge, J. Howell, C. Lyons, D. Szoller and A. Tipping and J. Bunn (Secretary)

ABSENT: S. Brooks and L. Langdon

ALSO PRESENT: T. Arnos, J. Stanford and B. Westlake-Power

The meeting was called to order at 12:15 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that S. Ratz disclosed a pecuniary interest in clauses 3.4 and 5.3 of this Report, having to do with a Municipal Council resolution with respect to the Environmental Programs Annual Overview Update and Distribution of Water at Events, respectively, by indicating that her employer is involved in both of these items.

2. Scheduled Items

None.

3. Consent

3.1 4th Report of the Advisory Committee on the Environment

That it BE NOTED that the 4th Report of the Advisory Committee on the Environment, from its meeting held on April 3, 2019, was received.

3.2 4th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 4th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on March 21, 2019, was received.

3.3 Municipal Council Resolution - 2019 Appointments to the City of London Advisory Committees

That it BE NOTED that the Municipal Council resolution, from its meeting held on March 26, 2019, with respect to the 2019 Appointments to the City of London Advisory Committees, was received.

3.4 Municipal Council Resolution - Environmental Programs Annual Overview Update

That it BE NOTED that the following items were received with respect to the Environmental Programs Annual Overview Update:

· a Municipal Council resolution from its meeting held on April 23, 2019; and,

· a staff report, dated April 16, 2019, from J. Stanford, Director, Environment, Fleet and Solid Waste.

3.5 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 146 Exeter Road

That it BE NOTED that the Notice of Planning Application, dated April 2, 2019, from N. Pasato, Senior Planner, with respect to Official Plan and Zoning By-law Amendments for the property located at 146 Exeter Road, was received.

3.6 Draft Lambeth Area Community Improvement Plan

That it BE NOTED that a communication from L. Davies Snyder, Planner II, Urban Regeneration and a staff report, dated March 18, 2019, from J.M. Fleming, Managing Director, Planning and City Planner, with respect to the Draft Lambeth Area Community Improvement Plan, were received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Dark Sky Community/Park

That the Civic Administration BE REQUESTED to report back at a future meeting of the Advisory Committee on the Environment (ACE) with respect to the feasibility of adapting the Dark Sky Communities Guidelines in smaller communities within the City of London as per the International Dark Sky Communities Guildelines; it being noted that the ACE suggested the communities of Brockley-Shaver, Glanworth and/or Lambeth as pilot communities for this project.

5.2 South Street Park

That the Civic Administration BE REQUESTED to report back at a future meeting the Advisory Committee on the Environment with respect to the feasibility of making the new park on South Street "off-grid" in terms of energy usage.

5.3 Distribution of Water at Events

That it BE NOTED that a communication from M. Bloxam with respect to the City of London Thirstmobile and Thirstations, and their respective use, was received.

5.4 ACE Terms of Reference

That it BE NOTED that a communication from B. Westlake-Power, Deputy City Clerk with respect to the Advisory Committee Review, as well as the current Advisory Committee on the Environment Terms of Reference, were received.

5.5 ACE 2018/2019 Work Plans

That the following actions be taken with respect to the Advisory Committee on the Environment (ACE) Work Plans:

a) the revised attached 2018 ACE Work Plan BE FORWARDED to the Planning and Environment Committee for their information; and,

b) the 2019 ACE Work Plan BE DEFERRED to the new term of the ACE, starting on June 1, 2019.

6. Deferred Matters/Additional Business

6.1 (ADDED) Precautionary Principle

That Municipal Council BE REQUESTED to undertake the following with respect to the recent Declaration of a Climate Emergency:

a) demonstrate the commitment of the city of London to address the Climate Emergency by creating a Sustainability Office, independent of all existing departments, that reports directly to Council; it being noted that this office should be given the power to independently investigate matters of interest, make observations, issue reports, and act as a point of contact for receiving public concerns involving the environment and the City of London;

b) ensure that the above-noted Sustainability Office is run by an individual with a mandate that exceeds the terms for Municipal Council by no less than one year and who can only be removed from their position in exceptional circumstances which are enumerated as part of their contract of employment with the City of London;

c) accept the use and validity of the Precautionary Principle as it relates to the environment and its protection through by-laws, regulations and city policies; and,

d) request that the Civic Administration review existing policies, including but not limited to the Procurement Policy, for opportunities to apply the Precautionary Principle to strive to protect the environment through its application; it being noted that the Advisory Committee on the Environment wishes to be circulated on any reports related to this matter;

it being noted that a communication from K. Birchall, with respect to this matter, was received.

6.2 (ADDED) Proposed Maple Leaf Food Plant – R. McNeil – Request for Delegation Status

That the delegation request from R. McNeil, with respect to the Proposed Maple Leaf Food Plant, BE APPROVED for a future meeting of the Advisory Committee on the Environment (ACE); it being noted that Mr. McNeil will be requested to provide a submission for inclusion on the ACE agenda, when the delegation takes place.

7. Adjournment

The meeting adjourned at 2:42 PM.

ADVISORY COMMITTEE ON THE ENVIRONMENT - 2018 WORK PLAN

(updated May 1, 2019 by Susan Ratz)

Project / Initiative & Background	Lead/ Responsible	Proposed Timeline	Proposed Budget	Actual Expenditure	Link to Strategic Plan	Status
<u>Waste</u> **Managing organic waste** 1. Review & prioritize leading edge waste management systems that focus on waste as a resource technology (Biogas, Anaerobic Digester facility, landfill gas recovery i.e. Edmonton Waste Management Centre of Excellence) 2. Follow the progress of City regarding development of a Resource Recovery Centre for London (invite staff members speak to ACE) 3. Review the new Ontario Acts and legislation and how they will affect the City's direction and invite expert to speak on Provincial new policies. 4. Continue research into organic waste diversion. Examine other cities' highly successful Green Bin programs (ie. Toronto, Halton) Invite a representative from successful Green Bin program to speak to ACE. **Resource Recovery** 5. Monitor & review on-going resource recovery initiatives. **Landfill Expansion** 6. Monitor & review on-going landfill expansion.	Waste Sub-Committee with Janice Howell as Sub-Cmte Chair coordinating	On-going	tbd		Building a Sustainable City 1-Robust Infrastructure D-Increase efforts resource recovery/ long-term disposal capacity/ reducing community impacts (p. 11 #1D) Building a Sustainable City 3-Strong and Healthy Environment D-Support resident/community driven initiatives… (p.12 #3D) Growing Our Economy 3-Local, Regional and Global Innovation B-Lead development of new ways to resource/energy recovery… (p. 17B) Leading in Public Service 3-Proactive Financial Management A – Well planned finances/limit burden on current and future rate payers. (p.21 #3A)	Received an excellent presentation and participated in an interactive discussion from Barry Orr, Sewer Outreach and Control Inspector – March 7, 2018 Subsequent motion regarding the "Toilets Are Not Garbage Cans" stickers made at June 6, 2018 meeting. Received a presentation from Claudia Marsales, Senior Manager, Waste Management Services, City of Markham regarding Waste Management Options on June 6, 2018. Sub-committee members have attended the City Waste Management Work Group meetings on Landfill expansion discussions. The committee submitted a report to the Civic Works Committee regarding residential waste management issues July 4, 2018.

Project / Initiative & Background	Lead/ Responsible	Proposed Timeline	Proposed Budget	Actual Expenditure	Link to Strategic Plan	Status
ACE Sub-Committee Communication Support / General 7. From Joint Education & Outreach meetings with other advisory committee representatives in 2016 provide recommendations for Advisory Committee reception, and clarify common issues that were raised in the meetings. 8. Continue to communicate and liase with other advisory committees as appropriate. 9. Investigate opportunities to recognize and involve indigenous communities in ACE activities.	Susan Ratz Susan Ratz/ Chair Mary Ann	March / April 2018 As appropriate tbd	$0 Up to $200		Leading in Public Service 4-Collaborative, engaged leadership. A-Continue to build strong working relationships between City Council, Civic Administration, the City's agencies, boards and commissions, and community partners. (p.22 #4A)	• Arrange for a speaker to present at an ACE meeting or an ACE hosted event at a time outside of regular ACE meetings, with a focus on Indigenous & environmental concerns.
Natural Environment 10.Urban Agriculture – Monitor progress as per Urban Agriculture Strategic Plan 11.Pollinator Sanctuary Status & Related Issues	Natural Environment Sub-Committee	On-going tbd	$0		Building a Sustainable City 3-Strong and Healthy Environment	• ACE member Diane Szoller to represent ACE on Urban Agriculture Steering Committee. (as per January 2018 ACE meeting) • Presentation from Becky Ellis – Bee City Canada, and Gabor Sass – ACE member regarding Pollinator Pathway project in London Ontario, and making London a Bee City on May 2, 2018. Awaiting staff feedback on Bee City initiative.
Sustainability Commitment 12. Request updates from Greg Barrett regarding Resiliency Strategic Plan status. 13. Support further actions in regards to sustainability & resiliency.	Susan Ratz Sustainability Sub-Committee	March/April 2018 As needed	$0		Building a Sustainable City 3-Strong and Healthy Environment	
Community Education 14.Support community events directly and indirectly, as possible to increase awareness of environmental issues. • Partner with London Public Library to organize a series of 3-4 Green Talks	Susan Ratz	February to November 2018	Maximum of $800	$775	Strengthening Our Community Building a Sustainable City Growing Our Economy	• Proposed ideas for 2018 submitted to ACE at February 2018 meeting and were discussed. • The Green in the City workshop series was held in partnership with London Public Library. Held on

Project / Initiative & Background	Lead/ Responsible	Proposed Timeline	Proposed Budget	Actual Expenditure	Link to Strategic Plan	Status
• Organizing partner for the River Summit			Maximum of $500	$500	Leading in Public Service (to adjust based on focus of event)	Tuesday evenings from Nov 6th to Dec 4th – 5 workshops total • Location Stevenson & Hunt Room at Central Library • ACE provided direction on workshop topics – such as proposed topics of Food Waste, Toilets are not Garbage Cans, Urban Agriculture, Pollination and coordinated speakers. • Total attendance was 215. • A final report was submitted on the March 2019 ACE agenda. River Summit… • ACE was an organizing partner, along with other organizations. London Environmental Network was the lead coordinator. • The event was held Oct 18-20, 2018. • ACE Chair Susan Ratz acted as representative of ACE on the organizing committee. • ACE assisted with speaker costs.
Renewable Energy 15.Explore possibilities for hydro-electric along Thames River 16. Explore solar energy on municipally-owned buildings 17. Ensure that co-generation/local electricity generation initiatives do not negatively impact the City of London carbon-dioxide emissions targets and carbon footprint or compromise local air quality	Energy Sub-Committee		$0		Building a Sustainable City -Robust Infrastructure… Page 11, item 1B -Strong & healthy environment…Page 12, item 3A thru F, 5B	
Community Energy Action Plan 18.Provide input on 2018 review.	Energy Sub-Committee		$0		Building a Sustainable City -Robust Infrastructure… Page 11, item 1B -Strong & healthy environment…Page 12,	

Project / Initiative & Background	Lead/ Responsible	Proposed Timeline	Proposed Budget	Actual Expenditure	Link to Strategic Plan	Status
					item 3A thru F, 5B	
Built Environment 19. Identify key items to review. 20. Develop a draft green roof by-law	Built Environment Sub-Committee Diane Szoller		$0		Building a Sustainable City -Robust Infrastructure… Page 11, item 1B -Strong & healthy environment…Page 12, item 3A thru F, 5B	• Received an presentation from M. McKillop, Environmental Services Engineer, related to the City of London's Pollution Prevention and Control Plan (PPCP) – February 7, 2018 • Received a presentation from Julie Picton-Cooper May 2, 2018 regarding the Blue Communities Project. Awaiting staff feedback on this initiative.
Dark Sky Policy 20.Review proposed policy developed by Dark Sky Working Group. *(Working group includes members of Animal Welfare, Environmental and Ecological Planning and Environment Advisory Committees.)*	Susan Hall	Dependent on EEPAC.	$0		Building a Sustainable City -Strong and healthy environment… Page 12 3D -Beautiful places and spaces 4C	• Received and reviewed "Green Standards for Light Pollution & Bird-Friendly Development" from EEPAC and individual members provided feedback. March 2018 • The policy was presented at the Planning and Environment Committee on April 3, 2018 with EEPAC and ACE representation.
City Budget 21. Review and provide feedback on budget.	tbd	To be reviewed	$0		Leading in Public Service	
Committee Member Education & Development 22. Request staff presentations on issues as appropriate.		On-going / as needed.	$0		ALL	• Received a presentation from Jon-Paul McGonigle, Division Manager, Parks and Recreation regarding the Parks and Recreation Master Plan Update on June 6, 2018. • Received a presentation from Jay Stanford, Director, Environment, Fleet and Solid Waste – Environmental Programs Annual Overview Update on June 6, 2018.

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: **Hajar Properties Inc.**
1081 Riverside Drive
Public Participation Meeting on: May 13, 2019 at 4:00pm

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Hajar Properties Inc. relating to the property located at 1081 Riverside Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 21, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Private Road Residential R6 (PR*R6-1) Zone, **TO** a Residential R3 Special Provision (R3-2( )) Zone;

Executive Summary

Summary of Request

The requested amendment is to permit a converted (three unit) dwelling within the existing building.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to re-zone 1081 Riverside Drive to permit residential single detached, semi-detached, duplex, triplex, fourplex and converted dwellings. A special provision will recognize parking permitted within the exterior side yard, with a reduced setback from the property line, and to recognize the existing west side yard depth.

Rationale of Recommended Action

1. The recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2014 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
2. The proposed residential uses and scale of development are consistent with the Neighbourhoods Place Type policies of the London Plan;
3. The recommended amendment is consistent with the policies of the Low Density Residential designation and will implement an appropriate infill development in accordance with the residential intensification and broader Official Plan policies;
4. The subject lands are of a suitable size and shape to accommodate the development proposed, and provide for a sensitive and compatible development within the surrounding neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the northwest corner of Riverside Drive and Hyde Park Road. It is an existing two storey brick residential building approximately 158 m^2 (1700 ft^2) in size. There is a single car garage located on the north side of the main dwelling. The lot is approximately 775.7 m^2 (8349.6 ft^2), and is rectangular in shape. The building is used as a converted (two unit) dwelling with driveway access to both Riverside Drive and Hyde Park Road. The surrounding area consists of single detached dwellings rear lotting onto Riverside Drive to the south, single detached dwellings within a cluster development to the north, single detached dwellings to the east (east side of Hyde Park Road), and a semi-detached dwellings within a cluster housing development, rear lotting onto Riverside Drive to the west. The property is located at the corner of two civic boulevards in The London Plan, being Hyde Park Road and Riverside Drive. In the 1989 Official Plan, Hyde Park Road is a Primary Collector Road and Riverside Drive is an Arterial Road. There are no heritage resource or natural heritage considerations in the immediate area.

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 – Private Road Residential R6 (PR*R6-1) Zone

1.3 Site Characteristics

- Current Land Use – converted dwelling (two units)
- Frontage – 21.3 metres (69.9 feet)
- Depth – 35.7 metres (117.1 feet)
- Area – 775.7 square metres (8349.6 square feet))
- Shape – rectangular

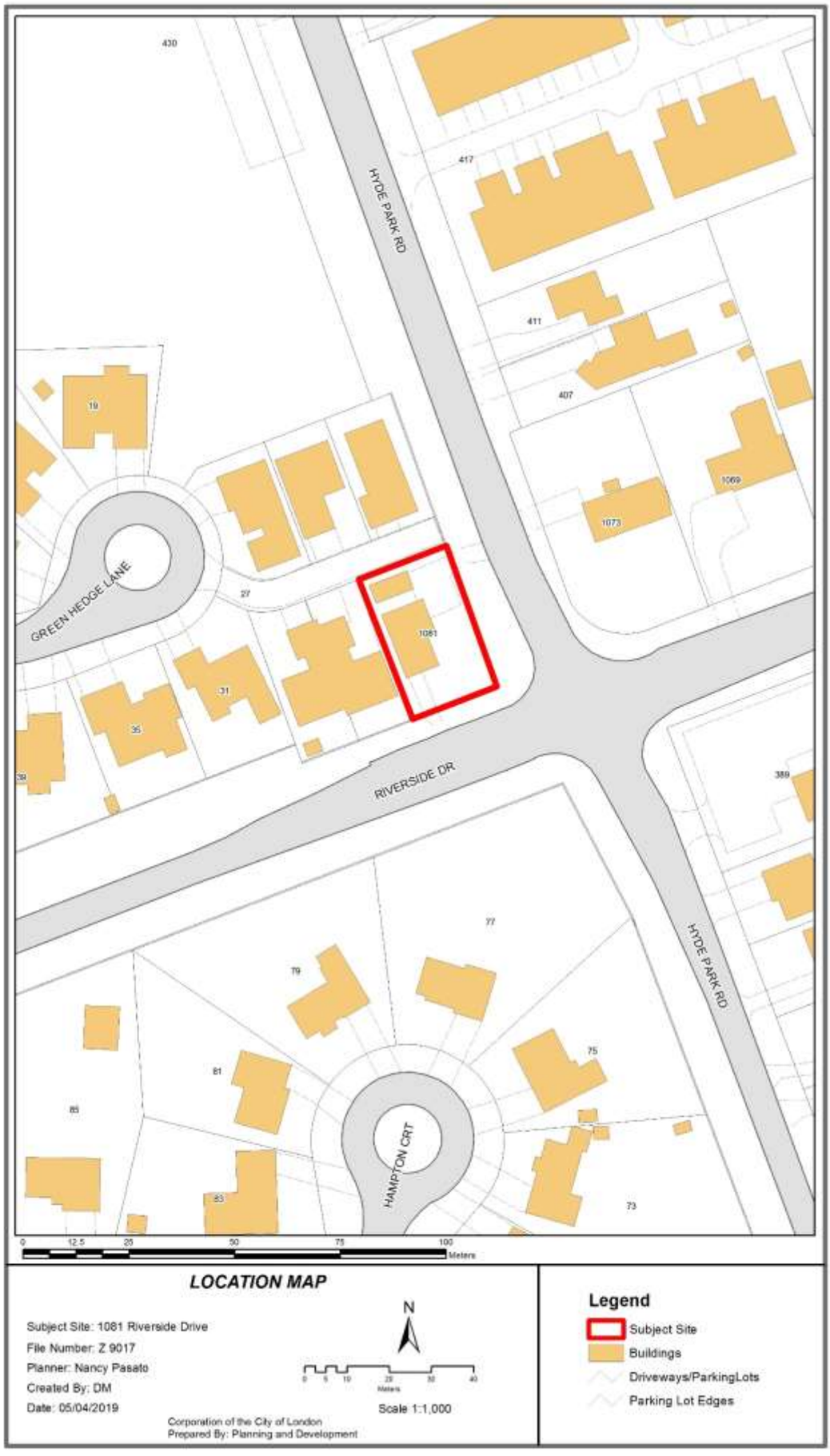
1.4 Surrounding Land Uses

- North – single detached dwellings
- East – single detached dwellings
- South – single detached dwellings
- West – semi-detached dwellings

1.5 Intensification (1 unit)

- The proposed additional residential unit represents intensification within the Built-Area Boundary
- The proposed residential units are outside of the Primary Transit Area

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The Applicant is proposing to add one unit within the existing residential dwelling for a total of three units. The height and form of the building (red brick, two-storey) will not change and no additions are proposed as a result of the application. Three parking spaces are required and currently these are proposed to be located off of the existing driveway on Hyde Park Road.

3.0 Relevant Background

3.1 Planning History

The existing home was built as a single detached dwelling in 1932. The subject site was originally a larger parcel. A zoning by-law amendment was granted in April, 1987 (Z-3398) to permit single detached, semi-detached, duplex and converted dwellings on the larger parcel. A subsequent consent application (B.75/1987) to sever five lots from the original property, all serviced internally via a private road (accessed from Green Hedge Lane), and retain 1081 Riverside Drive, was granted in 1987. It is assumed at this time that a 0.3m reserve was requested as a condition of the consent application, to control and restrict access for all properties along Riverside Drive. Around this time, the owner of 1081 Riverside Drive obtained a permit to convert the existing single detached dwelling into a converted dwelling with two units.

In 1999, an application for a minor variance (A.111/99) was circulated for the subject site. The request to permit three dwelling units in the existing building was refused, as the Committee felt the addition of one unit was not minor, not desirable for the appropriate development of the land, was not in keeping with the general intent and purpose of the by-law, and that the matter would be more properly dealt with through an application to amend the Zoning By-law. No appeal to the refusal was received.



Figure 1 - Riverside Drive frontage



Figure 2 - Hyde Park Road frontage

3.2 Requested Amendment

The Applicant has requested a Zoning By-law amendment from the existing zone to a Residential R3 (R3-2) Zone. The R3-2 Zone permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings (up to four units), and fourplex dwellings. The Applicant is looking to add another unit within the existing building, for a total of three units (which is considered a converted dwelling).

After site plan consultation, Staff have reviewed the proposed parking location and have identified additional special provisions that will be necessary, such as an interior side yard setback of 1.3 metres (1.8 metres is required), the location of the parking area within the exterior side yard, and parking area setback of 2.4m (7.9 feet) from the property line whereas 3.0m would be required.

3.3 Community Engagement (see more detail in Appendix B)

Two responses from the public were received on this application. Both residents were seeking clarification on the application but had no comments or concerns.

The Applicant submitted a site plan consultation. The following comments were made:

- Remove the driveway access off of Riverside Drive.
- Provide enhanced landscaping between the parking area and Hyde Park Road in order to screen this function from the street.
- Consider additional screening of the interior and rear yard to create additional functional amenity space in the front and exterior side yard.
- Grading and Servicing plan to be endorsed by the professional engineer

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning 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. The PPS also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs and encourages settlement areas to be the main focus of growth and development (1.1.3).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority or which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan places an emphasis on growing 'inward and upward' which encourages growth within the existing built-up area. Residential intensification will be supported in a variety of forms including infill development of vacant and underutilized lots and through redevelopment at a higher density than currently exists on developed lands (80.4 & 80.6). A target minimum of 45% for all new residential development will occur within the Built-Area Boundary (*81). 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 subject site is within the Built-Area Boundary.

The subject site is within the Neighbourhoods Place Type, as identified on *Map 1 - Place Types and located along the intersection of two Civic Boulevards (Hyde Park Road and Riverside Drive) as identified on *Map 3 - Street Classifications. Neighbourhoods will be vibrant, exciting places to live including such elements as: strong sense of place and character, attractive streetscapes and buildings, diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age, well-connected neighbourhoods, easy access to daily goods within walking distance, employment opportunities, and parks and pathways (*916).

1989 Official Plan

The lands are within the Low Density Residential designation in the Official Plan which are primarily developed or planned for low-rise, low density housing forms. The policies also encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services, facilities and land. Residential intensification refers to the development of a property, site or area at a higher density than that which currently exists (3.2.3.2).

4.0 Key Issues and Considerations

4.1 Residential Intensification and Use, Intensity, Form

Provincial Policy Statement (PPS), 2014

The PPS encourages increases in density within settlement areas to provide for a mix and range of land uses (1.1.3.2. PPS). Further, the PPS encourages municipalities to provide for all forms of housing to meet projected requirements by permitting and facilitating all forms of residential intensification in locations where appropriate levels of infrastructure and public service facilities are or will be available and support the use of active transportation and transit in areas where it exists or is to be developed (1.4.3 d) PPS). The application to add one additional unit to the existing building is not anticipated to result in an impact on adjacent development. The proposed increase in residential uses are appropriate for the site and integrate positively with the surrounding established residential community. The site has access to municipal services and will make efficient use of the property. The change in zoning to allow for three units will add a new housing form to a predominately single detached area.

The London Plan

The range of uses within the Neighbourhoods Place Type in The London Plan is related to the classification of street the property fronts, which allows a broader range of uses and intensities along major roads (*919_ 2&3). The intent is to balance neighbourhood stability and predictability with the goals of creating neighbourhoods that allow for different housing types, an appropriate mix of uses, affordability, aging in place, vibrancy and interesting communities (*919_6). The subject site is located on two Civic Boulevards which permit a range of residential dwellings including duplex, triplex, fourplex and low-rise apartments with a maximum of 4 storeys. Along a Civic Boulevard within the Neighbourhoods Place Type, more intensive forms of development are also contemplated. The site is located within the Built Area Boundary, which is where residential intensification units are to be directed, but is not located within the Primary Transit Area. A converted dwelling with three units is a permitted use.

The overall use, intensity and form of the site will not change. Parking and access is proposed to be consolidated within the exterior side yard adjacent to Hyde Park Road The proposed three units within the existing building represents appropriate intensification of the site without resulting in an overuse or over-intensification of the property, and are consistent with the range of intensity contemplated in the London Plan.

1989 Official Plan

The Low Density Residential designation of the Official Plan normally permits single detached; semi-detached; and duplex dwellings as the main housing type, at a density of up to 30 units per hectare (uph). However, Residential Intensification (defined as the conversion or expansion of existing residential buildings to create new residential units or accommodation) may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law. Areas within the Low Density Residential designation may be zoned to permit the conversion of single detached dwellings to add one or more dwelling units (3.2.3.2.). Site specific amendments to the Zoning By-law to allow dwelling conversions within primarily single detached residential neighbourhoods shall be discouraged.

A Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. The proposed addition of one unit within the existing residential dwelling is compatible with surrounding land uses, and is unlikely to impact surrounding uses. The size and shape of the parcel of land is able to accommodate the intensity and additional parking requirements necessary for three units. There is a limited supply of lands zoned for converted dwellings in the immediate area, however, secondary dwelling units are permitted as of right within the neighbourhood. The site is in close proximity to public open space and recreational facilities, to the immediate north and south of the subject site. Transit services are available to service the site. Parking and access for the site will be provided off of Hyde Park Road, with the existing driveway access from Riverside Drive being closed and restored, as per Transportation comments. This will be addressed through site plan, which is required for any residential intensification application. Overall the scale of development and intensity is compatible and appropriate for the site.

The Site Plan Approval process will ensure that appropriate access, parking, fencing (if necessary), and landscaping is used to help mitigate any potential impacts and maintain the privacy of abutting outdoor amenity areas.



Figure 3 - Conceptual site plan

4.2 Neighbourhood Compatibility

Provincial Policy Statement (PPS), 2014

The PPS encourages intensification and redevelopment where it can be accommodated, taking into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The addition of one unit within the existing building, with no changes proposed to the building, is an acceptable form of residential intensification.

The London Plan

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 (*937_). The London Plan creates a variety of opportunities for intensification, such as converted dwellings (*939_ 2.). Converted dwellings may be permitted in appropriate locations within the Neighbourhoods Place Type (943_). Planning and development applications to allow for converted dwellings will be reviewed based on the Planning and Development Applications section in the Our Tools part of this Plan (*944_).

1989 Official Plan

As part of the consideration for residential intensification, a Neighbourhood Character Statement and Compatibility Report is to be submitted by the Applicant, detailing how the proposed development respects the character of the existing neighbourhood (3.2.3.3. and 3.7.3. a)), and how the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (3.7.3. b)). The surrounding area consists of single detached dwellings rear lotting onto Riverside Drive to the south, single and semi-detached dwellings within a cluster development to the north and west, and single detached dwellings to the east (east side of Hyde Park

Road). A Neighbourhood Character Statement and Compatibility Report provided by the Applicant supported the proposed converted dwelling as an appropriate and complementary use within the context of the area. Overall, the proposed intensification will respect the character of the surrounding areas, as no external changes to the dwelling are proposed, and any parking and access will be directed towards Hyde Park Road, away from the internal neighbourhood. Any additional site plan considerations and road widening/dedication will be addressed through a development agreement.

This application, as detailed above, will have no impact on adjacent lands, meets the policies of the PPS, 1989 Official Plan and The London Plan, and is a suitable and compatible form of intensification within the existing neighbourhood.

4.3 Zoning

Residential R3 (R3-2) Zone

The request is to re-zone the site to a Residential R3 (R3-2) Zone which permits single detached, semi-detached, duplex, triplex, fourplex and converted (up to four units) dwellings. The addition of one unit within the existing building is compatible with the existing area and will not affect the neighbourhood compatibility.

The initial site concept shows a consolidated parking area along the Hyde Park Road access. The site has a 0.3 m foot reserve along Riverside Drive, which was put in place through the rezoning from 1987 to control access at that time. Transportation Division has indicated this front yard parking area off of Riverside Drive is not supported, and will need to be removed. Instead, the three required parking spaces will be consolidated and located off of Hyde Park Road, away from the adjacent internal lots, and within the exterior side yard. This will require a special provision in the zone to recognize the parking area location within the exterior side yard, and a minimum of 2.4m from the property line. These special provisions are considered minor and will help to consolidate parking to minimize impact on adjacent properties, and to rectify a long standing front yard parking issue.

An additional interior side yard special provision (1.3m in place of 1.8m) is required, to recognize the existing interior side yard setback. No other special provisions have been identified.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014, and conforms to The London Plan and the 1989 Official Plan. The proposed addition of one unit within the existing two unit dwelling represents a sensitive and compatible development that is a good fit within the surrounding context, and makes efficient use of the existing municipal services and infrastructure, and encourages residential intensification as per the PPS, The London Plan and the 1989 Official Plan.

Prepared by:	**Nancy Pasato, MCIP, RPP** **Senior Planner, Development Services**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P.ENG** **Managing Director, Development and Compliance Services and Chief Building Official**
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.	

May 6, 2019
NP/np

\\file1\pdda$\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2019 Applications 9002 to\9017Z - 1081 Riverside Dr (NP)\Draft PEC Report 1081 Riverside.docx

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1081 Riverside Drive.

WHEREAS Hajar Properties Inc. has applied to rezone an area of land located at 1081 Riverside Drive , 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 1081 Riverside Drive, as shown on the attached map comprising part of Key Map No. A106, from a Private Road Residential R6 (PR*R6-1) Zone to a Residential R3 Special Provision (R3-2( )) Zone.

2) Section Number 7.4 of the Residential R3 (R3-2) Zone is amended by adding the following Special Provision:

b) R3-2( ) (1081 Riverside Drive)

a) Regulations

i) Interior Side Yard Depth (Minimum) 1.3 m (4.3 feet)

ii) Notwithstanding Section 4.19.4 a), all required parking is permitted in the exterior side yard (Hyde Park Road) for this site.

iii) Notwithstanding Section 4.19.4 c) (a), the parking area setback shall a minimum 2.4 m (7.9 feet) from the property line (Hyde Park Road).

3) 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.

4) 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. P.13,* either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on May 21, 2019.

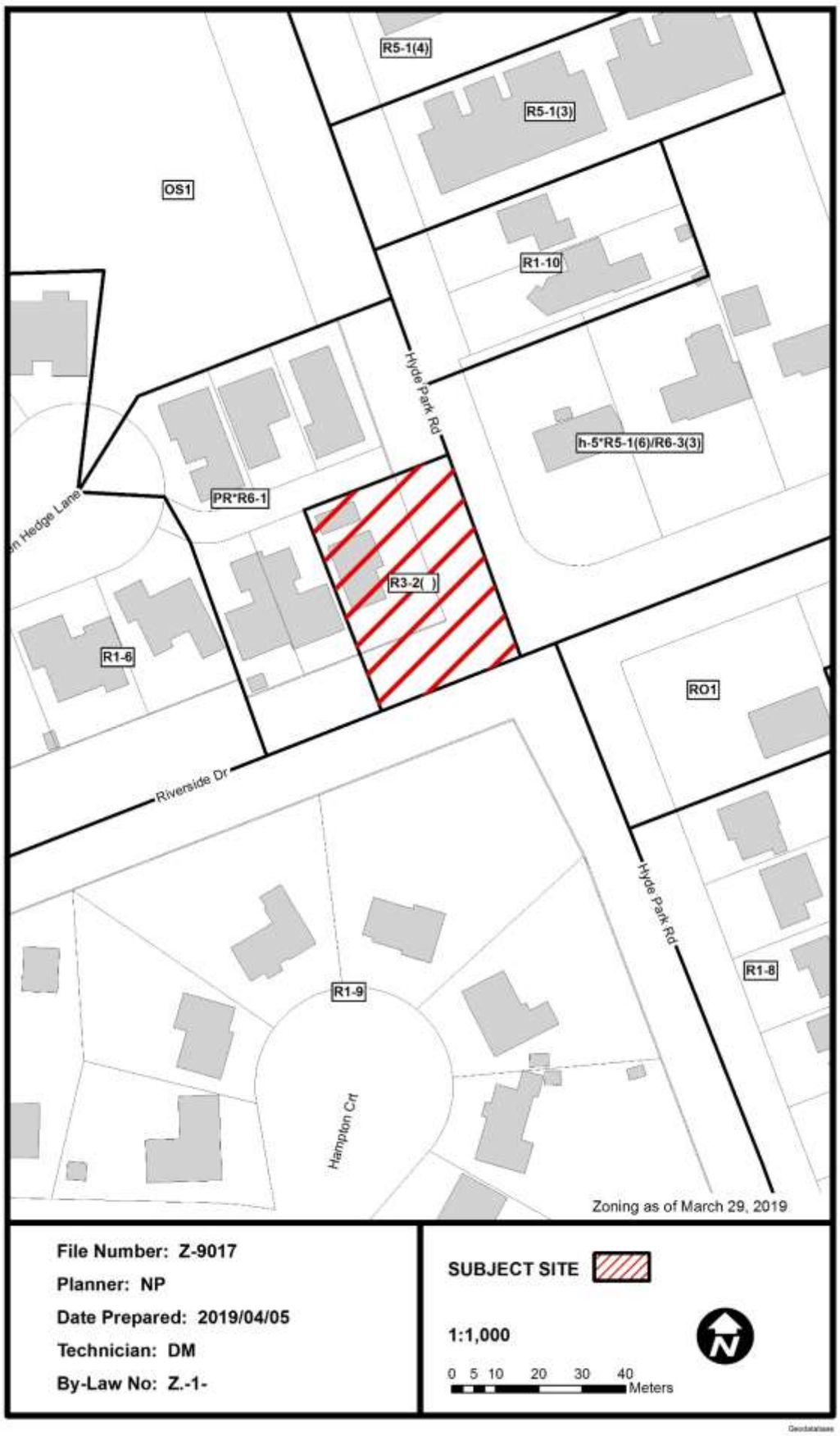
Ed Holder
Mayor

File:Z-9017
Planner: Nancy Pasato

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On January 31, 2019, Notice of Application was sent to 60 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 31, 2019. A "Planning Application" sign was also posted on the site.

Two (2) replies received.

Nature of Liaison: The purpose and effect of this zoning change is to permit the addition of another unit within the existing dwelling (three units total). Possible change to Zoning By-law Z.-1 FROM a Private Road Residential R6 (PR*R6-1) Zone TO a Residential R3 (R3-2) Zone to permit a converted dwelling with maximum total of three (3) dwelling units.

Responses: No comments received. Questions on access, parking, private road, external building changes.

Concern for: n/a

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Alan McKee 1067 Riverside Drive	
Pat Burns-White 417 Hyde Park Rd, Unit 7	

Agency/Departmental Comments

<u>March 5, 2019: Development Services - Engineering</u>
No comments for the re-zoning application.

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

<u>Wastewater</u>
- The sanitary sewer available is the existing 250mm sanitary sewer on Hyde Park Road.
- As shown on City Plan #6990 the subject lands are served by a 150mm sanitary PDC.

<u>Transportation</u>
- Close and restore driveway to Riverside Drive in accordance with City Standards
- Road widening dedication of 13.0m from centre line is required on Hyde Park Road & Riverside Drive
- 6.0m x 6.0m daylight triangle is required.

<u>February 4, 2019: UTRCA (email)</u>
The UTRCA has no objections to this application.

February 4, 2019: London Hydro (email)
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 expensed of the owner.

January 29, 2019: Union Gas (email)
Thank you for your correspondence with regard to the proposed Site Plan Application. Union Gas Limited ("Union") does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuild or grading changes…) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

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 (PPS) 2014

S1.1 – managing and directing land use to achieve efficient and resilient development and land use patterns

1.1.1 – Healthy, liveable and safe communities

1.1.1 b) – appropriate range and mix of uses

1.1.3 – Cost-effective development patterns

1.1.3.2 a) 1. – Land use within settlement areas

Official Plan

3.2 – Low Density Residential Designation

London Plan

80, *81, 82, *83 – Built-Area Boundary

*Table 10 – Range of permitted uses in Neighbourhood Place Type

*916-*921 – Permitted Uses

*937, 938, *939, *940 – Residential Intensification in Neighbourhoods

943, *944 – Converted Dwellings

*949, 950, *951, *952 – Site Plan Approval for Intensification Proposals

1576, *1577, *1578, *1579 – Planning and Development Applications

Z.-1 Zoning By-law

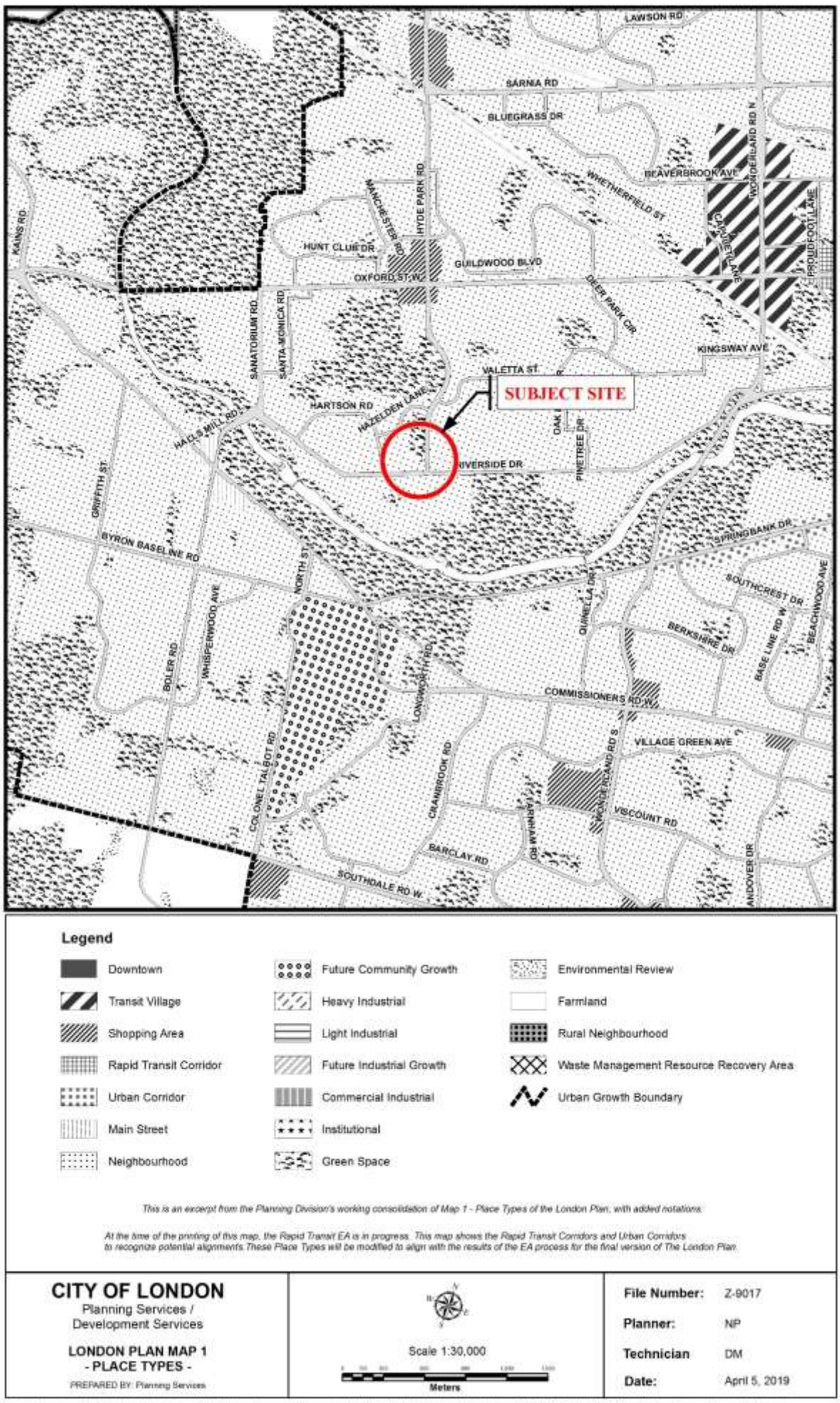
Section 2 – Definitions

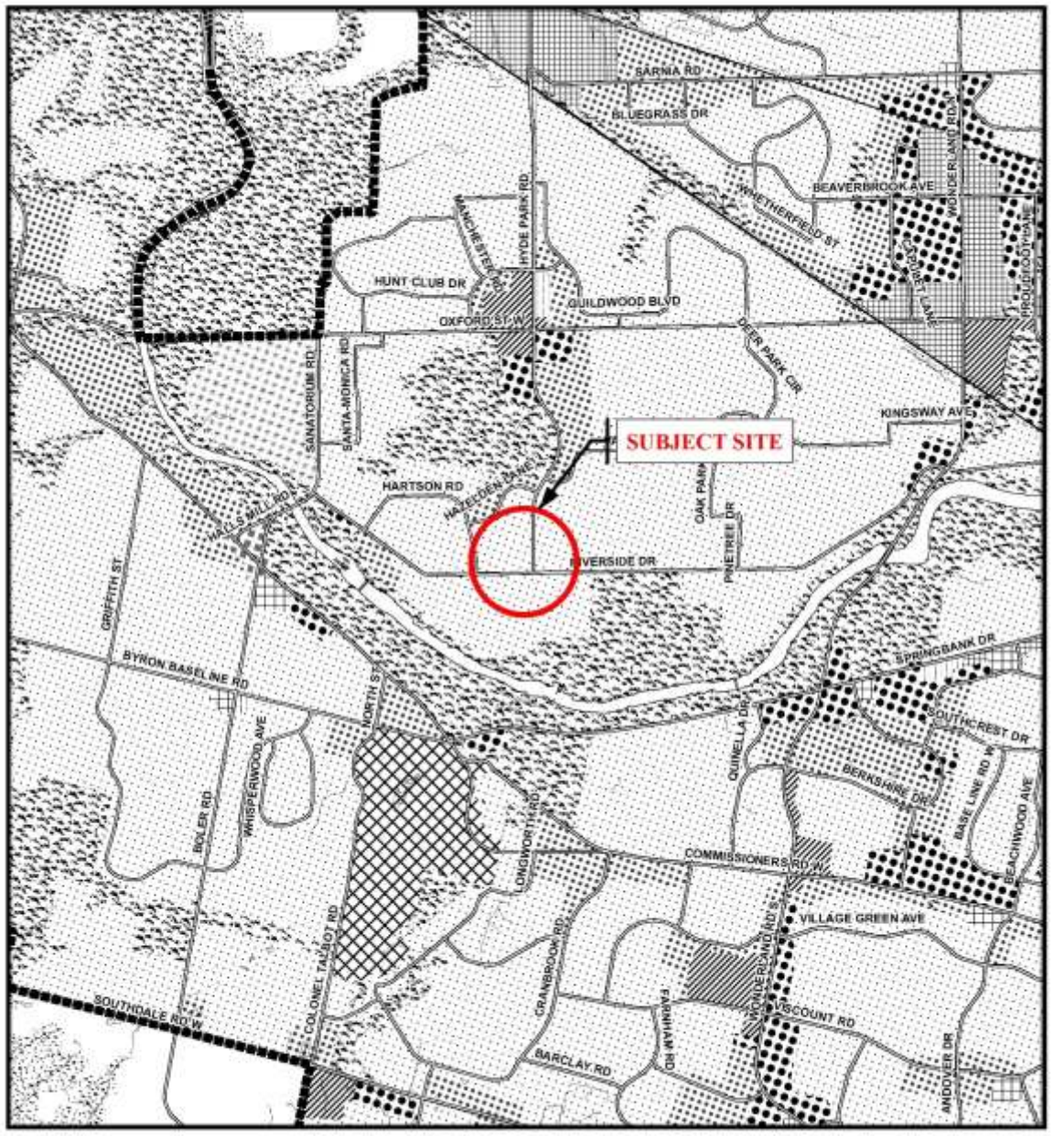
Section 4 – General Provisions

Section 7 – Residential R3 (R3) zone

Appendix D – Relevant Background

Additional Maps





Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

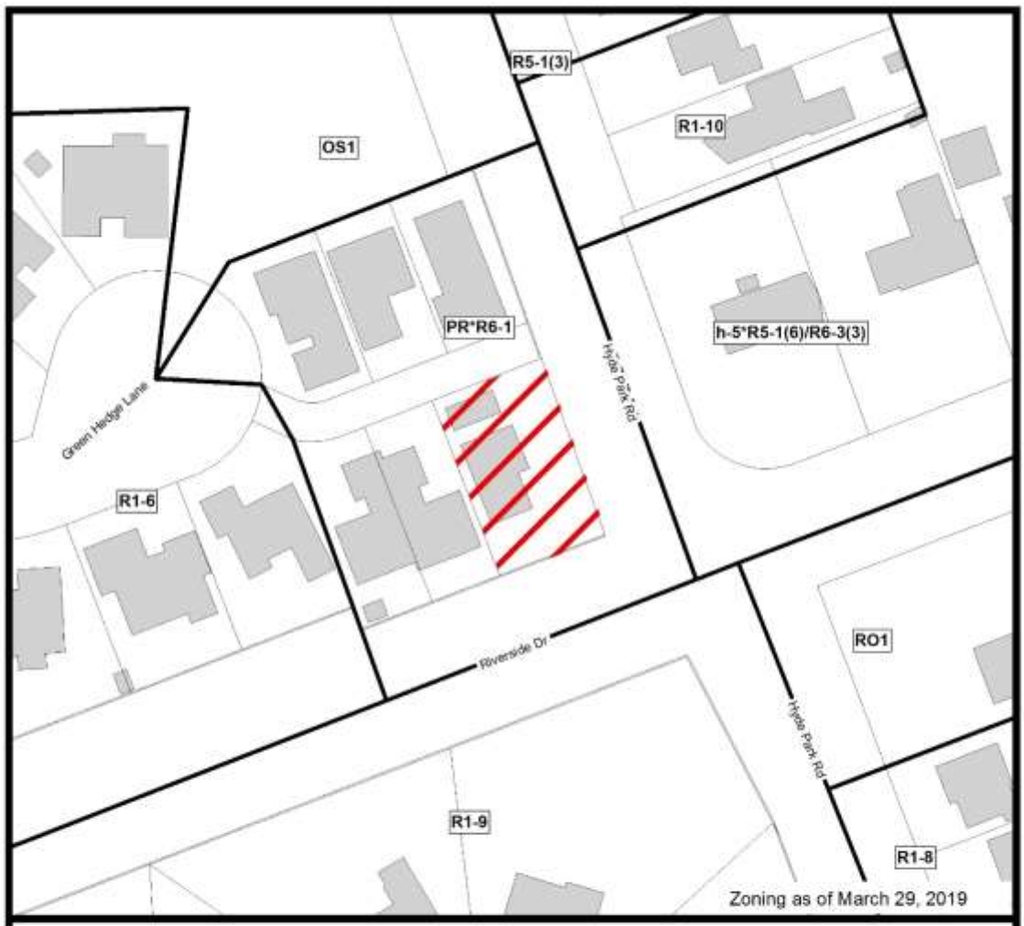
PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	Z-9017
PLANNER:	NP
TECHNICIAN:	DM
DATE:	2019/04/05

Document Path: E:\Planning\Projects\p_officialplan\workconsol00\excerpts\MXDS_TEMPLATES\Schedule_A\mxds\Z-9017-scheduleA_b&w_8x14_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
DC - DAY CARE

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO: Z-9017 NP

MAP PREPARED: 2019/04/05 DM

1:1,000
0 5 10 20 30 40 Meters

File: 39T-07508 / Z-9021
Planner: L. Mottram

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: **Summerside Subdivision**
2910 to 3229 Turner Crescent (Phase 12B)
Application for Zoning By-law Amendment
Request for Revisions to Draft Plan of Subdivision
Public Participation Meeting on: May 13, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Greengate Village Limited relating to the lands located at 2910 to 3229 Turner Crescent (also known as Lots 1 - 38 and Blocks 97 - 108 within the Summerside Draft Plan of Subdivision – Phase 12B):

(a) the proposed by-law attached hereto as Appendix 'A-1' **BE INTRODUCED** at the Municipal Council meeting to be held on May 21, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Residential R4 Special Provision (R4-5(2)) Zone **TO:**

i) a Residential R1/R4 Special Provision (R1-3(12)/R4-5(2)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres, and street townhouse dwellings;

ii) a Residential R4 Special Provision (R4-5(*)) Zone to permit street townhouse dwellings with a special provision for a lot frontage of 6.7 metres minimum, a front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, east and west side yard depths to main building of 3.0 metres minimum, and a provision that the exterior side yard depth to main building shall apply to all adjacent street classifications;

iii) a Residential R4 Special Provision (R4-5(**)) Zone to permit street townhouse dwellings with a special provision for a lot frontage of 7.0 metres minimum, front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, and a provision that the exterior side yard depth to main building shall apply to all adjacent street classifications;

(b) Municipal Council **SUPPORTS** the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Greengate Village Limited, prepared by Stantec Consulting Ltd. (Drawing No. 1, Project No. 161413742 dated January 18, 2019), which shows 62 single detached residential lots and six (6) street townhouse blocks on the extension of Turner Crescent, **SUBJECT TO** the conditions contained in the attached Appendix 'A-2'; and,

(c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the proposed red-line revisions to the draft plan of subdivision for Summerside (Phase 12B), as submitted by Greengate Village Limited.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to consider a request for a zoning by-law amendment and red-line revisions to a draft-approved plan of subdivision which will result in 62 single detached dwelling lots and six (6) medium density blocks served by the future extension of Turner Crescent; and, to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the request for red-line revisions to draft plan of subdivision.

Rationale of Recommended Action

1. The recommended zoning amendments and revisions to draft plan of subdivision are considered appropriate and consistent with the Provincial Policy Statement.

2. The recommended zoning amendments and revisions to draft plan of subdivision conform with The London Plan and the 1989 Official Plan.

3. The zoning and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is a vacant parcel of land that was previously in agricultural use, located at the northeast corner of Bradley Avenue and Meadowgate Boulevard. The topography is relatively flat and devoid of any vegetation or natural features.

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Multi-family, Medium Density Residential
- Zoning – Residential R1 Special Provision (R1-3(12)) and Residential R4 Special Provision (R4-5(2))

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 182 metres (Meadowgate Boulevard)
- Depth – approx. 292 metres (Bradley Avenue)
- Area – approx. 4.5 hectares
- Shape – irregular

1.4 Surrounding Land Uses

- North – single detached dwellings
- East – existing single detached home and swimming pool business; single detached homes and street townhouse dwellings under development
- South – cash crops and agricultural lands
- West – vacant lands for future development

1.5 Location Map

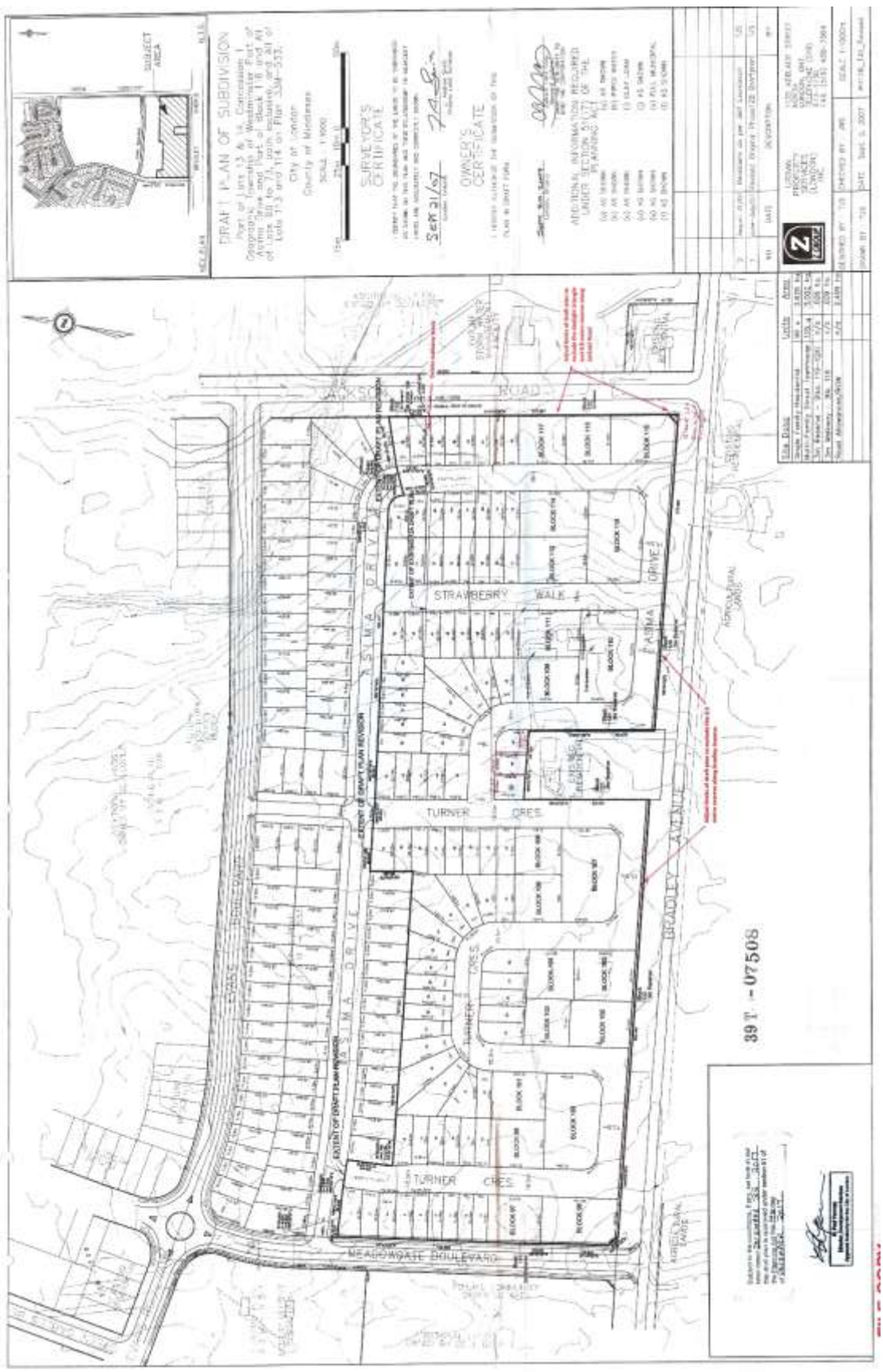


2.0 Description of Proposal

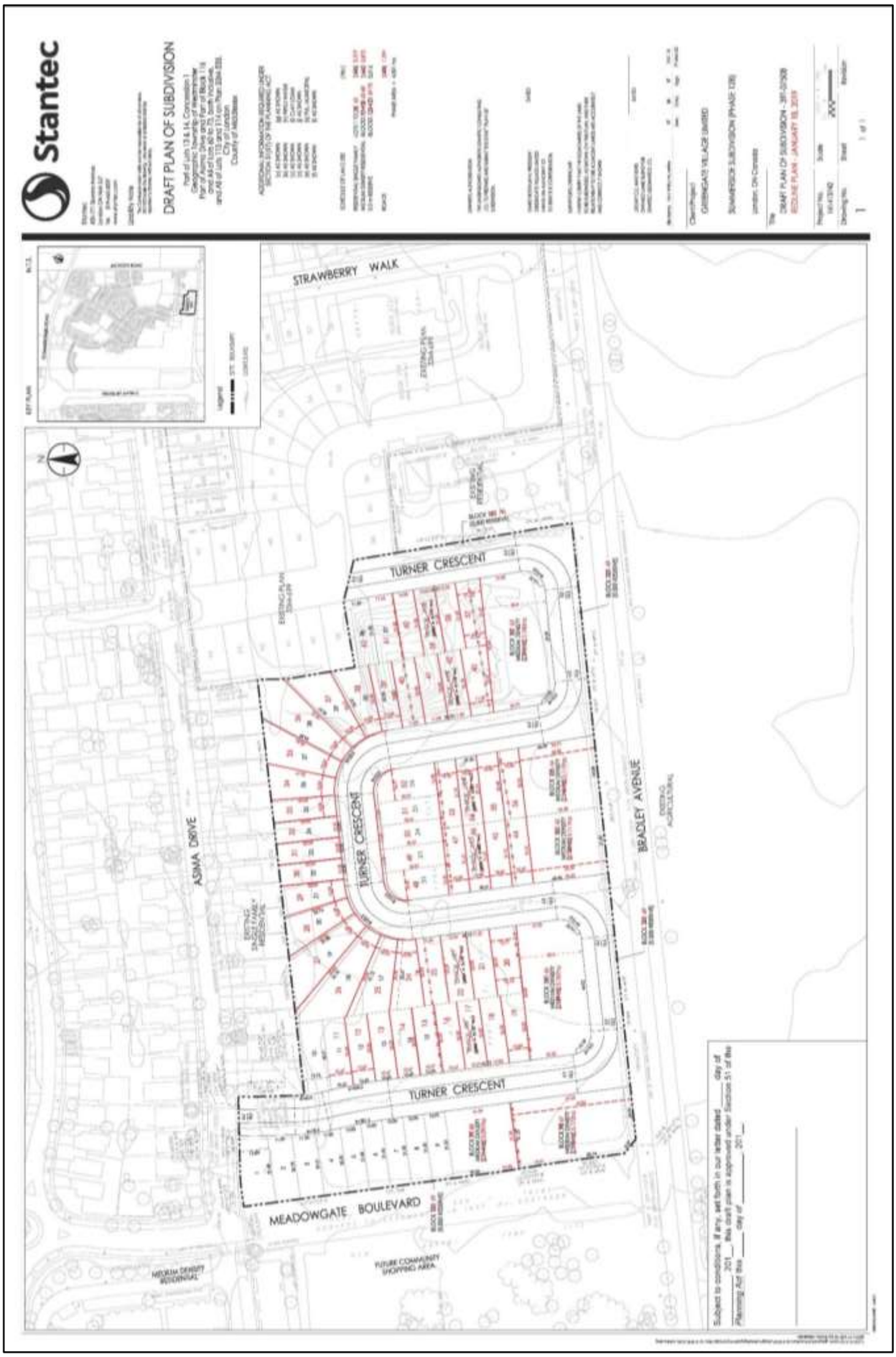
2.1 Development Proposal

The applicant proposes to make minor adjustments to the lotting along the future extension of Turner Crescent. The adjustments will result in 62 single detached dwelling lots and six (6) street townhouse blocks. The westerly portion of the draft plan which represents the next phase to be registered shows 38 single detached lots and 12 street townhouse blocks. The easterly portion of the subdivision plan consisting of Asima Drive and Strawberry Walk is registered and currently in the process of being built out.

2.2 Current Draft-Approved Plan



2.2 Proposed Red-Line Revisions to Draft-Approved Plan



3.0 Revelant Background

3.1 Planning History

On June 26, 2013, Greengate Village Limited purchased all the lands within this draft plan of subdivision, as well as several lots on Asima Drive within the adjacent subdivision plan to the north (Registered Plan 33M-533), from Jackson Summerside Land Corporation. Since that time they have progressed the subdivision servicing and completed the remaining leg of Asima Drive and Strawberry Walk. The easterly half of the draft plan, consisting of 48 single detached lots, and 9 multi-family blocks fronting on Asima Drive, Strawberry Walk, and portion of Turner Crescent, was granted Final Approval and registered as Plan No. 33M-699 on July 14, 2016.

3.2 Requested Amendment

Zoning By-law Amendment -

i) Amend the Zoning By-law as it applies to proposed Lots 16 to 19, Lots 20 to 23, Lots 40 to 43, Lots 44 to 47, and Lots 53 to 60 from a Residential R4 Special Provision (R4-5(2)) Zone to a Residential R1/R4 Special Provision (R1-3(12)/R4-5(*)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres and/or street townhouse dwellings.

ii) Amend the Zoning By-law as it applies to proposed Blocks 63, 64, 65, 66, 67 and 68 from a Residential R4 Special Provision (R4-5(2)) Zone to a new Residential R4 Special Provision (R4-5(*)) Zone to permit street townhouse dwellings together with special provisions for a front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, and east and west side yard depths to main building of 3.5 metres minimum for both Blocks 63 and 66. The exterior side yard depth to main building as noted above shall apply to all adjacent street classifications.

Red-line Revisions to Draft Plan – Greengate Village Limited is proposing to maintain the street pattern established through the previous draft approval, with the exception of a minor shift in the road allowance on Turner Crescent. They would also like to make minor changes to incorporate additional single detached lots while maintaining frontages of 10 and 11 metre for the single detached lots from the original draft approval. The proposed revisions to the plan will create a total of 62 single detached lots and six (6) street townhouse blocks (35 units in total). The draft plan currently provides for 38 single detached lots and 12 medium density blocks.

3.3 Community Engagement (see more detail in Appendix B)

One e-mail inquiry was received requesting assistance with the Notice of Application. There were no other comments/concerns received from the community.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

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

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

The PPS contains strong polices regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and

public service facilities (Section 1.1.3.6). Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority or which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject lands are located within the Neighbourhoods Place Type in The London Plan. The Neighbourhoods Place Type (Table 10)* permits a range of uses, such as single detached, semi-detached, duplex, triplex, and fourplex dwellings; townhouses; low-rise apartments; small-scale community facilities; and emergency care establishments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

1989 Official Plan

These lands are designated “Multi-family, Medium Density Residential” on Schedule ‘A’ of the 1989 Official Plan. This designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – What is the purpose of the recommended zoning amendments and red-line revisions to the draft plan of subdivision?

The purpose is to maintain the street pattern established through the previous draft approval, and make minor adjustments to incorporate additional single detached lots. The red-line revisions to the draft approved plan will result in an additional 24 single detached lots replacing six (6) street townhouse blocks yielding approx. 30-32 units. The remaining six (6) street townhouse blocks to be developed will yield a total of 35 units. While the overall unit yield is slightly reduced, the proposed revisions will continue to maintain an appropriate mix of housing options in the area in conformity with the Official Plan designation. An amendment to the zoning by-law is required to recognize the proposed red-line revisions and to apply specific zone regulations to accommodate site development plans for the street townhouses. The proposed zoning will permit both single detached dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision for the area. The proposed single detached dwelling lots and street townhouse blocks will maintain a consistent lot pattern and continuity of the streetscape along the future alignment of Turner Cresent. There will be very little change to the road pattern except for a minor shifing of the road allowance.

5.0 Conclusion

The recommended zoning amendments and red-line revisions to the draft plan of subdivision are considered appropriate, consistent with the Provincial Policy Statement, and conform to The London Plan and the 1989 Official Plan. The zoning changes and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

Prepared by:	**Larry Mottram, MCIP, RPP** **Senior Planner, Development Planning**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P. Eng.** **Managing Director, Development and Compliance Services and Chief Building Official**
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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Services - Planning
Ismail Abushehada, Manager, Development Services - Engineering

May 6, 2019
GK/PY/LM/lm

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Appendix A

Appendix "A-1"

Bill No. (number to be inserted by Clerk's Office)
(2019)

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located on the future extension of Turner Crescent within the Draft Plan of Subdivision – Summerside Phase 12B (39T-07508).

WHEREAS Greengate Village Limited has applied to rezone an area of land located on the future extension of Turner Crescent within the Draft Plan of Subdivision – Summerside Phase 12B (39T-07508), 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 on the future extension of Turner Crescent within the Draft Plan of Subdivision - Summerside Phase 12B (39T-07508), as shown on the attached map, from a Residential R4 Special Provision (R4-5(2)) Zone to a Residential R1/R4 Special Provision (R1-3(12)/R4-5(2)) Zone; a Residential R4 Special Provision (R4-5(*)) Zone; and a Residential R4 Special Provision (R4-5(**)) Zone.

2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:

) R4-5(*) Blocks 63 and 66 (39T-07508)

a) Regulations:

i)	Lot Frontage (Minimum)	6.7 metres
ii)	Garage Front Yard Depth (Minimum)	5.5 metres
iii)	Exterior Side Yard Depth Main Building (Minimum)	3.0 metres
iv)	Interior Side Yard Depth (Minimum)	1.5 metres
v)	Lot Coverage (Maximum)	45%
vi)	East and West Side Yard Depth to Main Building (Minimum)	3.0 metres

vii) Exterior Side Yard Depth Main Building shall apply to all adjacent street classifications

) R4-5(**) Blocks 64, 65, 67 and 68 (39T-07508)

b) Regulations:

i)	Lot Frontage (Minimum)	7.0 metres
ii)	Garage Front Yard Depth (Minimum)	5.5 metres
iii)	Exterior Side Yard Depth Main Building (Minimum)	3.0 metres
iv)	Interior Side Yard Depth (Minimum)	1.5 metres
v)	Lot Coverage (Maximum)	45%
vi)	Exterior Side Yard Depth Main Building shall apply to all adjacent street classifications	

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 May 21, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

File: 39T-07508 / Z-9021
Planner: L. Mottram

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



Appendix "A-2"
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-07508, ARE AS FOLLOWS:

NO.	CONDITIONS

1. This approval applies to the draft plan submitted by Greengate Village Limited (File No. 39T-07508), prepared by Stantec Consulting Ltd., certified by Jeremy C.E. Matthews (Project No. 161413742 - Drawing No. 1 dated January 18, 2019), as red-line amended, which shows 62 single detached dwellings, six (6) multi-family, medium density blocks, and two (2) reserve blocks, on the extension of Turner Crescent.

2. This draft approval and these conditions replace the conditions of draft approval granted on December 14, 2017 for plan 39T-07508 as it applies to the lands within the plan described in Condition No. 1.

3. This approval of the draft plan applies for a three (3) year period 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.

4. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.

5. The Owner shall request that the streets be named to the satisfaction of the City.

6. The Owner shall request that the municipal addresses be assigned to the satisfaction of the City.

7. 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.

8. The Owner shall enter into the City's standard subdivision agreement (including any added special provisions) which shall be registered against the lands to which it applies. 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.

9. Prior to final approval, the Owner shall take all necessary steps to ensure that the zoning is in effect for this proposed subdivision.

10. Phasing of this subdivision (if any) shall be to the satisfaction of the City.

11. Prior to final approval, for the purposes 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.

12. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the 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.

SEWERS & WATERMAINS

Sanitary:

13. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
    i) Inflow and infiltration mitigation measures to meet allowable inflow and infiltration level as identified by OPSS 407 and OPSS 410 as well as any additional measures recommended in the hydrogeological report; and
    ii) 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.

14. 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 a 200 mm sanitary sewer on the west leg of Asima Drive, and a 200 mm sanitary sewer on Turner Crescent;
    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;
    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 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.

15. 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.

16. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg 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.

17. The Owner shall construct a single sanitary and storm private drain connection to serve the existing external land/single family dwelling at 1680 Bradley Avenue, all to the satisfaction of the City Engineer.

Storm and Stormwater Management (SWM)

18. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer 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) 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) 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
    v) 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.

19. The Owner's consulting professional engineer shall design the Storm/Drainage and SWM Servicing in accordance with the recommendations and requirements of the following:
    i) The SWM targets and criteria for the Dingman Creek Subwatershed Study Update (2005);
    ii) The Summerside District Stormwater and Stormwater Management Master Plan (updated 2004);
    iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
    iv) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
    v) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
    vi) The Ministry of the Environment's, Conservation and Parks (MECP) Practices Planning and Design Manual (2003);

vii) All applicable Acts, Policies, Guidelines, Standards and Requirements of the City of London, Ministry of the Environment and all other relevant agencies;

viii) 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.

20. 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 525 mm storm sewer stub on Turner Crescent, the 600 mm diameter storm sewer on Asima Drive (west leg), all to the specifications and satisfaction of the City.

ii) Direct, by grading, some major overland flows from a small area of the subject lands to the existing Summerside SWM Facility, as per the accepted engineering drawings. Any modifications to directions of these overland flows are subject to specifications and satisfaction of the City Engineer.

iii) service these lands by the existing Summerside SWM Facility located north of this plan in accordance with the Summerside District Stormwater and SWM Master Plan, all to the specifications and satisfaction of the City Engineer.

iv) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;

v) 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

vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

21. 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; and

22. 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.

23. In conjunction with the first submission of engineering drawings, should the current or any future Owner revise the development proposal for these lands, the current or any future Owner shall provide an update to the existing hydrogeological report (LON-00012720-GE by EXP), if applicable, or have a report prepared by a qualified

consultant, and if necessary, a detailed hydrogeological 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; and,
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.

24. 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.

25. 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.

Watermains

26. In conjunction with the first submission of engineering drawings, should the current or any future Owner revise the development proposal for these lands, the current or any future Owner shall have his consulting engineer provide a letter of confirmation that the Water Report dated November 2007 meets the following water servicing design information and criteria, or 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) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the high-level water distribution system;
iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
iv) 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);
v) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;

vii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
viii) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
ix) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
x) Identify the effect of development on existing water infrastructure – identify potential conflicts;
xi) Include full-sized water distribution and area plan(s);
xii) 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), the fire hydrant rated capacity and marker colour and the design fire flow applied to development Blocks.
xiii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;

27. 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.

28. 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;
iiii) 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.

29. 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.

30. 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 (high-level) municipal system, namely the existing the 200 mm (8”) diameter watermain on the west leg of Asima Drive, the 200 mm (8”) diameter watermain on Turner Crescent and the 200 mm (8”) diameter watermain on Asima Drive 150 metres east of Turner Crescent;
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; and,

iii. Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval.

31. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.

32. 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.

STREETS, TRANSPORATION & SURVEYS

Roadworks

33. 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.

34. 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) a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers 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. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections;
    ii) confirmation 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”; and,
    iii) a conceptual design for the window street for Turner Crescent to consider such issues as grading the common boulevard between Bradley Avenue and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.

35. 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.

36. The Owner shall provide a minimum of 5.5 metres (18’) along the curb line between the projected property lines of irregular shaped lots around the bends on Turner Crescent, all to the satisfaction of the City.

37. The Owner shall have their Professional Engineer design and construct the roadworks in accordance with the following road widths:

i) Turner Crescent has a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 18.5 metres as per accepted engineering drawings;

ii) Turner Crescent (window street portion) shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 15.5 metres as per accepted engineering drawings.

38. The Owner shall construct the window street portion of Turner Crescent abutting Bradley Avenue 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.

39. 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.

40. The Owner shall construct barrier curbs on Turner Crescent, to the satisfaction of the City Engineer.

41. 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
19.0 m	9.5 m
18.0 m	10.0 m

Sidewalks

42. The Owner shall construct a 1.5 m (5') sidewalk on one side of the following streets:

i) Turner Crescent – west boulevard – from Lot 1 to Block 67, both inclusive;
ii) Turner Crescent – south boulevard – from Lot 48 to Lot 52, both inclusive;
iii) Turner Crescent – east boulevard – Lot 44 to 48, and Block 65, all inclusive;
iv) Turner Crescent – west boulevard – Lot 52 to 56, and Block 64, all inclusive;
v) Turner Crescent – east boulevard – from Lot 96 in Plan 33M-699 at Asima Drive and across lands external to this plan at 1680 Bradley Avenue, all inclusive;

43. The Owner shall provide sidewalk links from Turner Crescent to the proposed sidewalk on Bradley Street 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.

Street Lights

44. 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

45. The Owner shall be required to make minor boulevard improvements on Bradley Avenue adjacent to this Plan, to the specifications of the City and at no cost to the

City, consisting of interim ditching (to maintain existing drainage), clean-up, grading and sodding as necessary.

Vehicular Access

46. The Owner shall ensure that no vehicular access will be permitted to Blocks 64, 65 and 67 from Bradley Avenue. All vehicular access is to be via the internal subdivision streets.

Construction Access/Temporary/Second Access Roads

47. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Evans Boulevard via Bradley Avenue and Jackson Road or other routes as designated by the City.

48. 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.

49. 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.

GENERAL CONDITIONS

50. 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.

51. 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.

52. 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.

53. In conjunction with the first submission of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations (LON-00012720-GE by EXP), if necessary, 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;
    viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions;

ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, 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;

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

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

55. 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.

56. 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.

57. In conjunction with first submission of engineering drawings, 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 all street-facing townhouses on Turner Crescent (Blocks 63 to 68). 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.

58. Where site plan approval is required, which includes street facing townhouse blocks, the Owner shall install servicing on streets in this plan of subdivision for these blocks only after site plan approval has been obtained, all to the satisfaction of the City, at no cost to the City.

59. The Owner shall have the common property line of Bradley Avenue graded in accordance with the City of London Standard “Subdivision Grading Along Arterial Roads”, at no cost to the City.

60. 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.

61. 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.

62. 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.

63. 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.

64. 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.

65. 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.

66. In conjunction with the first submission of engineering drawings, 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.

67. 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".

68. 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.)

69. 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.

70. In conjunction with the first submission of engineering drawings, 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.

71. 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.

72. 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.

73. 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.

74. 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.

75. The Owner shall remove all existing accesses to boundary roads and restore all affected areas, all to the satisfaction of the City, at no cost to the City.

76. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

77. The Owner shall submit confirmation that they have complied with any requirements of Union Gas with regards to any setbacks abutting Bradley Avenue in this plan of subdivision.

78. Should the current or any future Owner revise the development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process and resubmit engineering drawings, all to the satisfaction of the City.

79. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.

80. 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.

81. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Asima Drive and Turner Crescent, 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.

82. The Owner shall grade areas to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City.

83. The Owner shall incorporate the accepted recommendations of the various accepted servicing reports/design studies (eg. sanitary servicing design, storm and SWM design, water servicing, transportation requirements, hydrogeological, geotechnical, etc.) in the accepted engineering drawings to address all servicing issues, to the satisfaction of the City Engineer, at no cost to the City.

PLANNING

84. Approval from the London Fire Department is required should any burning of materials on-site be contemplated.

85. The Owner shall implement the recommendations of the Noise Assessment for Phase 12B Summerside Subdivision, prepared by Development Engineering

(London) Limited, dated September 11, 2007 to the satisfaction of the City. If necessary, the Owner shall update the Noise Assessment to meet current City policies and noise criteria.

86. All noise attenuation features required in this draft plan of subdivision shall be located on and maintained by the Owner of the applicable lot or block in this plan.

87. Prior to the submission of engineering drawings, the Owner shall submit an on-street parking plan to the satisfaction of the City. The approved parking plan will form part of the subdivision agreement for the registered plan.

88. In conjunction with the engineering drawing submission, the Owner shall submit a street tree plan to the City. The street tree plan shall show one street tree per lot or a minimum spacing of one per 15 metres (49.2 feet), whichever is the lesser, except where it can be demonstrated that the location of driveways and underground utilities necessitates a greater separation. If there are long stretches where boulevard street trees are not possible because of driveways and utilities, the Owner shall provide street trees in alternate locations including flanking lots, front yards of lots and blocks, and window street landscaping areas all to satisfaction of the City.

89. The Owner agrees to register on title and include in all Purchase and Sale Agreements for any lots and blocks that back onto Meadowgate Boulevard or side onto Bradley Avenue a requirement that the purchaser/home builder shall provide concept plans and elevations prior to the application for a building permit which demonstrates building orientation to all adjacent streets, including a built form that has the same level of architectural detail on all street facades, to the satisfaction of the City.

Appendix B – Public Engagement

Community Engagement

Public liaison: On February 11, 2019, Notice of Application was sent to 209 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 21, 2019.

Responses: 1 written reply received.

Nature of Liaison: To consider proposed red-line revisions to a draft plan of subdivision which will result in 62 single detached dwelling lots and six (6) medium density blocks, served by the future extension of Turner Crescent. The draft plan is currently approved for 38 single detached lots and 12 medium density blocks. Also, consideration of an amendment to the zoning by-law to change the zoning from a Residential R4 Special Provision (R4-5(2)) Zone to a Residential R1/R4 Special Provision (R1-3(12)/R4-5(*) Zone and a Residential R4 Special Provision (R4-5(*)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres and/or street townhouse dwellings with a minimum lot area per unit of 160 square metres and minimum lot frontage of 5.5 metres per unit; together with special provisions for a front yard depth to garage of 5.5 metres minimum, exterior side yard depth to main building of 3.0 metres minimum, interior side yard depth of 1.5 metres minimum, lot coverage of 45% maximum, and east and west side yard depths to main building of 3.5 metres minimum for both Blocks 63 and 66. The exterior side yard depth to main building as noted above shall apply to all adjacent street classifications.

Responses: A summary of the various comments received include the following:

- A request was received for language translation to better understand the Notice of Application and details of the proposal.

Responses to Notice of Application and Publication in "The Londoner"

Telephone	Written
	Camilo and Martha Camero, Unit 74 - 3320 Meadowgate Boulevard

Agency/Departmental Comments:

1. Upper Thames River Conservation Authority

   The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has no objections to this application.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

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

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

The PPS contains strong polices regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4).

The proposed zoning amendments and red-line revisions continue to provide variation in housing types and densities. The purpose of the revisions to the draft plan is to meet current and future housing market demands. The proponent stated in their Planning Justification Report that through the registration and development of lands immediately to the east (Plan 33M-699) they realized there is a strong demand for small lot single detached lots which will provide for a greater variation in housing for the area. The site is in close proximity to public parks and open spaces, schools, and community facilities. It promotes an efficient and cost effective development and land use pattern, and will not cause environmental or public health and safety concerns.

The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). The subject lands are located within the City's Urban Growth Boundary and immediately adjacent existing built-up areas to the north, lands currently being developed to the east, and designated and zoned future development lands to the west. Lands to the south are also located within the Urban Growth Boundary and continue to be used for agricultural purposes. The long term intended use for these lands is light industrial, and future planning must take into consideration compatibility concerns and potential nuisance impacts on existing residential development and development lands currently being built-out to the north. The proposed development will utilize full municipal services. The subdivision servicing drawings for this draft plan phase have previously been reviewed and accepted by the City.

Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). The proposed development is supportive of transit service and is located in close proximity to existing and planned walking and cycling pathway system.

Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1). The proposed road and lot pattern maintains a strong north-south orientation to optimize exposure to passive solar energy.

There are no identified concerns for protection of natural heritage features or functions, agricultural, mineral aggregates, or cultural heritage and archaeological resources. The proposed development is outside of any natural hazards and there are no known human-made hazards. Based on our review, Development Services staff are satisfied that the

recommended red-line revised plan and zoning by-law amendments are found to be consistent with the Provincial Policy Statement.

The London Plan

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning by-law amendment and red-line revisions contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 – Build a mixed-use compact city

2. Plan to achieve a compact, contiguous pattern of growth – looking "inward and upward".

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.

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.

7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.

Key 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, and supply well distributed health services.

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.

City Building and Design Policies

*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.**

The proposed zoning will continue to permit a both single detached residential dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision of the Neighbourhood Place Type. The proposed residential lots and blocks will maintain a consistent lot pattern and continuity of the streetscape along Turner Cresent.

*212_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods.**

The street configuration represents a modified grid pattern that includes a “window” street adjacent Bradley Avenue to the south, and multiple direct connections to the existing neighbourhood to the north.

> *216_ Street networks, block orientation, lot sizes, and building orientation should be designed to take advantage of passive solar energy while ensuring that active mobility and other design criteria of this chapter are satisfied.**

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Turner Crescent. Along with the window street providing a pedestrian and cycling connection to Bradley Avenue, the street network will be required to incorporate sidewalks and sidewalk links, in accordance with draft plan conditions (Conditions 42 & 43), in order to promote active mobility.

> *229_ Except in exceptional circumstances, rear lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.*

The single detached lots and street townhouse blocks adjacent Meadowgate Boulevard are not proposed to change from the original draft plan approval, with the exception of a minor lot line adjustment between Blocks 67 and 68. There are no significant changes to the configuration of Turner Crescent mainly due to the fact that the detailed engineering and subdivision servicing plans have previously been accepted by the City. The lot pattern as indicated on the draft plan results in several rear and side lotting situations that can’t be avoided without re-designing the plan and impacting the road and servicing alignments. A draft plan condition (Condition 89) is already in place which makes any lots and blocks that back onto Meadowgate Boulevard or side onto Bradley Avenue subject to a requirement that the purchaser/home builder provide concept plans and elevations prior to the application for a building permit demonstrating building orientation to all adjacent streets, including a built form that has the same level of architectural detail on all street facades.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector and Urban Thoroughfare. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of small-lot single detached dwellings and street townhouses, anticipated to be a minimum two (2) storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

Our Tools

> *1768_ In the review of all planning and development applications, including the review of secondary plans, for residential development adjacent to Civic Boulevards, Urban Thoroughfares, Rural Thoroughfares, Rapid Transit Boulevards, Expressways and Provincial Highways will be subject to all of the following criteria, to ensure that residential development does not rear or side-lot onto the adjacent streets, as appropriate:*
>
> > *3. If there is no practical place type alternative, and sensitive place types must locate adjacent to these streets, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to neighbourhood design with window or lay-by streets or service streets; subdivisions with rear lanes; subdivisions on private service*

streets; or alternative measures that conform with the policies of this Plan.

4. If land use planning or alternative neighbourhood designs cannot reasonably be utilized within the proposed residential subdivision then a noise impact study will be undertaken on behalf of the property owner, by an accredited acoustical consultant, to determine the appropriate noise attenuation mechanism based on forecasted ultimate traffic volumes, considering the Mobility policies of this Plan, the Transportation Master Plan, road widening dedication and the effect the road widening dedication will have on the design of the required noise attenuation measure; the design specifications of the noise attenuation measure, such as height, density/width, location, benefiting lots, and building material will also be considered.

It was intended that this phase (Phase 12B) of the Summerside Subdivision would incorporate portions of "window streets" on reduced right-of-ways and eliminate the need for a continuous noise wall along much of the interface with Bradley Avenue. Draft plan conditions (Conditions 85 and 86) have been recommended in order to ensure that the an updated Noise Assessment for the Phase 12B Summerside Subdivision is prepared and that the recommendations to mitigate the impact of excessive noise generated by road traffic are implemented, to the satisfaction of the City. Noise mitigation measures are expected to include building components to reduce interior sound levels, warning clauses, and localized noise barriers adjacent outdoor living areas of individual dwelling units. All noise attenuation features required in this draft plan of subdivision shall be located on and maintained by the owner of the applicable lot or block in this plan.

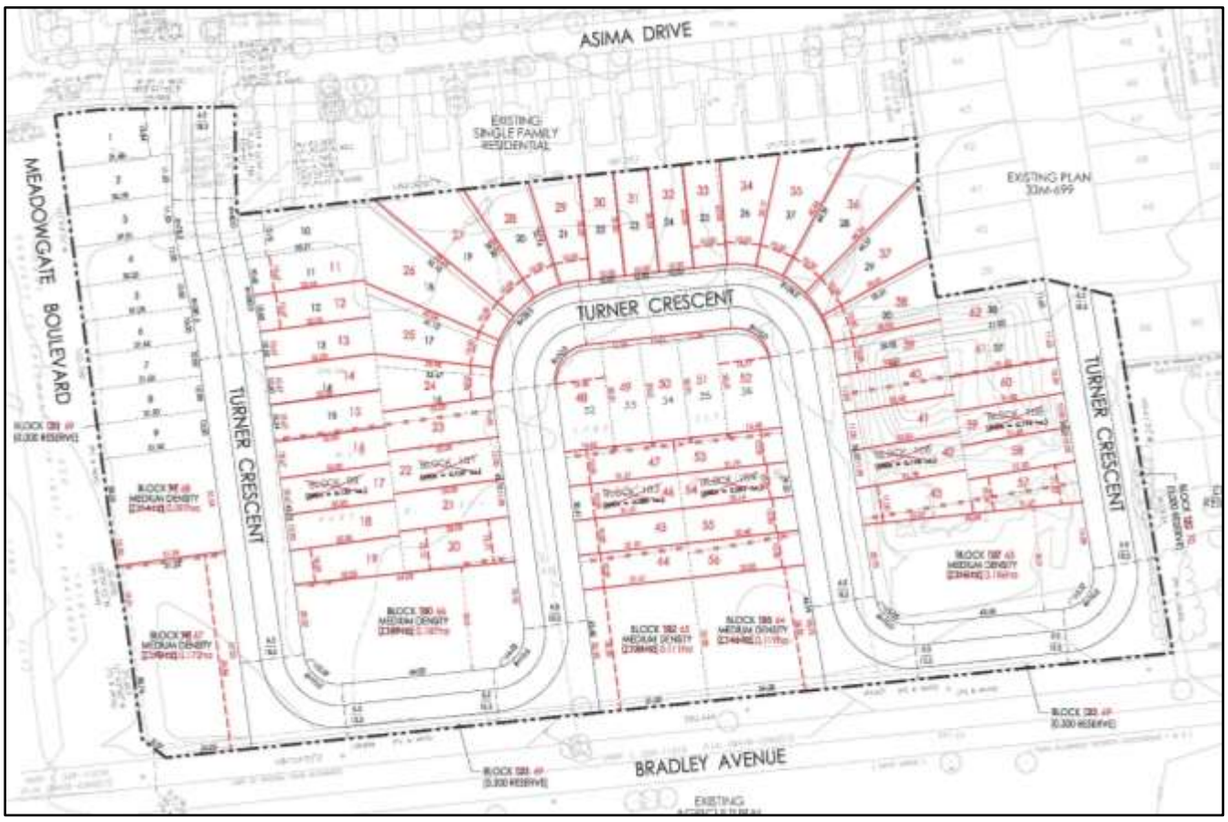
1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits primarily multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding and houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The recommended zone variations are consistent with the Official Plan designation and range of permitted uses.

Z.-1 Zoning By-law

The zoning by-law amendments involve combining existing zones to facilitate the proposed new single detached lots, and adding specific regulations to the zoning that currently applies to the street townhouse blocks.

The recommended amendments for proposed Lots 16 to 19, Lots 20 to 23, Lots 40 to 43, Lots 44 to 47, and Lots 53 to 60 is to change the zoning from a Residential R4 Special Provision (R4-5(2)) Zone to Residential R1/R4 Special Provision (R1-3(12)/R4-5(2)) Zone to permit single detached lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres, and street townhouse dwellings. The resulting dual zone is considered appropriate and maintains the intent of the Multi-family, Medium Density Residential designation and Neighbourhoods Place Type. The proposed lots as shown on the revised plan have frontages that range on average from 10 to 11 metres. The lot sizes comply with the minimum lot area and frontage requirements, and are generally in keeping with the predominant lot sizes in the neighbourhood.



The recommended zoning amendment as it applies to Blocks 63, 64, 65, 66, 67 and 68 is to change the zoning from a Residential R4 Special Provision (R4-5(2)) Zone to new R4-5(*) Zone and R4-5(**) Zone, with special provisions to meet site-specific design requirements for development of the street townhouse blocks. The recommended special provisions are summarized as follows (reference should be made to the zoning by-law amendment and schedule found in Appendix 'A'):

Blocks 63 and 66 - Residential R4 Special Provision (R4-5(*)) Zone

- Lot Frontage 6.7 metres minimum – The standard R4 Zone regulation for minimum lot frontage per unit is 5.5 metres. Staff have recently been recommending a minimum lot frontage per unit of 6.7 metres or greater in order to ensure there is adequate spatial separation to install and maintain underground utility, water and private drain connections between the unit and the services within the road allowance that it fronts on. Concept plans provided by the applicant showing the building foot prints for Blocks 63 and 66 indicate the end units exceed 6.7 metres; however, the interior units will require adjustment as they are just under that at 6.4 metres per unit.

- Front Yard Depth to Garage 5.5 metres minimum – This regulation is currently in place and is proposed to be carried over to the new zone.

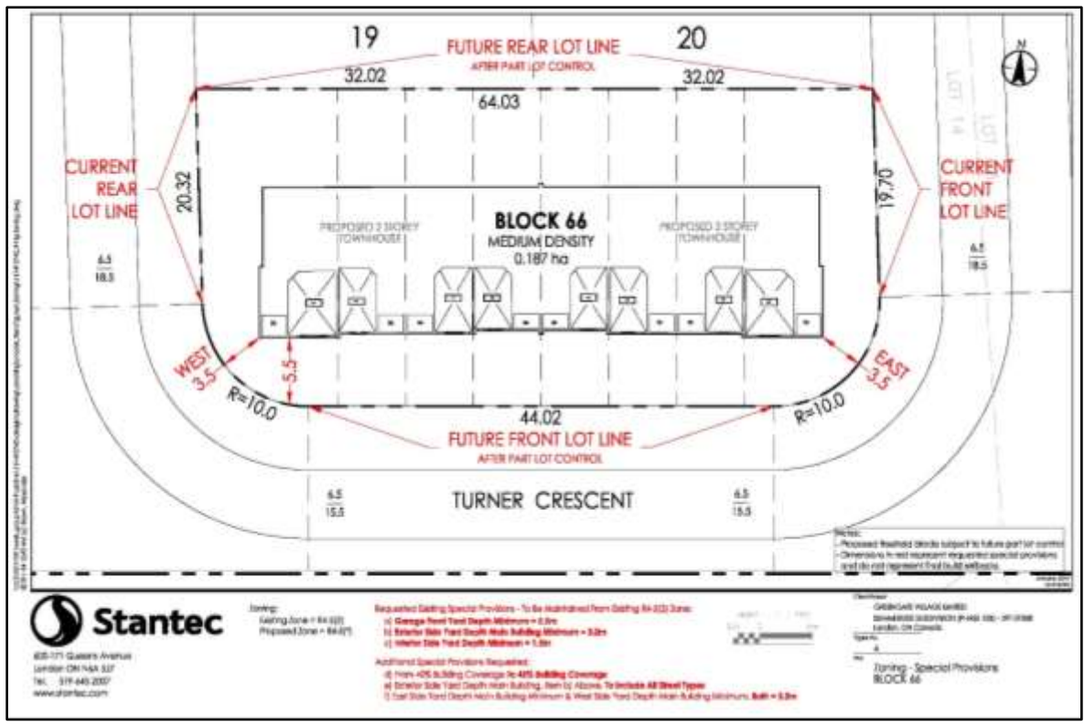
- Exterior Side Yard Depth to Main Building 3.0 metres minimum – Same as current zone.

- Interior Side Yard Depth 1.5 metres minimum – Same as current zone.

- Lot Coverage 45% maximum – This represents a modest increase of 5% from the current lot coverage regulation in order to accommodate the developer's product, and to ensure that adequate parking and amenity space can be provided. The Committee of Adjustment previously granted minor variances for relief to the lot coverage requirements for similar street townhouse blocks to the east along Asima Drive and Strawberry Walk. The requested coverage is not considered an over-intensification of these multi-family blocks, and is not expected to impact neighbouring properties.

- East and West Side Yard Depths to Main Building 3.0 metres minimum – This is intended to address a conflict with the zoning by-law definitions that in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line. The applicant has indicated that in this instance the front lot line of Blocks 63 and 66 is the east property line. They have also indicated that these blocks will be built out as freehold townhouses and conveyed through a future application for Exemption from Part Lot Control. As such, the eventual front lot line will be the south limit of the existing blocks once full build out is completed. This special provision is intended to facilitate the Site Plan Approval process and issuance of Building Permits prior to the subsequent lot conveyance. The applicant's request for this special provision is 3.5 metres; however, the recommended 3.0 metres is appropriate and consistent with the current special provision for Exterior Side Yard Depth to Main Building (as identified above).

- Exterior side yard depth to main building shall apply to all adjacent street classifications – To ensure the interpretation of the 3.0 metre exterior yard setback will be applied consistently to buildings adjacent an arterial road (Bradley Avenue) or local street (Turner Crescent). At the time the zoning was applied to these lands, the special provision setback regulation was intended to be applied to all street classifications.



Blocks 64, 65, 67 and 68 - Residential R4 Special Provision (R4-5(**)) Zone

- Lot Frontage 7.0 metres minimum – The minimum lot frontage per unit of 5.5 metres is the standard zone regulation. Staff recommend increasing the minimum lot frontage per unit in order to ensure there is adequate separation for services and utilities. Concept plans for these blocks provided by the applicant indicates that the proposed building plans will meet or exceed the recommended lot frontage.

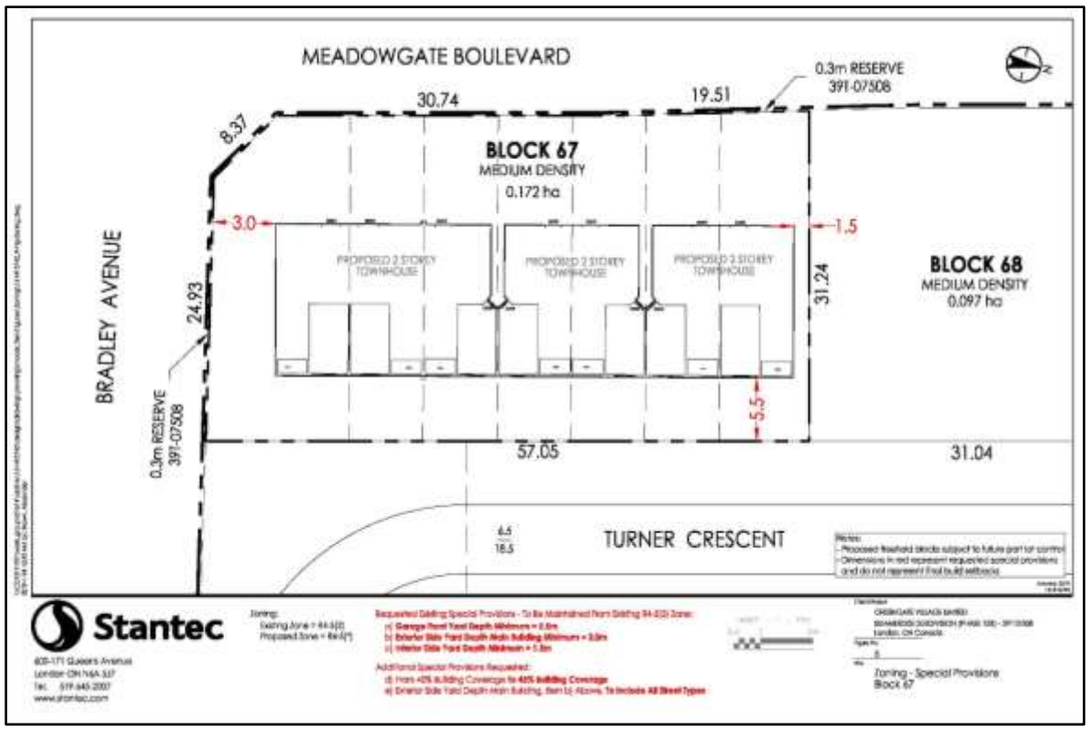
- Front Yard Depth to Garage 5.5 metres minimum – This regulation is currently in place and is proposed to be carried over to the new zone.

- Exterior Side Yard Depth to Main Building 3.0 metres minimum – Same as current zone.

- Interior Side Yard depth 1.5 metres minimum – Same as current zone.

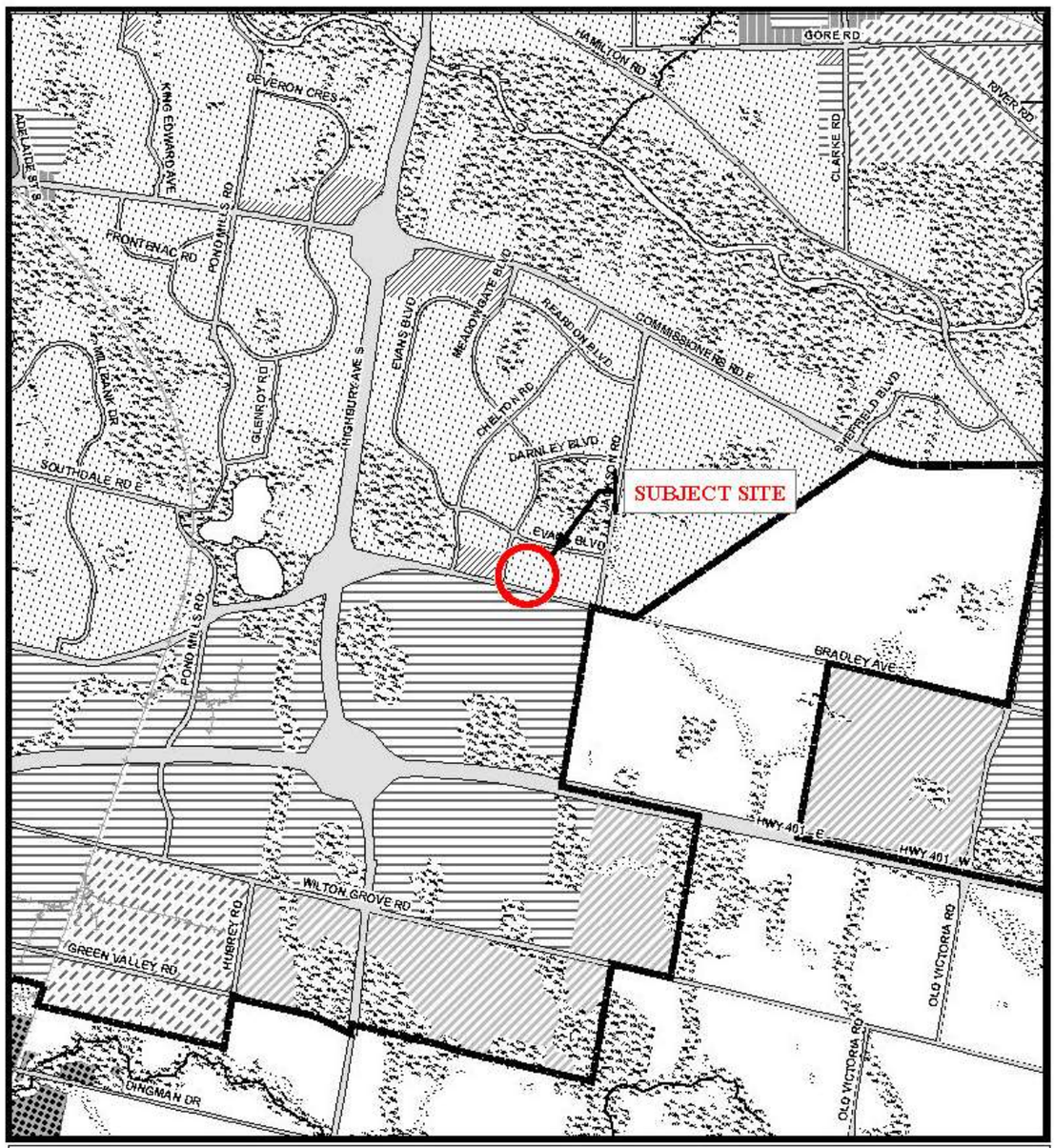
- Lot Coverage 45% maximum – This represents a modest increase of 5% from the current lot coverage regulation in order to accommodate the developer's product, and to ensure that adequate parking and amenity space can be provided. The Committee of Adjustment previously granted minor variances for relief to the lot coverage requirements for similar street townhouse blocks to the east along Asima Drive and Strawberry Walk. The requested coverage is not considered an over-intensification of these multi-family blocks, and is not expected to impact neighbouring properties.

- Exterior side yard depth to main building shall apply to all adjacent street classifications – To ensure the interpretation of the 3.0 metre exterior yard setback will be applied consistently to buildings adjacent an arterial road (Bradley Avenue) or local street (Turner Crescent). At the time the zoning was applied to these lands, the special provision setback regulation was intended to be applied to all street classifications.



Appendix D – Relevant Background

London Plan Map Excerpt



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

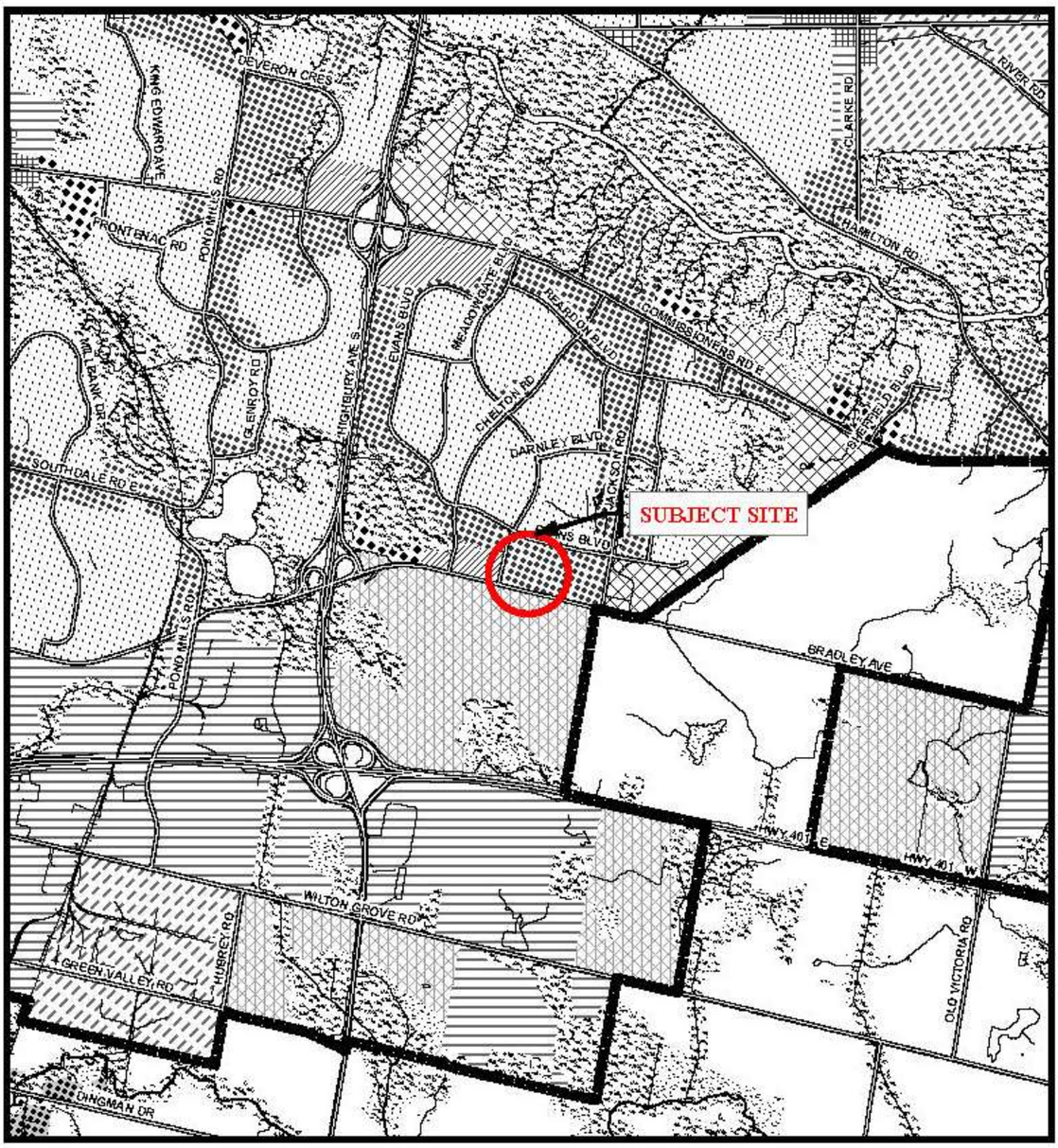
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services

Scale 1:30,000
Meters

File Number:	39T-07508 / Z-9021
Planner:	LM
Technician	RC
Date:	April 08, 2019

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9021-LP-Placetypes-Excerpt.mxd

Official Plan Map 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

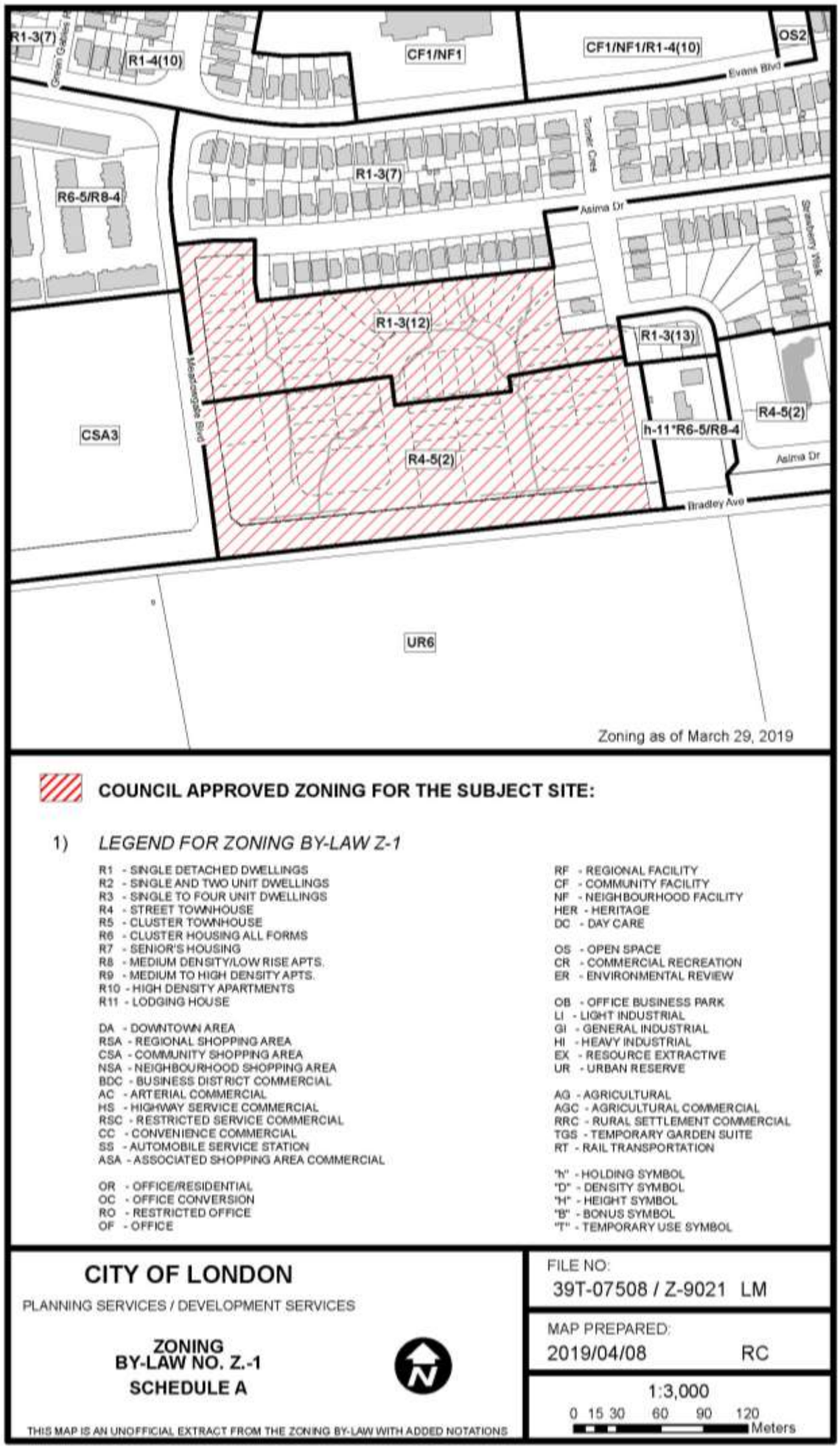
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FILE NUMBER:	**39T-07508 / Z-9021**
PLANNER:	LM
TECHNICIAN:	RC
DATE:	2019/04/08

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Map Excerpt



Additional Reports

December 4, 2017 – Planning and Environment Committee – Request by Greengate Village Limited for Extension of Draft Plan Approval relating to lands located on the north side of Bradley Avenue, between Jackson Road and Meadowgate Boulevard; File No. 39T-07508 (Agenda Item #5).

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: **Atlas Springbank Developments Ltd.**
462, 468, 470, 472 Springbank Drive
Public Participation Meeting on: May 13, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Atlas Springbank Developments Ltd. relating to the property located at 462, 468, 470, 472 Springbank Drive:

(a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 21, 2019 to amend the Official Plan to change the designation of the subject lands **FROM** an Office Area 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 May 21, 2019 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 Office Special Provision (h-11*OF5(4)) Zone, **TO** a Holding Residential R9 Bonus Zone (h-11*R9-7*B(_) Zone;

The Bonus Zone shall be implemented through one or more agreements to provide for an apartment building with a maximum height of 9-storeys and 186 dwelling units which substantively implements the Site Plan and Elevations attached as Schedule “1” to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

The building design shown in the various illustrations contained in Schedule “1” of the amending by-law is being bonused for features which serve to support the City’s objectives of promoting a high standard of design.

i. An “L” shaped building located along the Springbank Drive frontage next to the internal driveway providing a well-defined built edge and activating both the Street and driveway frontages;

ii. A well-defined principle entrance at the northwest corner of the building;

iii. Ground floor commercial/retail units along the Springbank Drive frontage oriented toward the street.

iv. A significant setback above the sixth floor.

iii. Individual terraces for the ground floor units facing the internal driveway;

iv. A variety of building materials and building articulation to break up the massing of the building;

v. All parking located underground or in the rear yard away Springbank Drive frontage;

iv. A purpose-designed amenity space and walkway within the internal portion of the site;

ii) Provision of Affordable Housing

10% of the total unit count (rounded up to the nearest unit), above the 150 unit per hectare threshold, to a maximum of 8 units, shall be allocated for affordable housing units (1 bedroom units) established by agreement at 95% of average market rent for a period of 25 years. An agreement shall be entered into with the Corporation of the City of London, to secure those units for this 25 year term.

Executive Summary

Summary of Request

The requested amendment is to permit a site-specific bonus zone to allow for a 9-storey (32 metre) apartment building which will include 186 residential dwelling units and 5 commercial units totalling 745m^2 (265uph). One level of underground parking will provide 190 parking spaces with another 39 spaces being provided at ground level.

Purpose and the Effect of Recommended Action

The recommended Official Plan and zoning amendment will permit a residential apartment building with a maximum height of 9-storeys (32 metres) which will include 186 residential units and 5 commercial units totalling 745m^2 (265uph). The bonus zone shall be implemented through a development agreement to facilitate the development of the requested apartment building in return for the provision of affordable housing, 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 Urban Corridor Place Type policies of the London Plan.
3. The recommended amendment facilitates the development of an underutilized property 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, location on and near arterial roads, close proximity to the Springbank Park trail system, and existing transit services in the area.
6. The proposed development includes the provision of affordable housing which will be mixed throughout the development.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is comprised of 4 individual lots, 3 of which are of similar size and used for single detached dwellings while the 4th is larger in size and currently has a garden centre on the property. To the east of the site is a large 3-storey medical/dental office and to the south is an elementary school. To the west along Springbank Drive is a 6 and 11 storey apartment building and directly north is a cemetery.

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

- Official Plan Designation – Office Area
- The London Plan Place Type – Urban Corridor
- Existing Zoning – h-11*OF5(4) Zone

1.3 Site Characteristics

- Current Land Use – residential/commercial
- Frontage – 97.7 metres (320.50 feet))
- Depth – 75 metres (246 feet))
- Area – 0.732 ha (1.81 acres)
- Shape – Rectangular

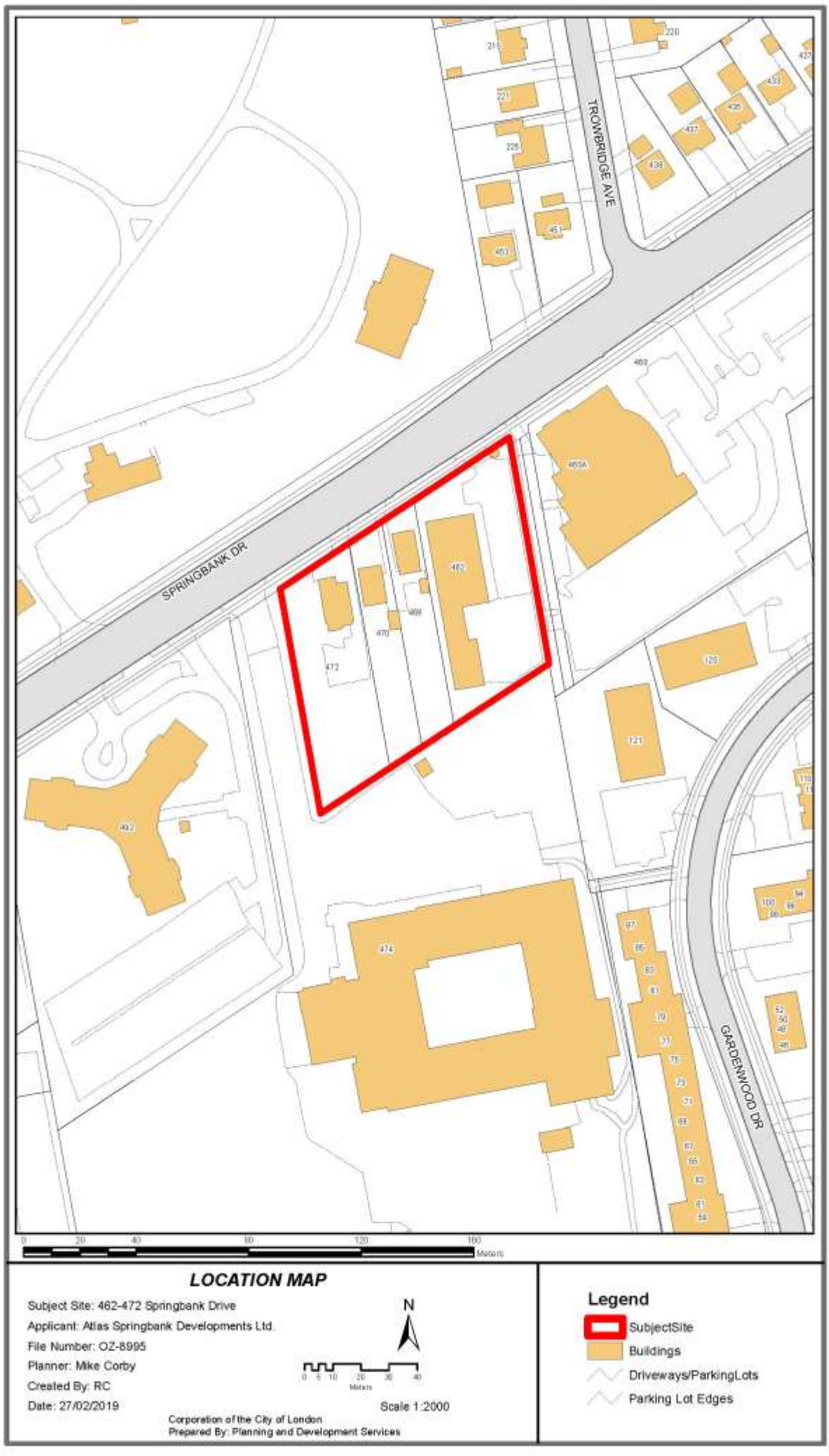
1.4 Surrounding Land Uses

- North – Cemetery
- East – Medical/Dental Office
- South – Public Elementary School
- West – Apartments

1.5 Intensification (186 residential units)

- The proposed residential units represent intensification within the Built-area Boundary
- The proposed residential units are within the Primary Transit Area.

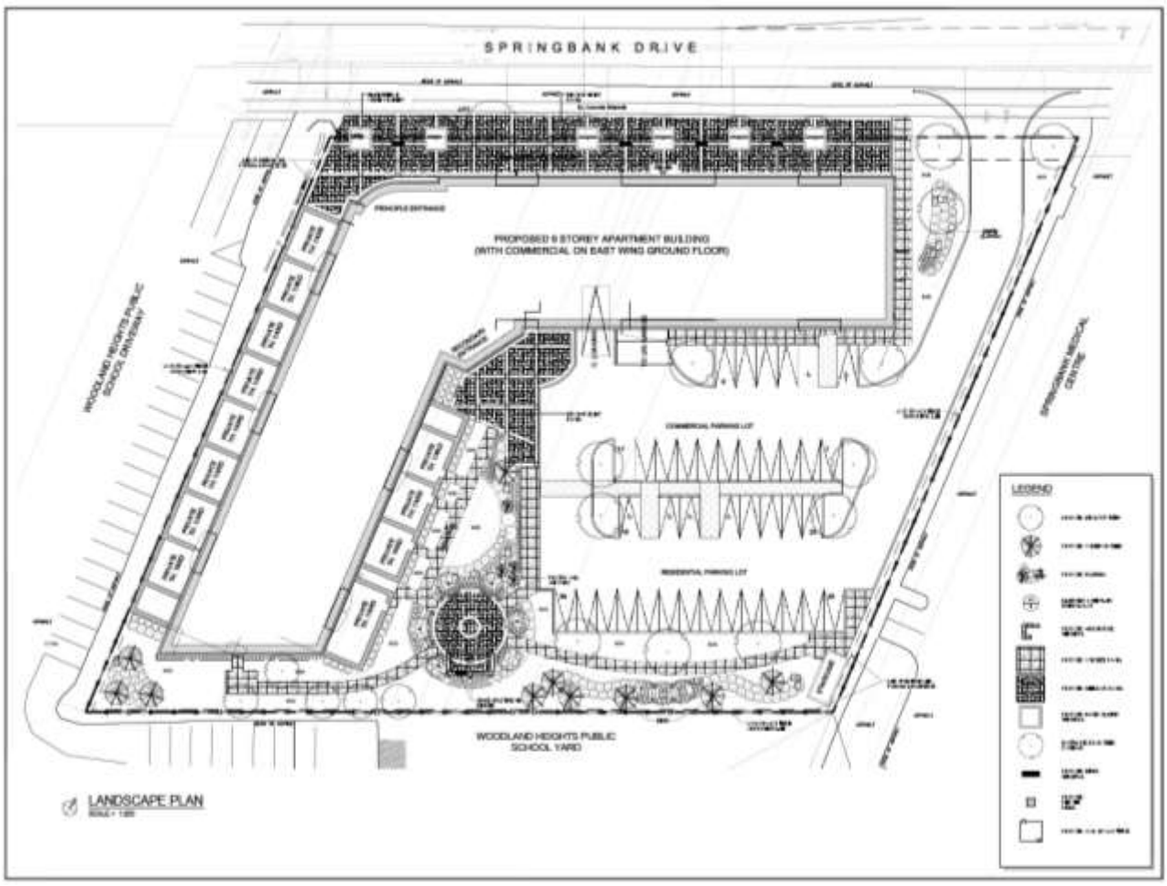
1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a 9-storey apartment building at a maximum height of 32m (105ft) which will include 186 residential units and 5 commercial units (745m^2) totalling 265uph. One level of underground parking will provide 190 parking spaces with another 39 spaces being provided at grade. The apartment has an L-shaped design and provides the commercial units along Springbank Drive and residential townhome style units along the laneway which provides access to the Elementary school to the rear of the site.





3.0 Relevant Background

3.1 Planning History

On February 24, 2015 an OPA/ZBA was accepted as a complete application. The application was to amend the existing Multi Family, High Density Residential designation to an Office Area and rezone the lands accordingly to permit an Office use. This resulted in a change from the existing Arterial Commercial Special Provision (AC2(2)/AC2(7)) Zone, to a Holding Office Special Provision (h-11*OF5(4)) Zone . The application was presented to the Planning and Environment Committee on June 1, 2015 and was approved by Council on June 16, 2015.

3.2 Requested Amendment

The requested amendment is for an Official Plan amendment from an Office Area to a Multi-Family, High Density Residential designation

The amendment also includes a Zoning By-law amendment from a Holding Office Special Provision (h-11*OF5(4)) Zone, to a Holding Residential R9 Bonus Zone (h-11*R9-7*B(_) Zone to allow for the proposed apartment building. The bonus zone would permit a residential density of 265uph and maximum height of 32 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as yard setbacks, and parking 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)

Through the public circulation process one comment was received however no concerns about the proposed development were expressed. The comments received by Staff are attached to Appendix “C”.

3.4 Policy Context (see more detail in Appendix C)

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.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject site is located in an Urban Corridor Place Type which permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings are encouraged while large floor plate, single use buildings will be discouraged. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade (Permitted Uses, *837_).Urban corridors require a minimum height of 2-storeys or 8m and permit a maximum height of 6 storeys. Through Type 2 bonusing up to 8 storeys in height can be achieved. Development within these Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. Lot assembly is encouraged to help create comprehensive developments and reduce vehicular accesses to the street and to allow for coordinated parking facilities. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites (Intensity, *840_).

Like the current Official Plan, all planning and development applications will conform with the City Design policies of The London Plan. Buildings should be sited close to the front lot line, and be of sufficient height, to create a strong street wall along Corridors

and to create separation distance between new development and properties that are adjacent to the rear lot line. The mass of large buildings fronting the street should be broken down and articulated at grade so that they support a pleasant and interesting pedestrian environment. Large expanses of blank wall will not be permitted to front the street, and windows, entrances, and other building features that add interest and animation to the street will be encouraged. Development should be designed to implement transit-oriented design principles while 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. On-street parking within Corridors is encouraged wherever possible while surface parking areas should be located in the rear and interior side yard (Form, *841)

1989 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 Multi-Family, High Density Residential 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 to the urban design principles in Section 11.1.

The Multi-Family, High Density Residential 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).

4.0 Key Issues and Considerations

Through the circulation process no public concerns were expressed. The report below addresses the relevant planning policies and how they relate to the proposed application 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 four consolidated properties that can be considered underutilized as there are currently three single detached dwellings and a garden centre on the property [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 subject site is located in close proximity to two neighbourhood commercial nodes and an auto oriented commercial corridor which provide convenient amenities, employment and shopping destinations along this stretch of Springbank Drive. The site is also considered to be transit supportive as it is close proximity to two arterial roads, a major passive recreation trail system along the Thames River Corridor for bikers and pedestrians and has bus routes along Springbank Drive and Wonderland Road (1.1.3.2) contributing to a healthy, livable and safe community.

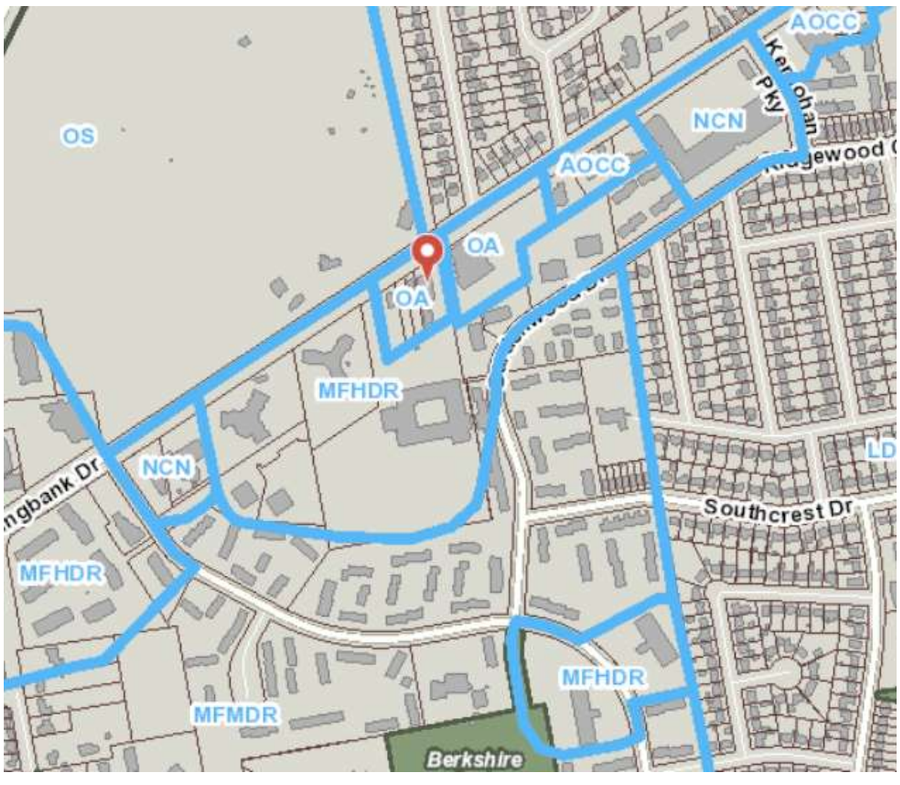
The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements 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 apartment is in keeping with the PPS as it contributes to the mix of housing type in the area which is predominately made up of townhouses with a small mix of apartment buildings. The proposal also provides a density that will help to meet the projected requirements of current and future residents.

The London Plan

The subject site is located along and Urban Corridor Place Type and is not subject to any specific-segment policies of the Plan. The proposed apartment building is in keeping with the permitted uses of The London Plan as it provide a mixed-use building with opportunities for commercial, retail, service, office uses at grade along Springbank Drive and residential uses throughout the remainder of the building (Permitted Uses, *837_).

Official Plan

The proposed apartment building requires a change from the existing Office Area designation to Multi-Family, High Density Residential (MFHDR). The subject site was previously included as part of the large Multi-Family, High Density Residential designation which fronts Springbank Drive and continues south in behind the subject site (see image below). The site was designated MFHDR until June, 2015 when the lands were designated and zoned for Office uses.



The proposed apartment use is considered a main permitted use within the requested MFHDR designation (3.4.1. Permitted Uses). The Official Plan identifies where it is appropriate to locate High Density Residential designations (3.4.2. Locations). As mentioned the site is surrounded by existing MFHDR designation which validates that this area meets this criteria. The Official Plan also identifies that lands in close proximity to shopping areas, major public open space areas, transportation routes and where high density development will not adversely affect surrounding land uses are appropriate locations (3.4.2). The reintroduction of MFHDR on the subject site will not adversely affect the surrounding lands at they are already zoned and designated for medium and high density uses. The subject site is also located along Springbank Drive, which is an arterial road running east to the Downtown and west to Bryon. The site is also in close proximity to Wonderland Road which is also an arterial road running north/south through the City. Directly across the street is a large Open Space designation which consists of a large cemetery and the Thames River corridor. The Thames Valley corridor provides additional amenities within the immediate area as west of the site is the Civic Gardens Centre and Springbank Park which provides a passive recreational trail that runs along the corridor to the Downtown (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 (3.4.2 i,ii,iii,iv,iiv) as it is considered compatible with the surrounding land uses for a variety of reasons. The proposed commercial units along Springbank Drive and townhouse units on the west façade along the entrance to the school site create a compatible interface helping reduce impacts of the proposed development at grade. The setback after the 6th storey complements the 6-storey apartment directly west while the height of the building is located at strategic locations to limit impacts on the abutting school site to the south and provides a significant setback between the properties to the east and west. 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 neighbourhood scale shopping facilities.

For the above mentioned reasons it is appropriate to designate the lands as Multi-Family High Density Residential.

The proposed amendment has also requested additional commercial uses within the proposed apartment. The London Plan encourages mixed-use buildings and permits a wide range of commercial, retail and office type uses at grade for this development. Within the recommended MFHDR designation of the 1989 Official Plan commercial uses are also permitted within apartment buildings but can only be implemented through the use of the Convenience Commercial (CC4) variation which limits the uses to convenience service establishments, convenience stores, financial institutions and personal service establishments. Given the direction of The London Plan and the proposed application to provide a wider range of commercial uses Staff are recommending additional uses be permitted through the proposed bonus zone. The proposed uses and regulations are in keeping with the regulations and uses permitted within the CC6 zone variation which regulates a wider range of convenience commercial uses. By permitting these uses through the bonus zone it ensures they can only be permitted within this proposed form of development and cannot be permitted as stand-alone uses. The recommended uses and regulations include:

- Bake shops;
- Brewing on Premises Establishment;
- Clinics;
- Commercial schools;
- Convenience business service establishments;
- Convenience service establishments;
- Convenience stores;
- Day care centres;
- Financial institutions;
- Florist shops;
- Food stores;
- Medical/dental offices;
- Offices;
- Personal service establishments;
- Pharmacies;
- Retail Stores;
- Restaurants, eat-in;
- Restaurants, take-out;
- Studios;

Regulations:

- No drive-through will be permitted for any of the additional permitted uses.
- All commercial uses will only be permitted on the first floor of an apartment building.

a) Commercial schools and 300 m2 (3,229 sq.ft.) Pharmacies
b) Restaurants - eat in and take-out 300 m2 (1,616 sq.ft.)
c) Food stores 500 m2 (5,382 sq.ft.)
d) All other permitted uses 400 m2 (4,305 sq.ft.)

Based on the direction from the London Plan and current permissions provided within the 1989 Official Plan it is considered appropriate to permit the wider range of commercial uses through the recommended bonus zone.

4.2 Issue and Consideration # 2 - Intensity

Provincial Policy Statement, 2014 (PPS)

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, which has access to multiple bus routes and the city's largest open space corridor along the Thames River. The surrounding building stock ranges from apartment buildings, medical/dental office, townhomes, open space and commercial uses all of which are buffered from potential impacts of the site. The proposed intensity of the development can be accommodated on the site and within the surrounding context with minimal impacts. 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.

The London Plan

Although The London Plan does not identify density limits within the policy framework, it does control how intense lands can develop through specific criteria. The proposed development is generally in keeping with the intensity policies of the Plan as the recommended 9-storey height is one storey taller than that allowed in the bonus zoning policies. However, the status of The London Plan and relevant policies are still under appeal, and are not the in-force policies that apply to this application. The proposed 9-storeys provides a form of development that is appropriate within this transitional period between Official Plans.

The proposed development is in keeping with the remainder of Urban Corridor policies as it is sensitive to adjacent land uses through the use of red brick materials on the first 6 floors followed by a setback after 6th storey to help create a compatible scale along the street. The setback to the remainder of the height (7-9th storey) helps limit the building's impacts on the surrounding properties. The subject site and proposed development provide significant buffering between the properties on all four sides as there is a laneway on both the east and west side of the site creating greater separation between properties while Springbank Drive separates the bulk of the height between the open space (cemetery) lands to the north. To the south is the amenity area of the development followed by a large parking lot reducing any impacts on the lands to the south (Elementary School).



Proposed apartment within surrounding context (looking SE).



Proposed apartment within surrounding context (looking NW).

The subject site is an assembly of multiple lots creating a property of sufficient size and configuration to accommodate the proposed use and allows for the creation of a comprehensive development which has reduced vehicular access points from four down to one entrance along Springbank Drive and provides a coordinated parking facility underground and in the rear of the development (Intensity, *840_).

Bonusing Provisions Policy *1652 outlines the framework and public facilities, services, or matters that can be provided in order to achieve the requested increases in height in keeping with the recommended bonusing provisions.

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 265 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 legislation 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), the provision of approximately 8 affordable housing units, and 1 level of underground parking, 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 in the Staff recommendation.

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 height and 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 which attaches the illustrations as Schedule "1".

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 and internal laneway where impacts on the surrounding buildings will be reduced. The proposal has been reviewed by the Urban Design Peer Review Panel and City Staff to ensure that an appropriate development standard is established to help implement the intensification of the subject site. 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 a passive recreational trail that spans along this portion of the City east to west helping 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].

The London Plan

The London Plan requires that all planning and development applications conform to the City Design policies and the Urban Corridor Place Type policies provide specific form policies. The proposed development is in keeping with these policies as the building is sited near the front lot line and provides a sufficient height to create a strong street wall along the corridor. The proposed L-Shape form helps create an appropriate separation distance between the development and properties that are adjacent to the rear lot line. The apartment building uses a significant setback and variety of different materials and articulation to help reduce the massing of the building and create a pleasant and interesting pedestrian environment while reducing any large expanses of blank wall along the street. The use of townhome style units along the western edge also contribute to the pedestrian environment. The proposed apartment has been designed in a manner that is pedestrian, cycling and transit-supportive through the building orientation along the street edge, location of retail space entrances along Springbank Drive, the proposed bicycle parking location that has convenient access to the commercial uses and a general site layout that reinforces pedestrian safety and easy navigation. Although no on-street parking is provided at this location the development is able to provide surface parking in the rear of the site and underground in keeping with the Form Policies of the Urban Corridor Plan Type (Form, *841).

Official Plan

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses. The setback after the 6th floor mimics the height of the apartment building to the west and maintains a scale that is compatible with the office building to the east of the site. The change in materials and setback above the 6th storey also reduces the impacts of the additional height between the 7th-9th storey. The development also positions all of its height and massing at appropriate locations as the development is L-shaped which allows the apartment to

front Springbank Drive and the internal driveway to the school site where the impacts of the height will be limited. The use of townhouse style units along the internal driveway provides a softer interface at the pedestrian level for those travelling in and out of the abutting site. The main pedestrian access point is located at the main northwest corner of the building where a high level of windows and glazing is used to create a prominent entrance feature clearly identifying the main entrance to the building providing tenants easy access to Springbank Drive, the surrounding transit services and passive recreational uses in the area.

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 proposed development was well received by Staff and the Urban Design Peer Review Panel. Staff had limited concerns with the initial submission. Staff suggested that a reduction in height from 9-storeys to 8 would be more appropriate and the setback after the 7th floor be considered after the 6th storey. The applicant addressed the setback and moved it to the 6th floor. As noted in the intensity section, The London Plan is still under appeal and the request for 9-storeys is still appropriate and permitted through the 1989 Official Plan.

The Panel provided some additional detailed design comments for consideration in working through the site design. The panel recommended that the applicant look at further refining the landscape design to reconsider the function of the southerly buffer strip and the alignment of the walkways through the site to consider desirelines. Consideration should be given to improving the edge condition along the semi-public realm (along the driveway to the school on the adjacent site) to improve the pedestrian experience along this driveway. In order to achieve this the Panel suggested extending the terraces to the property line. Additional concerns were expressed about the proportion of the top portion of the building relative to the base. The panel identified that more design elements to upper levels (e.g. consider differentiation of materials) could be used to address this concern. Additional materials or treatment could also be considered to further refine the top of the East Elevation due to high visibility of this corner. Consideration could also be given to refining the glass drum element at the hinge of the building to elevate the curtain wall element.

In an effort to respond to the Urban Design panel’s comments a revised design was submitted to Staff. The main changes included a change in the alignment of the walkways on the south portion of the site creating a more reasonable pathway through the property. The terraces between the west building face and the driveway to the school site were extended to help improve the pedestrian experience. The applicant provided additional design elements on the upper portion of the building and east elevation by changing materials from stucco to a brick material. Additional bicycle parking has now been provided at the easterly entrance to provide a functional spot for people to bike to the site and access the building and commercial uses along Springbank Drive. Staff is supportive of the overall design and changes made by the applicant and feel it is in keeping with the Urban Design principles in Section 11.1

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

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 Urban Corridor Place Type policies of The London Plan. The proposal facilitates the development of an underutilized property 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, existing public transit, and large open space corridor with passive recreational trails in the area. The proposed development also includes the provision of affordable housing which will be mixed throughout the development.

Prepared by:	**Michael Corby, MCIP, RPP** **Senior Planner, Development Services**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P.ENG** **Managing Director, Development and Compliance Services and Chief building Official**
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.	

May 6, 2019
MC/mc

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Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. C.P.-1284-
A by-law to amend the Official Plan for the City of London, 1989 relating to 462, 468, 470, 472 Springbank Drive.

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 May 21, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

File:OZ-8995
Planner: Mike Corby

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 Office Area 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 462, 468, 470, 472 Springbank Drive 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 and the Urban Corridor Place Type policies of The London Plan.

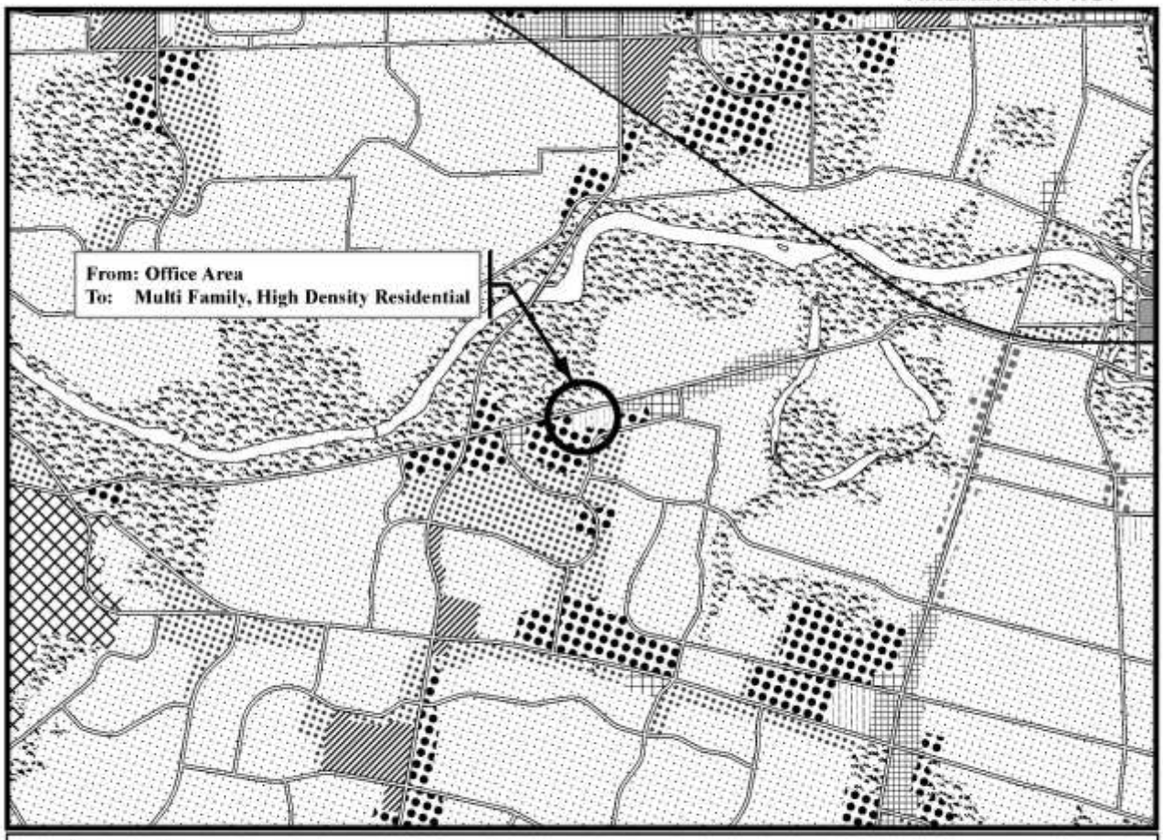
The recommended amendment will facilitate a mixed-use apartment building which is compatible with the surrounding land uses.

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 462, 468, 470, 472 Springbank Drive in the City of London, as indicated on "Schedule 1" attached hereto from Office Area to Multi-Family, High Density Residential.

AMENDMENT NO:



Legend

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

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

SCHEDULE A TO OFFICIAL PLAN

AMENDMENT NO. _____

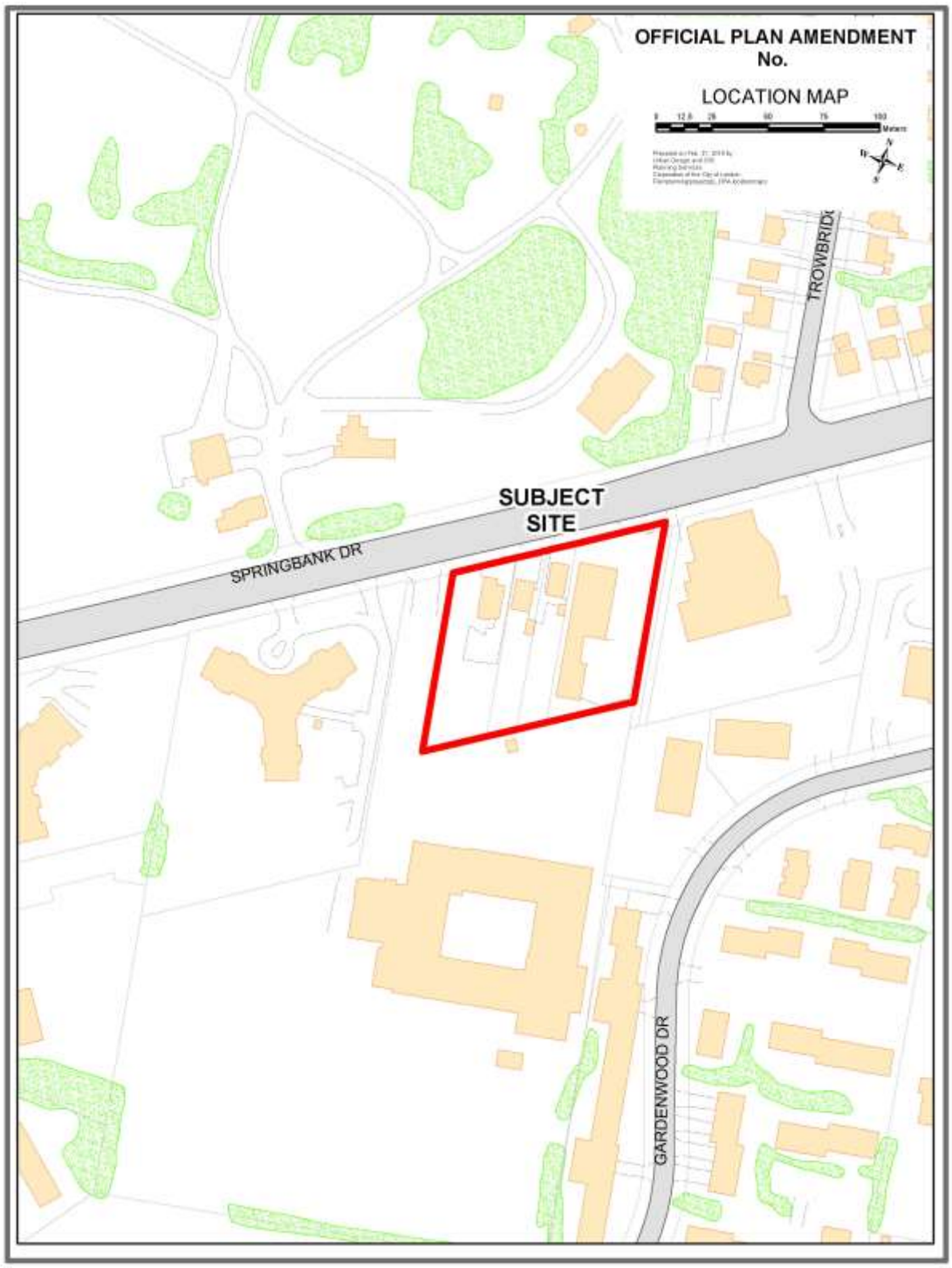
PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	OZ-8995
PLANNER:	MC
TECHNICIAN:	RC
DATE:	2019/02/27

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\amendments\oz-8310\mxds\scheduleA_b&w_8x11_with_SWAP.mxd


OFFICIAL PLAN AMENDMENT
No.
LOCATION MAP
SUBJECT
SITE
SPRINGBANK DR
TROWBRIDG
GARDENWOOD DR

Appendix "B"

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 462, 468, 470, 472 Springbank Drive.

WHEREAS Atlas Springbank Developments Ltd. has applied to rezone an area of land located at 462, 468, 470, 472 Springbank Drive, 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 462, 468, 470, 472 Springbank Drive, as shown on the attached map comprising part of Key Map No. A.106, from a Holding Office Special Provision (h-11*OF5(4)) Zone, to a Holding Residential R9 Bonus Zone (h-11*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(_) 462, 468, 470, 472 Springbank Drive

The B(_) Zone shall be implemented through the required development agreements to facilitate the development of a high quality residential apartment building, with a maximum of 9-storeys with 186 dwelling units which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law; and

i) Provision of Affordable Housing

10% of the total unit count (rounded up to the nearest unit), above the 150 unit per hectare threshold, to a maximum of 8 units, shall be allocated for affordable housing units (1 bedroom units) established by agreement at 95% of average market rent for a period of 25 years. An agreement shall be entered into with the Corporation of the City of London, to secure those units for this 25 year term.

ii) 1 level of underground parking

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Additional Permitted Uses

i) Bake shops;
ii) Brewing on Premises Establishment;
iii) Clinics;
iv) Commercial schools;
v) Convenience business service establishments;
vi) Convenience service establishments;
vii) Convenience stores;
viii) Day care centres;
ix) Financial institutions;

x) Florist shops;
xi) Food stores;
xii) Medical/dental offices;
xiii) Offices;
xiv) Personal service establishments;
xv) Pharmacies;
xvi) Retail Stores;
xvii) Restaurants, eat-in;
xviii) Restaurants, take-out;
xix) Studios;

b) Regulations:

i)	Density	265 uph (107.25 units per acre)
ii)	Height (maximum)	32 metres (105 feet)
iii)	Front Yard Depth (minimum)	2.5 metres (8.2 feet)
iv)	Rear Yard Depth (minimum)	7.0 metres (23 feet)
v)	Westerly Interior Side Yard Depth (minimum)	5.5 metres (18 feet)
vi)	Easterly Interior Side Yard Depth (minimum)	12.1 metres (39.70 feet)
vii)	Residential Parking (minimum)	1 space per unit
viii)	Commercial Parking (minimum)	17 spaces

ix) No drive-through will be permitted for any of the additional permitted uses.

x) The permitted commercial uses will only be permitted on the first floor of an apartment building.

xi) The maximum gross floor area for specific individual uses shall be as follows:

a) Commercial schools and Pharmacies	300 m2 (3,229 sq.ft.)
b) Restaurants - eat in and restaurants take-out	300 m2 (1,616 sq.ft.)
c) Food stores	500 m2 (5,382 sq.ft.)
d) All other permitted uses	400 m2 (4,305 sq.ft.)

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.

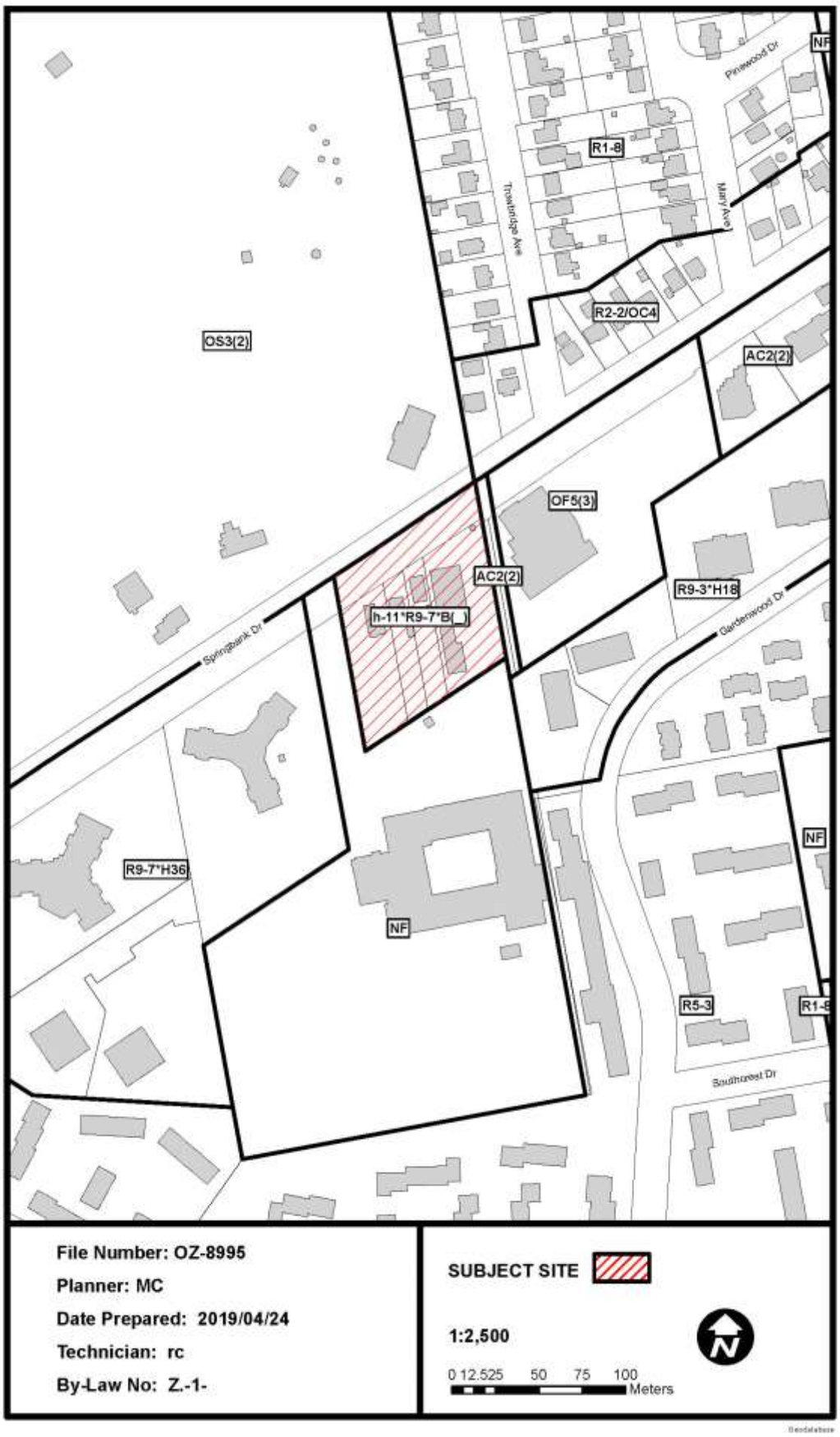
PASSED in Open Council on May 21, 2019.

Ed Holder
Mayor

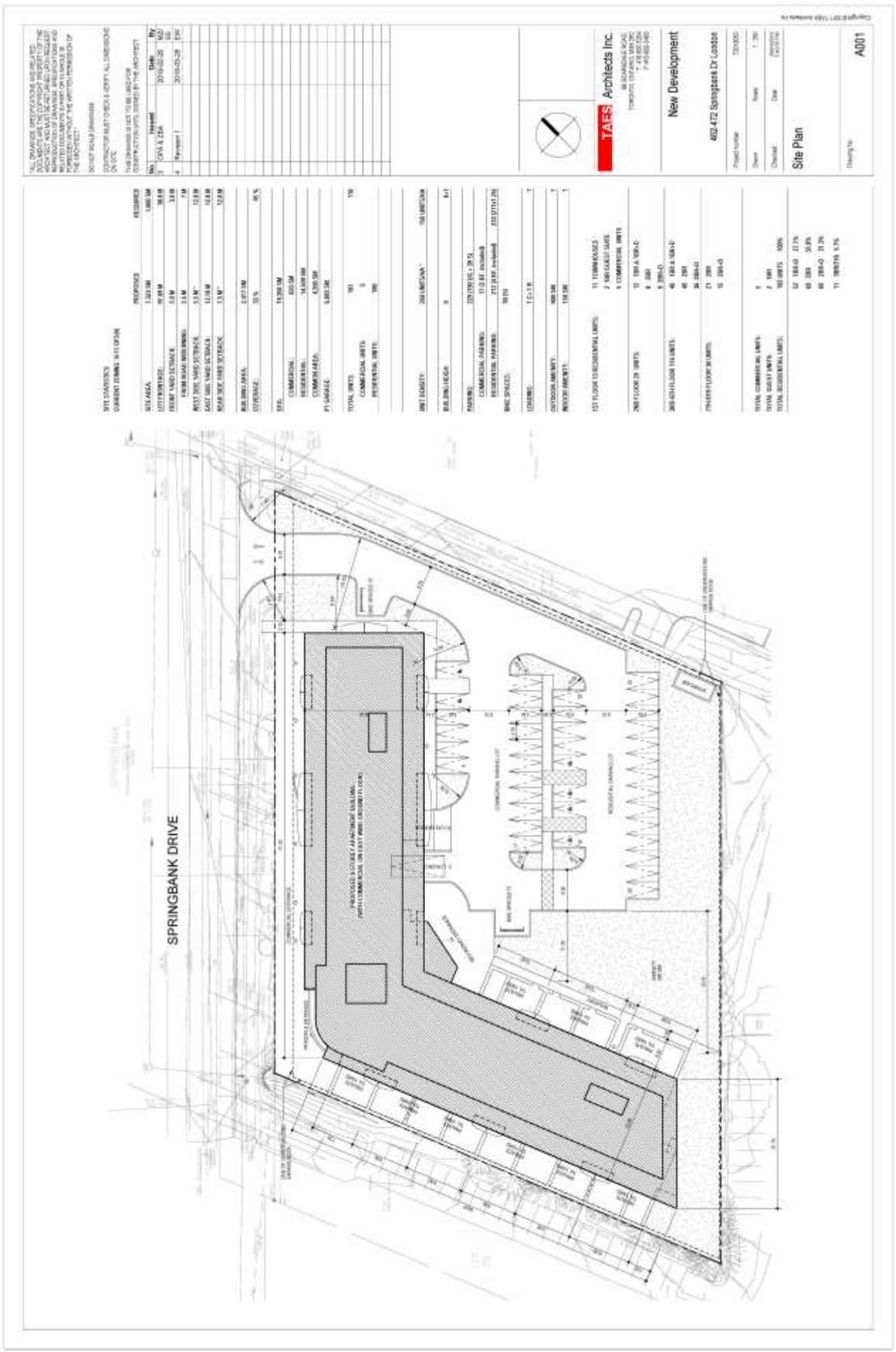
Catharine Saunders
City Clerk

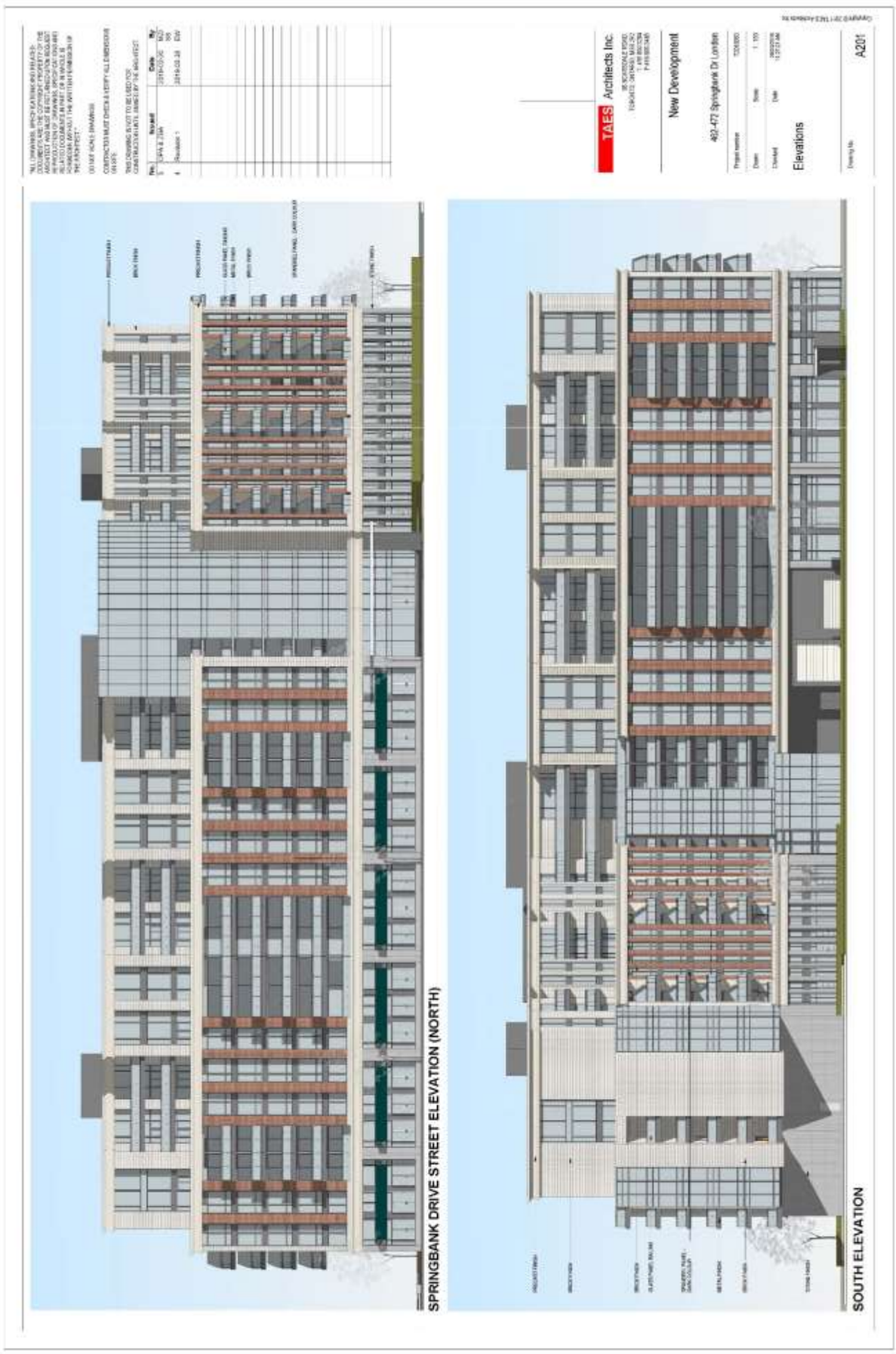
First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

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



Schedule “1


SPRINGBANK DRIVE
TAES Architects Inc.
New Development
402-472 Springbank Dr London
Site Plan
A001


SPRINGBANK DRIVE STREET ELEVATION (NORTH)
SOUTH ELEVATION
TAES Architects Inc.
New Development
403-477 Springbank Dr London
Elevations
A201

W


TAES Architects Inc.
New Development
482-472 Springbank Dr London
Elevations
A202
EAST ELEVATION
WEST ELEVATION

Appendix B – Public Engagement

Community Engagement

Public liaison: On January 4, 2019, Notice of Application was sent to 46 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 27, 2018. A "Planning Application" sign was also posted on the site.

On April 10, 2019, Notice of Application was sent to 46 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 11, 2019. A "Planning Application" sign was also posted on the site.

1 reply was received

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a 9-storey (32m) L-shaped mixed-use apartment building which will include 186 residential units (265uph) and commercial uses at grade.

Possible amendment to the Official Plan **FROM** Office Area **TO** Multi-Family, High Density Residential. Possible change to Zoning By-law Z.-1 **FROM** a Holding Office Special Provision (h-11*OF5(4)) Zone **TO** a Residential Bonus (R9-7*B(_)) Zone. The bonus zone would permit a residential density of 265 uph and maximum height of 32 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as additional commercial uses which may include clinics, retail, restaurants, offices, studios, florist shops, pharmacies, food stores, convenience stores, financial institutions, personal service establishments and medical/dental offices and other similar type uses, along with potential decreases in yard setbacks and parking may also be considered through the re-zoning process as part of the bonus zone.

Responses: A summary of the various comments received include the following:

From: Lynzi Michal
Sent: Wednesday, January 16, 2019 11:10 AM
To: Corby, Mike <mcorby@London.ca>
Subject: OZ-8995

Hi Mike
I live in the area of this planning application and had some feedback. I welcome new developments in this neighbourhood, I think it's fantastic. My only request would be that some sort of walkway is included for those of us who live on Gardenwood/Ridgewood. When they built the Springbank Medical centre, there was no walkway included. Many of us in the area use services in that building but yet cannot easily access it from our street. Instead we have to walk/drive all the way around to Springbank. It's 10 times farther to walk then it should be.

I understand this new proposal has some commercial units so a walkway to access them would be amazing. Many people in this neighbourhood don't have cars but we have not made it very walk friendly. That is something that could be improved in this area of Southcrest. Thank you in advance.

Best Regards,

Lynzi Michal
Director, Membership & Marketing
Federation of Rental-housing Providers of Ontario
20 Upjohn Road, Suite 105 Toronto M3B 2V9

File:OZ-8995
Planner: Mike Corby

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Lynzi Michal 20 Upjohn Road, Suite 105 Toronto M3B 2V9

Agency/Departmental Comments

Urban Design - April 23, 2019

Urban Design staff commend the applicant for incorporating the following into the design; Providing for a continuous street wall along the Springbank Drive frontage; Providing for appropriate scale/ rhythm/ materials/ fenestration; Incorporating all parking within the structure and in the rear yard, away from the street frontage; Providing for a stepback of the building above the sixth floor in order to be generally in keeping with existing neighbouring towers and providing for an appropriate human scale along the Springbank Drive frontage;

Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the community, the Urban Design Peer Review Panel, and City staff. The only design concerns that remained outstanding was the height of the building at 9 storeys. Staff had asked the applicant to reduce the building to 8 storeys as this would be more in keeping with buildings in the area as well as the maximum height limit established in The London Plan. However, as The London Plan policies regarding maximum building heights along the corridor are under appeal, along with the applicant's willingness to alter their original design to include a stepback above the 6th storey, we find the current design appropriate within the current existing policy context.

Housing Development Corporation – January 24, 2019

Good afternoon Mike,

Further to the City's Notice of Application and call for comments on the above noted matter, Housing Development Corporation (HDC) would offer the following recommendation (and supportive information) in regards to the requested amendments:

RECOMMENDATION:

HDC London would recommend that opportunities for housing affordability be prioritized and pursued through the planning approval review process and any recommended Official Plan/Zoning By-law amendment. HDC London is prepared to assist the applicant and City of London Planning staff in this regard.

BACKGROUND:

The purpose and effect of the requested Official Plan and Zoning By-law amendment would be to provide for the development of a 9-storey, 211 unit mixed-use residential/commercial development and underground parking. The application seeks a Bonus Zone to provide for an increase in height (32 metres) and density (300 units per hectare) beyond which would otherwise contemplated in the Zoning By-law. In return for increased height and density, the Planning Justification Report notes that the proposed development satisfies several of the Bonusing Objectives of Section 19.4.4. of the City of London Official Plan including:

- Identifiable urban design elements and underground parking;
- Functional common open space for active or passive recreational use
- Enhanced landscaped open space; and,

- Design features that provide for universal accessibility in new construction.

Section 19.4.4 of the Official Plan states that Bonus Zoning is provided to encourage development features which result in a public benefit which cannot be obtained through the normal development process. In Planning staff's consideration of the merits of the identified Bonus elements, HDC would note that Section 19.4.4 further identifies housing affordability as one of the City's principle objectives in the consideration of a Bonus Zone. The City's recently adopted London Plan identifies housing affordability as a public benefit in the consideration of additional height or density than would otherwise be permitted in the applicable place type.

JUSTIFICATION:

The 1989 Official Plan's Housing Policies specifically state that the City has concerns that the availability, affordability and adequacy of housing that may not be fully satisfied by the designation and servicing of land for residential uses. Recognizing this the Official Plan supports the provision of a range of dwelling types (including apartment buildings) so that a broad range of housing requirements (including housing affordability) are satisfied. The Plan notes that opportunities for the development of affordable housing in new developments and residential intensification proposals shall be an objective of the City. Measures to increase the supply of affordable housing, including the provision of density bonuses, where appropriate, are identified in the Plan as one measure to address the Plan's identified affordable housing targets.

The London Plan recognizes that average market rent is out of reach for many Londoners and that housing affordability is one of the City's principle planning challenges. Accordingly, the Housing policies of the Plan identify affordability targets stating that planning activities will serve to provide for both a mixture of dwelling types and integrated mixtures of housing affordability. In pursuit of this goal, the policies of the Plan identify Bonusing as a planning tool in support of the provision affordable housing in planning and development proposals.

The subject site is located on the south side of Springbank Drive, approximately 380 metres east of Berkshire Drive. The Planning Justification Report submitted by the applicant notes that the nature of the surrounding land uses make the site "an ideal candidate for residential/mixed-use intensification". More specifically, the Planning Justification Report notes the site's proximity to:

- Medical/dental office uses;
- Institutional uses;
- Open space and recreational uses;
- Commercial uses; and,
- Public transit routes along Springbank Drive and Wonderland Road (all of which serve to connect the site to major employment nodes and institutional uses such as the Downtown, the University of Western Ontario and University Hospital, White Oaks Mall, and all points in-between). The Planning Justification Report further notes that public sidewalks along Springbank Drive provide convenient access by "active transportation to the parks and open space to the northwest."

The HDC would note that the locational attributes identified directly align with the guidelines and considerations used by HDC to advance affordable housing. HDC would further note that a preliminary review of the housing analytics from the Canada Mortgage and Housing Corporation for Southwest London would indicate average apartment vacancy rates and rents in the defined area that demonstrate housing affordability challenges.

HDC London has provided assistance to City Planning staff and the development industry in the formulation of Bonus Zoning for the purpose of housing affordability.

Thank you for the opportunity to comment on this. Please feel free to contact me should you have any questions regarding the above.

File:OZ-8995
Planner: Mike Corby

London Hydro – February 4th, 2019

This site is presently serviced by London Hydro. Contact Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required.
Note: Transformation lead times are minimum 16 weeks.
Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

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

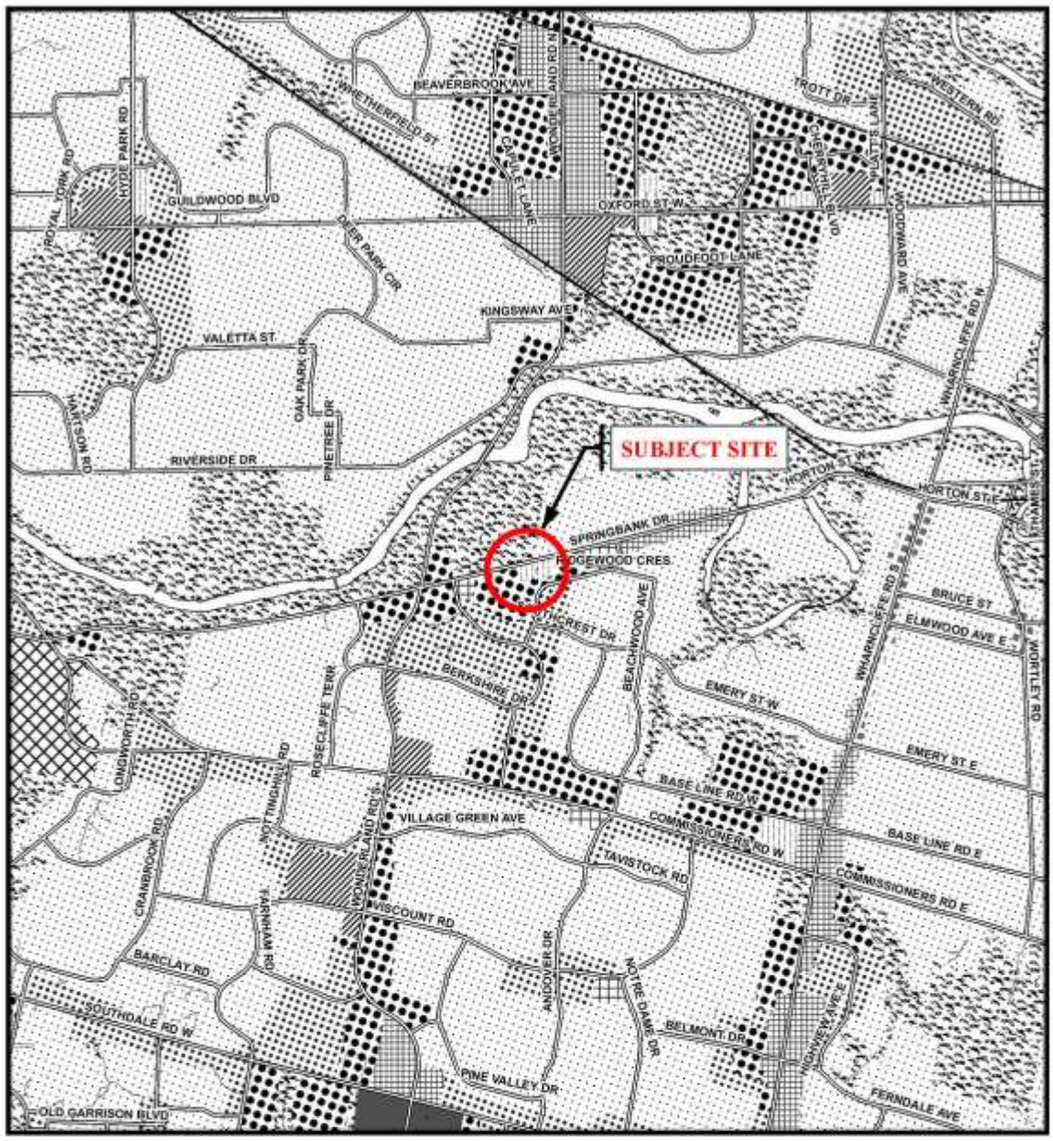
Rapid Transit and Urban Corridor
Permitted Uses (837)
Intensity (840)
Form (841)
Bonusing Provisions (1652)

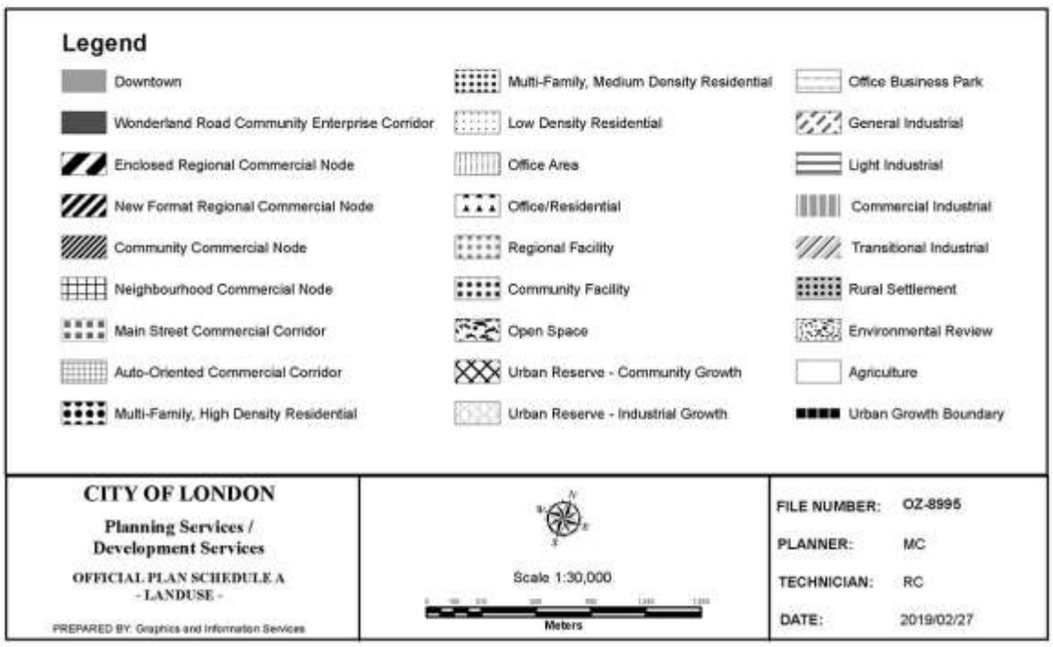
Z.-1 Zoning By-law

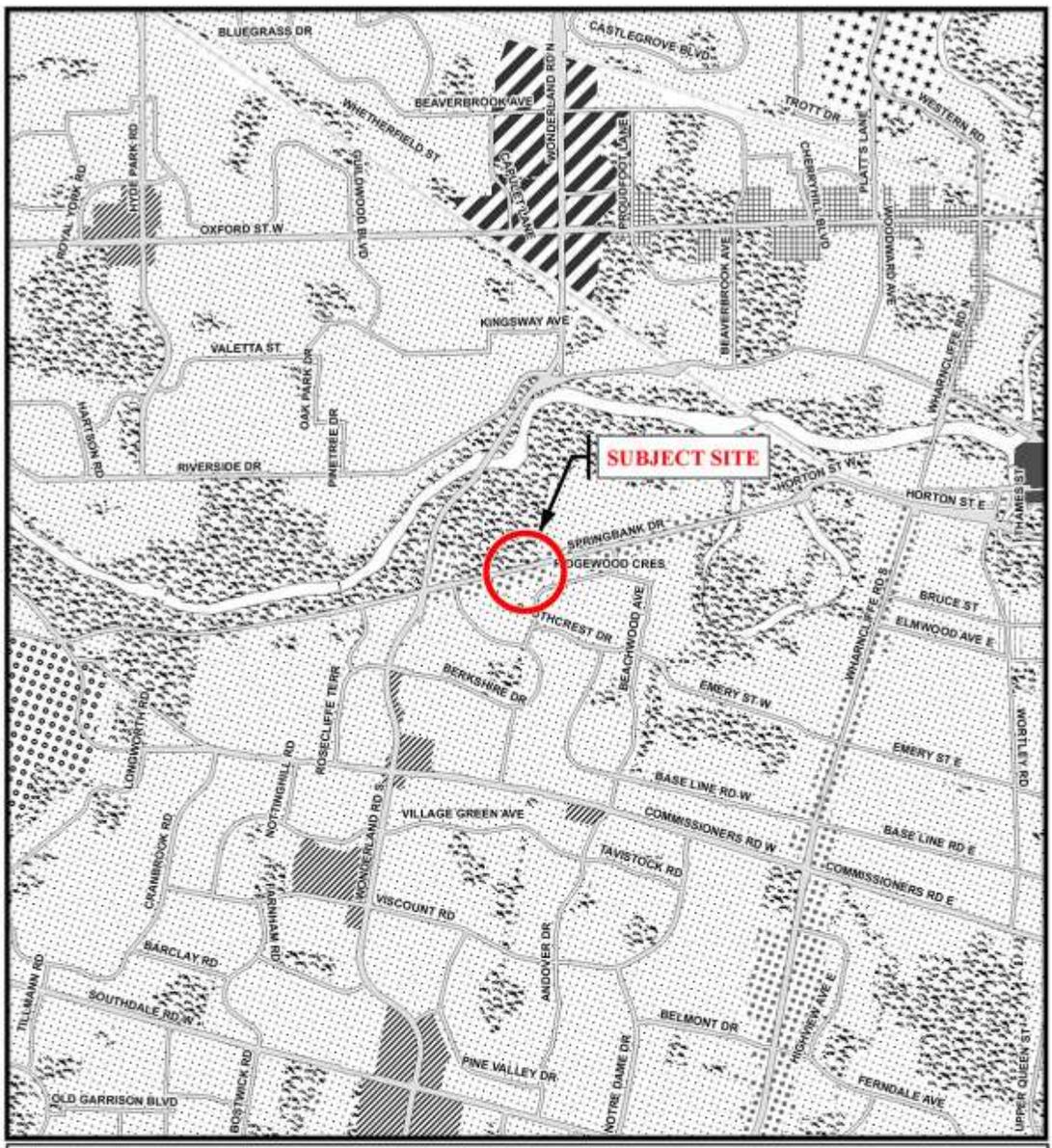
Site Plan Control Area By-law

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

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

Scale 1:30,000

Meters

File Number:	OZ-8995
Planner:	MC
Technician	RC
Date:	February 27, 2019

Project Location: E:\Planning\Projects\p_zoning\z-1zones\amendments\OZ-8995\projects\LP-Placetypes-Excerpt.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
DC - DAY CARE

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO: OZ-8995 MC

MAP PREPARED: 2019/02/27 CK

1:2,500
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Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **George Kotsifas P. Eng.,**
Managing Director, Development & Compliance Services and Chief Building Official
Subject: **Application by: 761030 Ontario Limited**
4680 Wellington Road South
Meeting on: **May 13, 2019**

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 761030 Ontario Limited relating to the property located at 4680 Wellington Road South, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 21, 2019 to amend Zoning By-law Z.-1 in conformity with the Official Plan, by extending the Temporary Use (T-74) Zone for a period not exceeding three (3) years.

Executive Summary

Summary of Request

The recommended amendment would permit the continuation of the existing temporary seasonal golf driving range facility for an additional three (3) years.

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to extend the existing Temporary Use (T-74) Zone to allow for the continuation of the existing golf driving range facility on the subject lands for three years.

Rationale of Recommended Action

1. The recommended amendment is consistent with Sections 1 and 2 of the Provincial Policy Statement 2014 which directs Planning Authorities to manage and direct land use efficiently and protect natural and cultural heritage resources.
2. The recommended amendment conforms to the policies of The London Plan and the Urban Reserve – Industrial Growth and Open Space designation policies 1989 Official Plan
3. The recommended temporary use is not intended to continue on a permanent basis.

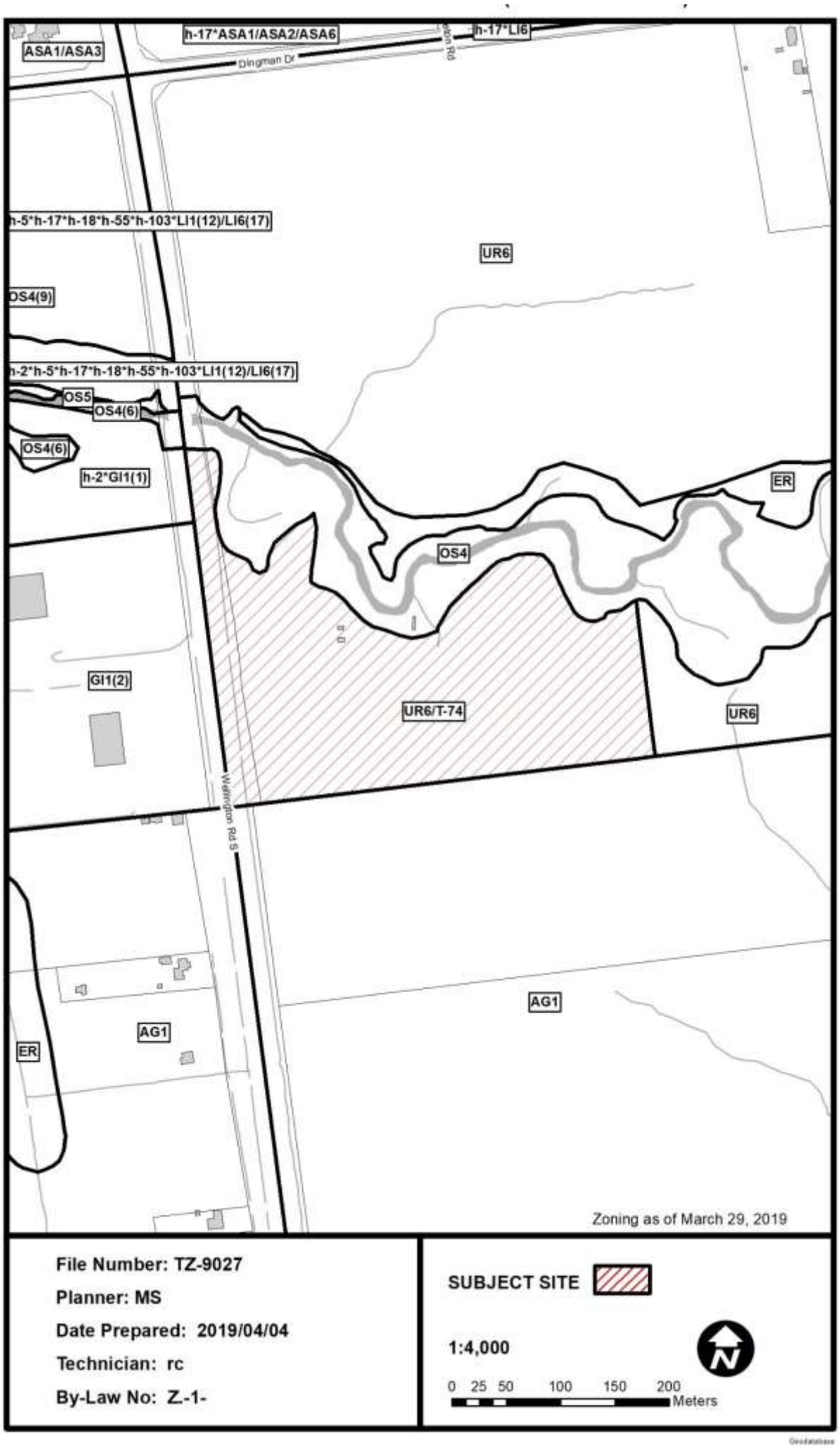
Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the east side of Wellington Road South, south of Dingman Drive and north of Urban Growth Boundary. The site is outside of the Built-Area Boundary and is currently being used for a seasonal golf driving range facility which forms part of a larger agricultural parcel which is bisected by Dingman Creek, the majority of which is regulated by the Upper Thames River Conservation Authority and is within the Dingman Screening Area. The subject lands are also listed on the Inventory of Heritage Resources as the Nichol Family Cemetery is located on-site within the Dingman Creek Corridor.

1.6 LOCATION MAP



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

- Official Plan Designation – Urban Reserve – Industrial Growth
- The London Plan Place Type – Future Industrial Growth
- Existing Zoning – Temporary Use Urban Reserve (UR6/T-74) Zone

1.3 Site Characteristics

- Current Land Use – Existing golf driving range as part of a larger agricultural parcel
- Frontage – 183 m (600 feet)
- Depth – 360 m (1,180 feet)
- Area – 6.5 ha (16.2 ac)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Open space and agricultural uses;
- East – Agricultural uses;
- South – Agricultural uses;
- West – General industrial uses.

2.0 Description of Proposal

2.1 Development Proposal

The applicant is not proposing any new development as part of this amendment. The request is to permit the continuation of the existing golf driving range facility for an additional three years.

3.0 Relevant Background

3.1 Planning History

The subject lands have functioned as a seasonal golf driving range facility since 1994, during which they were zoned General Industrial (M2-5) in the Township of Westminster Zoning By-law.

The Township Council adopted a Zoning By-law amendment in September of 1994 to permit the temporary use of the subject lands for a driving range facility for a period of three years. An Archaeological Assessment was also completed at this time in 1995.

The temporary use was extended for an additional three years in May of 1998 (By-law No. 2000-130) and again in August of 2001 (By-law No. 2000-145). The temporary use zone permitting the use lapsed in 2004.

Municipal Council adopted Annexed Area Zoning By-law No. Z.-1-051390 in 2005 which changed the zoning of the subject lands from the General Industrial (M2-6) Zone to an Urban Reserve (UR6) Zone to permit, among other uses, existing defined industrial uses, kennels, and both outdoor recreation clubs and passive recreation uses. The Urban Reserve (UR6) Zone did not permit the use of the subject lands for a driving range. By-law No. Z.-1 051390 also zoned the southerly portion of the property from a General Agriculture (AI) Zone (in the Township of Westminster Zoning By-law) to an Agricultural (AG1) Zone. Like the Urban Reserve (UR6) Zone which was applied to the majority of the existing facility, the Agricultural (AG1) Zone did not permit the use of the lands for a driving range.

The property was acquired by the current owner in 2008 who continued to operate the seasonal driving range and was informed in 2014 that the use was not permitted by the Zoning By-law. The owner applied for a new Temporary Use Zone, which was granted on June 20, 2016 to permit the existing driving range facility for a temporary period of three years.

3.2 Requested Amendment

The requested amendment would permit the continuation of the existing golf driving range facility on the subject lands for three years. Possible change to Zoning By-law Z.-

1 from an Urban Reserve/Temporary Use (UR6/T-74)) Zone which permits a range of pastoral and existing industrial uses, conservation, and passive recreation uses, as well as a golf driving range facility for a temporary period not exceeding three (3) years, to an Urban Reserve/Temporary Use (UR6/T-74)) Zone to permit, in addition to the full range of uses in the Urban Reserve/Temporary Use (UR6/T-74)) Zone noted above, the continuation of the existing golf driving range facility use on the subject lands for an additional three (3) years.

3.3 Community Engagement (see more detail in Appendix B)

On February 27, 2019, Notice of Application was sent to all property owners within 120 metres of the subject lands. One response was received at the time this report was prepared, indicating that there is no objection to the temporary continuation of the use. Notice of Application was published in The Londoner on February 28, 2019.

3.4 Policy Context (see more detail in Appendix C)

The subject site is located in the Future Industrial Growth and Green Space Place Types in The London Plan, and is designated Urban Reserve – Industrial Growth and Open Space in the 1989 Official Plan.

Provincial Policy Statement, 2014

The Provincial Policy Statement 2014 (PPS) 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 the efficient use of land and resources and land uses which are appropriate for, and efficiently use, the infrastructure which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion (1.1.3.2.). The PPS also states that natural features and areas shall be protected for the long term (2.1.1.), and that significant built heritage resources and significant cultural heritage landscapes shall be conserved (2.6.1.).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report and include some of the Place Type policies pertinent to this planning application. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan provides Key Directions (54_) to be considered in reviewing applications which provide direction and focus which serve as a foundation to the policies of the Plan. Each direction encompasses a variety of strategies intended to guide planning and development over the twenty year planning horizon. Due to the nature of the proposed use in an area identified for future industrial development, the relevant Key Direction, Direction #8 Make wise planning decisions (62_) is most applicable in this context which presents the following strategies:

1. Ensure that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement.
2. Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions.
3. Think “big picture” and long-term when making planning decisions – consider the implications of a short-term and/ or site-specific planning decision within the context of this broader view.
8. Avoid current and future land use conflicts – mitigate conflicts where they cannot be avoided.
9. Ensure new development is a good fit within the context of an existing neighbourhood.

Balancing the environmental, cultural heritage, and future development considerations with respect to the extension of the Temporary Use Zone, while maintaining the long term use of the land, forms the basis for the recommendation. The long term land use conflicts have been mitigated as there is no development proposed as part of this application, and the short term temporary use may only be extended beyond three years subject to Council approval.

The London Plan also provides clear direction for each Place Type. The Future Industrial Growth Place Type is applied to lands which are expected to develop for industrial uses pending future study (1156_). The Place Type provides for a limited range of new uses. To prevent premature development, new uses which are similar to existing uses and would not have an impact on the future comprehensive planning development of these lands may be permitted (1163_).

A portion of the subject lands are also within the Green Space Place Type which provides for the protection and enhancement of natural heritage features and areas recognized as having city-wide, regional, or provincial significance. To the north of the subject lands, Dingman Creek bisects the subject property. Where development is proposed adjacent to components of the Natural Heritage System, the Environmental Policies of the Plan require environmental impact studies to confirm or redefine the boundaries of such components to ensure the development does not negatively impact the natural features and their ecological function (1431_). The applicant is not proposing any development or structures, and as such the Upper Thames River Conservation Authority has indicated that they are satisfied that the continuation of the temporary golf driving range facility will not negatively impact the natural heritage features on site.

Southwest Area Secondary Plan

The subject lands are located within the Brockley Industrial Neighbourhood in the Southwest Area Secondary Plan (SWAP). Schedule 16 to the SWAP designates the subject lands Urban Reserve-Industrial Growth. As the Brockley Industrial Neighbourhood policies do not specifically include specific policies for the designation, it is therefore appropriate to consider the Urban Reserve – Industrial Growth policies of the parent 1989 Official Plan.

1989 Official Plan

The Urban Reserve designation is intended to provide a general indication of the mix of urban land uses proposed for the area. The Urban Reserve – Industrial Growth designation is expected to transition in the future and will generally be composed of uses permitted in the Light Industrial, General Industrial, and Office Business Park designations. Notwithstanding this intent, Council may re-designate Urban Reserve lands for any use through the community planning process and an amendment to the Plan. (9.4.3.)

Similarly to the Green Space Place Type applied through The London Plan, a portion of the subject site is also designated Open Space by the 1989 Official Plan which is applied to lands within a flood plain or are susceptible to erosion and unstable slopes, including natural heritage areas. Permitted uses are limited to non-intensive uses including agriculture, conservation, essential public utilities and municipal services, and private open space uses such as cemeteries and private golf courses subject to applicable zoning (8A.2.2).

Chapter 15 – Environmental Policies provide additional direction with respect to natural heritage features and environmentally sensitive areas, and expands on the range of permitted uses within the Open Space Designation to include existing uses (15.3.2.ii).

4.0 Key Issues and Considerations

Through the circulation process there were no substantial concerns or issues raised by internal departments or commenting agencies based on the proposal submitted. The section below identifies key issues and considerations in detail.

4.1 Issue and Consideration # 1: Extension of the Temporary Use (T-74) Zone

Provincial Policy Statement, 2014 (PPS)

The PPS is intended to be read in its entirety with all relevant policies applied based on the development proposed and the context of the subject site, which in this instance includes the policies of Section 1: Building Strong Healthy Communities, Section 2: Wise Use and Management of Resources, and Section 3: Protecting Public Health and Safety (1.1.5.1). The extension of the existing use is consistent with the goals and intent of the PPS 2014 as it does not negatively impact the natural and cultural heritage resources on the subject lands, and is appropriate for the existing infrastructure and service levels available to the site (1.1.3.2.). Heritage Planning has confirmed that as no new development is proposed, there are no heritage planning or archaeological issues associated with this amendment.

The London Plan and 1989 Official Plan

As noted above, the Future Industrial Growth Place Type applied to the subject site permits existing uses, and new uses which are similar to the existing uses and do not inhibit the lands from developing in their intended manner in the future (1163_). The Place Type is applied strategically to provide for development opportunities consistent with the City's Industrial Land Development Strategy, and a restrictive approach is taken to lot creation and other forms of development in the Place Type to avoid patterns of land that will detract from the intended comprehensive planning process (1157_,1159_).

The Urban Reserve – Industrial Growth designation is applied to lands which are intended to transition to Light Industrial, General Industrial, and Office Business Park designations in the long term (9.4.3.) Similar to the policies of The London Plan noted above, the designation permits a limited range of uses based on the nature of existing uses due to concerns regarding premature development (9.4.2.).

Both The London Plan and the 1989 Official Plan contain policies regarding the implementation of temporary use by-laws to authorize the temporary use of land, buildings, or structures for a purpose otherwise prohibited by the Plan. The criteria for evaluating a temporary use by-law are largely similar between Plans, only differing in The London Plan by the inclusion of two additional matters which City Council will have regard for. Policy 19.4.5. in the 1989 Official Plan and Policies 1671_, 1672_ and 1673_ require that when enacting a temporary use by-law, City Council will have regard for the following matters:

1. *Compatibility of the proposed use with surrounding land uses.*

The lands surrounding the subject site are predominantly used for agricultural and industrial uses, with some commercial and residential uses on properties near Dingman Drive. The seasonal golf driving range facility has been in operation since 1995 and has demonstrated that the use is compatible with surrounding land uses, and does not limit the ability of these lands to function in their intended manner.

2. *Any requirement for temporary buildings or structures in association with the proposed use.*

The applicant is not proposing any buildings or structures in association with the proposed use.

3. *Any requirement for temporary connection to municipal services and utilities.*

The temporary use does not require connection to municipal services and utilities.

4. *The potential impact of the proposed use on mobility facilities and traffic in the immediate area.*

As there are no expansions to the use proposed as part of the temporary use, there will be no increase in traffic or additional impacts on mobility facilities in the area. Transportation Design has no objections to the requested temporary use.

5. *Access requirements for the proposed use.*

The proposed access on the subject site is not changing as part of this application and is adequate for the proposed use.

6. *Parking required for the proposed use, and the ability to provide adequate parking on-site.*

The parking rate for a golf driving range is 1.5 spaces per tee. The existing parking facilities on the subject site are adequate for the requested temporary use.

7. *The potential long-term use of the temporary use.*

The applicant has requested an extension of the Temporary Use (T-74) Zone for an additional three years. Sanitary servicing is not currently available to the subject lands and the City has no plans in the foreseeable future to extend services in this location. Until such time as the market demands that these lands be utilized for industrial purposes, the passive nature of the temporary use and the minimal on-site infrastructure it requires does not preclude the ability of the lands to develop in the future for industrial purposes. The seasonal golf driving range use has been in operation in excess of twenty years and has established compatibility with the surrounding land uses

8. *In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.*

This application will not facilitate a temporary commercial surface parking lot in the Downtown.

9. *The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands*

The portion of the site subject to this application is adjacent to the Urban Growth Boundary within the Future Industrial Growth Place Type and outside of the Built-Area Boundary. The intended long-term use of the subject site is for industrial purposes, provided the necessary studies and approvals are completed given the existing servicing challenges and natural and cultural heritage features on-site. As noted above, the continuation of the temporary use does not pose an impediment to the long-term development of the site.

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

5.0 Conclusion

The requested amendment to change the zoning on the subject site to allow for the continuation of the temporary use of the lands for a golf driving range facility for an additional three years is consistent with the PPS 2014 and with the City of London 1989 Official Plan and The London Plan.

Prepared by:	**Meg Sundercock, BURPL** **Site Development Planner, Development Services**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P.ENG** **Managing Director, Development and Compliance Services and Chief Building Official**
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	

May 6, 2019
MS\ms

cc. Michael Tomazincic, Manager, Current Planning, Development Services

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2019 Applications 9002 to\9027TZ - 4680 Wellington Street South (MS)\PEC\DRAFT 4680 Wellington Road South - TZ-9027 - MS.docx

Appendix A

Bill No.(number to be inserted by Clerk's Office) 2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone a portion of an area of land located at 4680 Wellington Road South.

WHEREAS 761030 Ontario Limited have applied to extend the Temporary Use (T-74) Zone as it applies to a portion of the property located at 4680 Wellington Road South for a period not to exceed three (3) years;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-162487 approved the Temporary Use for 4680 Wellington Road South for a period not exceeding three (3) years beginning June 23, 2016;

AND WHEREAS the Municipal Council of the Corporation of the City of London deems it advisable to extend the Temporary Use for the said property for a period not exceeding three (3) years;

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. Section Number 50.2(74) of the Temporary (T) Zone is amended by adding the following subsection for a portion of lands known municipally as 4680 Wellington Road South:

74) T-74

This Temporary Use is hereby extended for an additional three (3) years beginning May 21, 2019.

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 May 21, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

Appendix B – Public Engagement

Community Engagement

Public liaison: On February 28, 2019, Notice of Application was sent to 34 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 1, 2019. A "Planning Application" sign was also posted on the site.

1 reply was received

Nature of Liaison: To extend the existing Temporary Use (T-74) Zone to allow for the continuation of the existing golf driving range facility on the subject lands for an additional three (3) years.

Responses: 1 response was received, which indicated no objection to the continuation of the use of the lands for a golf driving range facility for an additional three years.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
N/A	Dave and Kim Stewart 2525 Dingman Drive

Agency/Departmental Comments

Upper Thames River Conservation Authority

As indicated, the subject lands are regulated by the UTRCA and are located within the Dingman Subwatershed Screening Area. A Section 28 permit will not be required for the purpose of this application as it is a continuation of an existing use. Should any new buildings or structures be proposed on the subject lands, the applicant shall pre-consult with the UTRCA and a Section 28 permit will be required.

Engineering Review

Engineering has no comments for the re-zoning.

Heritage Planning

Due to the limited scope of work indicated in the proposal summary (i.e. no new development, paving or construction is being proposed) – there are currently no heritage planning or archaeological issues associated with this file on this property.

London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Appendix 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

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
  - 1.1.3.1
  - 1.1.3.2 a, b
  - 1.1.3.3
  - 1.1.3.4
  - 1.1.3.6
  - 1.1.3.7 b

2.0 Wise Use and Management of Resources
- 2.1 Natural Heritage
  - 2.1.1
  - 2.1.2
- 2.6 Cultural Heritage and Archaeology
  - 2.6.1
  - 2.6.2
  - 2.6.3

1989 Official Plan

Open Space
8A.2. Open Space
8A.2.2 Permitted Uses

Urban Reserve
9.4.2. Permitted Uses
9.4.3. Proposals for a Change in Designation

Environmental Policies
15.2.3 Natural Heritage Policies – Open Space – Environmental Review
15.3 Natural Heritage Areas Designated as Open Space

15.3.2 ii) a) Permitted Uses

Implementation
19.1.1 ii) Delineation of Flood Plain, Environmental Features
19.4 Zoning
19.4.5 Temporary Use By-laws

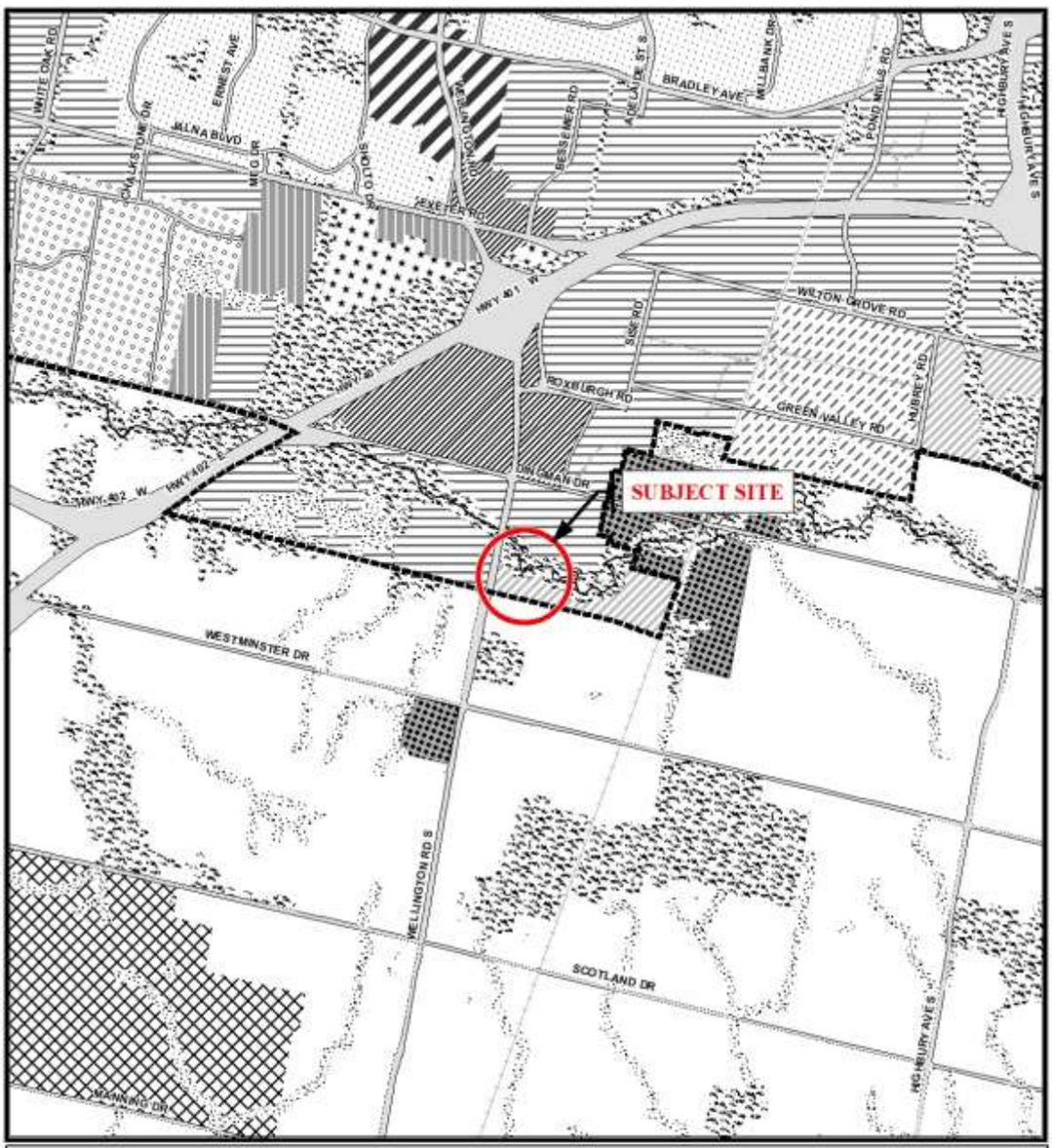
The London Plan
Our Strategy
58_ Direction #4 Become one of the greenest cities in Canada
62_ Direction #8 Make wise planning decisions

Green Space
760_ Role within the City Structure
761_ How will we realize our Vision?
762_ Permitted Uses

Future Industrial Growth
1153_Our Vision for the Future Growth Place Type
1154_, 1155_ Role within the City Structure
1156_ 1157_ Future Industrial Growth Place Type
1159_, 1160_, 1161_, 1162_ How will we Realize our Vision?
1163_ Permitted Uses
1164_ Planning and Development Applications

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

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 -

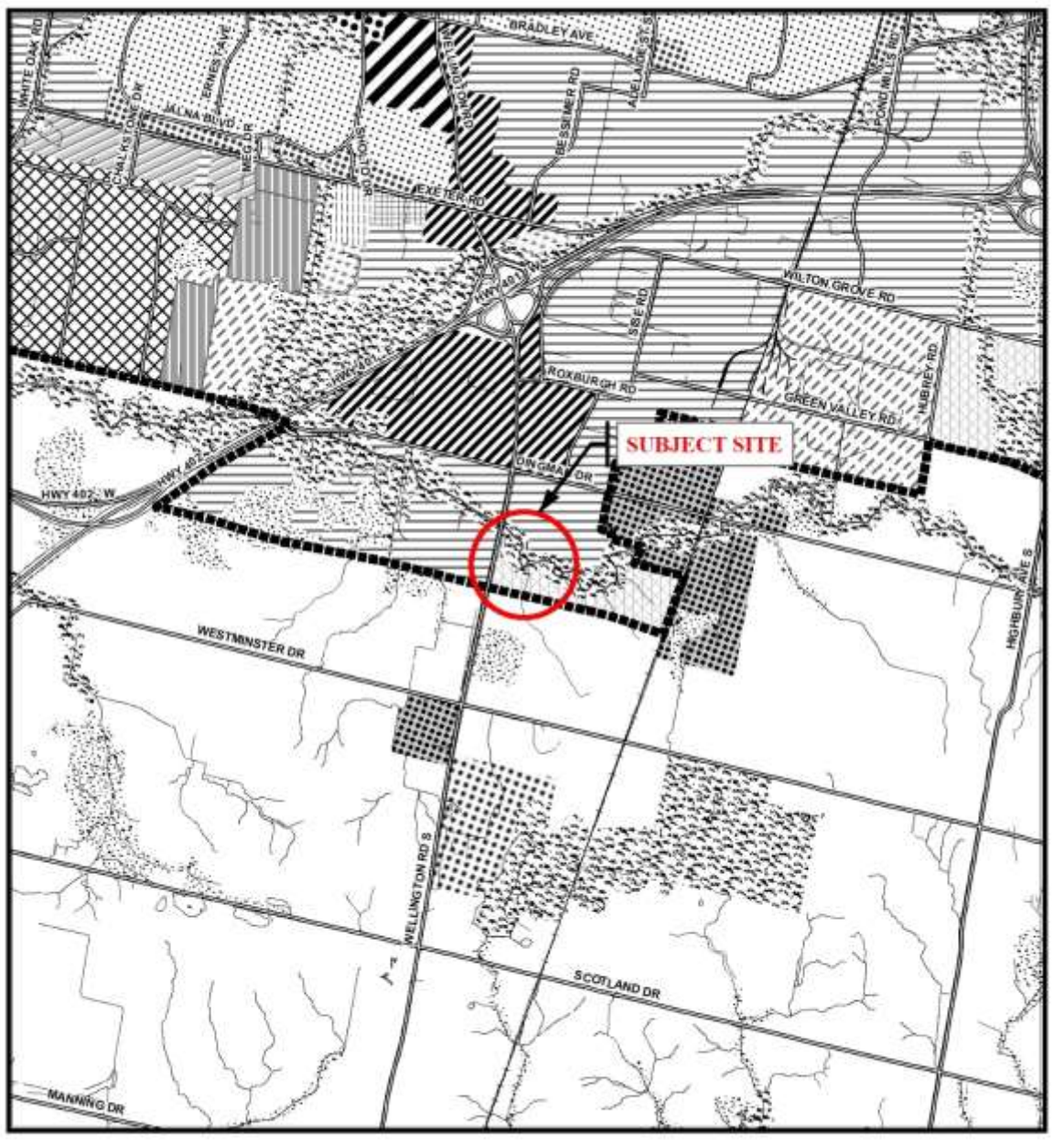
PREPARED BY: Planning Services

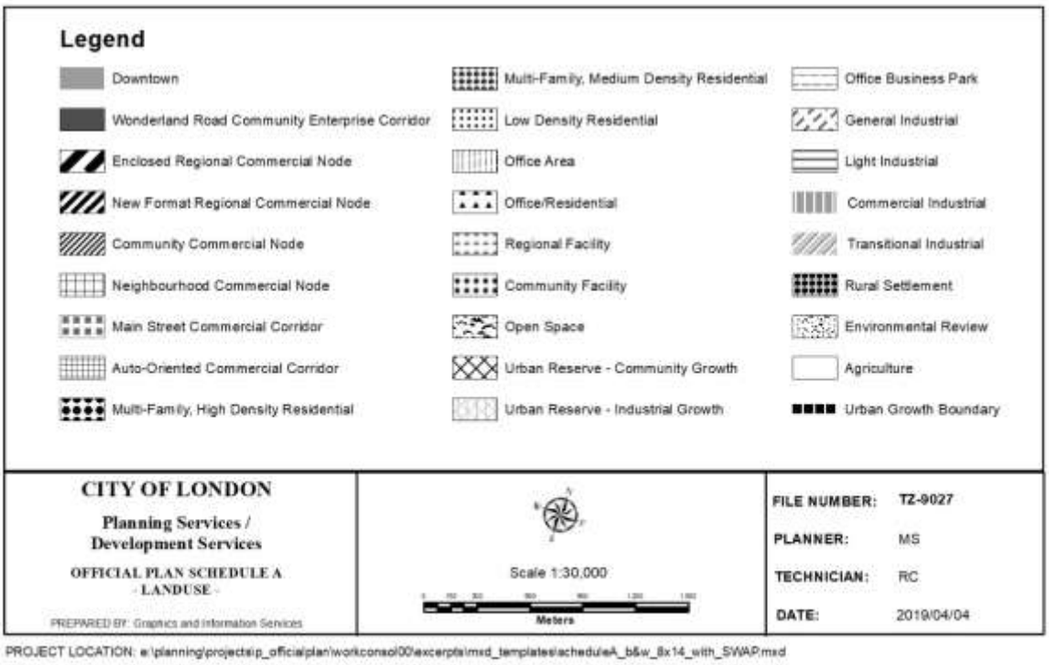
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Meters

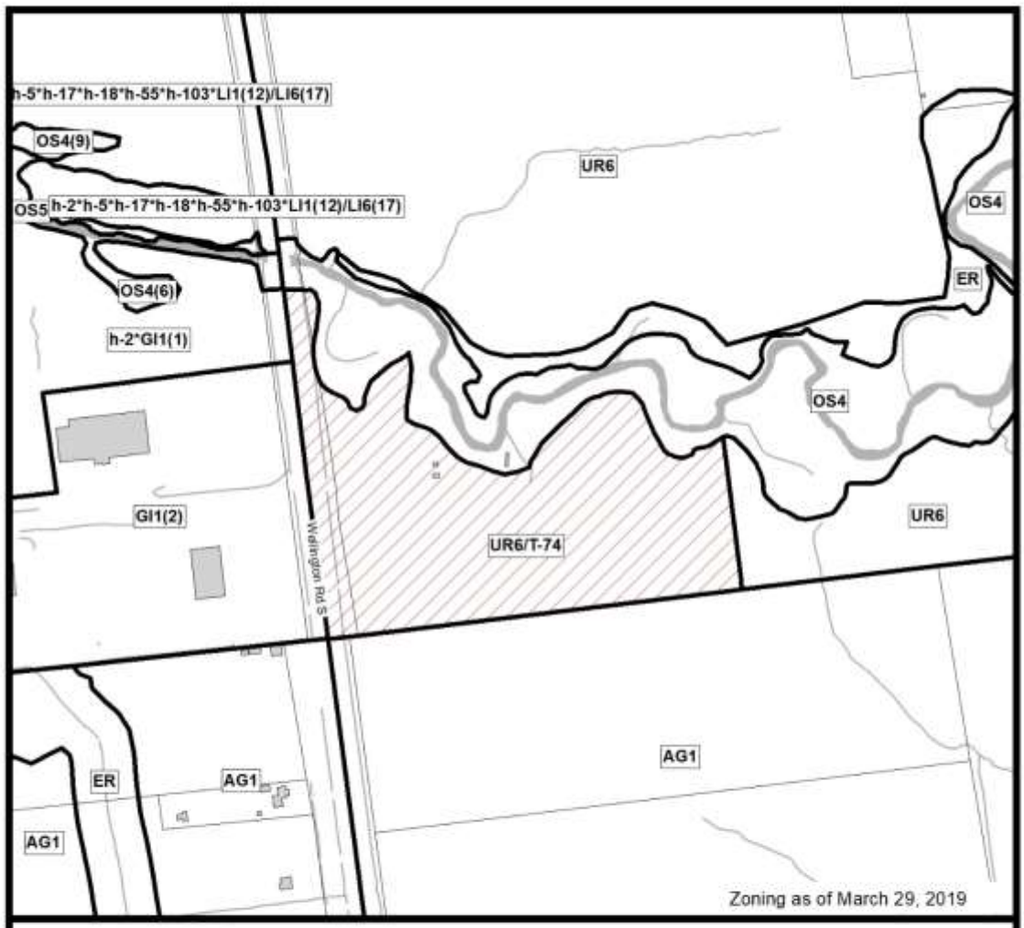
File Number:	TZ-9027
Planner:	MS
Technician	RC
Date:	April 4, 2019

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\TZ-9027-EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd





PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_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
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: TZ-9027 MS

MAP PREPARED: 2019/04/04 RC

1:5,000
0 25 50 100 150 200 Meters

Additional Reports

Z-6096 – Report of the Commissioner of Planning and Development, July 30, 2001, recommending the extension of a temporary zone to permit a golf driving range and accessory structures for a period of not more than three years from the date of the passing of the by-law.

Z-8603 – Report to the Planning & Environment Committee, June 20, 2016, recommending the approval of a temporary zone to permit a golf driving range and accessory structures for a period of not more than three years from the date of the passing of the by-law.

Report to Planning and Environment Committee

To: **Chair and Members**
Planning and Environment Committee
From: **John M. Fleming**
Managing Director, Planning and City Planner
Subject: **Demolition Request for Heritage Designated Property at 123 Queens Avenue by JAM Properties Inc.**
Public Participation Meeting on: Monday May 13, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of a heritage designated property located at 123 Queens Avenue, within the Downtown Heritage Conservation District, the following report **BE RECEIVED** and the following actions **BE TAKEN**:

A. That the demolition request **BE REFUSED**; and,
B. That the Chief Building Official **BE ADVISED** of Municipal Council's intention in this matter.

Executive Summary

A demolition request was received for the heritage designated property located at 123 Queens Avenue. The subject property is located within the Downtown Heritage Conservation District. The request for demolition is due to health and safety concerns arising from the unsecured nature of the building, not structural concerns, and the property is proposed to be used for an interim surface parking lot. A Heritage Impact Assessment accompanied the demolition request for the property, which found that both direct and indirect impacts are anticipated as a result of the proposed site alteration.

Although retention of the building at 123 Queens Avenue has not been recommended in the Heritage Impact Assessment, the anticipated impacts as a result of the demolition of the property would need to be mitigated. The property has been designated as part of the Downtown Heritage Conservation District and the property contributes to the existing streetscape and character of the District. Impacts to the streetscape and to the property at 123 Queens Avenue cannot be mitigated with the development of a surface parking lot. The *Downtown Heritage Conservation District Plan* recognizes that there are situations where demolition may be permitted to allow for redevelopment that is in keeping with appropriate City policies and where the impact associated with the alterations to the property are able to be mitigated. Such redevelopment has not been proposed in this instance.

The purpose and effect of the recommended action is to refuse the demolition request for the heritage designated property at 123 Queens Avenue.

Analysis

1.0 Background

1.1 Property Location

The property at 123 Queens Avenue is located on the south side of Queens Avenue, east of Talbot Street (Appendix A). The structure at 123 Queens Avenue bookends the west side of the commercial parking lots that stretches between Talbot Street and Richmond Street.

1.2 Heritage Status

The property at 123 Queens Avenue is designated under Part V of the *Ontario Heritage Act*, as it is located within the Downtown Heritage Conservation District, which was

designated in 2013 by By-law No. L.S.P. - 34191-24. The property is ranked C in the *Downtown Heritage Conservation District Plan*. Properties that have a C ranking contribute to the Downtown Heritage Conservation District and must still comply with the Design Guidelines within Section 6.0 of the *Downtown Heritage Conservation District Plan*.

1.3 Description

The building located at 123 Queens Avenue was built between 1916 and 1922. The building at 123 Queens Avenue is a three storey**,** red brick, industrial structure that is connected to 450 Talbot (Appendix B). The building located at 450 Talbot Street was one of the London's first buildings constructed using reinforced concrete, a construction method continued that continued at 123 Queens Avenue (Stantec 3.7). The building is constructed of reinforced concrete, reinforced concrete masonry units, and plain concrete masonry units.

The front façade is clad in red and buff brick with concrete posts and beams and is topped with a concrete parapet. The horizontal beams use to align with the beams at 450 Talbot Street (Appendix B, see Image 4). However, 450 Talbot Street has since been re-cladded. Ornamental concrete diamonds appear on the second and third storey between the concrete posts and beams. The remnants of Cities Heating Company sign and logo can still be seen on the horizontal beam between the first storey and second storey. The first storey has an off-centre entrance with a concrete lintel. A wooden door and transom window with municipal address number is inset from the front façade. Next to the doorway is a window opening with a concrete sill and lintel. Two windows with a concrete lintel have been filled in with red brick next to the laneway. A laneway divides 123 Queens Avenue and 450 Talbot Street at street level, but is connected at the second and third storeys.

The east and south façade is clad in parged concrete and contains window openings on the second and third floor with no windows remaining. The west façade is also clad in parged concrete. The third storey contains five window openings with concrete windowsills and what appear to be the original windows. The windows are 15-pane glass windows with six panes in the middle that pivot open. The second storey contains five window openings with concrete sills. The connection between 450 Talbot Street and 123 Queens Avenue contains one 20 and one 25 pane glass windows with concrete sills. Just above the laneway is a large window opening with a concrete sill. The first storey contains three entrances and three window openings with metal bars and concrete sills.

The attributes of the property located at 123 Queens Avenue, such as scale, location, materials, and features support the character of the Downtown Heritage Conservation District. The physical connection with the adjacent property located at 450 Talbot Street also contributes to the pattern of development within the Downtown Heritage Conservation District and contributes to the Queens Avenue streetscape.

1.4 Property History

The building located on the property at 123 Queens Avenue originally housed two boilers for Green-Swift as well as a chimney, coal hopper, and boiler feed pumps. The building was built as an addition for the clothing manufacturer, the Greene-Swift Company, at 450 Talbot Street. Although, the Greene-Swift company was mainly a clothing manufacturer, they also sold the exhaust from the boiler to nearby buildings as steam heat (Stantec 3.7). The addition of two new boilers meant that Greene-Swift could expand their ability to sell steam heat.

By 1928 the steam heating component of the Greene-Swift Company formed a separate company known as the Cities Heating Company and was assigned the municipal address of 123 Queens Avenue (Stantec 3.7). Between 1925 and 1939, the Cities Heating Company expanded and an addition to 123 Queens Avenue was built. By 1958, the Cities Heating Company was supplying heat to the majority of downtown businesses, including the Kingsmills Department Store, Covent Garden Market, and the Simpsons Department Store (Stantec 3.7).

From the 1950s until about 1989, Cities Heating Company was owned by Thomas Hayman, a noted member of the community and avid outdoorsman (Stantec 3.8). He was also a columnist for the London Free Press, writing the "World Outdoors" column for 48 years (Stantec 3.8). According to the research uncovered in the Heritage Impact Assessment, Hayman's dedication to conservation and birding earned him an award from the Ontario Field Ornithologists in 2003 and the Conservation Award from Nature London in 2006 (Stantec 3.8). Hayman passed away in 2014.

In 1989, Hayman sold Cities Heating Company to Trigen, who until 1993, continued to use the Cities Heating Company name. The directories listed 123 Queens Avenue as "Trigen London District Energy and Cities Heating Company" (Stantec 3.8). In 1994, the Cities Heating Company name was retired, becoming knowns as London District Energy, and the plant and offices at 123 and 125 Queens Avenue were closed (Stantec 3.8). Trigen left 123 and 125 Queens Avenue in 1995 (Stantec 3.8).

In 2003, the building located at 125 Queens Avenue, which was built as an addition for Cities Heating Company, was demolished. In 2010, the original east façade of 123 Queens Avenue was parged over in response to a Property Standards Order. The property at 123 Queens Avenue continues to be vacant.

1.5 Downtown Development – 20th century

The building located at 123 Queens Avenue is directly associated with London's downtown development during the 20th century. During the early 20th century the City of London was in the midst of an industrial boom. Many modern improvements arrived in the City of London, such as electrical power from Niagara Falls, paving main roads in in asphalt, and the distribution of water by the Public Utilities Commission. During the 1930s, several major building projects were completed in London, including the underpass of Richmond Street under the CNR tracks and construction of the Dominion Public Building, located approximately 50 metres east of 123 Queens Avenue.

The building located at 123 Queens Avenue participated in London's industrial development of the 20th century. The building at 123 Queens Avenue began selling steam heat to nearby buildings between 1916 and 1922 and by 1928 the company known as Cities Heating Company was formed (Stantec 3.7). By 1958, Cities Heating Company was supplying heat to the majority of downtown businesses. The research completed by Stantec for the Heritage Impact Assessment found that that Cities Heating Company provided heat to buildings south to York Street, west to Ridout Street, and east to Waterloo Street (3.7). The approximate northern extent of Cities Heating Company's service was not determined (Stantec 3.7).

2.0 Legislative and Policy Framework

2.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, Planning Act). The Provincial Policy Statement (2014) promotes the wise use and management of cultural heritage resources and directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved."

"Significant" means "resources that have been determined to have cultural heritage value or interest for the important contributions they make to our understanding of the history or a place, an event or a people" (PPS 2014). "Built heritage resource" means "a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers' (PPS 2014).

"Conserved" means "the identification, protection, management and use of built heritage resources, cultural heritage landscapes, and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage

Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments" (PPS 2014).

2.2 Ontario Heritage Act

Revisions to the Ontario Heritage Act strengthened its protection of Ontario's cultural heritage resources. While the pre-2005 Ontario Heritage Act could only delay the demolition of a building located on a heritage designated property for 180 days, revisions to the Ontario Heritage Act in 2005 enabled municipalities to refuse demolition requests of buildings located on heritage designated properties.

In requests for demolition of a building located on a heritage designated property, *the Ontario Heritage Act* enables municipalities to give the applicant:

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

Municipal Council must respond within 90 days after receipt of a demolition request. Consultation with the municipality's municipal heritage committee (the London Advisory Committee on Heritage) is required. Non-decision within 90-days, the refusal, or terms and conditions on the approval of a demolition request may be appealed to the Local Planning Appeal Tribunal (LPAT).

2.3 Official Plan/The London Plan

Chapter 13 (Heritage of the City of London's Official Plan (1989, as amended) recognizes that properties of cultural heritage value or interest

> *Provide physical and cultural links to the original settlement of the area and to specific periods or events in the development of the City. These properties, both individually and collectively, contribute in a very significant way to the identity of the City. They also assist in instilling civic pride, benefitting the local economy by attracting visitors to the City, and favourably influencing the decisions of those contemplating new investment or residence in the City.*

The objectives of Chapter 13 (Heritage) support the conservation of heritage resources, including encouraging new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources (Policy 13.1.iii). This direction is also supported by the policies of The London Plan (adopted 2016); The London Plan has greater consideration for potential cultural heritage resources that are listed, but not designated under the *Ontario Heritage Act*, through planning processes.

Applicable policies include:

- Policy 563_: In conformity with the Urban Regeneration policies in the Our City part of this Plan, initiatives will be taken to support the adaptive re-use of cultural heritage resources to facilitate economic revitalization of neighbourhoods and business areas.

- Policy 566_: Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered.

- Policy 567_: In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource is found necessary, as determined by City Council, archival documentation may be required to be undertaken by the proponent and made available for archival purposes.

- Policy 568_: Conservation of whole buildings on properties identified on the Register is encouraged and the retention of façades alone is discouraged.

> The portion of a cultural heritage resource to be conserved should reflect its significant attributes including its mass and volume.

The 1989 Official Plan and The London Plan also has policies related to Permitted Uses in the Downtown. Policy 4.1.6 in the 1989 Official Plan, addresses commercial parking structures and surface parking lots:

> viii) Commercial parking structures are a permitted use in the Downtown and are encouraged to locate in peripheral areas of the Downtown. The design of these structures along the street edge should be addressed through consideration of the Downtown Design Guidelines specifically requiring enhanced landscaping and consideration of pedestrian connections.
>
> The long term intent of the Plan is to improve the aesthetics of existing surface parking lots and to discourage new surface parking lots in the Downtown, especially where they involve the removal of buildings.

Policy 800_ in The London Plan also directs that new surface commercial parking lots shall not be permitted. Although, this policy is currently under appeal at the time of writing, it is important to note the permitted uses in the Downtown.

2.4 Downtown Heritage Conservation District

The *Downtown Heritage Conservation District Plan* came into force an effect in 2013 by By-law No. L.S.P. - 34191-24. The *Downtown London Heritage Conservation District Plan* provides polices and guidelines to protect, manage, and enhance the unique heritage attributes and character of London's Downtown.

The *Downtown London Heritage Conservation District Plan* contains specific policies with regard to demolition. Section 4.6 of the *Downtown London Heritage Conservation District Plan* contains the following policies on demolition within the district:

> *The goal of a heritage conservation district is to preserve and protect the heritage assets within the short term and over the long term. Demolition of buildings within a heritage district is strongly discouraged.*

However, the *Heritage Conservation District Plan* recognizes that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies.

Principles outlined in Section 3.1 of the *Downtown Heritage Conservation District Plan*, establish fundamentals derived from The Venice Charter (1964). One of these heritage principles, is particularly pertinent to demolition requests:

> *Find a Viable Social or Economic Use - Buildings that are vacant or underutilized come to be perceived as undeserving of care and maintenance regardless of architectural or historic merit. City Council and staff should actively encourage and support appropriate forms of adaptive reuse when necessary to preserve heritage properties.*

Encouraging redevelopment, intensification, and acceptance of the Downtown as the cultural and social focus of the community is a social goal and objective of the Downtown Heritage Conservation District Plan. There are also goals for the *Downtown Heritage Conservation District Plan*, which include the retention, conservation, and adaption of existing building stock as well as encouraging the repair and maintenance of heritage buildings.

2.5 Property Standards

The City of London has implemented By-law CP-16 (Property Standards By-law) that outlines the standards for Heritage Properties. Section 2.7 of the Property Standards By-law defines "maintained", in respect of heritage attributes, as maintained, preserved, protected, repaired, reconstructed, refinished, or replaced, in compliance with the *Ontario Heritage Act*.

Section 2.7.2 directs that:

> *In addition to the minimum standards for the maintenance of property set out in this by-law, all of the heritage attributes of a Part IV heritage property and a Part V heritage property shall be maintained.*

Section 2.8 of the Property Standards By-law applies only to vacant buildings on a Part IV heritage property or a Part V heritage property. Section 2.8 directs that:

> (2) Despite section 4.3, in order to minimize the potential of deterioration of a building, where the exterior doors, windows or other openings are missing, broken, improperly fitted, unsecure or in disrepair, or where the property remains vacant for a period of 30 days or more, the property shall be boarded in compliance with the following requirements:
>
> > (a) all boards used in the boarding shall be installed from the exterior and shall be properly fitted in a watertight manner to fit within the side jambs, head jamb and the exterior bottom sill of the door or window so that any exterior trim remains uncovered and undamaged by the boarding;
> >
> > (b) all boards should be at least 12.7mm (0.5 in.) weatherproofed sheet plywood secured with nails or screws at least 50 millimetres (2 inches) in length and be installed at appropriate intervals on centre;
> >
> > (c) all boards shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.
>
> (4) In addition to section 4.6, the exterior of the building shall be maintained to prevent moisture penetration and damage from the elements.

3.0 Demolition Request

The property owner's written notice of their intention to demolish the building located on the heritage designated property at 123 Queens Avenue was received on March 27, 2019. This demolition request was accompanied by a Heritage Impact Assessment (prepared by Stantec dated March 26, 2019) (Appendix C).

Municipal Council must respond to a request for the demolition of a heritage designated property within 90 days, or the request is deemed consented. During this 90 day period, the London Advisory Committee on Heritage (LACH) is consulted and, pursuant to Council Policy, a public participation meeting is held at the Planning and Environment Committee.

The 90-day period for the demolition request for the building located on 123 Queens Avenue expires on June 25, 2019.

Consultation
Pursuant to Council Policy for the demolition of heritage designated properties, notification of the demolition request was sent to 47 property owners within 120m of the subject property on April 23, 2019, as well as community stakeholders including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Notice was also published in The Londoner on April 25, 2019. At the time of writing, no replies have been received seeking further information regarding this demolition request.

4.0 Analysis

A Heritage Impact Assessment accompanied the demolition request for the building located at 123 Queens Avenue. JAM Properties Inc. retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment for 123 Queens Avenue. The

property owner recently purchased the property and is requesting demolition due to health and safety concerns and plans to turn the property into an interim parking lot.

The Ministry of Tourism, Culture, and Sport's Info Sheet #5 provides the purpose of a Heritage Impact Assessment and what should be included in the assessment. A Heritage Impact Assessment, according to the Ministry of Tourism, Culture, and Sport is:

> *a study to determine if any cultural heritage resources (including those previously identified and those found as part of the site assessment) are impacted by a specific proposed development or site alteration. It can also demonstrate how the cultural heritage resource will be conserved in the context of redevelopment or site alteration. Mitigative or avoidance measures or alternative development or site alteration approaches may be recommended. (MTCS, Infosheet #5)*

The impacts to a cultural heritage resources are assessed on a case by case basis.

4.1 Impacts to Heritage Designated Properties

The Heritage Impact Assessment reviewed the *Downtown Heritage Conservation District Plan* and character statements of the Downtown Heritage Conservation District. The Heritage Impact Assessment found that:

> *"Both direct and indirect impacts are anticipated as a result of the proposed development. Direct impacts include the demolition of the structure at 123 Queens Avenue. This is an irreversible impact and contrary to the policies of the Downtown London HCD, which discourages demolition of heritage buildings." (Stantec 6.3)*

Direct impacts are also anticipated to the building located at 450 Talbot Street as the building is both physically and historically connected to the building at 123 Queens Avenue. The building at 450 Talbot Street is physically connected at the second and third story to the building at 123 Queens Avenue and demolishing the building at 123 Queens Avenue would result in alterations to the east façade of 450 Talbot Street. The building located at 123 Queens Avenue was built as an addition to 450 Talbot Street. The Greene-Swift Company began selling exhaust from the boiler to nearby buildings as steam heat and the addition, located at 123 Queens Avenue, meant that the Greene-Swift Company could expand their ability to sell steam heat. Despite the success of the Cities Heating Company, the Greene-Swift Company did not survive the Great Depression and closed during the 1930s.

Indirect impacts, such as vibration, are also identified as having impacts on adjacent buildings within 50 metres of the property at 123 Queens Avenue (Stantec 6.3).

4.2 Impacts to the Downtown Heritage Conservation District

The Heritage Impact Assessment assessed how the proposed interim parking lot impacts the significant features or character of the Downtown Heritage Conservation District. Other anticipated direct impacts are to the heritage attributes and character of the Downtown Heritage Conservation District. The anticipated impacts include:

- The removal and alteration to original building composition of independent structures of typically two or three storeys
- The removal of existing building materials,
- Alteration of the existing streetscape along Queens Avenue, and
- The removal of the laneway connecting Talbot Street and Queens Avenue, which the Heritage Impact Assessment notes as being a "relatively unique characteristic in this portion of the Downtown HCD." (Stantec 6.5)

These anticipated impacts are the result of a change in the existing patterns of the building, lot, and landscape fabric as the building at 123 Queens Avenue, which contributes to these elements, would be removed and replaced with an empty lot (Stantec 6.3).

In the cases were no impacts are anticipated, it was noted that the scope of the proposed undertaking is not applicable to an attribute of the Downtown Heritage Conservation District.

4.3 Heritage Impact Assessment Recommendations

The Heritage Impact Assessment finds that retention in situ is not the preferred option because the health and safety concerns outweigh the retention of the building at 123 Queens Avenue. The health and safety concerns stem from the challenges securing the building. According to the Heritage Impact Assessment "the building has been repeatedly broken into and represents a substantial safety hazard to any unauthorized occupants" (Stantec 7.2). The health and safety concerns outweigh the retention of the building at 123 Queens Avenue because "the building does not contribute significantly to the streetscape" and does not communicate its history due to "the significant modifications in the front façade, including windows that have been closed in with bricks." (Stantec 7.2).

The building at 123 Queens Avenue successfully communicates its history within the City of London's downtown as the front façade retains many of its heritage attributes. The retention of the heritage features can easily be seen when comparing the photo from 1955 to the present front façade (Appendix B, Image 4). The front façade retains the red and buff brick cladding with concrete posts and beams, concrete parapet, ornamental concrete diamonds, off-centre recessed entrance with a concrete lintel, and transom window with municipal address number. The window opening next to the door has been retained as well as the concrete sill and lintel. Also, the laneway continues to exist between the buildings at 123 Queens Avenue and 450 Talbot Street at street level. Even remnants of the Cities Heating Company sign can still be seen on the front façade. The windows that used to exist on the main floor was adapted while the building was still being used by the Cities Heating Company. As this change occurred before the Cities Heating Company moved buildings in 1995, this alteration contributes to the evolution of the property.

4.3.1 Mitigative Measures

As retention in situ is not the preferred option by the Heritage Impact Assessment, the anticipated impacts need to be mitigated. However, the Heritage Impact Assessment does not provide recommendations to mitigate impacts to the streetscape. The Heritage Impact Assessment states:

> *Impacts associated with the Downtown HCD relate largely to modification of the current streetscape. The current building at 123 Queens Avenue is consistent with the character of the district in scale, three storeys in height, and position, built out to the boundary of the building lot. While Queens Avenue between Richmond and Talbot Streets deviates from the general character of the Downtown HCD in its street level parking and lack of building frontages, it is considered part of the district and changes to it should be in keeping with district guidelines. Therefore, in the absence of a structure to replace the current building, mitigating this impact is challenging. The use of the property as a parking lot does not allow for the impact to be lessened with replacement of the building with a similar scaled or positioned structure. Nor does a parking lot allow for similar materials to be used or the laneway to be incorporated.* (Stantec 7.2.4)

In the absence of such a proposal, the impacts to the heritage designated buildings and the Downtown Heritage Conservation District cannot be mitigated. If there was a redevelopment proposal, mitigative measures could be proposed that would address to the impacts to both the heritage designated properties and the streetscape.

4.4 Future Redevelopment

The property located at 123 Queens Avenue is a significant cultural heritage resource, with direct associations to the City of London's downtown development during the 20th century. Demolishing the building at 123 Queens Avenue is contrary to the *Downtown Heritage Conservation District Plan* and impacts the streetscape, which cannot be mitigated through the implementation of an interim parking lot. However, the *Downtown Heritage Conservation District Plan* recognizes that there are situations where

demolition may be permitted for redevelopment that is in keeping with appropriate City policies.

If redevelopment of the property located at 123 Queens Avenue was proposed, the Heritage Alteration Permit process would ensure that the redevelopment maintains the character of the Downtown Heritage Conservation District and complies with the *Downtown Heritage Conservation District* Plan.

4.0 Conclusion

Our cultural heritage resources are records that tells a story about how our city has been modified by human activity and how it continues to evolve. It gives us a sense of our city's past so that we can better understand our future. Our cultural heritage resources are non-renewable. Once demolished, they are gone forever.

The current demolition request is contrary to the heritage policy framework for the subject property including the Provincial Policy Statement, The London Plan, and the Downtown Heritage Conservation District Plan. There is no policy basis to support the demolition request for this heritage designated property.

The property located at 123 Queens Avenue is a significant cultural heritage resource with direct associations to the City of London's downtown development during the 20th century. The demolition request should be refused.

Prepared by:	**Krista Gowan,** **Heritage Planner**
Submitted by:	**Gregg Barrett, AICP** **Manager, Long Range Planning and Sustainability**
Recommended by:	**John M. Fleming, MCIP, RPP** **Managing Director, Planning and City Planner**
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	

May 6, 2019
KG/kag

Y:\Shared\policy\HERITAGE\Demolition\Queens Avenue, 123\2019-05-08 Demolition Request -123 Queens Avenue _final.docx

Appendix A - Location

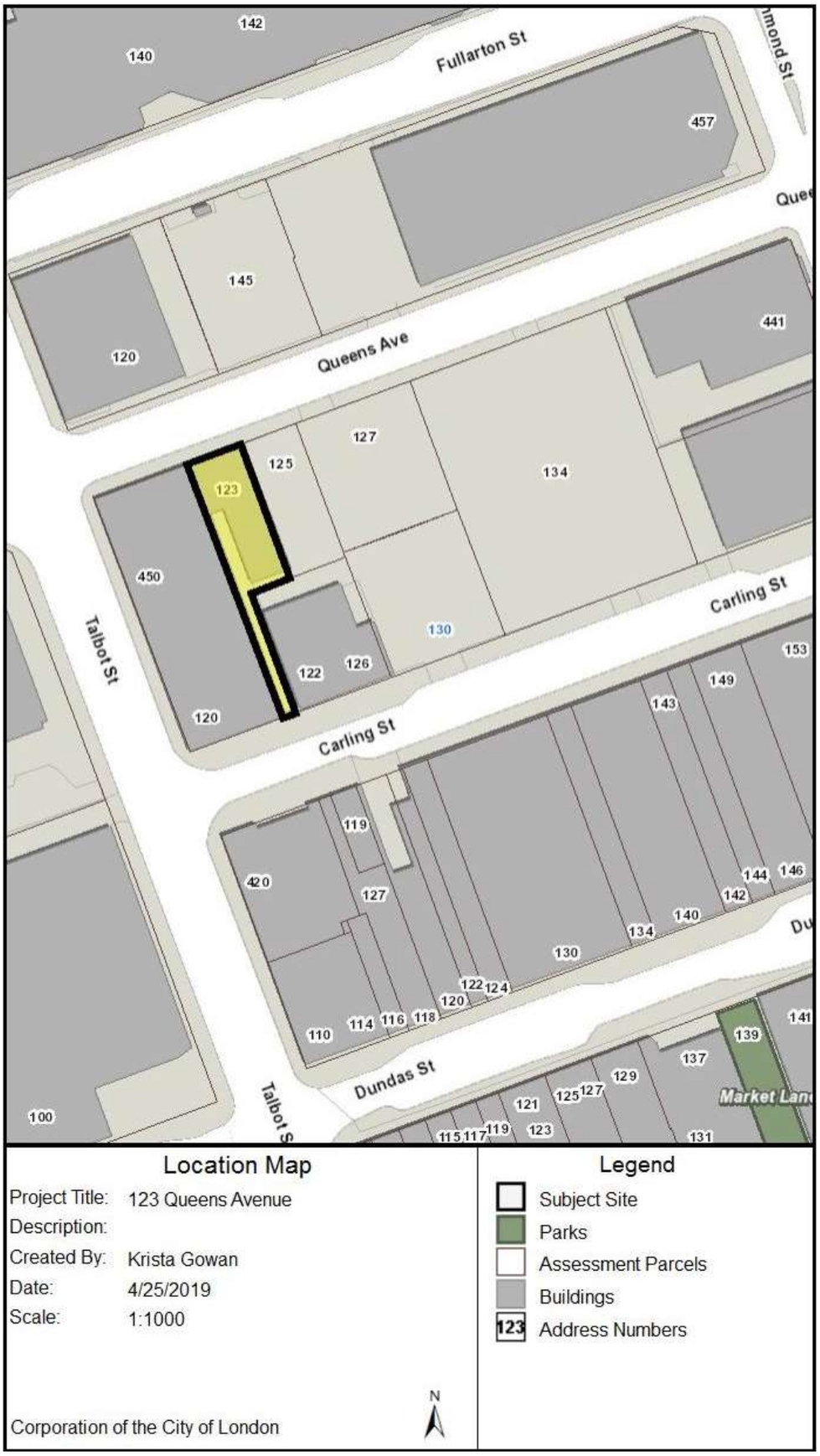


Figure 1: Location of the property at 123 Queens Avenue.

Appendix B – Images



Image 1 – Photo of the front façade of the building located at 123 Queens Avenue (April 25, 2019)



Image 2 – Photo of the front façade of the building located at 123 Queens Avenue (April 25, 2019)



Image 3- Photo of the east façade of the building located at 123 Queens Avenue (April 25, 2019)



Image 4 – Photo of the front façade at 123 Queens Avenue looking west from Richmond (London Free Press, 1954).



Image 5 – Photo of the south side of Queens Avenue looking east from Talbot Street Photo taken prior to 1988. The photo shows the bricked in windows at 123 Queens Avenue, but also shows 3 pipes running into the building through the former openings. The exact date of the photo has not been confirmed, but an aerial from 1988 shows the lot located at 134 Carling Street as vacant, which dates the photo to prior 1988 as the photo shows a building on the property at 134 Carling Street. This means that the windows were bricked in at some point between 1955 and 1988.

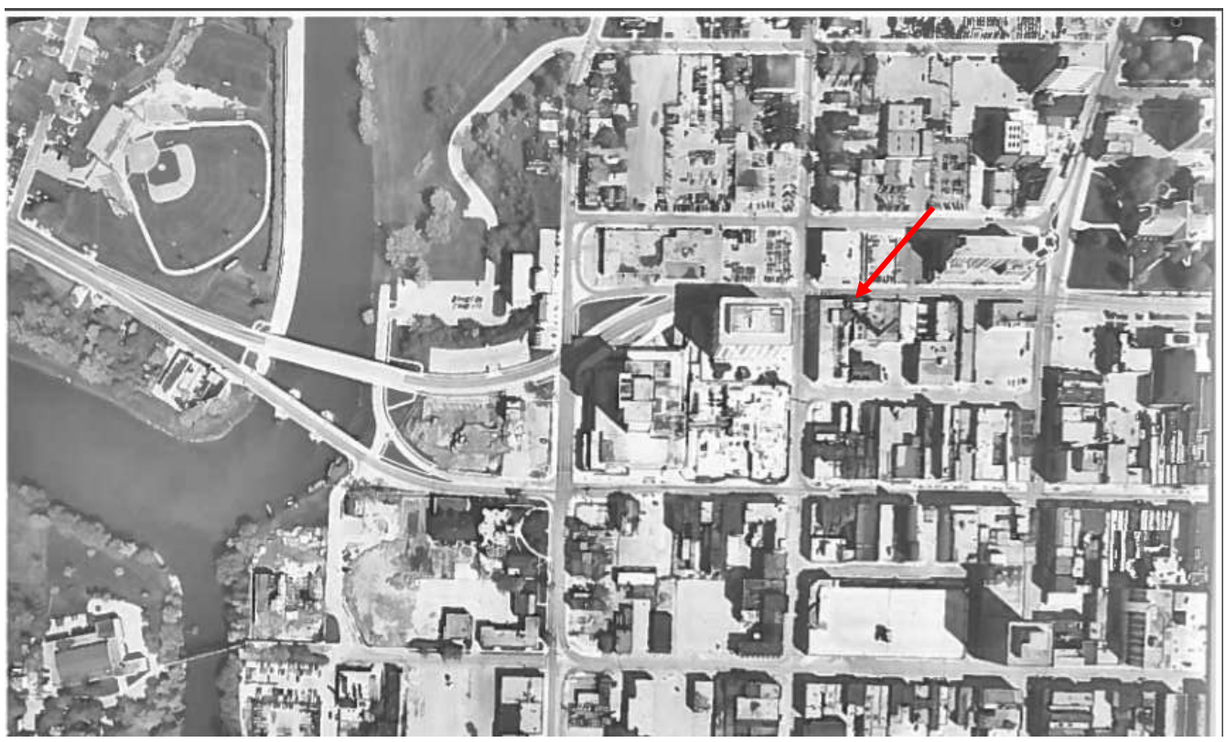


Image 6 – 1986 Aerial showing Queens Avenue. The property located at 123 Queens Avenue is shown by red arrow.



Image 7 – 1988 Aerial showing Queens Avenue and the vacant lot at 134 Carling Street. The property located at 123 Queens Avenue is shown by red arrow.

Appendix C – Heritage Impact Assessment

Stantec, Heritage Impact Assessment 123 Queens Avenue, City of London, Ontario (March 26, 2019) [attached separately].

Heritage Impact Assessment—123 Queens Avenue, London, Ontario

FINAL REPORT

March 26, 2019

File: 160940616

Prepared for:
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Executive Summary

JAM Properties Inc. (the Proponent) retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for 123 Queens Avenue, in the City of London, Ontario. The Proponent purchased the property in December of 2018 and is considering removal of the vacant structure fronting Queens Avenue due to health and safety concerns associated with ongoing challenges securing the site. The property is situated within the Downtown Heritage Conservation District (HCD) that was designated under Part V of the *Ontario Heritage Act* in 2013. As such, the need to consider heritage implications as a result of the removal of the building triggered the need for this HIA.

The property at 123 Queens Avenue contains a former industrial building that was built between 1916 and 1922 as an addition to the adjacent Greene-Swift Block at 450 Talbot Street. The building originally housed two boilers for Green-Swift as well as a chimney, coal hopper, and boiler feed pumps. It is a three storey structure with a flat roof and a full basement. The building is constructed of reinforced concrete, reinforced concrete masonry units, and plain concrete masonry units. It contains a front (north) façade clad in red brick, buff brick, and concrete banding with decorative concrete diamonds. The structure has a flat roof and concrete block foundation intermixed in some areas with brick. It has been vacant since 1995.

The Study Area also takes into consideration 450 Talbot Street, 122 Carling Street, 126 Carling Street, and 120 Queens Avenue as properties adjacent to a property where a change is proposed. The structures at 126 and 122 Carling Streets are listed properties and all five properties are designated under Part V of the *Ontario Heritage Act*. Collectively, these five properties represent the Study Area. The Study Area is located in the downtown core of the City of London. It is situated on the west side of Talbot Street, between Carling Street and Queens Avenue and to the east by the parking lot adjacent to 126 Carling Street and 123 Queens Avenue.

Within the Study Area, a total of four properties were identified as containing character defining elements by the Downtown London HCD. Three of the properties are commercial/office buildings, 122 Carling Street, 126 Carling Street, and 450 Talbot Street, and one is a vacant former industrial building, 123 Queens Avenue. The Downtown HCD Study did not identify any character defining elements or heritage value for 120 Queens Avenue.

The HIA identifies impacts associated with removal of 123 Queens Avenue. Based on the presence of cultural heritage resources which have the potential to be affected by the proposed undertaking, the following mitigation measures are recommended:

- Vibration Assessment
  - A pre-demolition vibration assessment should be completed to establish a baseline for vibration levels in advance of demolition activities

  - Should any properties within the study area be determined to be within the zone of influence, additional steps should be taken to secure the buildings from experiencing negative vibration effects (i.e. adjustment of machinery or establishment of buffer zones)

- Demolition Plan
  - The existing Building Demolition Plan prepared by Jonathan Velocci, P. Eng., should be updated to consider ways to safeguard 450 Talbot Street where it is attached to 123 Queens Avenue
  - Depending on the findings, additional monitoring during demolition activities by a qualified building condition specialist may be required
- Documentation and Salvage
  - The site assessment completed for this HIA identified numerous safety concerns associated with ice cover in the building that restricted access to the entirety of the building; however, should safer access be feasible, a site plan should be prepared, additional photography undertaken, and 3D scanning considered
  - The location of the alleyway should be recorded and georeferenced to allow for re-creation in any future development
  - Salvage of materials related to the history of the site should be undertaken under the supervision of a heritage professional
  - Materials salvaged should be stored offsite in a secured location for use in a future development
- Commemoration
  - A commemoration plan should be prepared which will provide guidance to future development of the site
  - The commemoration plan should include:
    - A site-specific history including the results of Documentation and Salvage activities
    - Specific approaches to commemorating the site (interpretive signage, material reuse, etc.) that will be required in any future development
    - General design guidelines for future development
    - Consultation with the London Heritage Advisory Committee regarding the history of the site, potential interpretive approaches, and design guidelines

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



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1.0 STUDY PURPOSE

JAM Properties Inc. (the Proponent) retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for 123 Queens Avenue, in the City of London, Ontario. The Proponent purchased the property in December of 2018 and is considering removal of the vacant structure fronting Queens Avenue. The property is situated within the Downtown Heritage Conservation District (HCD) that was designated under Part V of the *Ontario Heritage Act* in 2013. As such, the need to consider heritage implications as a result of the removal of the building triggered the need for this HIA.

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

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

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

- Summary of project methodology
- Review of background history of the Study Area
- Evaluation of cultural heritage value or interest of resources within, and adjacent to, the Study Area
- Description of the proposed site alteration
- Assessment of impacts of the proposed site alterations on cultural heritage resources
- Review of development alternatives or mitigation measures where impacts are anticipated
- Recommendations for the preferred alternative

In addition to 123 Queens Avenue, consideration has also been given to 450 Talbot Street, 122 Carling Street, 126 Carling Street, and 120 Queens Avenue as properties adjacent to a property where a change is proposed. The structures at 126 and 122 Carling Streets are listed properties. Collectively, these five properties represent the Study Area. The Study Area is located in the downtown core of the City of London (Figure 1). It is situated on the west side of Talbot Street, between Carling Street and Queens Avenue and to the east by the parking lot adjacent to 126 Carling Street and 123 Queens Avenue.

2.0 STUDY METHODOLOGY

2.1 POLICY FRAMEWORK

2.1.1 Planning Act

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

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

2.1.2 The 2014 Provincial Policy Statement

The Provincial Policy Statement (PPS) was updated in 2014 and is intended to provide policy direction for land use planning and development with regard to matters of provincial interest. Cultural heritage is one of many interests contained within the PPS. Section 2.6.1 of the PPS states that, “significant built heritage resources and cultural heritage landscapes shall be conserved”.

Under the PPS definition, conserved means:

> *The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.*

Under the PPS definition, significant means:

> *In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.*

The PPS also stipulates that development adjacent to protected heritage properties must be considered, in 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.*

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

> *property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.*
>
> (Government of Ontario 2014)

2.1.3 City of London Official Plan

The property at 123 Queens Avenue is Designated under Part V of the *Ontario Heritage Act*. The City’s Official Plan, “The London Plan”, contains the following policy with regard to development within or adjacent to designated and listed heritage properties:

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

The London Plan also contains the following general objectives with regard to cultural heritage resources:

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

2.1.4 Downtown London Heritage Conservation District Plan

The Downtown London HCD Plan contains specific policies with regard to demolition and new construction within the district (Stantec 2012). Section 4.6 of the HCD Plan contains the following policies on demolition within the district:

> *The goal of a heritage conservation district is to preserve and protect the heritage assets within the short term and over the long term. Demolition of buildings within a heritage district is strongly discouraged. The* Ontario Heritage Act *allows municipalities to prevent demolition of heritage buildings, or establish conditions for demolition, such as the requirement for an approved site plan or a specific time frame for construction of a new building on the site. However, it is recognized that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies.*

2.2 BACKGROUND HISTORY

Background history for this project was obtained through review of aerial photography, fire insurance plans, city directories, census records, London Free Press articles, and secondary sources. Research was conducted at Western University and the London Public Library. To familiarize the study team with the Study Area, historical mapping, fire insurance plans, and aerial photographs were consulted to identify the presence of structures, and other potential heritage resources in the vicinity. Specifically, material reviewed included Fire Insurance Plans from 1888, 1907, 1915, 1922, 1940, 1948, and 1958.

2.3 FIELD PROGRAM

A site assessment was undertaken on February 22, 2019 by Meaghan Rivard, Senior Cultural Heritage Specialist, and Frank Smith, Cultural Heritage Specialist, with Stantec. The weather conditions were cold, sunny, and calm. The site visit consisted of a pedestrian survey of the Study Area from the publicly-accessible municipal right-of way. Interior access to 123 Queens Avenue was provided by the Proponent to inform the HIA.

2.4 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST

2.4.1 Ontario Regulation 9/06

The criteria for determining cultural heritage value or interest is defined by *Ontario Regulation* (O. Reg.) *9/06*. Each potential heritage resource was considered both as an individual structure and as cultural landscape. Where cultural heritage value or interest was identified, a structure or landscape was assigned a cultural heritage resource (CHR) number and the property was determined to contain a heritage resource. Evaluations for each property are contained within Appendix A.

In order to identify cultural heritage value or interest at least one of the following criteria must be met:

1. The property has design value or physical value because it:
    a. is a rare, unique, representative or early example of a style, type, expression, material or construction method
    b. displays a high degree of craftsmanship or artistic merit
    c. demonstrates a high degree of technical or scientific achievement
2. The property has historical value or associative value because it:
    a. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community
    b. yields, or has the potential to yield, information that contributes to an understanding of a community or culture

c. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community

3. The property has contextual value because it:

   a. is important in defining, maintaining or supporting the character of an area

   b. is physically, functionally, visually or historically linked to its surroundings

   c. is a landmark

(Government of Ontario 2006a)

2.5 ASSESSMENT OF IMPACTS

The assessment of impacts on cultural heritage resources is based on the impacts defined in the Ministry of Tourism, Culture and Sport (MTCS) *Infosheet #5 Heritage Impact Assessments and Conservation Plans* (Infosheet #5). Impacts to heritage resources may be direct or indirect. Direct impacts include:

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

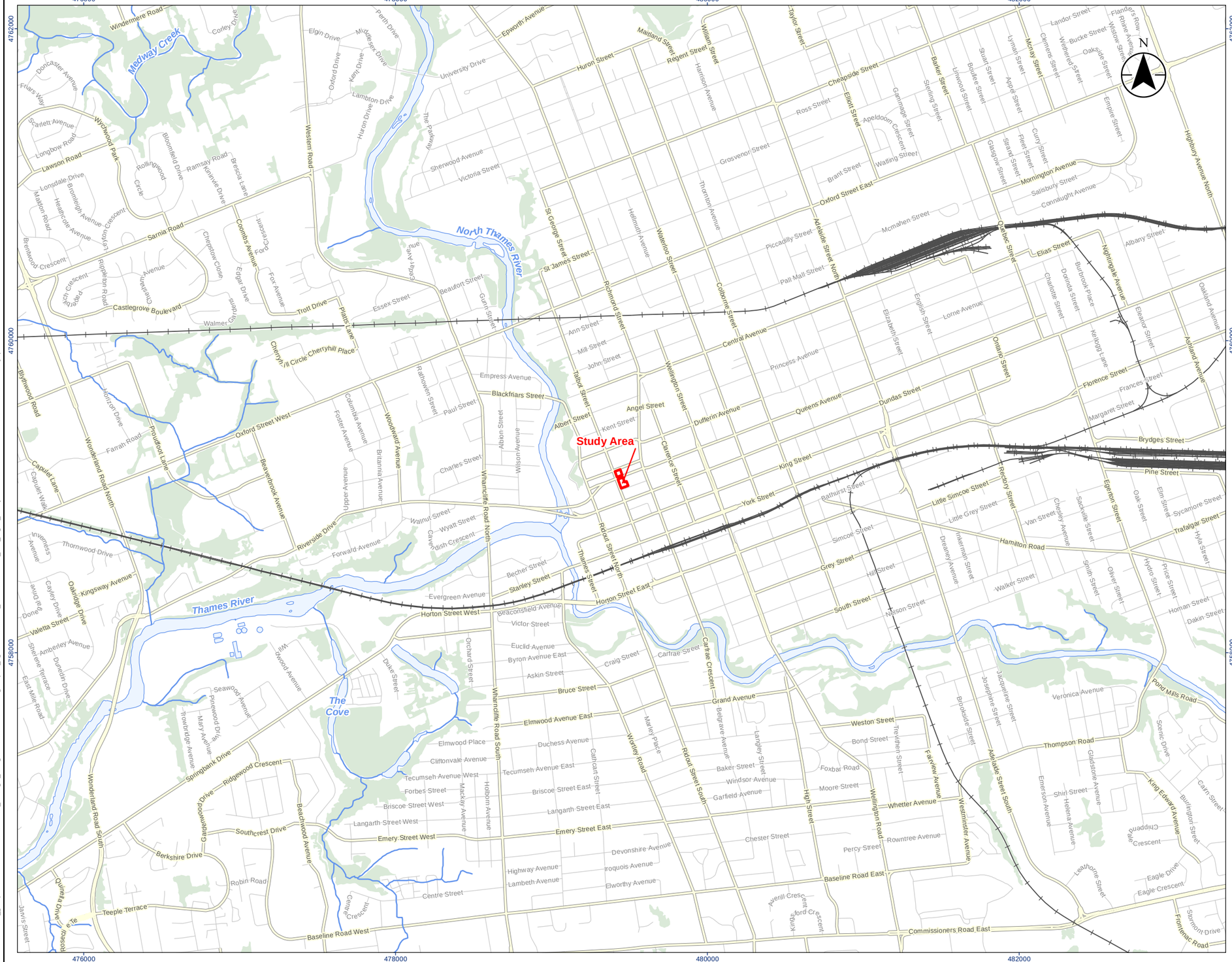
Indirect impacts do not result in the direct destruction or alteration of the feature or its heritage attributes, but may indirectly affect the cultural heritage value or interest of a property by creating:

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

(Government of Ontario 2006b)

In addition to impacts discussed in InfoSheet #5, this HIA also evaluated the potential for indirect impacts resulting from the vibrations of demolition activities. For the purposes of this HIA, this activity was categorized together with land disturbance. Although the effect of construction or demolition vibrations on historic period structures is highly variable, research suggests that vibrations may be perceptible in buildings with a setback of less than 40 meters from project activity (Crispino and D'Apuzzo 2001; Ellis 1987; Rainer 1982; Wiss 1981). Therefore, the proximity of the proposed change was considered in this assessment.




476000
478000
480000
482000
4762000
4760000
4758000
Study Area
Medway Creek
North Thames River
Thames River
The Cove
Western Road
Wharncliffe Road South
Wharncliffe Road North
Richmond Street
Waterloo Street
Colborne Street
Adelaide Street North
Queens Avenue
Dundas Street
Central Avenue
Oxford Street West
Oxford Street East
Horton Street East
Horton Street West
Riverside Drive
Castlegrove Boulevard
Springbank Drive
Ridgewood Crescent
Southcrest Drive
Emery Street East
Emery Street West
Baseline Road East
Baseline Road West
Commissioners Road East
Hamilton Road
Pond Mills Road
Thompson Road
Whetter Avenue
Princess Avenue
Blackfriars Street
Grand Avenue
Bruce Street
Elmwood Avenue East
Sarnia Road
Lawson Road
Longbow Road
Wonderland Road South
Wonderland Road North
Proudfoot Lane
Blythwood Road
Oakridge Drive
Kingsway Avenue
Valetta Street
Teeple Terrace
Berkshire Drive
Robin Road
Troft Drive
Platts Lane
Cherryhill Circle
Cherryhill Place
Coombs Avenue
Edgar Drive
Fox Avenue
Essex Street
Beaufort Street
Gunn Street
Walmer Road
Windermere Road
Corley Drive
Elgin Drive
Perth Drive
Middlesex Drive
Oxford Drive
Kent Drive
Lambton Drive
Huron Drive
University Drive
The Parkway
Sherwood Avenue
Victoria Street
Huron Street
Maitland Street
Regent Street
William Street
Taylor Street
Edward Avenue
Cheapside Street
Elliott Street
Ross Street
Harrison Avenue
Grosvenor Street
Thornton Avenue
Helmuth Avenue
St George Street
St James Street
Piccadilly Street
Pall Mall Street
Mcmahen Street
Ann Street
Mill Street
John Street
Talbot Street
Albert Street
Kent Street
Angel Street
Wellington Street
Dufferin Avenue
Clarence Street
Empress Avenue
Paul Street
Rathowen Street
Woodward Avenue
Foster Avenue
Columbia Avenue
Britannia Avenue
Upper Avenue
Albion Street
Wilson Avenue
Charles Street
Walnut Street
Wyatt Street
Gavelish Crescent
Forward Avenue
Becher Street
Stanley Street
Evergreen Avenue
Beaconsfield Avenue
Victor Street
Euclid Avenue
Byron Avenue East
Askin Street
Craig Street
Carfrae Street
Carfrae Crescent
Orchard Street
Duke Street
Wolfwood Avenue
Seawood Avenue
Primewood Drive
Mary Avenue
Trowbridge Avenue
Elmwood Place
Cliftonvale Avenue
Tecumseh Avenue West
Tecumseh Avenue East
Briscoe Street East
Briscoe Street West
Langarth Street East
Langarth Street West
Forbes Street
Mackay Avenue
Holborn Avenue
Duchess Avenue
Cathcart Street
Wortley Road
Marley Place
Belgrave Avenue
Langley Street
Baker Street
Windsor Avenue
Garfield Avenue
Rideout Street South
Rideout Street North
High Street
Foxbar Road
Moore Street
Wellington Road
Fairview Avenue
Westminster Avenue
Adelaide Street South
Bond Street
Trevithen Street
Weston Street
Veronica Avenue
Jacqueline Street
Josephine Street
Brookside Street
Chester Street
Devonshire Avenue
Iroquois Avenue
Highway Avenue
Lambeth Avenue
Elworthy Avenue
Centre Street
Percy Street
Rowntree Avenue
Averill Crescent
Kinsley Crescent
Ford Crescent
Bathurst Street
Little Simcoe Street
Little Grey Street
Van Street
Chesley Avenue
Sackville Street
Simcoe Street
Grey Street
Hill Street
Dreamy Avenue
Interman Street
Walker Street
Nelson Street
South Street
Smith Street
Oliver Street
Hydro Street
Price Street
Horman Street
Dakin Street
Hyde Street
Trafalgar Street
Sycamore Street
Oak Street
Elm Street
Egerton Street
Eagle Drive
Eagle Crescent
Leathorne Street
Chippewa Crescent
Shirl Street
Helena Avenue
Emerson Avenue
Glenwood Crescent
Davis Street
Jarvis Street
Roselawn Drive
Quebec Street
Elias Street
Nightingale Avenue
Florence Street
Frances Street
Margaret Street
Brydges Street
Pine Street
Ontario Street
Kelogg Lane
Burbrook Place
Charlotte Street
Darinda Street
Elizabeth Street
English Street
Lorne Avenue
Albany Street
Eleanor Street
Ashland Avenue
Oakland Avenue
King Edward Avenue
Burlington Street
Cairn Street
Frontenac Road
Vermont Drive
Empire Street
Curry Street
Fleet Street
Strand Street
Glasgow Street
Mornington Avenue
Salisbury Street
Connaught Avenue
Highbury Avenue North
Landor Street
Bicke Street
Wellington Street
Oakdale Street
Clemens Street
Mcnay Street
Lyman Street
Apple Street
Stuart Street
Bourke Street
Linwood Street
Barker Street
Sterling Street
Grammage Street
Apeldoorn Crescent
Watling Street
Brant Street
Flanders Row
Rhine Avenue
Willow Street
Wychwood Park
Windermere Road
Corley Drive
Donchester Avenue
Friars Way
Scarlett Avenue
Longbow Road
Lawson Road
Lonsdale Drive
Bromleigh Avenue
Heathcote Avenue
Crescent
Madron Road
Brentwood Crescent
Rollingwood Circle
Bloomfield Drive
Ramsay Road
Kenmore Drive
Brescia Lane
Rupleton Road
Avenue
Crescent
Chepstow Close
Ford Crescent
Inverness Avenue
Thornwood Drive
Cayley Drive
Cayley Crescent
Amberley Avenue
Dunedin Drive
Shrewton Terrace
East Mill Road
Capulet Lane
Capulet Walk
Horizon Drive
Farrah Road
Beaverbrook Avenue
Riverside Drive
Forward Avenue
Walnut Street
Wyatt Street
Gavelish Crescent
Becher Street
Stanley Street
Evergreen Avenue
Beaconsfield Avenue
Victor Street
Euclid Avenue
Byron Avenue East
Askin Street
Bruce Street
Grand Avenue
Elmwood Avenue East

3.0 SITE HISTORY

3.1 INTRODUCTION

The Study Area is located on part of Lot 15, Concession 1, in the former Township of London, now City of London. The Study Area is located east of Talbot Street, between Queens Avenue and Carling Street on Part Lots 6 and 7 of Plan 61 and includes 123 Queens Avenue, 122 Carling Street, 126 Carling Street, 450 Talbot Street, 120 Carling Street, and 120 Queens Avenue (Figure 2). The following sections outline the historical development of the Study Area from the time of Euro-Canadian settlement to the 21st century.

3.2 PHYSIOGRAPHY

The Study Area is located in the Caradoc Sand Plain and London Annex physiographic regions. Both regions are flat sand plains extending from east London to the Strathroy area in the southwest. In its entirety, the region compromises approximately 482 square kilometres in southwestern Ontario. The land is generally flat with a few rolling hills. The soil in the area consists of three types: Fox fine sandy loam, which appears on the finer soils which are deep and well drained; Berrien sandy loam, a shallow layer of sand over clay, with wet subsoil; and Oshtemo sand, which appears on sand hills and dunes (Chapman and Putnam 1984: 146).

The City of London is located along the Thames River. The well-defined river channel runs through a shallow valley. This is demonstrated through a history of critical flooding in the City as it was developed on land that, in physiographical terms, belongs to the river. This watershed area has proven from its land use history to be rich soil for agriculture development (Chapman and Putnam 1984: 139). London itself developed into the commercial centre for Southwestern Ontario because of its position along the river as an early travel route and the high alluvial terrace which offered good building sites (Chapman and Putnam 1984: 146).

3.3 HISTORICAL DEVELOPMENT

3.3.1 Survey and Settlement

During the 17th century and until 1763, southwestern Ontario was part of France's vast colonial holdings in North America called New France. In 1763, the Seven Years war concluded with the signing of the Treaty of Paris, and France relinquished nearly all of its colonial holdings in North America to Great Britain and Spain. The Thirteen British colonies along the Atlantic seaboard eagerly participated in the Seven Years War and believed that dislodging France from the continent's interior would open land west of the Appalachian Mountains to settlement by the burgeoning colonies. Instead the British *Proclamation of 1763* closed most of former New France to settlement to appease Indigenous allies and protect the fur trade. In 1774, the Quebec Act transferred the Ohio Valley and southwestern Ontario to the Province of Quebec. The Quebec Act enflamed tensions with the increasingly restless Thirteen Colonies and was a

contributing factor to the American Revolution, which culminated with the recognition of the independence of the Thirteen Colonies as the United States in 1783 (Craig 1963: 2 and Phelps 1989: 1).

Approximately one quarter of the population of the former Thirteen Colonies were Loyalists to the British Crown. During and following the conflict, about 50,000 people left the United States for Great Britain or other colonies, including Canada (Craig 1963: 3). Between 1778 and 1786, the Province of Quebec was governed by Frederick Haldimand. Initially, Haldimand wished to settle present-day Ontario with mostly First Nations allies of the Crown, but upon hearing of the favourable agricultural conditions throughout much of the region, he soon changed his mind. Haldimand also realized that settling the area with Loyalists would provide a bulwark against further aggression by the United States. Writing to Lord North, Prime Minister of Great Britain, Haldimand argued that the settlers would be "attached to the interests of Great Britain and capable of being useful upon many occasions" (Craig 1963: 4-5). To facilitate settlement, southern Ontario was divided into four districts, with present-day London being located in the Hesse District (Archives of Ontario 2015).

The Loyalist population wished to live under the customs and common law they were familiar with in Great Britain and the former Thirteen Colonies, instead of the French civil law practiced in Quebec as part of the *Quebec Ac*t of 1774. To accommodate the Loyalists, the British parliament passed the *Constitutional Act of 1791*, which divided Quebec into Upper and Lower Canada. The division was both geographic and cultural; French laws would be preserved in Lower Canada, while the British constitution and laws would rule in Upper Canada (Craig 1963: 17). John Graves Simcoe was selected as Lieutenant Governor of the newly created province. Simcoe was a veteran of the American Revolution, having served in the Queens Rangers, and eagerly planned to build a model British society in Upper Canada. He wrote of his desire to "inculcate British customs, manners, and principles in the most trivial as well as serious matters" in the new colony (Craig 1963: 20-21). In 1792, Simcoe renamed the Hesse District the Western District (Archives of Ontario 2015).

While studying maps of Upper Canada, Simcoe decided the provincial capital should be named London and located in the southwest at the confluence of the north and south branches of the river called La Tranche by the French (Finkelstein 2006). Simcoe renamed the river the Thames to match his plan for a capital city called London. He believed this strategic location would be too far inland for American forces to easily attack in the event of renewed war.

Simcoe and a party of men set out from Niagara in February 1793 to explore the area en route to Detroit (Armstrong 1986: 17 and Miller 1992: 2-3). Joining him on this expedition was Thomas Talbot, who later became a major colonizer and land owner in southwestern Ontario. Simcoe was impressed when he arrived at the forks of the Thames and confirmed his desire for the site to become the capital of the Province (London Township History Book Committee 2001: 11). Edward Baker Littlehales, who accompanied Simcoe during the expedition, wrote that Simcoe "judged it [London] to be a situation eminently calculated for the metropolis of all Canada" (Miller 1992: 3). Despite Simcoe's wishes, London was still considered too remote and inaccessible a location to be a capital city. Instead, the capital was moved to York (present-day Toronto) (Armstrong 1986: 21). However, in 1796 the land around the forks of the Thames was set aside as Crown Reserve for the future site of London (Brock 2011: 3).

The first surveyor in the region, Abraham Iredell, reported the agricultural conditions in Southwestern Ontario to be among the finest in North America. In 1800, the Western District was divided roughly in half and the London District and Middlesex County were created (Archives of Ontario 2015). Middlesex County was further divided into townships, London Township being the largest at 12 square miles (approximately 31 square kilometres) and encompassing 96,000 acres.

The first settler in London Township was Joshua Applegarth, who arrived in 1807, and attempted to cultivate hemp before switching to other crops (Page 1878: 5). However, London Township remained almost entirely unsettled until 1810 when Thomas Talbot returned, along with surveyor Mahlon Burwell, to develop the township. Talbot would eventually be instrumental in the settlement of 29 townships in southwestern Ontario (London Township History Book Committee 2001: 12). Burwell's survey was interrupted by the War of 1812 and he completed the work in 1818. (Page 1878: 5). The first Township meeting was held in January 1819 at Joshua Applegarth's home (Armstrong 1986: 29).

3.3.2 19th Century Development

In November 1825, the London District courthouse and jail at Vittoria in Norfolk County was damaged by fire. District authorities, including Thomas Talbot, decided to move the district capital to a more central location, instead of rebuilding at Vittoria (Miller 1992: 7). In January 1826, the District Town for the London District was transferred from Vittoria to the Crown Reserve Land in London Township set aside for Simcoe's envisioned capital. The townsite for London was surveyed in May and June of 1826 by Burwell (Armstrong 1986: 33 and Miller 1992: 7). The northern boundary of the townsite was marked by a road allowance called "North Street". The road allowance jogged to the south just west of Richmond Street to accommodate the farm owned by John Kent. The northern portion of North Street is present-day Queens Avenue and the southern part is present-day Carling Street. The Study Area is positioned just north of the original townsite (Miller 1992: 7).

By 1831, considerable progress had been made in clearing and developing the townsite. In July 1831, Allen Talbot wrote about the village in both the *London Sun* and *Montreal Gazette*, writing "less than five years ago its present site was a cheerless wilderness, without human habitation, it now numbers upwards of seventy framed houses, verging fast towards completion, some of which are of a very superior order" (Brock 1975: 67). By 1832, the village of London had a courthouse, two churches, three hotels, six general stores, and a total of about 130 buildings. The village had a population of about 300. The Study Area, and other land north of the original townsite, remained outside the Village. However, developments north of the townsite, included the erection of the first Blackfriars Bridge, approximately 600 metres northwest of the Study Area (Armstrong 1986: 35). The village continued to grow and in 1840, the Town of London was incorporated (Brock 2011: 23). When the Town of London was incorporated the boundaries of the town were extended north to present-day Huron Street and east to present-day Adelaide Street (Armstrong 1986: 67). This extension included the lands within the Study Area. The new town had a population of 1,716 (Armstrong 1986: 63).

As the Town of London began to develop, residents began to clamor for access to a railway. As early as 1831, merchants and farmers of London and London Township had proposed constructing a railway through the community. In the 1840s, planning began on a line that would run from Niagara to Detroit.

The planned route would run through London and many prominent Londoners helped finance the project. The Great Western Railway was chartered in 1845 and construction on the London portion of the line began in October 1847. The ground-breaking ceremony in London was led by Thomas Talbot, who was then 77 years old and still deeply involved in the development of London. In December 1853, the first train pulled into London. The train had travelled from Hamilton and arrived in six hours at an average speed of 25 mph (40 km/h) (Armstrong 1986: 82-83). In 1882, the Great Western Railway became part of the Grand Trunk Railway.

London benefited greatly from the arrival of the railway and experienced a boom. The town developed into the centre of industry and finance in Southwestern Ontario. Because of this growth, the Town of London was incorporated as a city on January 1, 1855 (Armstrong 1986: 68). Land value greatly increased in the City and township, with some properties increasing nearly 300% between 1849 and 1856.

The boom in development and investment ended in 1857. The conclusion of the Crimean War in 1857 started a depression in the British Empire, which included Canada. The impact was particularly hard on London. By 1860, three quarters of the businesses in the city had failed and the population dropped from 16,000 to 11,000. It would take almost three decades for land values in London to rebound (Armstrong 1986: 86-87). London's economy would begin to recover when the American Civil War (1861-1865) created demand for exports to help feed and supply the Union Army (Armstrong 1986: 99). By 1871, the population of the City had rebounded to about 16,000 and in 1881 the population climbed to 19,941 (Burley ND.: 392 and Armstrong 1986: 125).

3.3.3 20th Century Development

In 1912, the City of London had a population of 49,102, which would increase to 69,742 in 1929 (Armstrong 1986: 163). During this period, many modern improvements arrived in the City. Main roads in the central part of the City were paved in asphalt, replacing cedar blocks (Armstrong 1986: 133). The Hydro Electric Power Commission (HEPC), under the leadership of Adam Beck, commenced to service London with hydroelectricity from Niagara in 1910 (Armstrong 1986: 136). The Public Utilities Commission was established in 1914 to manage the distribution of electricity, water, and manage City parks (Armstrong 1986: 168).

Compared to other municipalities in Ontario, London fared relatively well during the Great Depression. Several major building projects were completed in London during the 1930s, including the underpass of Richmond Street under the CNR tracks and construction of the Dominion Public Building, located approximately 50 metres east of the Study Area. In 1932, only 8% of the population was unemployed, a much lower number than other cities in southern Ontario like Toronto, Hamilton, and Windsor (Armstrong 1986: 185). Nonetheless, the effects of the Great Depression and Second World War curtailed growth in the City (Curtis 1992: 15).

Like much of North America, London experienced a post-war population boom and by 1961 the population of the City was 165,815. The increase in population was mostly spurred by several annexations of Westminster and London Townships between 1954 and 1961. The largest annexation

occurred in 1961 when the City grew from 32 square kilometres in size to 172 square kilometres (Miller 1992: 213). By the early 1960s, the City of London contained 328 manufacturing plants, 80 wholesalers, and 70 construction firms (Miller 1992: 219).

Infrastructure improvements during the 1960s included new overpasses over the railway at Adelaide Street, Highbury Avenue, and Quebec Street. In the 1970s, Queens Avenue was extended over the Thames River as was Dundas Street and Wonderland Road and Hutton Roads were connected via the new Guy Lombardo Bridge (Armstrong 1986: 213-214). As the population of London shifted to the suburbs during the mid-20th century it was becoming increasingly unnecessary to visit downtown London (Armstrong 1986: 234). By the 1970s, a revitalization plan was needed for the City's downtown. A cohesive vision for the city core did not develop and a mix of infill and new construction occurred during the 1970s, including the City Centre Complex, the London Centre Arcade, the new City Hall, and new federal building and courthouse (Armstrong 1986: 234, 238).

During the 1980s, the pace of growth in the City steadied. The population of the City in 1980 was 261,841 (Armstrong 1986: 327) and most new growth in London occurred at the south and north ends of the city as subdivision development accelerated (Miller 1992: 229). The City of London is continuing to grow and develop in the 21st century. In 2016, the City of London had a population of 383,822, an increase of 4.8% since 2011 (Statistics Canada 2017).

3.4 PROPERTY HISTORY

3.4.1 450 Talbot Street/120 Carling Street

The former Greene-Swift Block, constructed between 1906 and 1907, is located at 450 Talbot Street/120 Carling Street (Plate 1). The building was one of London's first buildings constructed of reinforced concrete (Baker 2000: 122). The firm was a manufacturer of clothing for men and boys and operated a cap department. The company was founded in 1900 by Robert Greene, S.D. Swift, and W.E. Greene as Greene, Swift & Co. and was initially located at 139 Carling Street. Two years later they moved to 186 King Street, between Richmond and Clarence Streets (Scott 1930: 246 and Baker 2000: 122). The company's great success and rapid expansion led to further expansion at 450 Talbot Street/120 Carling Street only four years later to fulfill orders and space requirements (Scott 1930: 246). The Greene-Swift Block replaced a spice mill and several timber frame buildings (Figure 3).

Shortly after their move to Talbot Street, the company was incorporated as Greene-Swift Limited. Initially, the company only utilized 24,900 feet of space in the building and rented out the remainder. The payroll for Greene-Swift increased from about $10,000 in 1900 to $289,612 in 1913. As the organization continued to grow, they utilized more space in the building, and by 1913 used over 50,000 feet of space (Gardner 1914: 62).

The Greene-Swift company was known for a small and carefully designed product line, which reduced costs and simplified the production process. By the 1920s, the company had a staff of approximately 250, the majority of which were women. The main material for the garments was wool, 80% of which was imported from the United Kingdom and the remainder was sourced domestically. Clothing manufactured

by the company was sold throughout Canada (Scott 1930: 247). The company was well regarded in the City, demonstrated by their selection to produce the London Fire Department's uniforms from 1920 until at least 1927 (Baker 2000: 123).



Plate 1: The Greene-Swift Block, c. 1914 (Gardner 1914: 62)

When the Greene-Swift block was built, the structure had a large boiler at the northwest corner of the building (Figure 4). The company sold the exhaust from the boiler to nearby buildings as steam heat (Scott 1930: 246). The Greene-Swift company was not the only downtown clothing manufacturer to sell steam heat. The Helena Costume Company, located on King Street between Clarence and Richmond, also sold heat to nearby buildings (Goad 1915 and Baker 2000: 122). Between 1916 and 1922, two new boilers were built as an addition to the building on the northwest corner. The new boilers expanded the ability of Greene-Swift to sell steam heat and between 1927 and 1928 the steam heating component of Greene-Swift was spun-off to form the Cities Heating Company Limited (CHC). The new company was assigned the municipal address of 123 Queens Avenue (Vernon 1928: 153 and Scott 1930: 246).

Despite the early success, the Greene-Swift company did not survive the Great Depression and closed during the 1930s (Underwriters Survey Bureau 1940). After the closure of Greene-Swift, the building was used as a warehouse and practice theater for the London Little Theatre (Baker 2000: 122). During the 1950s, the building was converted to office space (Underwriters Survey Bureau 1958). By 1998, the building had been remodeled and clad in stucco, obscuring the original architectural details of the structure, with the exception of the east elevation (Baker 2000: 122). The building is presently occupied by the Harrison Pensa law firm.

3.4.2 123 Queens Avenue

Initially, the structure at 123 Queens Avenue was considered an addition to the Greene-Swift Block at 450 Talbot Street. The addition, constructed between 1916 and 1922, housed two new boilers for Greene-Swift and included a chimney, coal hopper, and boiler feed pumps (Figure 5).

Prior to the construction of the structure at present-day 123 Queens Avenue, two structures were located at 123 Queens Avenue, stables for the adjacent Queens Hotel, located on Carling Street. The Queens Hotel opened in 1871 and the stables were likely built at this time. Between 1921 and 1922 the Queens Hotel closed, and the stables became McCartney's Horse Repository (Vernon 1922: 48). The horse repository does not appear in subsequent city directory listings and, based on city directories and mapping, the stable closest to Talbot Street was likely demolished to accommodate the construction of the structure at present-day 123 Queens Avenue. The second stable was likely demolished between 1924 and 1925 as it last appeared listed in the city directory for 1924. However, the fire insurance plan of 1922 does not depict any stables in the area and depicts a structure similar in size to the northern stable as "Wood Box Manufacturing" (Underwriters Survey Bureau 1922).

The address 123 Queens Avenue was assigned to the property when CHC was created as an independent company between 1927 and 1928. Sometime between 1925 and 1940, an addition to 123 Queens Avenue was constructed at 125 Queens Avenue. The 1940 Fire Insurance Plan for London shows that 125 Queens Avenue had two boilers and a chimney and was the heating plant for CHC (Figure 6). In 1952, the original 125-foot chimney on 123 Queens Avenue was demolished and replaced with a small chimney and the interior of the building converted to office space for CHC (Western Archives 1952 and Figure 7). During this same period, 125 Queens Avenue was expanded (Plate 2 to Plate 4).

By 1958, CHC was supplying heat to the majority of downtown businesses, including the Kingsmills Department Store, Covent Garden Market, and the Simpsons Department Store (Underwriters Survey Bureau 1958). An archival photo from 1960 shows the chimney at 125 Queens Avenue bellowing smoke (Plate 5). An advertisement in the *London Free Press* from 1974 boasted that CHC heated the London Free Press building on York Street and provided a source of heating that produced minimal pollution. The business was extolled with the following statement "Ours is the modern, economical way to ensure reliable warmth through the heating season and reliable cooling throughout the summer months, without pollution" (London Free Press 1974: 68). Research indicates that CHC heating extended south to at least York Street, west to at least Ridout Street, and east to at least Waterloo Street (London Free Press 1954). The approximate northern extent of CHC's service was not determined.



Plate 2: 123-125 Queens Avenue, c. 1953 (Carty 1953)



Plate 3: 123-125 Queens Avenue, c. 1964 (Altenberg 1964)



Plate 4: View of front façade of 123 Queens Avenue, 1954 (London Free Press 1954)



Plate 5: Smoke rising from the chimney of CHC and 125 Queens Avenue, 1960 (London Free Press 1960)

From the 1950s until about 1989, CHC was owned by Thomas Hayman. Hayman was born in 1924 in London. After graduating from the University of Toronto with an engineering degree and the University of Western Ontario with a B.A., Hayman worked for his father's construction company before he purchased CHC. Hayman was a noted member of the community and avid outdoorsman. He was a member of the Emily Creek Club, Upper Thames Conservation Authority, Nature London, and the London Hunt Club. He was also a columnist for the *London Free Press,* writing the "World Outdoors" column for 48 years. He also taught bird identification classes at Fanshawe College. His dedication to conservation and birding earned him an award from the Ontario Field Ornithologists in 2003 and the Conservation Award from Nature London in 2006. Hayman passed away in 2014 (Your Life Moments/London Free Press 2014).

In 1989, Hayman sold CHC to Trigen (London Free Press 2017). From 1990 to 1993, Trigen continued to use the CHC name and directories listed 123 Queens Avenue as "Trigen London District Energy and Cities Heating Company" (Vernon 1990: 330). In 1994, the CHC name was retired (Vernon 1994: 322). That same year, the plant and offices at 123 and 125 Queens Avenue were closed and a new facility running on natural gas was opened at the corner of Bathurst and Colborne Streets (London Free Press 2017). Trigen left 123 and 125 Queens Avenue in 1995 and the building has remained vacant since this time (Vernon 1995: 321). Based on Google Earth imagery, 125 Queens Avenue was demolished between 2003 and 2006. In 2010, the original east façade of 123 Queens Avenue was parged over (City of London 2010).

3.4.3 122 Carling Street

The structure at 122 Carling Street was constructed in the 1850s during the building boom following the arrival of the railway. The building was the original site of the *London Free Press* and operated from 122 Carling Street until 1871. After the departure of the newspaper, the building became the Queen's Hotel, one of London's more prestigious hostelries described as a "landmark of London before the turn of the century" (Historic Sites Committee 2000: 10 and London Free Press 1942). The hotel was operated by James McMartin (London Free Press 1942). The Census of 1901 lists James McMartin as a 48-year-old Ontario born hotel keeper of Scottish descent. He lived with his wife Martha, age 48, son Edward, age 21, son Frank, a printer, age 19, and daughter Edith, age 17 (Library and Archives Canada 1901). Their son Frank, also known as Frederick, went on to become the night editor of the London Free Press (London Free Press 1942).

In 1921, the Queen's Hotel closed, and 122 Carling Street returned to its roots in the printing industry as the home of the *Farmer's Advocate,* published by the William Weld Company Limited (Plate 6). The publication was an agricultural journal that was founded in 1866 by William Weld and was Canada's longest published agricultural paper distributed throughout the United States and Canada (Historic Sites Committee 2000 and Western Archives ND.). After Weld's death, his sons and grandsons continued the operation. The paper was published on a monthly basis and contained advertisements, new ideas, and information about agricultural practices. The paper ceased publication in 1965 and since 1974 the property has been the location of the Marienbad Restaurant (Ivey Family London Room ND.).



Plate 6: 122 Carling Street, c. 1935 (Ivey Family London Room 1935)

3.4.4 126 Carling Street

The structure at 126 Carling Street was built between 1929 and 1930. Like the adjacent 122 Carling Street, the building was initially occupied by various publishers and print shops. The first occupant of the building was the Western News Company (Vernon 1930: 620). The company did not remain at 126 Carling Street for long and in 1932 the building was occupied by the London office of the Toronto based Rapid, Grip & Batten Limited (Vernon 1932: 636).

Rapid, Grip & Batten Limited was founded in Toronto in 1893 as The Grip Printing Company. The company achieved wide commercial success with their satirical periodical called *Grip.* The editor of *Grip* was J.W. Bengough, who also published work in *The Farmer's Advocate* (Spadoni 1988: 13). In about 1900, the company ended the publishing branch of their business and focused on engraving. The engraving process used metal plates to reproduce illustrations for magazines and books. Through a series of mergers and acquisitions the company was named Rapid, Grip, and Batten Limited by the time they opened their London office (Spadoni 1988: 27). The London office of the company closed around 1934.

According to a 1935 report by the Dominion Bureau of Statistics, the occupant of 126 Carling Street was Wesley Engravers and they appear as the occupant of the building in the City Directory of 1939 (Dominion Bureau of Statistics 1935: 3 and Vernon 1939: 777). Between the mid-1940s and the 1950s the occupant of the building was Artcraft Engravers, which originally had an office at 430 Richmond Street (Underwriters Survey Bureau 1940 and 1958). Wesley Engravers and Artcraft Engravers were two of 43 businesses in 1935 within Ontario that were "engaged wholly or principally in the production of printed matter by the engraving process, and the manufacture of plates, stereotypes and electrotypes for the printing trade" (Dominion Bureau of Statistics 1935: 1). The building is currently occupied by Chaucer's Pub, an affiliate of Marienbad Restaurant.

3.4.5 120 Queens Avenue

The structure at 120 Queens Avenue is known as the Lipton Building and was constructed in 1956 (Stantec 2011). From at least the 1880s until the mid-1950s, the area contained the municipal addresses 454-464 Talbot Street. The structures at this address were six attached residences. The residences were two and one half storey structures with a hip roof and dormers (Plate 7). During the 19th century these rowhouses were home to some of London's affluent citizens, including two doctors and a reverend in 1883 (London Publishing Company 1883: 34).

In 1954, the rowhouses were demolished and construction began on 120 Queens Avenue, known as the Lipton Building (Plate 8). The first occupant of the building is recorded in 1957 and was the Unemployment Insurance Commission (Vernon 1957: 686). Archival photographs show that the original façade of the Lipton building had elements of the mid-century modern design style, expressed primarily by the building's curtainwall (Plate 9 and Plate 10). For the remainder of the 20th century, the building has been used as government and municipal offices.

In 1966, the Canadian military opened the Western Ontario Division Recruiting Centre in the building (Ivey Family London Room 1971). From the 1970s to 1990s, occupants included the London and Middlesex Disaster and Emergency Planning, the Canada Employment and Immigration Commission, Human Resources Centre of Canada, Teledek Employment Insurances, and Human Resources Development Canada (Vernon 1974, 1981, 1990, 1995, and 2000). According to the Downtown HCD Study, "the building has been completely renovated in recent years leaving no heritage elements" (Stantec 2012).

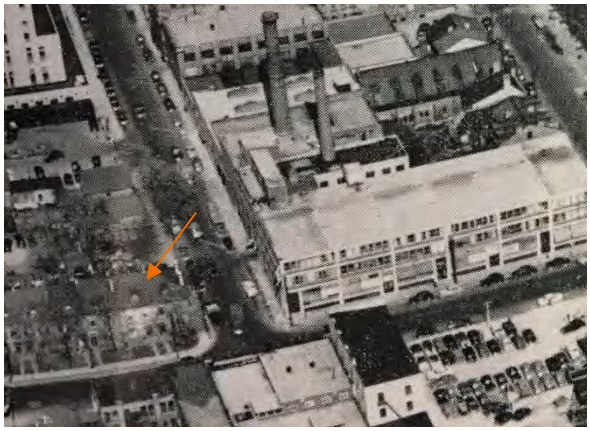


Plate 7: 454-464 Queens Avenue, bottom right of the photo, c. 1953 (Caty 1953)



Plate 8: The Lipton Building under construction, 1955 (London Free Press 1955)



Plate 9: Lipton Building, c. 1964 (Altenberg 1964)



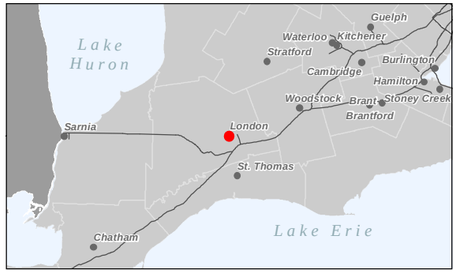
Plate 10: Lipton Building, c. 1965 (London Free Press 1965)



Stantec

Legend
- Study Area
- Property Boundary

Notes
1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2019.
3. Orthoimagery © First Base Solutions, 2019. Imagery Date, 2018.



Project Location
City of London, ON

Prepared by BCC on 2019-03-15
TR by ABC on yyyy-mm-dd

Client/Project
2470894 ONTARIO, INC.
HERITAGE IMPACT ASSESSMENT:
123 QUEENS AVENUE, LONDON, ONTARIO

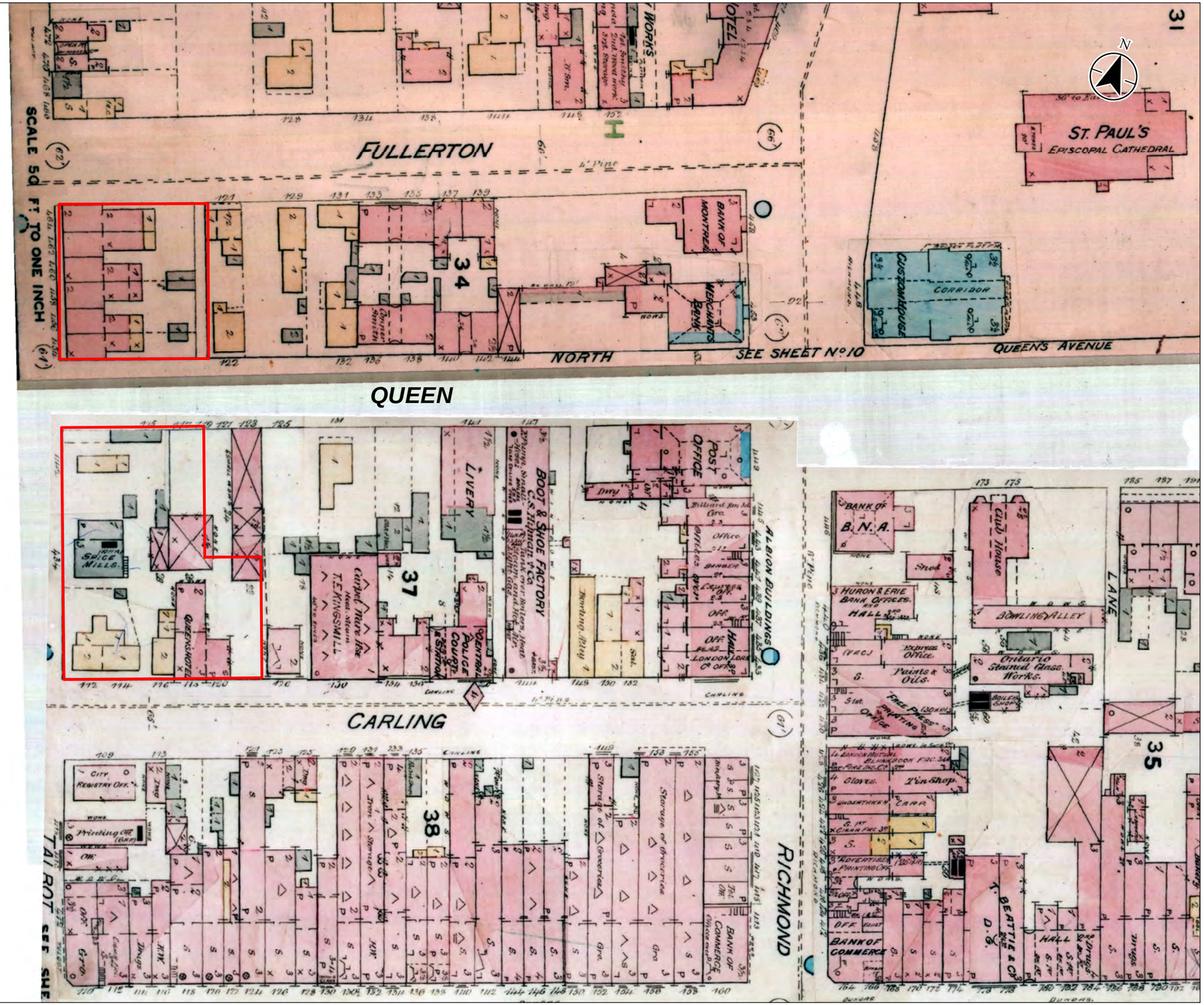
160940616 REVA

Figure No.
2

Title
Study Area

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Stantec

Legend

Study Area

NOT TO SCALE

Notes

1. Source: Goad, Charles E. 1888. Insurance Plan of London, Ontario. Montreal: Charles E. Goad.



Project Location
City of London, ON

Prepared by BCC on 2019-03-15
TR by ABC on yyyy-mm-dd

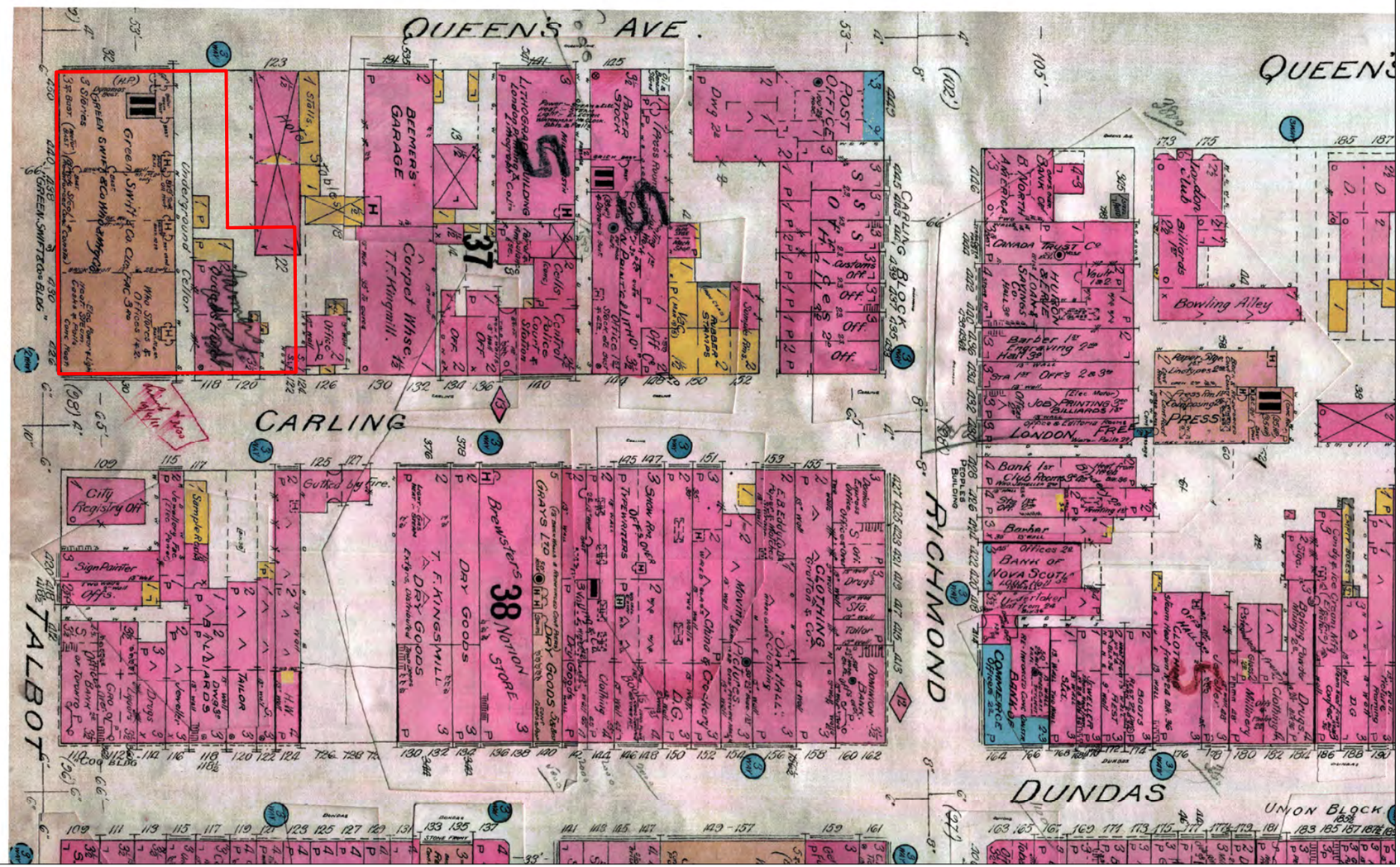
Client/Project
160940616 REVA
2470894 ONTARIO, INC.
HERITAGE IMPACT ASSESSMENT:
123 QUEENS AVENUE, LONDON, ONTARIO

Figure No.
3

Title
1888 Fire Insurance Plan, Sheet 10

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N

NOT TO SCALE

Notes

1. Source: Goad, Charles E. 1915. Key Plan of the City of London Ontario. Toronto: Charles E. Goad.

***** Northern portion of the Study Area not included on this mapping.

Legend

Study Area *

Project Location
City of London, ON

Prepared by BCC on 2019-03-15
TR by ABC on yyyy-mm-dd

Client/Project
2470894 ONTARIO, INC.
HERITAGE IMPACT ASSESSMENT:
123 QUEENS AVENUE, LONDON, ONTARIO

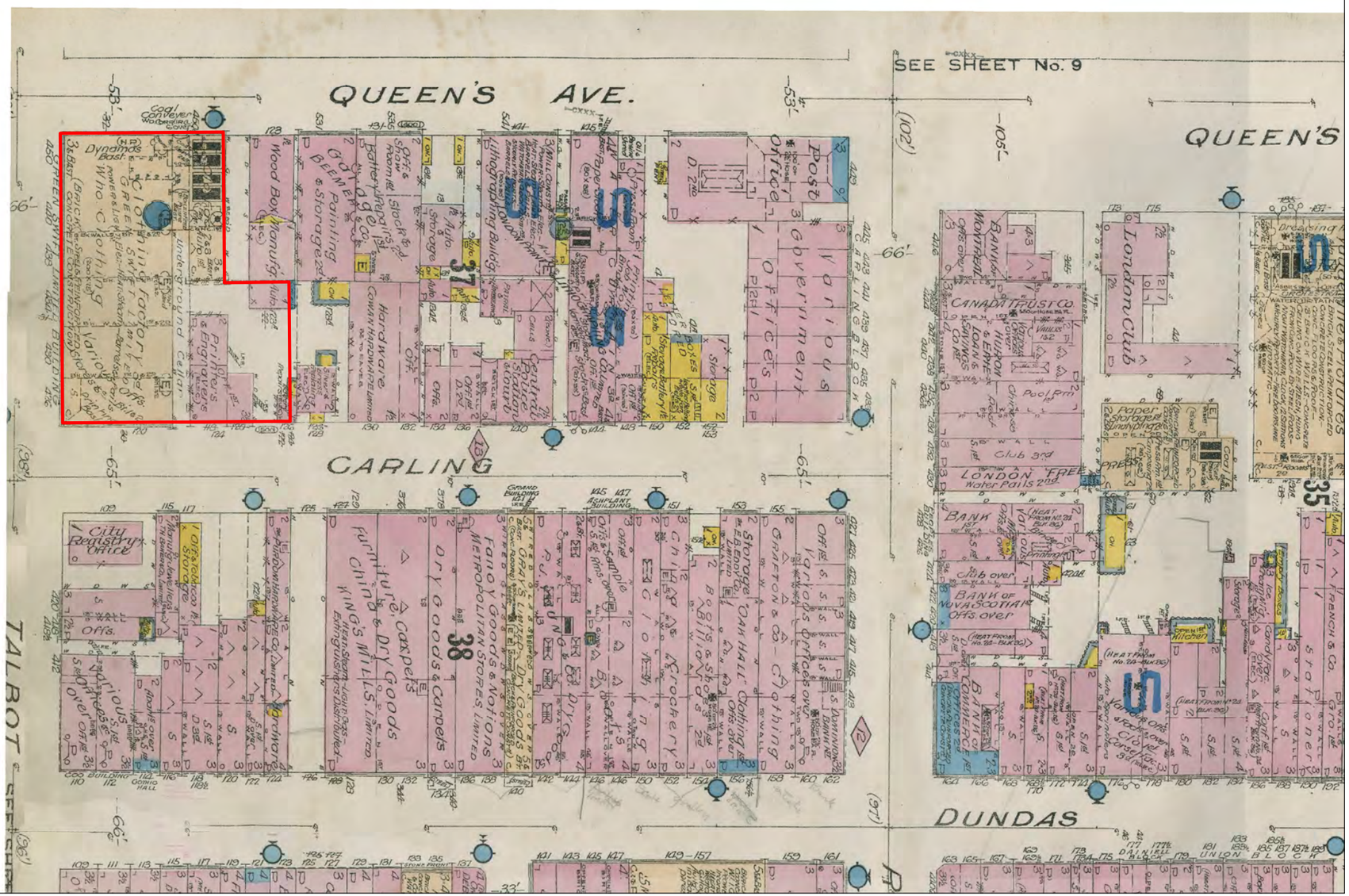
160940616 REVA

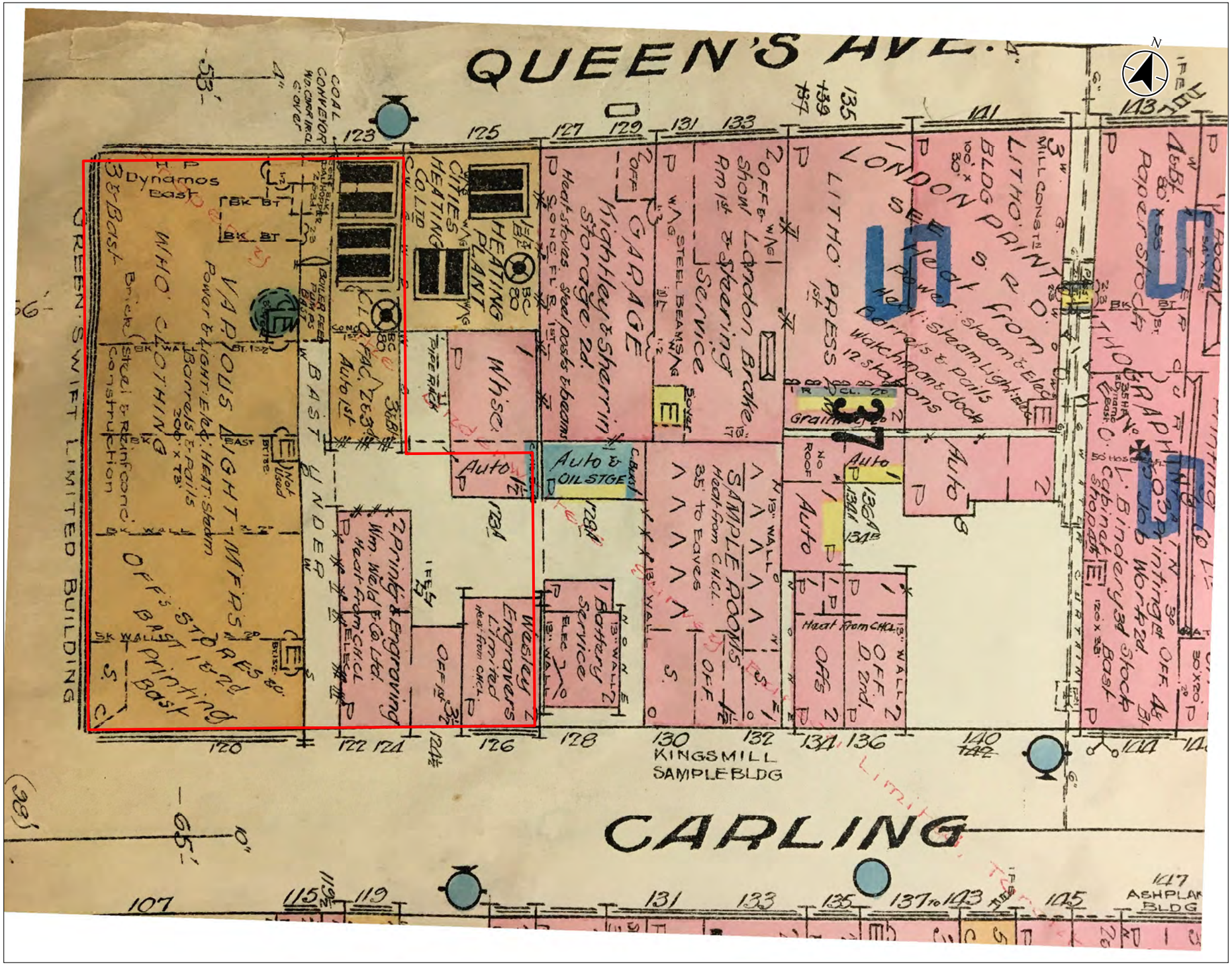
Figure No.
4

Title
1915 Fire Insurance Plan

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QUEEN'S AVE.
SEE SHEET No. 9
QUEEN'S
CARLING
DUNDAS
TALBOT
Post Office
Various Offices
Various Offices over
Various Offices over Stores
Various Stores
Various Offices over Offs.
Various Offices over Shops
Various Offices over Factory
Various Offices over Warehouse
Various Offices over Workshops
Various Offices over Printing Office
Various Offices over Lithographing Office
Various Offices over Commercial Offices
Various Offices over Banking Offices
Various Offices over Dwellings
Various Offices over Dwelling
Various Offices over Dwellings
Various Offices over Dwelling
Various Offices over Dwellings
Various Offices over Dwelling



Stantec

Legend

Study Area *

NOT TO SCALE

Notes

1. Source: Underwriters Survey Bureau. 1940. City of London Ontario. Toronto: Underwriters Survey Bureau.

* Northern portion of the Study Area not included on this mapping.



Project Location
City of London, ON

Prepared by BCC on 2019-03-15
TR by ABC on yyyy-mm-dd

Client/Project
2470894 ONTARIO, INC.
HERITAGE IMPACT ASSESSMENT:
123 QUEENS AVENUE, LONDON, ONTARIO

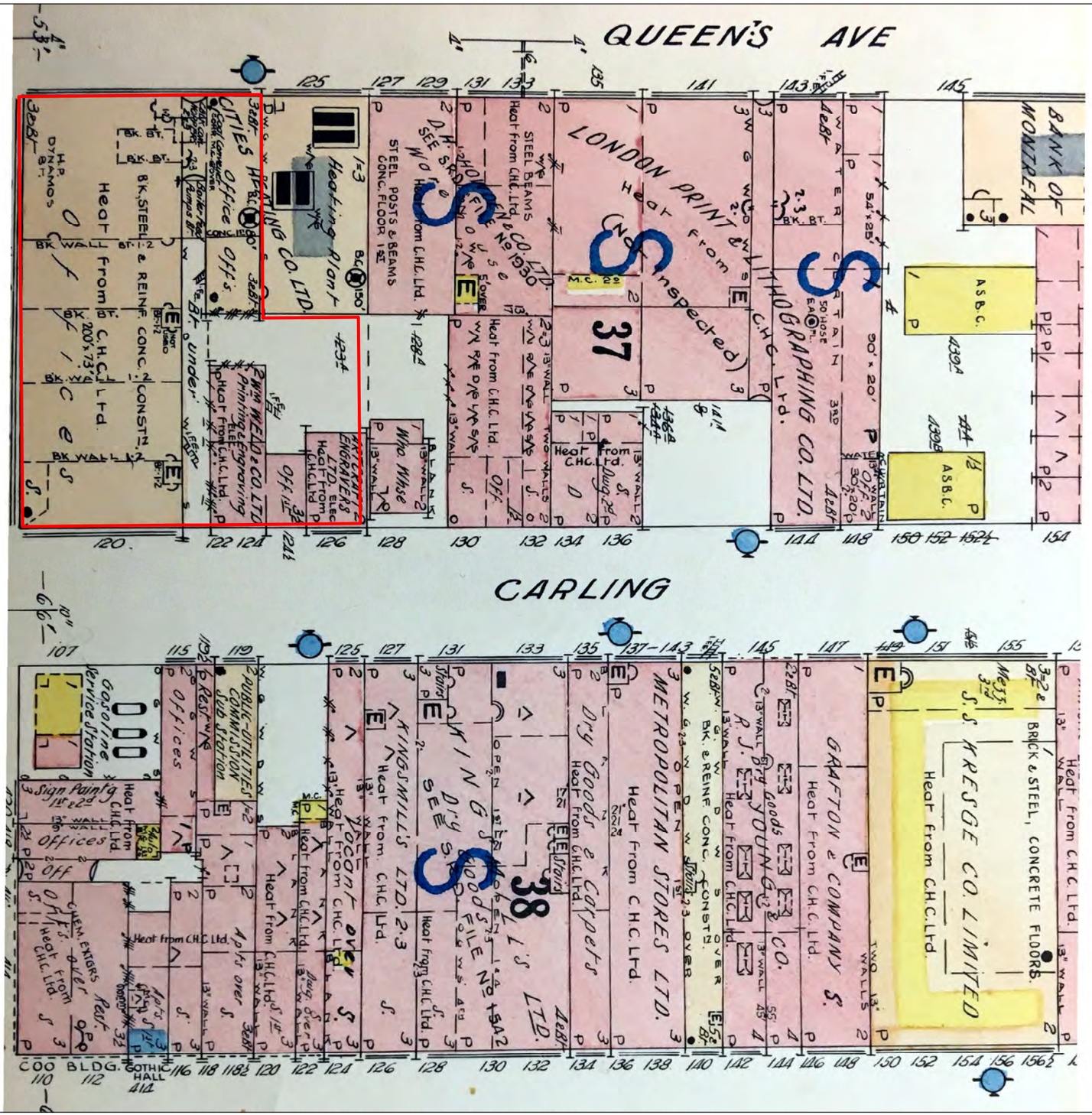
160940616 REVA

Figure No.
6

Title
1940 Fire Insurance Plan

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\\cd1215-f01\work_group\01609\Active\160940616\03_data\gis_cad\gis\mxd\cultureheritagereport_figures\20190214_HIA\160940616_HIA_Fig06_1940_FireInsurancePlan.mxd Revised: 2019-03-15 By: pwensell


QUEEN'S AVE
CARLING
N
LONDON PRINTING & LITHOGRAPHING CO. LTD.
Heat from C.H.C. Ltd.
Not Inspected
CITIES SERVICE OIL CO. LTD.
Office
Offices
Heating Plant
H.P. DYNAMOS
BK. STEEL & REINF. CONC. CONSTN.
Heat from C.H.C. Ltd.
BANK OF MONTREAL
A.S.B.C.
WATER
STAIR
3RD
37
38
STEEL BEAMS
STEEL POSTS & BEAMS
CONC. FLOOR 1ST
Dry Goods & Carpets
Heat from C.H.C. Ltd.
METROPOLITAN STORES LTD.
Heat from C.H.C. Ltd.
GRAFTON & COMPANY S.
Heat from C.H.C. Ltd.
S. S. KRESGE CO. LIMITED
BRICK & STEEL, CONCRETE FLOORS
Heat from C.H.C. Ltd.
KING'S DRY GOODS
Heat from C.H.C. Ltd.
R. J. YOUNG CO.
Dry Goods
Heat from C.H.C. Ltd.
KINGSMILL'S LTD.
Heat from C.H.C. Ltd.
VICTORY OVER
Heat from C.H.C. Ltd.
PUBLIC UTILITIES COMMISSION Sub Station
Offices
Gasoline Service Station
Sign Painting
Heat from C.H.C. Ltd.
Offices
Heat from C.H.C. Ltd.
Apts over
Heat from C.H.C. Ltd.
CINEMA ENTERS
Offices over
Heat from C.H.C. Ltd.
COO BLDG.
GOTHIC HALL
Wm. WILLIS & CO. LTD.
Printing & Engraving
Heat from C.H.C. Ltd.
Wm. Wise
Heat from C.H.C. Ltd.
ENGRAVERS LTD.
Heat from C.H.C. Ltd.
Heat from C.H.C. Ltd.
Heat from C.H.C. Ltd

4.0 SITE DESCRIPTION

4.1 INTRODUCTION

As outlined in Section 2.3, a site visit was conducted on February 22, 2019 by Meaghan Rivard, Senior Heritage Consultant, and Frank Smith, Cultural Heritage Specialist, both with Stantec. The weather conditions were cold, sunny, and calm. The site visit included a pedestrian survey of the buildings adjacent to 123 Queens Avenue and an interior site assessment of 123 Queens Avenue. Ongoing attempts to secure the building have failed and there were numerous areas where vandals have gained access to the building. The multiple forced entries, as well as attempts to secure the building from the interior, have created areas that were inaccessible. In addition, the roof is in very poor visual condition, is clad only with plywood in areas, and is absent in various areas of the third floor. The result is that water has entered the building and, given the cold conditions, large amounts of ice were found throughout the buildings, creating health and safety concerns. Areas where Stantec could not gain access due to blocked entryways or health and safety concerns are noted below.

4.2 LANDSCAPE SETTING

The Study Area consists of the property at 123 Queens Avenue, 120 Queens Avenue, 450 Talbot Street, 122 Carling Street, and 126 Carling Street. The property at 123 Queens Avenue contains an early 20th century industrial structure. The property at 120 Queens Avenue contains a mid-20th century office building. The property at 450 Talbot Street contains an early 20th century industrial structure that has been converted to commercial/office use. The property at 122 Carling Street contains a mid-19th century commercial building. The property at 126 Carling Street contains an early 20th century commercial building. Adjacent properties include a mix of commercial, civic, and educational buildings as well as surface parking lots.

Queens Avenue, within and adjacent to the Study Area, is a three-lane one-way road for westbound traffic and paved with asphalt (Plate 11 and Plate 12). Within the Study Area, Queens Avenue has concrete sidewalks. The structures on Queens Avenue between Richmond Street and Talbot Street are presently civic buildings (120 Queens Avenue and the Dominion Public Building), commercial buildings (Moxies Grill), a vacant industrial building (123 Queens Avenue), and an office building (450 Talbot Street). There are also large parking lots in the middle of the block on both the north and south sides. The roadway is lined with municipal LED streetlighting affixed to decorative octagonal poles with brackets, pedestrian streetlighting with high pressure sodium light fixtures in globes, small thornless honey locust trees, and trash receptacles. Running along the south side of Queens Avenue are grates that vent steam and the northwest corner of Queens Avenue and Richmond Street contains a manhole cover for the former CHC system (Plate 13).

Talbot Street, within and adjacent to the Study Area, is a two-lane asphalt paved road with a central turning lane for traffic turning westbound onto Queens Avenue (Plate 14 and Plate 15). Most structures are commercial or civic, including the Harrison Pensa Law Firm (450 Talbot Street) and Richard Pierpoint Building (451 Talbot Street). The roadway is lined with municipal LED streetlighting affixed to decorative

octagonal poles with brackets, pedestrian streetlighting with high pressure sodium light fixtures in globes, concrete sidewalks, and trash receptacles.

Carling Street, within and adjacent to the Study Area, is a narrow two-lane road paved with asphalt (Plate 16 and Plate 17). Most buildings are presently commercial structures, including multiple restaurants and the recently converted Kingsmills Department Store which is home to Fanshawe College, except for the PUC substation, which is an industrial structure. There is a large parking lot in the middle of the block. Carling Street has wide sidewalks paved with interlocking brick pavers that accommodate outdoor seating areas during warmer months. The road is lined with municipal streetlighting affixed to decorative octagonal poles with brackets and contains small thornless honey locust trees.

Between 123 Queens Avenue, 450 Talbot Street, and 122 Carling Street is a narrow alleyway paved with asphalt (Plate 18). The asphalt surface is wearing in several places and the ground contains pieces of crushed bricks. The alleyway was likely built to facilitate the delivery of coal to 123 Queens Avenue.



Plate 11: Looking east on Queens Avenue across from 123 Queens Avenue



Plate 12: Looking west on Queens Avenue across from 123 Queens Avenue



Plate 13: CHC manhole cover, located outside 171 Queens Avenue



Plate 14: Looking north on Talbot Street



Plate 15: Looking south on Talbot Street



Plate 16: Looking east on Carling Street



Plate 17: Looking west on Carling Street



Plate 18: Alleyway, looking north

4.3 123 QUEENS AVENUE

4.3.1 Exterior

The structure at 123 Queens Avenue is a former industrial building that is currently vacant. The building is a three storey structure with a flat roof and a full basement. The building is constructed of reinforced concrete, reinforced concrete masonry units, and plain concrete masonry units. It contains a front (north) façade clad in red brick, buff brick, and concrete banding with decorative concrete diamonds. The structure has a flat roof and concrete block foundation intermixed in some areas with brick.

4.3.1.1 Front (North) Façade

The front (north) façade of 123 Queens Avenue contains three storeys that are divided by horizontal concrete bands, three vertical concrete bands, and six ornamental concrete diamonds (Plate 19). The front façade is topped with a concrete parapet that has crumbled and is now in visual disrepair and uneven (Plate 20). The horizontal band between the first storey and second storey contains the faded remnants of a hand painted sign with a serif font for Cities Heating Co. The sign was partially located on the now demolished 125 Queens Avenue and only “ating Co.” remains. Directly above the hand painted sign is an orange and black triangle (Plate 21). The orange and black triangles were the logo for Cities Heating Co., as seen in a 1974 advertisement for the company.

The third and second storeys are clad in red brick with a stretcher bond. The first storey is clad in buff brick at the off-centre entrance and red brick west of the entrance. The entrance has an inset wooden door and transom with municipal address number and concrete lintel. Just west of the entrance is a boarded-up window, also known as a blind window, with a concrete sill and lintel (Plate 22). The red brick portion contains a window sill where the window has been filled in. Above this window the red brick is missing, revealing buff bricks (Plate 23). The second and third storeys are connected to the adjacent 450 Talbot Street and below the second storey is a laneway (Plate 24).



Plate 19: Front façade, looking south



Plate 20: Second and third storey concrete banding and concrete diamonds topped by a concrete parapet, looking south



Plate 21: Faded lettering for Cities Heating Co., looking south



Plate 22: Entrance door, transom, window, and blind window, looking south



Plate 23: Missing red brick cladding, exposing buff brick



Plate 24: Laneway, looking south

4.3.1.2 East Façade

The east façade is clad in parged concrete (Plate 25). The second and third storey both have four window openings with no windows remaining. Three of the openings are boarded with plywood and one is open. The third storey of the east façade contains two blind windows and one closed-off doorway. The second storey contains six blind windows (Plate 26 to Plate 28). The first storey contains five window openings with no remaining windows and all the openings have been boarded with plywood. The first storey contains one blind window and a section of concrete blocks along the north end which appear to be a former opening for a shipping/receiving area (Plate 29). The parged concrete edge of one of the window openings on the first storey has eroded, exposing the buff brick exterior wall of this elevation (Plate 30). The closing of former windows and entrances were likely made when additions to 125 Queens Avenue were undertaken in the early to mid-1950s. A photograph of the east façade from about 1952 shows all the second and third storey window openings unblocked (see Plate 2, Section 3.4.2). The south portion of the east façade between the first and second storeys has a climbing plant growing on the building.



Plate 25: East façade, looking west



Plate 26: Blind and boarded windows on second and third storey on south half of east façade, looking west



Plate 27: Blind and boarded window and door of south half of first storey on east façade, looking west



Plate 28: Blind and boarded windows on north half of east façade, looking west



Plate 29: Concrete block wall on part of east façade, looking west



Plate 30: Eroded window opening, showing buff brick exterior, looking west

4.3.1.3 South Façade

The south façade is clad in concrete which has weathered at the southeast corner on the second and third storeys revealing sections of the concrete reinforcing bar (rebar) (Plate 31). The third and second storeys contains six window openings with no windows remaining (Plate 32). The first storey appears to have no entrances or window openings. However, a large mound of snow obscured the southwest corner of the first storey. Much of the first storey, and part of the second storey of the south façade, is overgrown with a climbing plant (Plate 33).



Plate 31: Exposed rebar, looking north



Plate 32: Third and second storeys of south façade, looking north



Plate 33: First storey of south façade, looking north

4.3.1.4 West Façade

The west façade is clad in parged concrete (Plate 34). Much like the other façades, parts of the concrete have failed, exposing the rebar (Plate 35). The third storey contains five window openings with concrete windowsills and what appear to be the original windows. The windows are 15-pane opaque glass windows commonly seen in early and mid-20th century industrial structures (Plate 36 and Plate 37). Six panes in the middle pivot open to allow in fresh air. The third storey also contains a metal doorway that is rusted (Plate 38). The second storey contains five window openings with concrete sills and have bricks that are either lintels or partially covered the original window opening, none of which contain windows (Plate 39 and Plate 40). The second storey also contains a metal door. The first storey contains three boarded up entrances and three window openings with metal bars and concrete sills (Plate 41 to Plate 43).

Visible when looking north along the alleyway is the connection between 123 Queens Avenue and the neighbouring structure at 450 Talbot Street (Plate 44). The connection spans the second and third storey and contains one 20 and one 25 pane opaque glass windows with concrete sills, commonly seen in early and mid-20th century industrial structures. Below the window is a large window opening with a concrete sill but no window present. The concrete underneath the second storey and visible from outside has failed and the rebar is visible (Plate 45).



Plate 34: West façade, looking north



Plate 35: Exposed rebar on west façade, looking east



Plate 36: Opaque glass windows on west façade, looking east



Plate 37: Opaque glass window on west façade, looking east



Plate 38: Metal door on west façade, looking east



Plate 39: Window openings along alleyway, looking north



Plate 40: Window openings along alleyway, looking south



Plate 41: First storey entrances on west façade, looking north



Plate 42: Doorway at rear of west façade, looking east



Plate 43: Windows with bars on west façade, looking east



Plate 44: Corridor connection, looking north



Plate 45: Exposed rebar, looking south

4.3.2 Interior

The interior of 123 Queens Avenue contains a ground floor, a second and third floor, and a full basement. The structure contains a steel main staircase attached to a concrete block wall that provides access from the first storey to the second storey, third storey, and roof (Plate 46 and Plate 47). Adjacent to the staircase at the east edge of the structure is an open area that spans the basement to third floor (Plate 48 and Plate 49). Based on historical images, the original stack and replacement chimney were likely located in this opening.



Plate 46: Steel staircase looking down from second floor

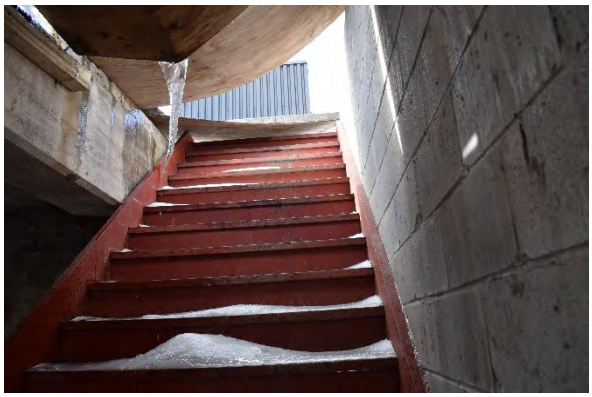


Plate 47: Steel staircase leading to the roof from the third floor



Plate 48: Open area spanning basement to third floor, viewed from first floor



Plate 49: Open area, viewed from third floor

4.3.2.1 First Storey

The first storey contains three levels. The lowest level is located at the main entrance door and has walls of concrete and brick (Plate 50 and Plate 51). Adjacent to a bricked over window opening is an opening in the floor that leads to the basement level (Plate 52 and Plate 53). The first level contains a concrete support column.

The second level of the first storey is accessed via a wooden staircase. The east side of this staircase has decorative scrollwork, although the west side does not (Plate 54). The second level of the first storey has concrete block walls and parged concrete walls on the west wall. One of the window openings has been bricked over with buff brick. The east wall is parged with concrete (Plate 55 and Plate 56). This level contains a concrete support column with a metre labelled “Bailey Canada”. The meter has an analog dial measuring between at least 300 and 800 degrees Fahrenheit (Plate 57). The bottom of the column has three metal ladder rungs (Plate 58). Adjacent to the staircase between the first and second levels of the first storey is a pallet of buff brick (Plate 59). The bricks appear consistent with the exterior of the building. Although their origins are not known, it appears likely that they were salvaged when the adjacent building at 125 Queens Ave was taken down, as many of the windows have been bricked over with similar bricks.

The third level of the first storey was not accessed due to the corridor being blocked by security fences and debris (Plate 60). The third level contains a metal staircase that leads to a doorway boarded in plywood (Plate 61). This section has a painted green stripe on the south wall and the walls are parged concrete. With the exception of the “Bailey Canada” meter, the electrical fixtures and any equipment associated with the building’s industrial history have been removed from the first storey.



Plate 50: Level 1 of first storey, looking



Plate 51: Level 1 of first storey showing entrance



Plate 52: Opening to basement



Plate 53: Bricked window



Plate 54: Staircase from Level 2 with scroll detailing

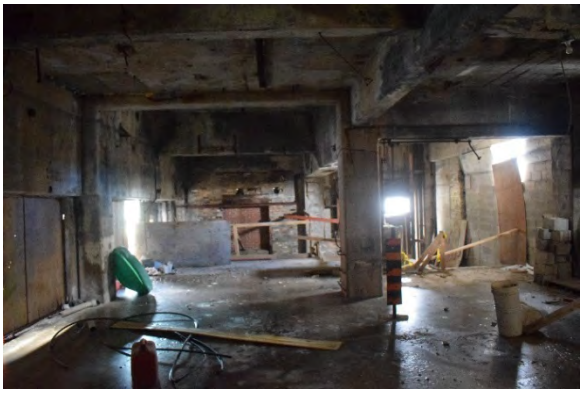


Plate 55: Level 2 of first storey, looking towards the front door



Plate 56: Level 2 level of first storey along east wall



Plate 57: Bailey Canada meter



Plate 58: Ladder rungs



Plate 59: Pallet of buff bricks



Plate 60: Debris blocking entrance to Level 3, looking south



Plate 61: Staircase, looking south from Level 2

4.3.2.2 Second Storey

The second storey is divided into a south half and north half, delineated by the steel staircase. The south section contains window openings with no windows on the south wall and west wall (Plate 62 and Plate 63). The west wall contains a metal door (Plate 64). The walls are clad in parged concrete. The east wall contains three window openings bricked over with buff brick, two window openings boarded by plywood, and one entrance (Plate 65). The southeast corner contains a former doorway that has been closed with concrete blocks and buff brick. The lower third of the wall in the south section is painted green. The ceiling contains concrete beams and rusted fluorescent light fixtures, many of which have been removed.

The north section of the second storey contains window openings with no windows and a smaller room accessed via a large opening adjacent to the northeast corner (Plate 66). The west wall in this section contains an electrical box (Plate 67). The west part of this section is connected to the adjacent 450 Talbot Street, but this connection has been closed with buff brick (Plate 68). The ceiling contains concrete beams and any lighting fixtures have been removed (Plate 69). Stantec staff did not access the entire area due to the buildup of ice on the concrete floor.



Plate 62: Southeast corner of south section, looking south



Plate 63: Southwest corner of south section, looking south



Plate 64: Metal door



Plate 65: Window openings bricked with buff brick



Plate 66: Second storey north section, looking north



Plate 67: Electrical box, looking west



Plate 68: Former connection between 450 Talbot Street and 123 Queens Avenue, looking west



Plate 69: Wiring for light fixtures

4.3.2.3 Third Storey

The third storey is divided into a south section and north section which, as was the case for the second storey, is delineated by the steel staircase. The staircase leads to the roof of the building and although the roof is open, access is blocked by plywood (Plate 70). The west wall contains three opaque glass panel windows. Additional window panels are located on the floor of the southwest corner. The south wall contains three window openings with no windows (Plate 71). The east wall contains several bricked-up openings that are blocked with red brick and buff brick (Plate 72). The walls of the south section are clad in parged concrete as are the ceiling and ceiling beams. No light fixtures remain.

The north section contains three rooms, the main room adjacent to the staircase and two smaller rooms which are accessed through openings in the parged concrete walls. The main room contains parged concrete walls, a concrete ceiling, and concrete beams. Towards the northwest, a metal staircase is present, which leads to roof access (Plate 73 and Plate 74). The north corner of the west wall contains a fuse box (Plate 75). West of this staircase are two metal doors which originally would have led to the adjacent 450 Talbot Street. Behind the doors, the corridor has been closed with concrete blocks (Plate 76). Just north of the doorway is a pile of bricks and concrete and a small opening into the adjacent room (Plate 77). The window openings on the west side of the south section have opaque glass panel windows (Plate 78). The north section contains three rooms at the north end. Stantec staff did not access all three rooms because of ice buildup and obstructions. The most westerly room contains angled concrete beams pointing upwards (Plate 79). The room in the middle contains a wall of concrete block on the east, concrete parged walls for the other walls, and a ceiling of parged concrete with metal beams (Plate 80). The most easterly room contains a western wall of concrete block, parged concrete for the other three walls, and a ceiling of parged concrete with concrete beams (Plate 81). No light fixtures remain in this section of the building.

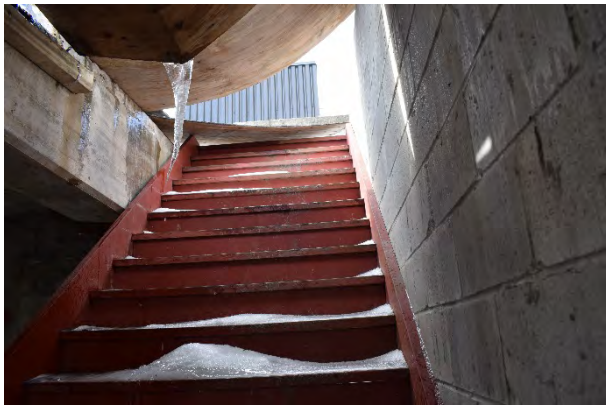


Plate 70: Access to roof, looking east



Plate 71: South and west walls, looking south



Plate 72: South and east walls, looking south



Plate 73: Metal staircase, looking north



Plate 74: Northern room of third storey, looking south



Plate 75: Fuse box, looking west



Plate 76: Metal doors, looking west



Plate 77: Opening in concrete wall adjacent to metal doors, looking north



Plate 78: Window in corridor connecting 123 Queens Avenue and 450 Talbot Street, looking south



Plate 79: Most westerly room, looking north



Plate 80: Middle room, looking north



Plate 81: Easterly room, looking north

4.3.2.4 Basement

The basement contains one large room and three smaller rooms, one of which was partially flooded. The main room has a mix of parged concrete and concrete block walls and the ceiling and floor of the first storey is supported by metal braces (Plate 82). The ceiling is plywood, which was likely used to form the poured concrete floor of the first storey and not removed because the metal braces also support the first storey floor (Plate 83). The concrete support beam in the main section has metal ladder rungs, indicating that the basement and first storey may have been accessible via a metal ladder on the column. The plywood adjacent to the column is a lighter color, indicating it may have been added at a later date (Plate 84). Located below the bottom ladder rung is a modern three prong power outlet.

The room at the northwest corner of the basement contains a poured concrete and concrete block wall. The south wall contains a metal closet door and a barrel drum. The west wall is painted white and gray. Two metal pipes from the ceiling have broken from their clamps and are hanging (Plate 84). The room on the southwest corner contains industrial machinery and pipes that have rusted and corroded where

hazardous materials have been identified. The west wall of this room is brick that has been painted green, black, and gray (Plate 86). The third room is located at the southwest section of the basement is accessed via a five-step concrete staircase. This room is partially flooded but was observed to contain pipes, concrete support columns, and a ladder (Plate 87).



Plate 82: Main basement room, looking north



Plate 83: Metal beams in basement and plywood ceiling



Plate 84: Concrete column and ladder rungs, looking east



Plate 85: Northwest room, looking west



Plate 86: Southwest room with machinery, looking west



Plate 87: Flooded southwest room, looking south

4.4 450 TALBOT STREET

The structure at 450 Talbot Street is a three storey commercial building with a flat roof (Plate 88). The structure has been heavily modified with modern windows and stucco cladding. The front (west) façade contains modern windows, a glass entrance atrium with parapet, a sign for “Harrison Pensa”, and an exterior clad in modern stucco. The north façade contains modern windows, a sign for “Harrison Pensa”, modern stucco, and is attached to 123 Queens Avenue at the second and third storeys. The south façade contains modern windows, an entrance, and is clad in modern stucco. The east façade is the only elevation that retains original exterior elements. The east façade is clad in white brick and has vertical and horizontal concrete banding. The exterior has modern windows with concrete sills (Plate 89). The foundation of the 450 Talbot Street is poured concrete. The current occupant of the structure is the Harrison Pensa Law firm.



Plate 88: 450 Talbot Street, looking southeast



Plate 89: Original exterior of 450 Talbot Street, at left, looking north

4.5 122 CARLING STREET

The structure at 122 Carling Street is a three and one half storey commercial building with a medium pitched side gable roof with asphalt shingles, and four hip roof dormers (Plate 90). The dormers contain 4/4 windows. The exterior of the front (south) façade is clad in buff brick with a stretcher bond and has a decorative brick band just below the eaves. The second and third storeys contain 2/2 windows with brick voussoirs and keystones, modern shutters, and modern sills. The first storey contains an off-centre entrance and three fixed windows with stained glass transoms, brick voussoirs, and concrete sills. Adjacent to the entrance is a radial wave light fixture, a popular form of street lighting during the early 20th century. The west façade is clad in buff brick and red brick and is adjacent to an alleyway which leads north to Queens Avenue. The east façade is clad in buff brick and partially attached to the neighbouring 126 Carling Street. The north elevation contains two hip roof dormers, a buff brick exterior, and a shed roof addition clad in buff brick.

The structure is listed as a Priority 1 structure and vernacular in design according to the City's *Inventory of Heritage Resource*. The current occupant is the Marienbad Restaurant.



Plate 90: 122 Carling Street, looking north

4.6 126 CARLING STREET

The structure at 126 Carling Street is a two storey commercial building with a flat roof (Plate 91). The exterior of the structure is buff brick with a common bond. The second storey contains three 15 pane glass windows with transoms and concrete lintels. The first storey contains an off-centre entrance and two 15 pane glass windows with stained glass transoms and concrete lintels. The foundation of the building is obscured. The east façade is clad in buff brick and contains a sign for Chaucers, Maienbard Restaurant, and Becks Beer. Located on the roof is a metal sculpture. The north façade is clad in buff brick and has two windows and a flat roof addition. The west façade is attached to 122 Carling Street.

The structure is listed as a Priority 3 structure and vernacular in design according to the City's *Inventory of Heritage Resource*. The current occupant on the first floor is Chaucer's Pub and the second storey is occupied by the Nest Café Student Lounge.



Plate 91: 126 Carling Street, looking north

4.7 120 QUEENS AVENUE

The structure at 120 Queens Avenue is a three storey civic building (Plate 92). The structure has been modified with modern cladding. The structure has a flat roof with a flagpole, brick chimney, and HVAC system. All four façades contain a glass curtainwall. The main entrance to the structure is at the southwest corner of the building at the corner of Talbot Street and Queens Avenue. At the time of the site visit, the building appeared to be vacant. According to a sign on the door the last occupant may have been Service Canada.



Plate 92: 120 Queens Avenue, looking east

5.0 HERITAGE EVALUATION

5.1 DOWNTOWN HERITAGE CONSERVATION DISTRICT RANKINGS

Properties within the Study Area are within the Downtown London HCD. As such, they are all designated under Part V of the *Ontario Heritage Act* and have been ranked in the HCD and Plan as to their level of contribution to the HCD. Each building within the Downtown HCD was assigned a ranking and if applicable, the building's character defining elements were identified. A building's ranking is the evaluation of a building's heritage importance and attributes classified as either an A, B, or C, in descending order of value.

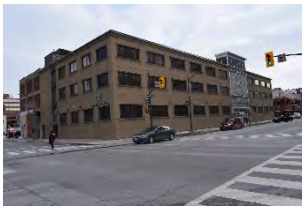
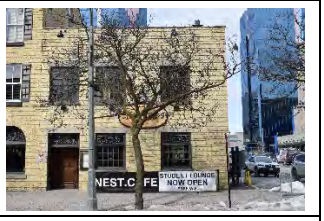
The structures at 123 Queens Avenue, 450 Talbot Street, and 120 Queens Avenue are all assigned a ranking of C, described in the Downtown HCD as "structure assessed as currently having any combination of the following attributes: most or all of the façade elements have been replaced; store front replaced; retains original form and massing; retains some historical significance, does not relate to streetscape; renovated using inappropriate materials or designs" (Stantec 2011).

The structures at 122 and 126 Carling Street are assigned a ranking of A, described in the Downtown HCD as "structure assessed as currently having any combination of the following attributes: all or most of the building's façade elements are intact; windows may be replaced but occupy original openings; store front retains tradition[sic] shape and some features such as windows or terrazzo pavement; previously designated; historical or landmark significance; noted architect; good or very good example of recognizable style; important to streetscape; good restorations" (Stantec 2011).

A summary of all properties within the Study Area and their assessment in the Downtown HCD is provided in Table 1.

Table 1: Cultural Heritage Resources Identified in London Downtown HCD Plan

Municipal Address	Description	Ranking	Character Defining Elements	Photograph
123 Queens Avenue	N/A	C	• Red brick and concrete reinforced structure connection to 450 Talbot	

Municipal Address	Description	Ranking	Character Defining Elements	Photograph
450 Talbot Street	Greene-Swift Building, 1907	C	• One of the City's first reinforced concrete buildings; the structure was completely renovated recently leaving one bay on the east side with original red brick and wooden sash	
122 Carling Street	Queens, Hotel c. 1890	A	• Unpainted brick with replacement windows in original openings; stain glass transoms on ground floor original from the hotel era, c. 1890 • Rebuilt dormers; period light fixture	
126 Carling Street	Print Shop, c. 1925	A	• Two storey cleaned brick • Replacement windows in original openings	
120 Queens Avenue	Lipton Building, 1956	C	• This building has been completely renovated in recent years leaving no heritage elements	

5.2 DISTRICT PLAN AND STUDY

This HIA also reviewed the character statements and character elements in the Downtown HCD Study and Plan. This review was required to determine the reasons why the HCD is significant and how the proposed change interacts with the significant features or character of the HCD. The District Study and Plan provide character statements for the historic, architectural, and landscape components of the HCD, however, it does not identify a specific list of heritage attributes (Stantec 2011). As such, the following items are drawn from the heritage character statements and identified in the HCD Study as contributing to the cultural heritage value of the HCD:

- Lots originally laid out to accommodate residential and associated buildings with setbacks from the front and side lot lines, creating a landscape prominence to the street
- Original building composition of independent structures of typically two or three storeys on generous lot

- Development of four to twenty storey mostly non-residential buildings that have been redeveloped but done so in a manner that respects the historic residential pattern of streetscape (e.g. Bell building, London Life, 200 Queens, the London Club)
- Rhythm of lawns, walks, tree plantings, landscaping and entrances to create interest at street level
- Streetscapes of curb, grassed and treed boulevards, walks, lawns and landscaping to building
- In commercial areas, development lots are built out to the front and side lot lines, creating a continuous street wall
- The tightness of the street is an integral part of the character
- Buildings of varying heights between two and six storey create a varied street wall profile
- Rhythm of recessed entrances and storefronts create interest at street level
- Landscape and building materials are predominantly masonry – brick, stone, and concrete – with a variety of ornamentation
- Sidewalks that are tight to the buildings, level and continuous, defined along road edge by services and signage creating a tight, busy corridor for pedestrian movement
- In the industrial/warehouse area, original building lots were built out to the front and to one of the side lot lines, creating a street wall that is interrupted by lanes and drives
- Street characterized by vehicular traffic rather than pedestrian
- Open space along the Thames River and Eldon House park land given to the city in the 1960s

(Stantec 2011; Stantec 2012)

The HCD Plan also identifies several views within the HCD that should be protected. The significant views identified are of landmark buildings and their settings. These views include:

- Views to the London Armories building (325 Dundas Street)
- Views to the Middlesex County Courthouse (399 Ridout Street North)
- Views to the London Life building (255 Dufferin Avenue)
- Views to Eldon House (481 Ridout Street)
- Broader scenic views of the forks of the Thames from the Middlesex Courthouse promontory
- Views from Eldon House Gardens west towards the Mount Pleasant Cemetery

(Stantec 2011; Stantec 2012)



6.0 IMPACT ASSESSMENT

6.1 DESCRIPTION OF PROPOSED UNDERTAKING

The Proponent is considering removal of the structure at 123 Queens Avenue.

While no plans for development are in place at the time of writing, it is anticipated that the site will be redeveloped in the future. In the interim, the property is proposed to be used for surface parking consistent with use of the adjacent properties. Building removal activities are anticipated to be contained to the property boundaries with the exception of use of the parking lot to the east for staging purposes and equipment storage.

A detailed Building Demolition Plan (BDP) was prepared by Jonathan Velocci for the Proponent. In this BDP the following statement is made regarding anticipated methods of demolition:

> *Mostly all demolition of the building structure will be carried out using a 360 degree excavator equipped with auxiliary hydraulic shear and grapple bucket. Other mobile equipment will be used to sort, pile, process and load material into trucks. Manual labor will be utilized as required during the demolition activities. No blasting or implosions shall be permitted.*
>
> (Velocci 2019)

Demolition is anticipated to begin with the connecting walkway between 123 Queens Avenue and 450 Talbot Street and move from the rear of the building to the front.

6.2 ASSESSMENT OF IMPACTS

The following sections outline the potential impacts on all cultural heritage resources described in Section 4.0. These impacts are summarized in Tables 2 and 3. Where impacts to identified cultural heritage resources are anticipated, ‘A’ is listed in the column. Where there may be potential for indirect impacts, ‘P’ is listed in the column. Where no impacts to cultural heritage resources are anticipated, ‘N’ is listed in the column. Where impacts are identified, discussion follows in Section 6.3.

Table 2: Potential Impacts to Cultural Heritage Resources

Municipal Address	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows	Isolation	Obstruction	Change in Land Use	Land Disturbances	
123 Queens Avenue	A	N	N	N	N	A	A	The building will be removed as part of the proposed undertaking, resulting in destruction. **Therefore, measures must be prepared to mitigate potential direct impacts.**
450 Talbot Street	N	A	N	N	N	N	P	The heritage resource is attached to the building proposed for removal, resulting in direct impacts to the east façade. The building is also positioned within 50 metres of project activities. This suggests the potential for indirect impacts resulting from vibrations. This is categorized as land disturbance during demolition activities. **Therefore, measures must be prepared to mitigate potential direct and indirect impacts.**
122 Carling Street	N	N	N	N	N	N	P	The building is positioned within 50 metres of project activities. This suggests the potential for indirect impacts resulting from vibrations. This is categorized as land disturbance during demolition activities. **Therefore, measures must be prepared to mitigate potential indirect impacts.**
126 Carling Street	N	N	N	N	N	N	P	The building is positioned within 50 metres of project activities. This suggests the potential for indirect impacts resulting from vibrations. This is categorized as land disturbance during demolition activities. **Therefore, measures must be prepared to mitigate potential indirect impacts.**
120 Queens Avenue	N	N	N	N	N	N	P	The building is positioned within 50 metres of project activities. This suggests the potential for indirect impacts resulting from vibrations. This is categorized as land disturbance during demolition activities. **Therefore, measures must be prepared to mitigate potential indirect impacts.**

Table 3: Potential Impacts on Heritage Attributes of the Downtown London Heritage Conservation District

Attribute	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows	Isolation	Obstruction	Change in Land Use	Land Disturbances	
Lots originally laid out to accommodate residential and associated buildings with setbacks from the front and side lot lines, creating a landscape prominence to the street	N	N	N	N	N	N	N	The proposed undertaking will result in the demolition of 123 Queens Avenue. The demolition of the structure will not alter street setback or lot lines. **Therefore, no mitigation measures are required.**
Original building composition of independent structures of typically two or three storeys	A	A	N	N	N	N	N	The proposed undertaking will result in the demolition of 123 Queens Avenue, an original three storey structure. **Therefore, measures must be prepared to mitigate direct impacts.**
Development of four to twenty storey mostly non-residential buildings that have been redeveloped but done so in a manner that respects the historic residential pattern of streetscape (e.g. Bell building, London Life, 200 Queens, the London Club)	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the residential pattern of the streetscape is not present within the Study Area. **Therefore, no mitigation measures are required.**
Rhythm of lawns, walks, tree plantings, landscaping and entrances to create interest at street level	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as removal of the building at 123 Queens Avenue will not alter lawns, walks tree plantings, landscaping or street level entrances. **Therefore, no mitigation measures are required.**

Table 3: Potential Impacts on Heritage Attributes of the Downtown London Heritage Conservation District

Attribute	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows	Isolation	Obstruction	Change in Land Use	Land Disturbances	
Streetscapes of curb, grassed and treed boulevards, walks, lawns and landscaping to building	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as Study Areathe Study Area does not contain these landscape features along Queens Avenue where change will be experienced**.** **Therefore, no mitigation measures are required.**
In commercial areas, development lots are built out to the front and side lot lines, creating a continuous street wall	N	A	N	N	N	N	N	The demolition of 123 Queens Avenue will reduce the size of the street wall on Queens Avenue between Talbot Street and Richmond Street from approximately 75 metres to 62 metres. This includes a gap of more than 90 metres where street level parking is currently situated. Although the majority of the street is street level parking (90 metres of street frontage on the south and 55 metres on the north), the current building does reach to the lot line at the front of the property and its removal will alter the current street wall. **Therefore, measures must be prepared to mitigate impacts.**
The tightness of the street is an integral part the character	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as Queens Avenue in the vicinity of the Study Area is not considered to be 'tight'. **Therefore, no mitigation measures are required.**
Buildings of varying heights between two and six storey, create a varied street wall profile	N	A	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as there is not considered to be a varied street wall profile within the Study Area. The building at 123 Queens Avenue is

Table 3: Potential Impacts on Heritage Attributes of the Downtown London Heritage Conservation District

Attribute	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows	Isolation	Obstruction	Change in Land Use	Land Disturbances	
								consistent in height with the adjacent building at 450 Talbot Street. **Therefore, no mitigation measures are required.**
Rhythm of recessed entrances and storefronts create interest at street level	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as this attribute relates to traditional commercial storefronts not found in this area of the HCD. **Therefore, no mitigation measures are required.**
Landscape and building materials are predominantly masonry – brick, stone, and concrete – with a variety of ornamentation	A	N	N	N	N	N	N	The existing building materials at 123 Queens Avenue will be removed as a result of the proposed undertaking. **Therefore, measures must be prepared to mitigate impacts.**
Walkways that are tight to the buildings, level and continuous, defined along road edge by services and signage creating a tight, busy corridor for pedestrian movement	N	N	N	N	N	N	N	It is not anticipated that walkways will be altered as a result of the proposed undertaking. **Therefore, no mitigation measures are required.**
In the industrial/warehouse areas, original building lots were built out to the front and to one of the side lot lines, creating a street wall that is interrupted by lanes and drives	A	N	N	N	N	N	N	Although not part of the industrial/warehouse area, the demolition of 123 Queens Avenue will result in the removal of the laneway in between 123 Queens Avenue and 450 Talbot Street. This is a relatively unique characteristic in this portion of the Downtown HCD. **Therefore, mitigation measures are required.**

Table 3: Potential Impacts on Heritage Attributes of the Downtown London Heritage Conservation District

Attribute	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows	Isolation	Obstruction	Change in Land Use	Land Disturbances	
Street characterized by vehicular traffic rather than pedestrian	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter street traffic. **Therefore, no mitigation measures are required.**
Open space along the river and Eldon House park land given to the City in the 1960s	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter open space. **Therefore, no mitigation measures are required.**
Views to the London Armories building (325 Dundas Street)	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views. **Therefore, no mitigation measures are required.**
Views to the Middlesex County Courthouse (399 Ridout Street North)	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views. **Therefore, no mitigation measures are required.**
Views to the London Life building (255 Dufferin Avenue)	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views. **Therefore, no mitigation measures are required.**
Views to St. Paul's Cathedral (472 Richmond Street)	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views.

Table 3: Potential Impacts on Heritage Attributes of the Downtown London Heritage Conservation District

Attribute	Potential for Direct Impact		Potential for Indirect Impact					Discussion
	Destruction	Alteration	Shadows	Isolation	Obstruction	Change in Land Use	Land Disturbances	
								Therefore, no mitigation measures are required.
Views to Eldon House (481 Ridout Street)	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views. **Therefore, no mitigation measures are required.**
Broader scenic views of the forks of the Thames from the Middlesex Courthouse promontory	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views. **Therefore, no mitigation measures are required.**
Views from Eldon House Gardens west towards the Mount Pleasant Cemetery	N	N	N	N	N	N	N	The scope of the proposed undertaking is not applicable to this attribute of the Downtown HCD as the removal of the building at 123 Queens Avenue will not alter views. **Therefore, no mitigation measures are required.**

6.3 DISCUSSION OF IMPACTS

Both direct and indirect impacts are anticipated as a result of the proposed development. Direct impacts include the demolition of the structure at 123 Queens Avenue. This is an irreversible impact and contrary to the policies of the Downtown London HCD, which discourages demolition of heritage buildings. A change is land use is expected for the property at 123 Queens Avenue as the site would change from former industrial use to commercial use as a parking lot.

Direct impacts are also anticipated for heritage attributes of the Downtown London HCD, including the existing building materials where demolition is required, alteration of the existing streetscape along Queens Avenue, and the removal of the laneway connecting Talbot Street and Queens Avenue. These impacts primarily stem from a change in the existing patterns of the building, lot, and landscape fabric that would be removed and replaced with an empty lot.

Indirect impacts include the potential for vibration on adjacent buildings within 50 metres of the Study Area. Vibrations may be caused from demolition activities. These potential effects are generally limited to the demolition period, and as such are temporary in nature. However, effects from vibrations, if unmonitored, have the potential for longer term impact to built heritage resources, particularly masonry materials that may shift or be damaged if the appropriate vibration levels are exceeded.

In several cases, impacts are not anticipated, particularly shadows, obstruction of views, isolation of a heritage resource and changes in land use. Views at the Study Area or the surrounding streetscape were not identified as heritage attributes in the Downtown London HCD Plan, and as such significant views will not be altered. The proposed undertaking is limited to three parcels for the building footprint and an additional parcel for driveway access and is not anticipated to isolate heritage resources from their surroundings, as the property parcels of adjacent buildings will remain unchanged. A change in land use is not anticipated for adjacent properties, as the proposed development does not utilize the adjacent parcels.

7.0 MITIGATION, IMPLEMENTATION, AND MONITORING

7.1 POTENTIAL MITIGATION MEASURES

The proposed undertaking will result in indirect and direct impacts to heritage resources, including heritage structures and character defining attributes of the Downtown HCD. As such, mitigation measures are required.

The study area generally, and 123 Queens Avenue specifically, has a different character than much of the surrounding HCD. As described in Section 4.2, 123 Queens Ave is the only building to front on to this section of Queens Avenue between Richmond and Talbot Streets. Much of the street wall along the south side of the street contains a surface parking lot, as does the north portion of the street. The result is a disjointed street wall that does not communicate the history of the property. Furthermore, the concrete parging on the east façade of 123 Queens removes the historical context of the space. Therefore, in many cases anticipated alterations to the existing features of the study area have the potential to be mitigated and result in beneficial impacts that are sympathetic to the heritage character and attributes of the HCD.

In addition to opportunities to enhance the character of the area, it should also be noted that within the HCD Plan exceptions relating to removal are acknowledged. As outlined in Section 2.1.4, demolition may be necessary where redevelopment is in keeping with appropriate City policies. Given this understanding, there exists the opportunity for this site to be incorporated into a larger development of the block between Queens Avenue and Richmond, Carling, and Talbot Streets that may be in keeping with wider City policies related to the downtown as well as the Downtown HCD.

Through discussion of available mitigation options recommendations will be made to lessen the effects of building removal. Table 4 provides a summary of options available.

7.2 MITIGATION DISCUSSION

The Impact Assessment identified four primary impacts; the potential for vibration effects resulting from demolition, the removal of a heritage property (123 Queens Avenue), the alteration of a heritage property (450 Talbot Street), and the change in streetscape at the Study Area. The impacts resulting from the proposed development are addressed below.

7.2.1 Vibration

Some impacts, such as the potential for vibration on properties within 50 metres of the proposed undertaking, can be mitigated with further assessments to identify whether vibration from demolition activities are anticipated to effect buildings within the study area. Where vibration levels are identified to interact with surrounding buildings, demolition monitoring will be required. A typical approach to mitigating the potential for vibration effects is twofold. First, a pre-demolition vibration assessment can be completed to determine acceptable levels of vibration given the site-specific conditions (including soil conditions,

equipment proposed to be used, and building characteristics). Second, depending on the outcome of the assessment, further action may be required in the form of site plan controls, site activity monitoring, or avoidance. For the purposes of this HIA, completing a pre-demolition vibration assessment will determine the need for additional assessment which should be considered prior to any site activity.

7.2.2 123 Queens Avenue

The existing structure at 123 Queens Avenue is being considered for removal as a result of the proposed redevelopment into a parking lot. The structure, a former heating plant, has been altered over the years but retains much of its original front façade and is ranked as a category C building within the Downtown London HCD. The HCD Plan strongly discourages the demolition of heritage properties, though it does recognize that demolition may be permitted in the cases of fire, structural instability, or occasionally for redevelopment purposes that are in keeping with the City's policies. The following alternatives and mitigation measures are typically explored when a structure has been identified to contain cultural heritage value or interest and demolition is proposed:

- Retention of the building *in situ*
- Relocation of the structure
- Documentation and salvage and commemoration

Generally, retention *in situ* is the preferred option when addressing any structure where cultural heritage value or interest has been identified, even if limited, particularly in an HCD where demolition is discouraged. The benefits of retaining a structure, or structures, must be balanced with site specific considerations. Not only must the level of cultural heritage value or interest be considered, so too must the structural condition of the heritage resource, the site development plan, and the context within which the structure, or structures, would be retained.

In the case of 123 Queens Avenue, the demolition of the building is being proposed due to health and safety concerns. Despite best efforts to secure the site, the building has been repeatedly broken into and represents a substantial safety hazard to any unauthorized occupants. Not only is the building in very poor visual condition due to years of vacancy, the nature of the industrial design of building, including large window openings to facilitate light, creates a risk to the public.

As discussed previously, the structure does not contribute significantly to the streetscape as the portion of Queens Avenue within which the building is situated is comprised primarily of street level parking. Furthermore, the streetscape along Queens Avenue between Richmond and Talbot Streets does not contain building frontages with the exception of 123 Queens Avenue; all of the buildings along this portion of the block are side building façades. Although a remnant of a former building block, 123 Queens Avenue does not communicate this history due to the significant modifications in the front façade, including windows that have been closed in with bricks.

When balancing retention *in situ* with the health and safety concerns, as well as the current historical context of the block, this HIA finds that retention is not a preferred option. Therefore, consideration should be given to other mitigation methods that may seek to retain or enhance the cultural heritage value of the area.

When retention *in situ* is determined to be either infeasible or unwarranted, relocation is often the next mitigation option considered. In the case of 123 Queens Avenue, relocation is not considered a preferred option due largely to the history of the site. While structural integrity may also be considered a factor in this decision, a structural assessment of the building has not been completed. Clear indications of concrete failure are apparent throughout the building, as seen by spalling concrete surrounding the rebar. In addition, relocation of 123 Queens Avenue would sever its historical link with the City's steam heating system and remove its historical connection as a former addition of 450 Talbot Street and the Greene-Swift Company. The importance of the building lies largely in its historical context; relocation would alter this relationship.

Detailed documentation and salvage is often the preferred mitigation strategy where retention or relocation is not feasible or warranted. Documentation creates a public record of the structure, or structures, which provides researchers, and the general public, with a land use history, construction details, and photographic record of the resource. Through the selective salvage of identified heritage attributes and other materials, the cultural heritage value or interest of the property can be retained, if in a different context. Documentation and salvage acknowledges the heritage attributes in their current context and, where feasible, allows for reuse. In addition, documentation and salvage can act as the foundation upon which commemoration activities can be built.

In the case of 123 Queens Avenue, opportunities exist to commemorate the structure and therefore documentation and salvage should be considered. Materials identified within the building, including buff bricks, windows, and small mechanical remnants of past industrial activities, present a unique opportunity to incorporate the history of the site in future development plans. Although development plans are not yet available, undertaking documentation and salvage activities will allow for retention of the cultural heritage value or interest of the property before further deterioration of the structure occurs. While the impetus for the removal of the building is health and safety concerns, vacant buildings also erode the history of a place. Should the building be deemed unsafe to enter, the history would be lost as would opportunities to incorporate selected salvage materials in future developments. Given the absence of detailed site plans for the future development, the opportunity exists now to salvage important historical materials that may be commemorated and help to tell a unique story of a centralized steam heating plan in the City's core and its role in the of development of downtown London. Furthermore, given its decades of vacancy, there may be a public interest in the history of the building which could be commemorated should documentation and salvage occur.

7.2.3 450 Talbot Street

Direct impacts are anticipated for 450 Talbot Street as 123 Queens Avenue is partially attached to the east façade of the building. The extent of these impacts are unknown, although it is anticipated to be minimal given the current closure between the two buildings. Mitigation strategies may include site plan



controls that would protect the building. Specifically, consideration may be given to a monitoring program as part of the BDP.

While removal of 123 Queens Avenue may affect 450 Talbot Street, it should also be noted that the east façade of the building is the only façade not clad in stucco. The red brick is exposed along the east façade as is painted white brick and some original windows, in wood casing, have been identified along this wall. This was noted in the HCD Plan and removal of 123 Queens Avenue represents an opportunity to expose this east façade. This would help to tell the story of the original building and communicate to the public part of the history of the site. Consideration of the interpretive potential of exposing original building materials could be combined with the commemoration opportunities discussed in Section 7.2.2.

7.2.4 Heritage Conservation District

Impacts associated with the Downtown HCD relate largely to modification of the current streetscape. The current building at 123 Queens Avenue is consistent with the character of the district in scale, three storeys in height, and position, built out to the boundary of the building lot. While Queens Avenue between Richmond and Talbot Streets deviates from the general character of the Downtown HCD in its street level parking and lack of building frontages, it is considered part of the district and changes to it should be in keeping with district guidelines. Therefore, in the absence of a structure to replace the current building, mitigating this impact is challenging. The use of the property as a parking lot does not allow for the impact to be lessened with replacement of the building with a similar scaled or positioned structure. Nor does a parking lot allow for similar materials to be used or the laneway to be incorporated.

While short term mitigation measures appear unavailable for the impact on the Downtown HCD, longer term measures should be considered. Each impact can be mitigated through future development that is sensitive to the historical context of the property and the Downtown HCD Plan. For example, creating a street wall that is consistent with the current three storeys would mitigate the loss of the current building on the property. Furthermore, by constructing buildings adjacent to properties where there are currently no buildings, the streetwall would be enhanced. Materials that speak to the current building, specifically concrete and red and buff brick, would further enhance the characteristics of the district. Finally, incorporating a laneway into future development plans in the same position as the current laneway would mitigate the loss of the laneway as part of the proposed undertaking.

As discussed in relation to 450 Talbot Street, removal of 123 Queens Avenue should also be understood in relation to the exposure of the original façade of 450 Talbot Street. This façade would speak to all four heritage attributes of the Downtown HCD where impacts have been identified. Exposing the façade would communicate the three storey building composition, show buildings of varying height when comparing 450 Talbot to the Carling Street properties, exhibit brick and concrete masonry with a variety of ornamentation, and speak to the industrial/warehouse areas where buildings were constructed on the entire property parcel. Although the removal of 123 Queens Avenue does have negative effects in the context of a discussion regarding Downtown HCD heritage attributes, it also has positive effects and presents an opportunity to uncover part of London's past that has been obstructed since the early 20th century.

8.0 SUMMARY STATEMENT AND CONSERVATION RECOMMENDATIONS

The building at 123 Queens Avenue is an early 20th century industrial building constructed of concrete and brick. It was built to house boilers for the Cities Heating Company, which supplied heat to much of London's downtown throughout the first half of the 20th century. It experienced a second life as an office space for CHC during the latter part of the 20th century. The building has been vacant since 1995 and was recently purchased by JAM Properties Inc. In 2012, the Downtown HCD was created, providing a tool to manage change in the historic downtown. This district includes 123 Queens Avenue. Due to challenges securing the site and safety concerns, demolition of the building is proposed. It is acknowledged that the Downtown HCD strongly discourages demolition of buildings within the district unless under exceptional circumstances.

Removing the building at 123 Queens Avenue has the potential to affect the adjacent buildings and represents a change to the heritage attributes of the Downtown HCD. Therefore, recommendations have been prepared to mitigate the impact of this proposed change and create opportunities for conservation of key elements of the history of the site. In addition, recommendations for future site development are proposed. While it is understood that in the absence of a development application these recommendations are not binding, the position of the study area within an HCD requires development applications be subject to approval by City of London staff and the London Advisory Committee on Heritage. As such, it is anticipated that these recommendations will be incorporated into future plans for the site to make clear that heritage is a priority in the design of future site plans.

In order to mitigate the impacts identified resulting from removal of the building at 123 Queens Avenue, the following recommendations are made:

- Vibration Assessment
  - A pre-demolition vibration assessment should be completed to establish a baseline for vibration levels in advance of demolition activities
  - Should any properties within the study area be determined to be within the zone of influence, additional steps should be taken to secure the buildings from experiencing negative vibration effects (i.e. adjustment of machinery or establishment of buffer zones)
- Demolition Plan
  - The existing Building Demolition Plan prepared by Jonathan Velocci, P. Eng., should be updated to consider ways to safeguard 450 Talbot Street where it is attached to 123 Queens Avenue
  - Depending on the findings, additional monitoring during demolition activities by a qualified building condition specialist may be required
- Documentation and Salvage
  - The site assessment completed for this HIA identified numerous safety concerns associated with ice cover in the building that restricted access to the entirety of the building; however, should

safer access be feasible, a site plan should be prepared, additional photography undertaken, and 3D scanning considered

- The location of the alleyway should be recorded and georeferenced to allow for recreation in any future development
- Salvage of all materials related to the history of the site should be undertaken under the supervision of a heritage professional
- Materials salvaged should be stored offsite in a secured location for use in a future development

- Commemoration
  - A commemoration plan should be prepared which will provide guidance to future development of the site
  - The commemoration plan should include:
    - A site-specific history including the results of Documentation and Salvage activities
    - Specific approaches to commemorating the site (interpretive signage, material reuse, etc.) that will be required in any future development
    - General design guidelines for future development
    - Consultation with the London Heritage Advisory Committee regarding the history of the site, potential interpretive approaches, and design guidelines

9.0 CLOSING

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

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

Yours truly,

STANTEC CONSULTING LTD.



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HARRISON PENSA

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April 2, 2019

Krista Gowan
City Planning – Urban Regeneration, City of London
300 Dufferin Avenue
London, Ontario
N6A 4L9

Dear Ms. Gowan,

RE: Demolition of 123 Queens Avenue

We are writing on behalf of Harrison Pensa LLP, located at 450 Talbot Street. Our office is adjacent to the property at 123 Queens Avenue and employs approximately 60 lawyers and 100 staff.

We wish to express our strong support for the demolition of the derelict building located at 123 Queens Avenue. The building is not representative of our city and the revitalization of the downtown core and is a hindrance to other positive developments that are occurring in the area. The building has been uninhabited for many years with boarded up windows and doors and a decaying concrete exterior and roof. The building continues to deteriorate and it is putting it politely to say that it is an eyesore to an area of downtown that is otherwise being revitalized. The issue is amplified because it is located in a high-traffic area of the downtown core, particularly with the new Fanshawe College campus; the heavy traffic that drives along Queen Street; and pedestrians walking to Budweiser Gardens and Dundas Place for the many events.

Not only is the building derelict, but it should be a safety concern for the city from both a personal and property perspective. It is a safety risk from the standpoint of physical deterioration including debris that has previously landed on cars in the parking lot below. It is also a safety risk due to the unlawful activity that the uninhabited building attracts to the area and the risks posed to pedestrians passing by or even to trespassers in and around the building due to its condition.

Despite the best efforts of the previous and current owners, the plywood barriers blocking entrances to the windows and doors are frequently broken into and the building is often used as a home for unlawful behaviour, including significant drug and alcohol use, amongst others. There is also a connecting piece to the roof of our building that has been used by criminals to access our roof and even break in to our building through the elevator shaft previously. The issues extend to the alley between 123 Queens Avenue and 450 Talbot Street because of the physical barrier the derelict building provides. It is common to find used needles, other unsanitary items and garbage discarded in the area surrounding the building. This alley is not only adjacent to our building, but also adjacent to the parking lot many Fanshawe College students and visitors use

when attending the new downtown campus or where participants park to attend to downtown events.

We fully support and commend the efforts of the new owners of 123 Queens Avenue to remove the building in a safe and expedient manner so that the property can better reflect the downtown core, remove the safety hazards that exist, and be put to a productive use. We strongly encourage those overseeing approval processes on behalf of the City to do the same.

Yours very truly on behalf of,

HARRISON PENSA LLP



Adam Jean, Chief Operating Officer

cc: Harrison Pensa LLP Partnership Board

Report to Planning and Environment Committee

To: **Chair and Members**
Planning and Environment Committee
From: **John M. Fleming**
Managing Director, Planning and City Planner
Subject: **Demolition Request for Heritage Listed Property at 3303 Westdel Bourne by Carvest Properties Ltd.**
Public Participation Meeting on: Monday May 13, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for the designation of the heritage listed property at 3303 Westdel Bourne, that the following actions **BE TAKEN**:

a) 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 to be of cultural heritage value or interest for the reasons outlined in Appendix F of this report; and,
b) Should no appeal be received to the notice of intent to designate, a by-law to designate the property at 3303 Westdel Bourne to be of cultural heritage value or interest for the reasons outlined in Appendix F of this report **BE INTRODUCED** at a future meeting of Municipal Council immediately following the end of the appeal period.

IT BEING NOTED that should an appeal to the notice of intent to designate be received, the City Clerk will refer the appeal to the Conservation Review Board.

Executive Summary

Summary of Request
A demolition request for the heritage listed property located at 3303 Westdel Bourne was received on March 25, 2019.

Purpose and the Effect of Recommended Action
The purpose of the recommended action is for Municipal Council to issue its notice of intent to designate the property under Section 29(3) of the *Ontario Heritage Act* with the effect of preventing the demolition of this cultural heritage resource.

Rationale of Recommended Action
Staff completed an evaluation of the property at 3303 Westdel Bourne using the criteria of Ontario Regulation. 9/06 and found that the property has significant cultural heritage value and merits designation under the *Ontario Heritage Act*.

Analysis

1.0 Background

1.1 Property Location
The property at 3303 Westdel Bourne is located on the west side of Westdel Bourne, north of Deadman's Road (Appendix A).

1.2 Cultural Heritage Status
The property at 3303 Westdel Bourne has been included on the *Inventory of Heritage Resources* since 1997. The property was added when the City of London annexed part of Delaware Township (Appendix B). The *Inventory of Heritage Resources* was adopted as the Register pursuant to Section 27 of the *Ontario Heritage Act* in 2007. The property at 3303 Westdel Bourne is considered to have potential cultural heritage value or interest

1.3 Description

The property at 3303 Westdel Bourne includes a farmhouse, three barns, and a shed.

Farmhouse

The farmhouse located at 3303 Westdel Bourne was built in 1877 in the Italianate style. The farmhouse is a two storey, buff brick, asymmetrical farmhouse, with a complex massing. The farmhouse has one projecting and one recessed bay and a one storey buff brick wing in the rear (Appendix C, see Farmhouse). The building is capped by a hipped roof that form a flat roof at its peak. Two single-stacked buff brick chimneys flank the north and west slopes of the roof. The two storey portion of the house has return eaves as well as tongue and groove soffits. Decorative paired brackets, that are a defining element of the Italianate style, are found around the entire house.

The building has an asymmetrical façade that is comprised of one recessed bay and one projecting bay. The projecting bay is highlighted by the decorative bargeboard on the front gable and an oculus window in the gable's centre. On the main floor, an entry door is located in the recessed bay. The door itself has been replaced, but the original opening has been retained. Two fixed windows in the central bay are now in the place of the original door, and the segmented arch transom with decorative etched glass. The etched glass shows a floral motif surrounding a bird.

Brick voussoirs with contrasting mortar appear above every original window and door opening. Many of the windows are tall, narrow and in pairs with segmented arch openings. Although all the windows appear to have been replaced; the replacement windows are wood and maintain their openings. The original cast stone sills can still be found below each window.

The buff brick is laid in a common bond pattern and the foundation is field stone with coursing detail. Although it has not been confirmed, the field stone in the foundation appear to be similar to the "glacial erratics" fieldstone used to build the Kilworth United Church (2442 Oxford Street West), which is approximately 6km away.

The ell shaped wrap-around verandah is covered by a hipped roof and supported by decorative chamfered posts. The chamfered posts are connected to a concrete base with pressed design and are topped with capitals connected to fluted brackets. Each fluted bracket connects to a pierced panels supported by a decorative bracket. Spandrels extend around the verandah with a centre decorative bracket attached below.

Barn 1

Barn 1 is the largest of the barns located on the property at 3303 Westdel Bourne. Barn 1 is in the Bank Barn style as the lower level housed animals and the upper level served as storage. The foundation of the barn has been parged in concrete and has a number of openings for multi-pane windows. The barn is a timber frame with a gable roof covered in corrugated metal and vertical barn board siding. The beams in the barn are a mix of hand hewed and machine cut with a typical diagonal post and beam brace connection. The beams are connected to the post with mortise-and-tenon joints. The beams on the first level are notched into the top of the foundation wall. A reinforced concrete silo is connected to the north façade of the barn.

A barn hill is connected to the east façade of Barn 1. The barn hill appears to have a root cellar that has been parged and altered. An open space in the middle – known as a "walk way", and field stones make up the rest of the barn hill.

Barn 2

Barn 2 is just south west of the large barn. Similar to the largest barn, the barn is also a timber frame with a gable roof and vertical barn board siding (Appendix C, see Barn 2). The beams in the barn are a mix of hand hewed and machine cut with a typical diagonal post and beam brace connection. The beams are connected to the post with mortise-and-tenon joints.

Barn 3
Barn 3 is directly west of the second barn. Barn 3 sits on top of concrete piers is also a timber frame with a gable roof and vertical barn board siding (Appendix C, see Barn 3). The inside was unable to be viewed as the door was pad locked shut, so the construction method of the barn was unable to be confirmed.

Shed
The shed is a vernacular in form with timber framing and a corrugated metal roof. What is suspected to be a dog house is connected to the south façade.

1.4 Property History
The Euro-Canadian history of the property located at 3303 Westdel Bourne beings in 1843 when Joseph Steinhoff purchased Lot 5 Concession 4, from the Canada Company. The 1861 Census, Joseph Steinhoff and his family members were noted to be living in a 1 ½ story log dwelling. The property did not become an Ireland family farm until 1877 when George Ireland purchased the property located a Lot 5 Concession 4 from Joseph Steinhoff's son, Samuel Steinhoff.

The Land Registry records show that George Ireland purchased the 48 acre property located at 3303 Westdel Bourne in 1877 (Appendix D, see Figure 8) and the 1878 tax assessment rolls indicate that Walter Ireland was the householder of the property (Appendix D, see Figure 10). The change in "Total Value of Real Property" in the 1878 tax assessment rolls is also notable.

In the 1876 tax assessment rolls, Joseph Steinhoff had a combined Total Value of Real Property of $2250.00, which included a 96 acres property and a 48 acres property in Lot 5 Concession 4 (Appendix D, see Figure 9). In 1878, a year after Walter Ireland was occupying the property, the 48 acres property had a Total Value of Real Property of $1200 (Appendix D, see Figure 10). Although the increase in value of the 48 acres property cannot be confirmed due to the missing 1877 tax assessment rolls, it can be suggested that $1200.00 is high for a 48 acres property and may indicate the construction of a new house. The change in the Total Value of Real Property for George Ireland's property (48 acres in Lot 4 Concession 4 and 18 acres in Lot 5 Concession 4) adds to this speculation. George Ireland's Total Value of Real Property almost doubled in 1878. In 1876 George Ireland's Total Value of Real Property was $1000, but in 1878 the value has increased to $1800 (Appendix D, see Figure 9).

A construction date of 1877 for the farmhouse corresponds with the 1878 *Illustrated Historical Atlas of the County of Middlesex.* The farmhouse located at 3303 Westdel Bourne is shown on the 1878 *Illustrated Historical Atlas of the County of Middlesex* (Appendix D, see Figure 5). The 1878 Illustrated Historical Atlas combined with the suspected increase in Total Value of Real Property in the tax assessment rolls, and construction of the house, dates the house to 1877.

The 48 acres property located at 3303 Westdel Bourne is historically associated with the Ireland family, as it was an Ireland family farm for 141 years. In 2018, Richard Ireland passed away and the current property owner purchased the property.

The Ireland Family
The Ireland family is significant to the Euro-Canadian settlement of Delaware Township as the Ireland family is one of the earliest settlers to the area. George Ireland immigrated to Canada from Scotland with his parents, Walter and Janet Ireland, around 1834 (Grainger 2006, 282). In 1850, George Ireland married Clementine Schram and soon after purchased a part of Lot 4 Concession 4 in Delaware Township (property located at located at 3208 Woodhull Road) (Grainger 2006, 283). George and Clementine were farmers and together had 8 living children: Walter, William, Janet Ann, John, Harriet, Ferguson, Pauline, and George Stillman. George and Clementine Ireland were active members of the Kilworth United Church (2442 Oxford Street). In 1876, George was on the list of donations for stained glass renovations at the church (Woodhull and Harris, 1974).

Walter Ireland, the eldest son of George and Clementine, married Janet Hanger, and together they lived with their three children, Angus, Frank, and William at 3303 Westdel Bourne (Grainger 2006, 283). Walter and his family were known for growing vegetables and apples and selling their produce at the Covent Garden Market in London (Grainger 2006, 283).

Frank Ireland, son of Walter and Janet, married Maggie Colvin in 1918 and they had one son, Gordon Ireland (Grainger 2006, 283). Together they continued farmed the property located at 3303 Westdel Bourne. Maggie was an active member of the Women's Institute and competed in Western Fair Quilt competitions (Grainger 2006, 283).

Gordon Ireland, son of Frank and Maggie, married Marian T. Glover in 1945 and together they has four sons, David, Richard, Ross, and Russell (Grainger 2006, 283). In 1967 they moved back to 3303 Westdel Bourne and continued to farm the land (Grainger 2006, 283). Marian was also involved in the Women's Institute (Grainger 2006, 283). Richard Ireland lived at the 3303 Westdel Bourne until he passed away in 2018.

1.5 Italianate Architectural Style

The Italianate style was popular architectural style in Ontario between 1860 and 1890 (Mikel 2004, 65). The Italianate was a style of elements and is typically characterized as stoic simplicity contrasting to exuberance. The most defining element of the Italianate style is highly decorated paired brackets (Mikel 2004, 65). Other elements of the Italianate style include: projecting bay with gable, oculus window, tall and narrow segmentally arched windows, paired windows, moulded window surrounds, or heads, quoins, hipped rood, wide overhanging eaves, and cupolas or belvederes (Mikel 2004, 65).

One of the most common Italianate forms was the simple square hipped roof house (Mikel 2004, 66). However Robert Mikel, in *Ontario House Styles: The distractive architecture of the province's 18th and 19th century homes*, notes that ell-shaped, with big wings extending at the back, were also popular in Western Ontario (2004, 72). Mikel also notes that porch decoration and complicated turnings on the verandahs became more common by the 1870's (2004, 72)

The page for 3303 Westdel Bourne from the 1997 Inventory of Heritage Resources notes that the architectural style is "High Victorian" (Appendix B). Victorian architecture broadly refers to a building or style that was constructed during Queen Victoria's reign (1837-1901). Many styles and sub-styles were created during Queen Victoria's reign because the period is so long, however, one of the most prevalent style found during the Victorian age is Italianate.

The farmhouse located on the property at 3303 Westdel Bourne displays many of the elements commonly found on building in the Italianate style, including the most defining element of the style, paired brackets. The farmhouse also has narrow segmented arched windows, paired windows, hipped roof, wide overhanging eaves, and a projecting bay with gable and oculus window. These elements include the most defining element of the style, paired brackets, as well as narrow segmented arched windows, paired windows, and wide overhanging eaves. Although the form of the farmhouse is not a common Italianate form as there is a recessed and projecting bay, there is a wing extending at the back.

2.0 Legislative and Policy Framework

2.1 Provincial Policy Statement

Section 2.6.1 of the Provincial Policy Statement (2014) directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved."

"Significant" is defined in the Provincial Policy Statement (2014) as, in regards to cultural heritage and archaeology, "resources that have been determined to have

cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, and event, or a people."

The Provincial Policy Statement (2014) defines "conserved" as: "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 maintained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments."

2.2 Ontario Heritage Act

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

The only cultural heritage protection afforded to heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the London Advisory Committee on Heritage (LACH) is consulted, and a public participation meeting is held at the Planning and Environment Committee.

Section 29 of the *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29 of the *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Appeals to the Notice of Intent to Designate a property pursuant to Section 29 of the *Ontario Heritage Act* are referred to the Conservation Review Board (CRB). Owner consent is not required for designation under the *Ontario Heritage Act*.

2.3 The London Plan

The policies of The London Plan articulate the contributions that our cultural heritage resources make to our community. Our cultural heritage resources distinguish London from other cities, and made London a more attractive place for people to visit, live, or invest. Importantly, "our heritage resources are assets that cannot be easily replicated and they provide a unique living environment and quality of life. By conserving them for future generations, and incorporating, adapting, and managing them, London's cultural heritage resources define London's legacy and its future" (Policy 552_, The London Plan). With the cultural heritage policies of The London Plan, we will (Policy 554_):

1. Promote, celebrate, and raise awareness and appreciation of London's cultural heritage resources.

2. Conserve London's cultural heritage resources so they can be passed onto our future generations.

3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources. Generally, the policies of The London Plan support the conservation and retention of significant cultural heritage resources

Applicable policies include:

- Policy 566_ Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered.

- Policy 567_ In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource is found necessary, as determined by City Council, archival documentation may be required to be undertaken by the proponent and made available for archival purposes.

- Policy 568_: Conservation of whole buildings on properties identified on the Register is encouraged and the retention of facades alone is discouraged. The portion of a cultural heritage resource to be conserved should reflect its significant attributes including its mass and volume.

- Policy 569_ Where, through the process established in the Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources section of this chapter and in accordance with the Ontario Heritage Act, it is determined that a building may be removed, the retention of architectural or landscape features and the use of other interpretive techniques will be encouraged where appropriate.

The Strategic Plan for the City of London 2015-2019 identifies heritage conservation as an integral part of "Building a Sustainable City."

2.4 Register (Inventory of Heritage Resources)

Municipal Council may include properties on the Register (*Inventory of Heritage Resources*) that it "believes to be of cultural heritage value or interest." These properties are not designated, but are considered to have potential cultural heritage value or interest. The property at 3303 Westdel Bourne considered to have potential cultural heritage value or interest as a heritage listed property.

3.0 Demolition Request

Written notice of the intention to demolish the single resident building located at 3303 Westdel Bourne was received on March 25, 2019. The letter of intent noted that the request to demolish the single residential building is related to the deterioration and presence of mold in the farmhouse.

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

The 60-day period for the demolition request for the farmhouse on the property at 3303 Westdel Bourne expires on May 24, 2019.

Staff undertook a site visit of the property, accompanied by a representative of the property owner, on April 8, 2019. The site visit included an interior and exterior inspection of existing farmhouse, however, only an exterior inspection of the barns as many of the doors had been locked. Some interior photos of the barns were able to be taken through window openings.

Consultation

Pursuant to Council Policy for the demolition of heritage listed properties, notification of the demolition request was sent to 5 property owners within 120m of the subject property on April 23, 2019, as well as community stakeholders including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, the Urban League, and the Middlesex Centre Archives. Notice was also published in The Londoner on April 25, 2019. At the time of writing, no replies have been received regarding this demolition request.

4.0 Comparative Analysis

Farmhouse

The property at 3303 Westdel Bourne includes a farmhouse, which is a representative example of the Italianate style in London. Many of the elements commonly found on buildings in the Italianate style are found on the farmhouse. These elements include:

paired brackets, paired windows, segmented arched windows, hipped roof, wide overhanging eaves, and a projecting bay with gable and oculus window.

While the Italianate style is popular in London, the farmhouse located at 3303 Westdel Bourn is a unique type of the Italianate style. On the Register (*Inventory of Heritage Resources*), only 23 properties are identified as Farmhouses in the Italianate Style, and of the 23, only 16 are two storeys. These properties are:

1. 3087 Colonel Talbot Road - c1870
2. 2552 Dingman Drive - c1865
3. 518 Fanshawe Park Road East – c.1870
4. 224 Greenwood Avenue - c1890
5. 1656 Hyde Park Road - c.1880
6. 969 Manning Drive – c.1873
7. 4598 Murray Road – c.1880
8. 1896 Sunningdale Road E– date unconfirmed
9. 2100 Sunningdale Road E– date unconfirmed
10. 1744 Sunningdale Road W – date unconfirmed
11. 2420 Westdel Bourne - c1870
12. 4775 Westdel Bourne – c.1875
13. 1291 Westminster Drive - c1870
14. 1544 Westminster Drive – c.1875
15. 6295 Westminster Drive – c.1880
16. 7673 Westminster Drive – c.1875

However, the only other properties that are located in the former Delaware Township, in addition to 3303 Westdel Bourne, are 2420 Westdel Bourne and 4775 Westdel Bourne.

The farmhouse at 2420 Westdel Bourne is unable to be seen from the street, but by viewing the property on Google Street view, the farmhouse appears to have a projecting gable with decorative bargeboard and two small windows at the centre (Appendix E). The windows appear to be single hung windows. The existence of brackets, brick voussoirs, and decorative porch details cannot be confirmed.

The farmhouse at 4775 Westdel Bourne is visible from the street, but difficult to determine the features due to the farmhouse's distance from the street. The farmhouse has a projecting gable with decorative bargeboard and two small windows at the centre (Appendix E). Many of the windows appear to be single hung windows and the wrap-around veranda appears to have minimal decorative elements. The existence of brackets, and brick voussoirs cannot be confirmed.

Although many of the features of the two properties cannot be confirmed due to their location to the street, the features that are able to be confirmed, are not representative of the Italianate style.

The property at 3303 Westdel Bourne includes a farmhouse which is a representative example of a farmhouse in Italianate style within the former Delaware Township. The farmhouse displays many of the elements commonly found on building in the Italianate style, including the most defining element of the style, paired brackets. The farmhouse also has narrow segmented arched windows, paired windows, hipped roof, wide overhanging eaves, and a projecting bay with gable and oculus window. The decorative details of the wrap-around verandah details displays a high degree of craftsmanship when comparing two other Italianate style farmhouses in the former Delaware Township (Appendix E).

Barn 1

Barn 1 (the largest barn) located on the property at 3303 Westdel Bourne is a rare and representative example of the bank barn. Many of the elements commonly identified in a bank barn style can be found in Barn 1. These elements include: a two level, timber frame structures, with mortise and tenon joints, gable roof, vertical "barn board" cladding, concrete foundation, and a ramp into the upper level of the barn often for

straw or hay storage (McIlwraith 1997, 179). Barn 1 is also rare because it retains its barn hill, which has a suspected root cellar and a walk way underneath the barn hill.

While rural properties, which may include barns, are included on the Register (*Inventory of Heritage Resources*), only a small number include a direct reference to the barns on the property. These include:

- 3544 Dingman Drive (ell-shaped bank barn with a gable roof, built circa 1870)
- 5406 Highbury Avenue South (type unclear but has a gable roof, no barn hill, built circa 1870)
- 5617 Highbury Avenue South (T-shaped bank barn with gable roof and a barn hill, built circa. 1900)
- 2240 Manning Drive (noted as “early barns” but details unclear, no barn hill)
- 4335 Murray Road (T-shaped bank barn with gambrel roof, no barn hill, circa 1870)
- 2012 Oxford Street West (type unclear, but could be English style, no barn hill, built circa 1865)
- 2154 Richmond Street (bank barn with gable roof, no barn hill, 1865)
- 1383 Scotland Drive (T-plan bank barn with gable roof, no barn hill, 1865)
- 3583 Westminster Drive (bank barn with gable roof, no barn hill, circa 1865)

When reviewing the above properties, only one other property was identified as having barn hill. The property located at 5617 Highbury Avenue South has a barn hill on the north façade, however it does not have a walk way underneath. Whether the barn hill also has a root cellar has not been determined.

A root cellar and a walk way are rare attributes for barn hill, however, the walk way underneath is particularly unique due to the maintenance required to maintain its structural integrity. It could be suggested that a member of the Ireland family determined that the having a walk way in their barn hill was worth the maintenance. This walk way may have been used as a passage way for livestock to go through, instead of herding the livestock around the barn hill. Not only is the walkway rare and unique, its design is directly associated to the function of the barn.

Farmhouses and barns are becoming rarer as residential development begins to expand into agricultural areas. The area of the former Delaware Township is evolving and developing with modern residential developments to the north and south of the subject property. The farmhouse and Barn 1 are important in defining and maintaining the historic agricultural character of the area that developed in the early to late nineteenth century. Retaining the farmhouse and Barn 1 provides a tangible link to the historic agricultural character of this area. The prominent design values of the farmhouse and Barn 1 allows it to define this character. The farmhouse and Barn 1 communicates the history of a family who immigrated to Delaware Township, farmed their property, and sold their produce at the Covent Garden Market in London. The property at 3303 Westdel Bourne is important in defining the character of the Delaware Township area.

5.0 Cultural Heritage Evaluation

4.1 Criteria for Determining Cultural Heritage Value or Interest

The criteria of Ontario Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are:

1. Physical or design value:
    i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method;
    ii. Displays a high degree of craftsmanship or artistic merit; or,
    iii. Demonstrates a high degree of technical or scientific achievement.
2. Historical or associative value:
    i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
    ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,

iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. Contextual value:
   i. Is important in defining, maintaining or supporting the character of an area;
   ii. Is physically, functionally, visually or historically linked to its surroundings; or,
   iii. Is a landmark.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the demolition request should be granted and the property removed from the Inventory of Heritage Resources (Register).

4.2 Evaluation

Table 1*: Evaluation of the property at 3303 Westdel Bourne using the criteria of O. Reg. 9/06.*

Criteria		**Heritage Planner Evaluation**	**Does the property Meet the Criteria?**
A property may be designated under Section 29 of the *Ontario Heritage Act* if it meets one or more of the following criteria for determining cultural heritage value or interest:			
1. The property has design value or physical value because it,	a. Is a rare, unique, representative or early example of a style, type, expression, material or construction method,	The property at 3303 Westdel Bourne includes a farmhouse which is a representative example of a farmhouse in Italianate style within the former Delaware Township. The farmhouse displays many of the elements commonly found on building in the Italianate style, including the most defining element of the style, paired brackets. The farmhouse also has narrow segmented arched windows, paired windows, hipped roof, wide overhanging eaves, and a projecting bay with gable and oculus window. The decorative details of the wrap-around verandah details displays a high degree of craftsmanship when comparing two other Italianate style farmhouses in the former Delaware Township (Appendix E). Barn 1 (the largest barn) located on the property at 3303 Westdel Bourne is a rare and representative example of the bank barn. Many of the elements commonly identified in a bank barn style can be found in Barn 1. These elements include: a two level, timber frame structure, with mortise and tenon joints; gable roof; vertical “barn board” cladding; concrete foundation, and a barn hill providing access to the second level of the barn. Barn 1 is rare because it retains its barn hill, which has a suspected root cellar and a walk way underneath the ball hill.	Yes

	b. Displays a high degree of craftsmanship or artistic merit, or	The farmhouse on the property located at 3303 Westdel Bourn displays a high degree of craftsmanship. Elements that display a high degree of craftsmanship include, the contrasting mortar in the brick voussoirs, the etched glass transom window, but particularly, elements of the verandah. The ell shaped wrap-around verandah is covered by a hipped roof and supported by decorative chamfered posts. The chamfered posts are connected to a concrete base with pressed design and are topped with capitals connected to fluted brackets. Each fluted bracket connects to a pierced panels supported by a decorative bracket. Spandrels extend around the verandah with a centre decorative bracket attached below.	Yes
	c. Demonstrates a high degree of technical or scientific achievement.	While the barn hill has a walk way, the barns and farmhouse do not demonstrate a high degree of technical or scientific achievement	No
2. The property has historical value or associative value because it,	a. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	The property located at 3303 Westdel Bourne is significantly associated with the Ireland family. The Ireland family is one of the earliest settlers to the Delaware Township area and the property was farmed by the family for 141 years. The Ireland's were active community members throughout the 141 years. George and Clementine Ireland were active members of the Kilworth United Church (2442 Oxford Street). Walter Ireland and his family were known for growing vegetables and apples, which they sold at the Covent Garden Market in London (Grainger 2006, 283). Also, Maggie Ireland and Marian Ireland were active member of the Women's Institute	Yes
	b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	The farmhouse and barns located on 3303 Westdel Bourne are not believed to yield or have the potential to yield, information that contributes to the understanding of a community or culture.	No
	c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	Although it is suspected that members of the Ireland Family were involved in building the farmhouse and barns, it has not been confirmed.	No
3. The property has contextual value because it,	a. Is important in defining, maintaining or supporting the character of an area,	The area of the former Delaware Township is evolving and developing with modern residential developments to the north and south of the subject property. The farmhouse and Barn 1 are important in defining and maintaining the historic agricultural character of the area that developed in the early to late nineteenth century. Retaining the farmhouse and Barn 1 provides a tangible link to the historic agricultural character of this area.	Yes

		The prominent design values of the farmhouse and Barn 1 allows it to define this character. The farmhouse and Barn 1 communicates the history of a family who immigrated to Delaware Township, farmed their property, and sold their produce at the Covent Garden Market in London. The property at 3303 Westdel Bourne is important in defining the character of the Delaware Township area.	
	b. Is physically, functionally, visually, or historically linked to its surroundings, or,	The property located at 3303 Westdel Bourne is not physically, functionally, visually, or historically linked to its surroundings	No
	c. Is a landmark.	While certainly recognizable, it is not conclusive if the farmhouse and the barns are a landmark in the context of their community	No

5.0 Conclusion

Our cultural heritage resources are non-renewable. Once demolished, they are gone forever. These cultural heritage resources can be tangible links to our past in a changing environment, and maintain a sense of place in an authentic manner.

The evaluation of the property at 3303 Westdel Bourne found that the property meets the criteria for designation under Section 29 of the *Ontario Heritage Act* (see Statement of Cultural Heritage Value or Interest in Appendix F).

To ensure the conservation of this significant built heritage resource, the property at 3303 Westdel Bourne should be designated under Part IV of the *Ontario Heritage Act*.

Prepared by:	**Krista Gowan,** **Heritage Planner**
Submitted by:	**Gregg Barrett, AICP** **Manager, Long Range Planning and Sustainability**
Recommended by:	**John M. Fleming, MCIP, RPP** **Managing Director, Planning and City Planner**
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	

May 3, 2019
kg/KAG

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Appendix A - Location

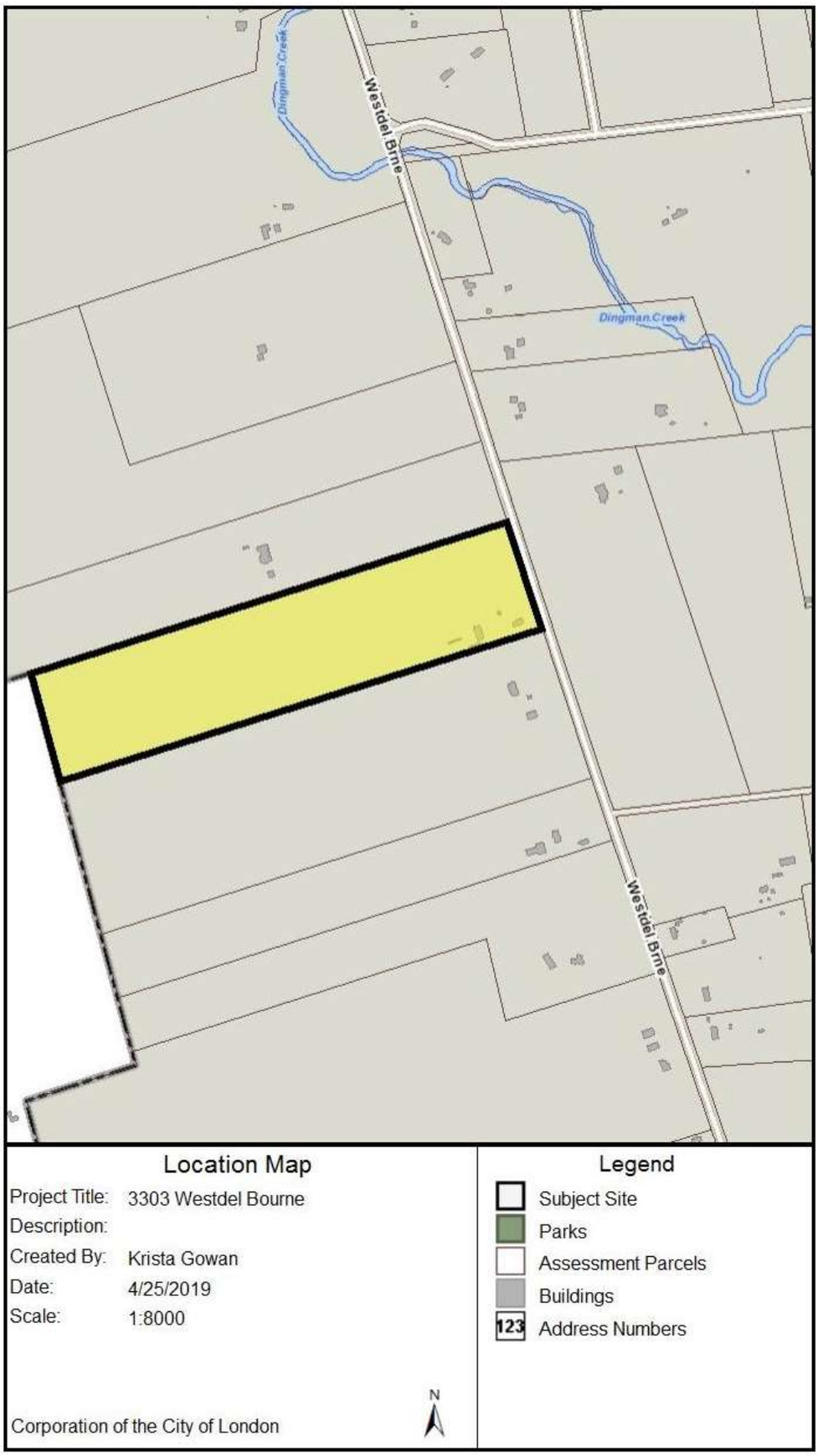


Figure 1: Property location of 3303 Westdel Bourne



Figure 2: Plan view showing buildings at 3303 Westdel Bourne



Figure 3: Aerial image of property located at 3303 Westdel Bourne. Courtesy of Google Street view (2019)

Appendix B – Heritage Status

CITY OF LONDON
HERITAGE PROPERTY INQUIRY

Property Location:	Westdel Road		
Lot Number:	5		
Concession:	4	Township:	Delaware
Construction Year:	c1875	Registered Plan:	
Designated Date:		Heritage Act Part:	
Designation Stage:	I	Priority:	I
Grant Amount:			
Census Tract:		Roll Number:	
Architectural Style:	High Victorian		
Building Name:			

Historical Reasons:

Architectural Reasons: Two storey High Victorian home.Detailed bargeboards,eaves, and verandah.

Upgrade:





Appendix C – Images



Image 1. Front façade of the farmhouse located 3303 Westdel Bourne. The largest barn and the barn hill seen in the rear, looking west. Date unknown.



Image 2. Front façade of the farmhouse located 3303 Westdel Bourne. The largest barn and the barn hill seen in the rear, looking west. April 2019.



Image 3. Front façade of the farmhouse located 3303 Westdel Bourne. The largest barn and the barn hill seen in the rear, looking northwest. April 2019.

Farmhouse



Image 4. Front and north façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 5. North façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 6. Rear façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 7. Rear façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 8. South façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 9. South façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 10. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 11 Window example, front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 12. Window example, front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 13. Window example, south façade of the farmhouse located at 3303 Westdel Bourne, looking west. April 2019.



Image 14. Example of the paired brackets at the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 15. Field Stone foundation, north façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 16. Original front door opening, front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 17. Etched glass above original front door opening. Interior photo of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 18. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 19. Front façade of the farmhouse located at 3303 Westdel Bourne, looking west. April 2019.



Image 20. Close up of verandah detail. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 21. Close up of verandah detail. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 22. Close up of verandah detail. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.



Image 23. Close up of verandah details. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.

	
Image 24. Verandah concrete base. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.	*Image 25. Close of up of the concrete base of the verandah. Front façade of the farmhouse located at 3303 Westdel Bourne. April 2019.*

Barn 1



Image 26. View of Barn Hill, east façade of Barn 1 located at 3303 Westdel Bourne, looking west. April 2019.



Image 27. West façade of Barn 1 located at 3303 Westdel Bourne, looking east. April 2019.



Image 28. Window example. Barn 1 located at 3303 Westdel Bourne. April 2019.



Image 29. Parged concrete foundation. Barn 1 located at 3303 Westdel Bourne. April 2019.



Image 30. Interior of Barn 1 located at 3303 Westdel Bourne. April 2019.



Image 31. Interior of Barn 1 located at 3303 Westdel Bourne. April 2019.



Image 32. Photo of the Barn Hill. Barn 1 located at 3303 Westdel Bourne. April 2019.



Image 33. North façade of Barn 1 located at 3303 Westdel Bourne. April 2019.

Barn 2



Image 34. East façade of Barn 2 located at 3303 Westdel Bourne. April 2019.



Image 35. Interior of Barn 2 located at 3303 Westdel Bourne. April 2019.

Barn 3



Image 36. West façade of Barn 3 located at 3303 Westdel Bourne. April 2019.



Image 37. Close up of concrete pillars. Barn 3 located at 3303 Westdel Bourne. April 2019.

Appendix D – Background Research

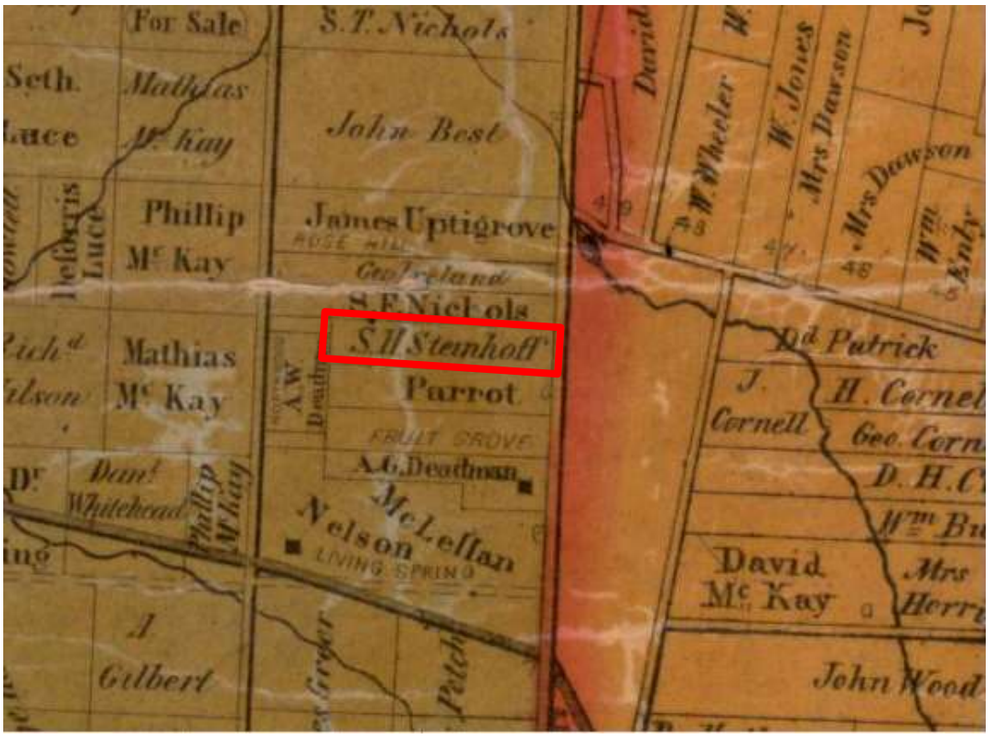


Figure 4 - 1862 Tremaines' Map of the County of Middlesex, Canada West. Location of 3303 Westdel Bourne in red box.



Figure 5 - 1878 Illustrated Historical Atlas of the County of Middlesex. Location of 3303 Westdel Bourne in red box.



Figure 6 – Picture of Floy Ireland, dated 1919. The south façade, particularly the verandah, of the farmhouse located at 3303 Westdel Bourn is seen in the background. Courtesy of the Middlesex Centre Archives.



Figure 7– Picture of Ireland family standing in front of 3303 Westdel Bourne in 1919. Back row left to right – Walter Ireland; Frank Ireland, Stan Cornish, Margaret, Will Ireland. Front row left to right Thelma, Floy and Bessie Courtesy of Middlesex Centre Archives.

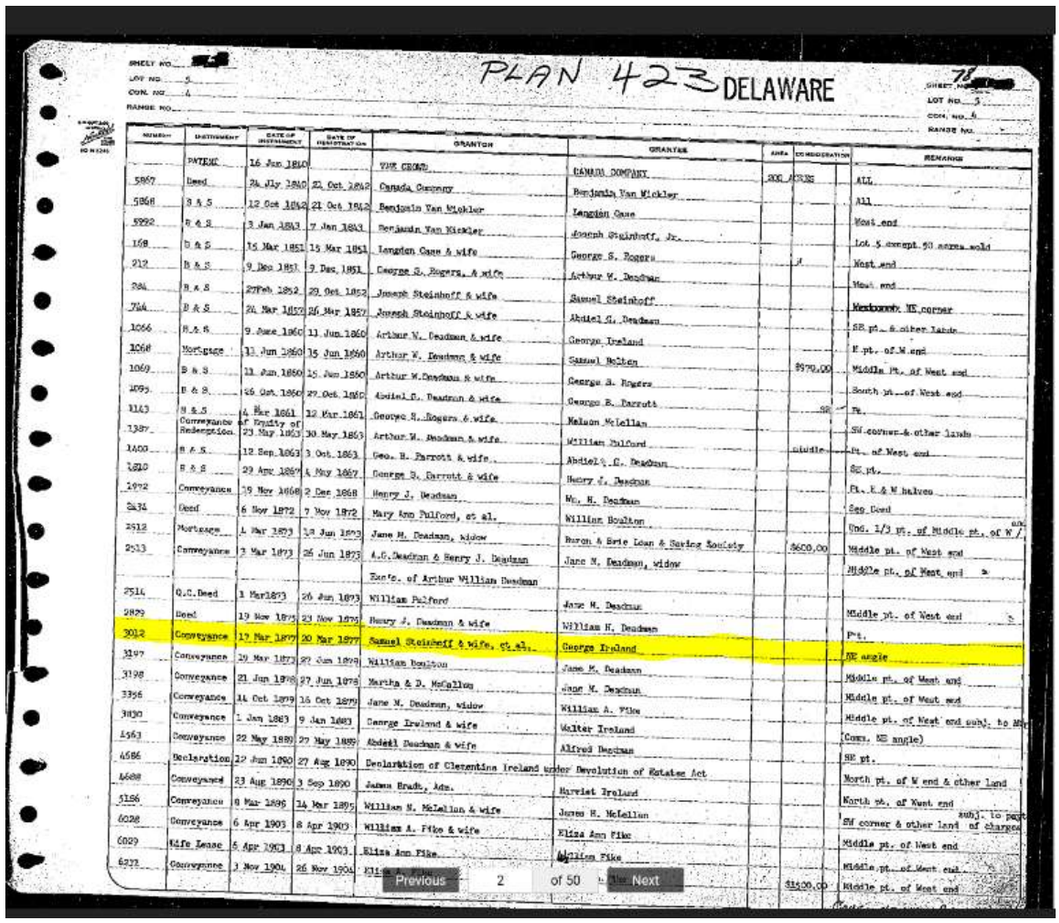


Figure 8– Image of land registry records for Plan 423, Lot 5 Concession 4. Records related to 3303 Westdel Bourne highlighted in yellow. Courtesy of Ontario Land Registry Access

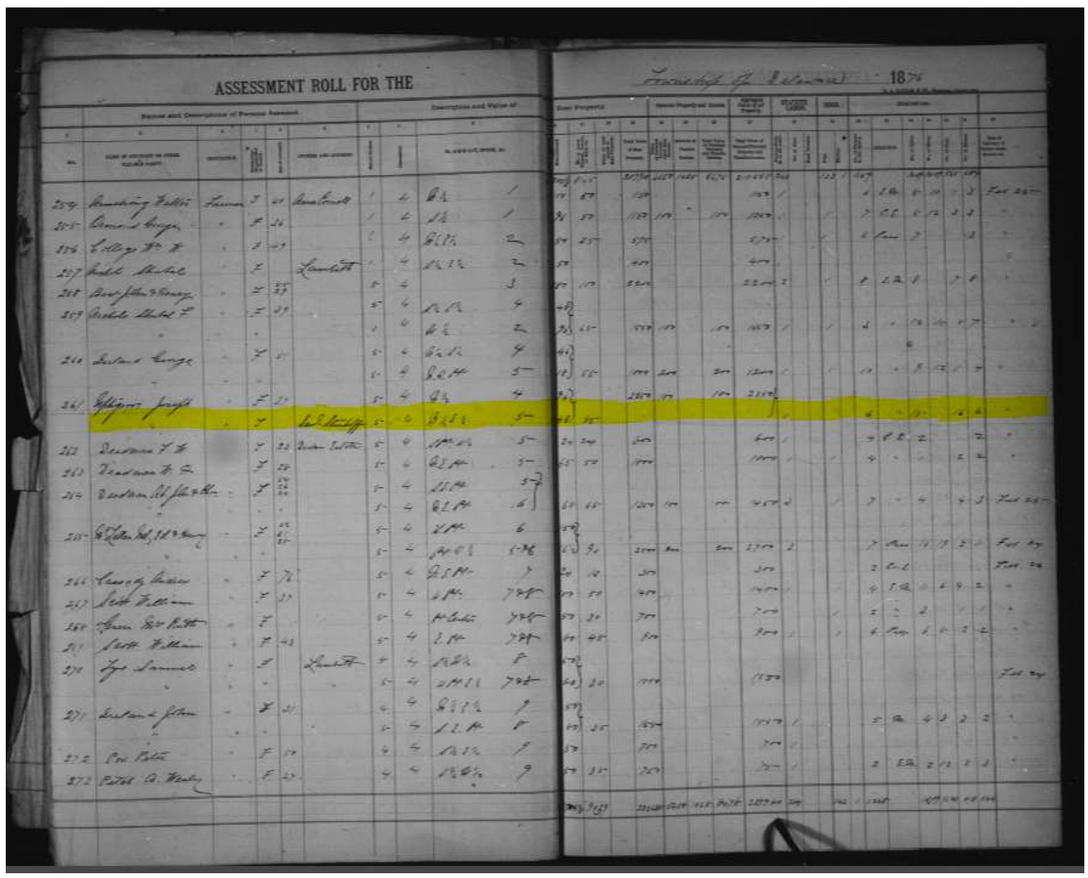


Figure 9– Image of 1876 Tax Assessment Rolls for Township of Delaware. Tax assessment related to 3303 Westdel Bourne highlighted in yellow. Courtesy of Western Archives.

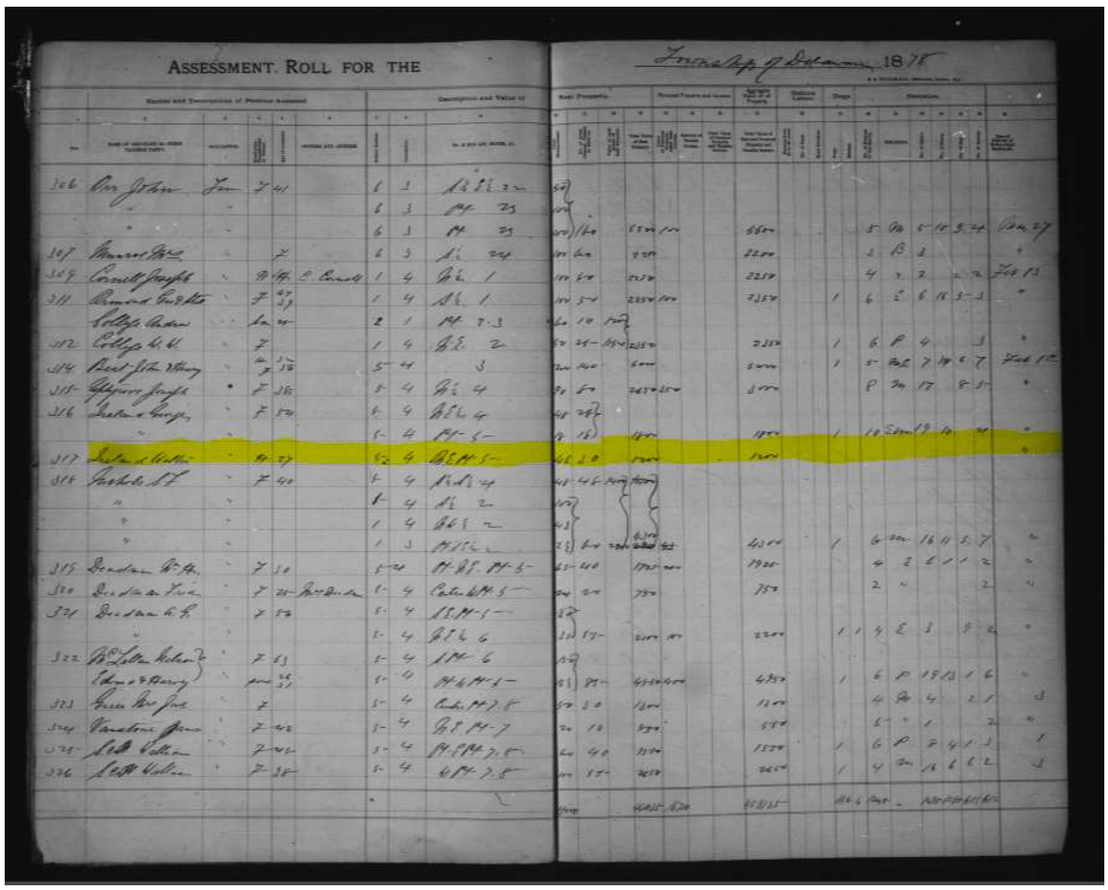


Figure 10– Image of 1878 Tax Assessment Rolls for Township of Delaware. Tax assessment related to 3303 Westdel Bourne highlighted in yellow. Courtesy of Western Archives.

Appendix E – Comparative Properties



Image 38 – 2420 Westdel Bourne, c. 1875. South façade. Property not able to be seen from the street. Heritage listed property. Photo coutesy of Google Streetview.



Image 39 – 2420 Westdel Bourne, c. 1875. East façade. Property not able to be seen from the street. Heritage listed property. Photo coutesy of Google Streetview.



Image 40 – 4775 Westdel Bourne, c. 1875. Front façade. Property difficult to see from the street. Heritage listed property. Photo coutesy of Google Streetview.



Image 41 – 4775 Westdel Bourne, c. 1875. Front façade. Property difficult to see from the street. Heritage listed property. Photo coutesy of Google Streetview.



Image 42 – 5617 Highbury Avenue South, c.1900. North façade. Property not visible from the street. Heritage listed property. Photo coutesy of Google Streetview.



Image 43 – 5617 Highbury Avenue South, c.1900. East façade. Property not visible from the street. Heritage listed property. Photo coutesy of Google Streetview.

Appendix F – Statement of Cultural Heritage Value or Interest

Legal Description
LT 22 RCP 423; DELAWARE TWP

Roll Number
3303 Westdel Bourne: 090110081000000

Description of Property
3303 Westdel Bourne is located on the west side of Westdel Bourne, North of Deadman's Road in London, Ontario. The property at 3303 Westdel Bourne includes a farmhouse, three barns, and a shed.

The farmhouse located at 3303 Westdel Bourne was built in 1877 in the Italianate style. The farmhouse is a two storey, buff brick, asymmetrical farmhouse, with a complex massing. The farmhouse has one projecting and one recessed bay and a one storey buff brick wing in the rear. The building is capped by a hipped roof that form a flat roof at its peak. Two single-stacked buff brick chimneys flank the north and west slopes of the roof. The two storey portion of the house has return eaves as well as tongue and groove soffits. Decorative paired brackets, that are a defining element of the Italianate style, are found around the entire house.

The building has an asymmetrical façade that is comprised of one recessed bay and one projecting bay. The projecting bay is highlighted by the decorative bargeboard on the front gable and an oculus window in the gable's centre. On the main floor, an entry door is located in the recessed bay. The door itself has been replace, but the original opening has been retained. Two fixed windows in the central bay are now in the place of the original door, and the segmented arch transom with decorative etched glass. The etched glass shows a floral motif surrounding a bird.

Brick voussoirs with contrasting mortar appear above every original window and door opening. Many windows tall, narrow and in pairs with segmented arch openings. Although all the windows appear to have been replaced, the replacement windows are wood and maintain their openings. The original cast stone sills can be found below each window. The buff brick is laid in a common bond pattern and the foundation is field stone with coursing detail.

The ell shaped wrap-around verandah is covered by a hipped roof and supported by decorative chamfered posts. The chamfered posts are connected to a concrete base with pressed design and are topped with capitals connected to fluted brackets. Each fluted bracket connects to a pierced panels supported by a decorative bracket. Spandrels extend around the verandah with a centre decorative bracket attached below.

Barn 1
Barn 1 is the largest of the barns located on the property at 3303 Westdel Bourne. Barn 1 is in the Bank Barn style as the lower level housed animals and the upper level served as storage (Appendix C, see Barn 1). The foundation of the barn has been parged in concrete and has a number of openings for multi-pane windows. The barn is a timber frame with a gable roof covered in corrugated metal and vertical barn board siding. The beams in the barn are a mix of hand hewed and machine cut. The beams in the barn are a mix of hand hewed and machine cut with a typical diagonal post and beam brace connection. The beams are connected to the post with mortise-and-tenon joints. The beams on the first level are notched into the top of the foundation wall. A reinforced concrete silo is connected to the north façade of the barn.

A barn hill is connected to the east façade of Barn 1. The barn hill appears to have a root cellar that has been parged and altered, an open space in the middle – known as a "walk way", and field stones making up the rest of the barn hill.

Barn 2 & 3
Barn 2 and Barn 3 is just south west of the Barn 1. Similar to Barn 1 the barns are also a timber frame with a gable roof and vertical barn board siding. The beams in the barn

are a mix of hand hewed and machine cut with a typical diagonal post and beam brace connection. The beams are connected to the post with mortise-and-tenon joints. The only difference is that Barn 3 sits on top of concrete piers.

Shed
The shed is a vernacular in form with timber framing and a corrugated metal roof. What is suspected to be a dog house is connected to the south façade.

Statement of Cultural Heritage Value or Interest
The property at 3303 Westdel Bourne includes a farmhouse which is a representative example of a farmhouse in Italianate style within the former Delaware Township. The farmhouse displays many of the elements commonly found on building in the Italianate style, including the most defining element of the style, paired brackets. The farmhouse also has narrow segmented arched windows, paired windows, hipped roof, wide overhanging eaves, and a projecting bay with gable and oculus window. The decorative details of the wrap-around verandah details displays a high degree of craftsmanship when comparing two other Italianate style farmhouses in the former Delaware Township.

Barn 1 (the largest barn) located on the property at 3303 Westdel Bourne is a rare and representative example of the bank barn as it has a timber frame structure with mortise and tenon joints, a gable roof, concrete foundation, and has vertical “barn board” cladding. Barn 1 is rare because it retains its barn hill, which has both a root cellar and a walk way underneath the ball hill.

The farmhouse on the property located at 3303 Westdel Bourn displays a high degree of craftsmanship. Elements that display a high degree of craftsmanship include, the contrasting mortar in the brick voussoirs, the etched glass transom window, but particularly, elements of the verandah. The ell shaped wrap-around verandah is covered by a hipped roof and supported by decorative chamfered posts. The chamfered posts are connected to a concrete base with pressed design and are topped with capitals connected to fluted brackets. Each fluted bracket connects to a pierced panels supported by a decorative bracket. Spandrels extend around the verandah with a centre decorative bracket attached below.

The property located at 3303 Westdel Bourne is significantly associated with the Ireland family. The Ireland family is one of the earliest settlers to the Delaware Township area and the property was farmed by the family for 141 years. The Ireland’s were active community members throughout the 141 years. George and Clementine Ireland were active members of the Kilworth United Church (2442 Oxford Street). Walter Ireland and his family were known for growing vegetables and apples, which they sold at the Covent Garden Market in London (Grainger 2006, 283). Also, Maggie Ireland and Marian Ireland were active member of the Women’s Institute

The area of the former Delaware Township is evolving and developing with modern residential developments to the north and south of the subject property. The farmhouse and Barn 1 are important in defining and maintaining the historic agricultural character of the area that developed in the early to late nineteenth century. Retaining the farmhouse and Barn 1 provides a tangible link to the historic agricultural character of this area. The prominent design values of the farmhouse and Barn 1 allows it to define this character. The farmhouse and Barn 1 communicates the history of a family who immigrated to Delaware Township, farmed their property, and sold their produce at the Covent Garden Market in London. The property at 3303 Westdel Bourne is important in defining the character of the Delaware Township area.

Heritage Attributes
The heritage attributes which support or contribute to the cultural heritage value or interest of the property at 3303 Westdel Bourne include:

Farmhouse
- Form, scale, and massing of the two storey buff brick farmhouse
- Setback of the farmhouse from Westdel Bourne;

- Orientation of the farmhouse with its broadest façade towards Westdel Bourne;
- Buff brick in a common bond pattern;
- Two stacked buff brick chimneys;
- Asymmetrical, staggered three-bay façade;
- Hipped roof with front gable ;
- Decorative bargeboard on the front gable and an oculus window in the gable's centre of the projecting bay ;
- Paired wood brackets at the eaves;
- Wood soffits
- Segmented arch window openings with brick voussoirs with contrasting red mortar;
- Original main door opening with a segmented arch transom with decorative etched glass with floral and bird motif;
- Cast stone sills;
- Field stone foundation with coursing detail;
- The ell shaped wrap around verandah is covered by a hipped roof and supported by decorated chamfered posts;
    - The posts are topped with capitals that connect to fluted brackets;
    - Connected to each bracket is a pierced panel with an out bracket below;
    - A spandrel, with a decorative bracket attached below in the centre, connects the pierced panels together;
    - The base of the verandah is concrete with a pressed design

Barn 1

- Form, scale, and massing of the two level, timber frame barn;
- Relationship to the farmhouse;
- Parged concrete foundation with a number of openings for multi-pane windows;
- Gable roof covered in corrugated metal;
- Vertical barn board siding;
- Mix of hand hewed and machine cut beams connected to the post with mortise-and-tenon joints;
- A reinforced concrete silo is connected to the north façade of the barn;
- A barn hill is connected to the east façade;
    - The form, scale, and massing;
    - Suspected root cellar that has been parged on the exterior; and
    - An open space in the middle of the barn hill – known as a "walk way".

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: **1423197 Ontario Inc. (Royal Premier Homes)**
3557 Colonel Talbot Road
Public Participation Meeting on: May 13, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1423197 Ontario Inc. (Royal Premier Homes) relating to the property located at 3557 Colonel Talbot Road:

(a) The comments received from the public during the public engagement process attached hereto as Appendix "A", **BE RECEIVED**

(b) Planning staff **BE DIRECTED** to make the necessary arrangements to hold a future public participation meeting regarding the above-noted application in accordance with the *Planning Act*, R.S.O 1990, c.P. 13.

IT BEING NOTED that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation to be presented at a future public participation meeting.

Executive Summary

Summary of Request

The requested amendment is to allow three townhouse buildings, each 2.5-storeys (9 metres) in height for a total of 28 units (41uph).

Purpose and the Effect

The purpose and effect of the recommended action is to:

i) Present the requested amendment in conjunction with the statutory public meeting;

ii) Preserve appeal rights of the public and ensure Municipal Council has had the opportunity to the review the Zoning By-law Amendment request prior to the expiration of the 150 day timeframe legislated for a Zoning By-law amendment;

iii) Introduce the proposed development and identify matters raised to-date through the technical review and public consultation;

iv) Bring forward a recommendation report for consideration by the Planning and Environment Committee at a future public participation meeting once the review is complete.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located north of Lambeth on the west side of Colonel Talbot Road between Pack Road and Kilbourne Road. The site abuts a new subdivision to the north and west and a large estate lot to the south. The lands to the east are currently used for agricultural purposes but will be developed through plans of subdivision in the future. Located on the south portion of the site is a small pond and the Dingman Creek which is subject to UTRCA regulations and is also part of an ongoing review of the extent of the floodplain and how it relates to updated flood projections for the Dingman Creek.

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

- 1989 Official Plan Designation – Multi-Family, Medium Density Residential/Open Space
- The London Plan Place Type – Neighbourhood Place Type
- Existing Zoning – Urban Reserve (UR4) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 107 metres (351 feet)
- Depth – 76m average (250 feet))
- Area – 0.808ha (2.0 ac)
- Shape – Irregular

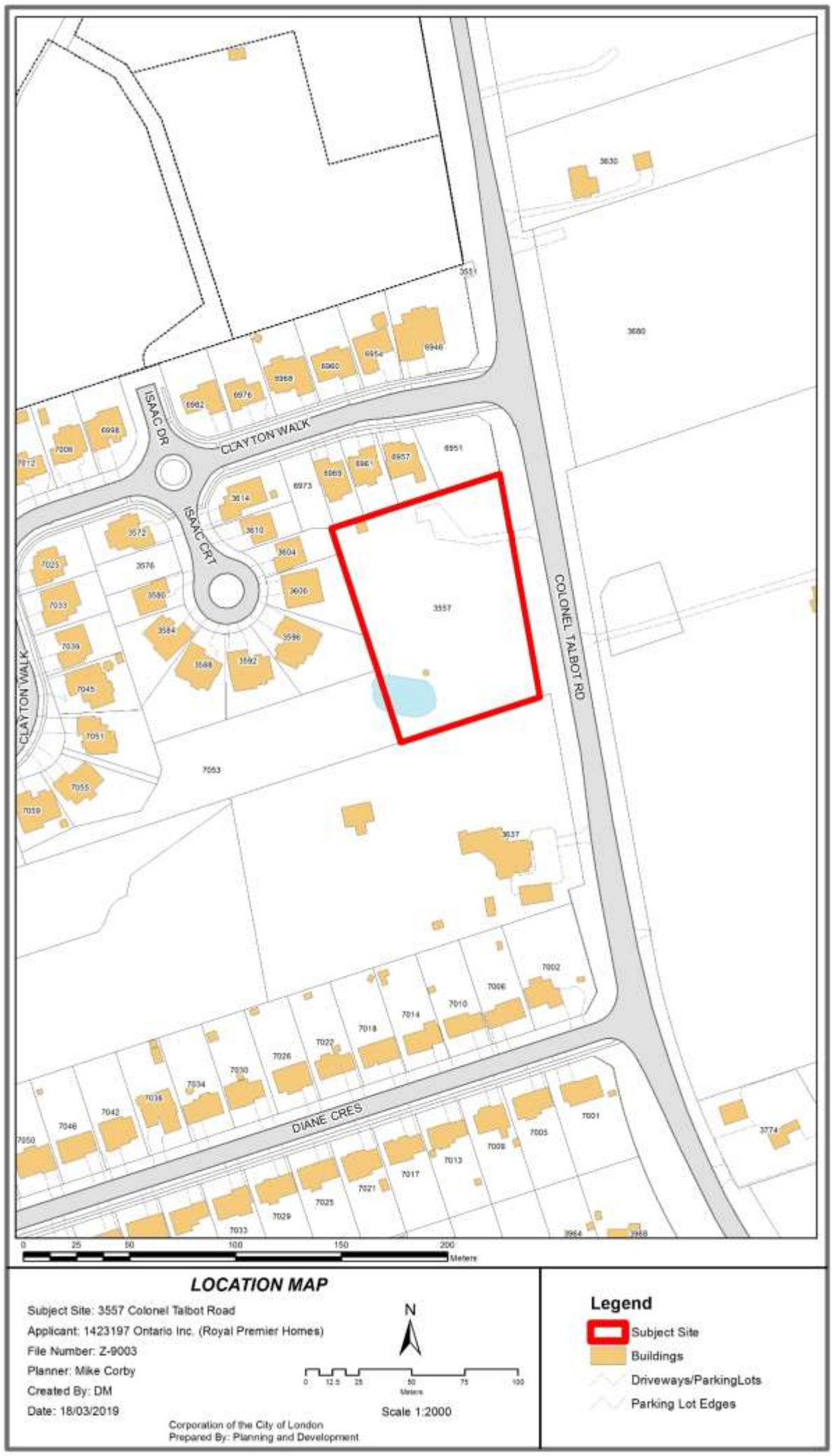
1.4 Surrounding Land Uses

- North – Low Density Residential
- East – Currently Agricultural, future plan of subdivision
- South – Low Density Residential
- West – Low Density Residential

1.5 Intensification (28 residential units)

- The proposed residential units do not represent intensification within the Built-area Boundary
- The proposed residential units are located outside of the Primary Transit Area.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposed development includes a total of three townhouse buildings each 2.5-storeys in height for a total of 28 units. The largest townhouse building, located on the north part of the property, will have 12 units, the next townhouse building to the south will have 10 units and the smallest townhouse building will include 6 units. The development is proposed to be located 8 metres away from the former floodplain limit on the south portion of the site. The extent of this limit is currently under review by the UTRCA.





2.2 Submitted Studies

The application was accepted as completed on January 7, 2019. The following information was submitted with the application:

- Planning Justification Report
- Conceptual Site Plan
- Urban Design Brief
- Servicing Study
- Environmental Impact Study
- Tree Protection Plan
- Zoning Referral Record

2.3 Requested Amendment

The requested amendment is for a Zoning By-law amendment from an Urban Reserve (UR4) Zone and Open Space (OS4) Zone to a Residential R5 Special Provision (R5-5(_)) Zone and Open Space (OS4) Zone to permit cluster/stacked townhouse dwellings.

3.0 Relevant Background

3.1 Community Engagement (see more detail in Appendix B)

There were 5 public responses received during the community consultation period.

Concerns for:

- Loss of privacy for the properties to the north. Specifically due to the proposed height of the decks which will look into the rear yards.
- Loss of trees on the site.
- The proposed built form/density are not in keeping with the area.
- Increase in traffic.
- Decrease in property value.

3.2 Policy Context

The subject site is currently located in a Multi Family, Medium Density Residential ("MFMDR") designation in the 1989 Official Plan and is also subject to the Medium Density Residential policies of the Southwest Area Plan. The London Plan identifies the subject site and surrounding area as a Neighbourhood Place Type which provides a broad range of uses and 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. Within the Settlement Areas appropriate land use patterns 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).

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.

The PPS ensures that development is directed to areas outside of natural hazard lands which includes lands which are impacted by flooding hazards. Development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources (3.1 Natural Hazards, 3.11, 3.1.6). Site alteration may be also be permitted in portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor or could be mitigated in accordance with provincial standards (3.1.7).

In accordance with section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject site is located in the Neighbourhoods Place Type along a Civic Boulevard which would permit a range of residential uses including single detached, semi-detached, duplex, converted dwellings, townhouses, stacked townhouses, fourplexes and low-rise apartments (Permitted Uses *921_).

Neighbourhoods Place Types along a Civic boulevard also require a minimum height of 2-storeys and permit a maximum height of 4-storeys, while 6-storeys can be achieved through Type 2 bonusing. Zoning is applied to ensure the intensity of development 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 (Intensity *935_).

All planning and development applications will conform with the City Design policies of The London Plan. New developments should be designed to avoid the need for noise walls that are required to protect amenity areas as defined by provincial guidelines (Form *936_).

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 the vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability (Residential Intensification In Neighbourhoods *937_).

In addition to The City Design policies of this Plan residential intensification projects are subject to additional urban design considerations (*953_). New proposals must clearly demonstrate that the proposed intensification project is sensitive to, compatible with,

and a good fit within the existing surrounding neighbourhood. The Plan evaluates compatibility and fit from a form perspective on specific list of criteria to help ensure it is in keeping with the character of the surrounding neighbourhood. 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 (Additional Urban Design Considerations for Residential Intensification (*953_).

The southerly portion of the site is within the Greenspace Place Type due to the Dingman Creek running through the site creating a potential flooding hazard. The Greenspace Place Type intends to reduce the potential for loss of life and damage to property due to flooding by restricting the development of flood plain and hazard lands to an appropriate range of uses (*761(6)). City Council may acquire lands within the Green Space Place Type or add to the Green Space Place Type for the purposes of adding to the network of publicly-accessible open space, providing protection to lands identified as being susceptible to flooding or erosion; and providing protection to natural heritage areas within the Green Space Place Type (*768_).

1989 Official Plan

The 1989 Official Plan designates the site as Multi-Family, Medium Density Residential which permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged (3.3.1. Permitted Uses).

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Height will be limited to four storeys however, in some instances may be permitted to exceed this limit, if determined through a compatibility report. Generally developments will not exceed 75 uph.

As noted the subject site is affected by the Dingman Creek and is subject to flooding on the south portion of the site which is regulated by the UTRCA. The Official Plan provides the opportunity to use a one or two zone concept when dealing with Hazard lands which is in keeping with provincial policies. The City of London and the Upper Thames River Conservation Authority have adopted a one zone concept for the City (15.6.2. One-Zone Concept) which means no flood fringe exists. The zoning of flood plain lands will reflect the restricted use of these lands, and will prohibit any new development, with the exception of existing uses and minor additions and/or renovations to existing structures. Development within the Flood Plain will be restricted to: flood and/or erosion control structures; facilities which by their nature must locate near watercourses; ancillary facilities of an adjacent land use which are of a passive, non-structural nature and do not adversely affect the ability of the flood plains to pass floodwaters; and essential public utilities and services. The development of flood plain lands shall also be subject to additional conditions outlined in the Official Plan.

Southwest Area Secondary Plan

The development proposal is also located in the Southwest Area Secondary Plan and subject to the Lambeth Neighbourhood (20.5.7) policies of the Plan. The site is designated Medium Density Residential (20.5.7.2) within the Lambeth Neighbourhood which is intended to provide for medium intensity residential uses that are consistent with existing and planned development. The primary permitted uses in the Multi-family, Medium Density Residential designation of the 1989 Official Plan shall apply. New convenience commercial uses and secondary permitted uses allowed in the Multi-family, Medium Density Residential designation of the Official Plan shall not be permitted.

The built form and intensity of development require a minimum density of 30 units per

hectare and a maximum density of 75 units per hectare while building heights defer to the 1989 Official Plan specifically Section 3.3.3 i). A residential density exceeding 75 units per hectare (up to 100 units her hectare) may be considered in accordance with Section 3.3.3 ii) of the 1989 Official Plan (20.5.7.2 Medium Density Residential).

A Draft comprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The Dingman Creek Significant River Corridor is a major component of the natural heritage system in the Southwest Area Secondary Plan. It is considered a significant river and ravine corridor which represents a continuous wildlife linkage and water resources system connecting significant core natural heritage features that extend beyond the limits of the city. The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. An ecological buffer will be established along each side of Dingman Creek based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with Section 15 of the Official Plan. Lands delineated as ecological buffers pursuant to Subsection 20.5.3.6 i) b) and c) may be acquired by the City pursuant to Section 16 of the Official Plan.

In order to enhance open space opportunities within the Southwest Area, the City will seek to locate open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trails, active and passive parkland and stewardship opportunities. The City may acquire these enhanced open space corridor lands in accordance with the municipal land dedication requirements of the Planning Act or through purchase, donation, bequest, expropriation or other lawful means (20.5.3.6 Natural Heritage).

4.0 Matters to be Considered

A complete analysis of the application is underway and includes a review of the following matters, which have been identified to date:

Provincial Policy Statement (PPS)

- Consideration for consistency with policies related to promoting appropriate intensification, efficient use of land and natural hazard lands.

The London Plan

- Conformity to policies related to the appropriateness of the proposed use, intensity, form and flood plain lands.
- Impacts on adjacent properties.
- Compatibility with the surrounding area.

1989 Official Plan

- Conformity to policies related to the appropriateness of the proposed use, intensity, form and flood plain lands.
- Impacts on adjacent properties.
- Compatibility with the surrounding area.

Southwest Area Plan

- Conformity to policies related to the appropriateness of the proposed use, intensity, form and natural heritage features.
- Impacts on adjacent properties.
- Compatibility with the surrounding area.

Technical Review

- Appropriate and desirable design of the proposed townhouses.
- All engineering comments have been addressed or will be dealt with at site plan approval stage.
- Identifying matters that could be directed to the site plan approval stage.

Zoning

- Suitability of the requested zone, location of zone boundaries pending UTRCA flood hazard review and regulation amendments in relation to the proposed development.

Public Feedback

- Identifying and mitigating potential impacts
- Reviewing proposal for compatibility to the local context
- Working with community and applicant to find compromise where disputes exist.

5.0 Conclusion

Planning staff will review the comments received with respect to the proposed Zoning By-law amendment and will report back to Council with a recommendation based on the current application or a potential revised application for a Zoning By-law amendment. A future public participation meeting will be scheduled when the review is complete and a recommendation is available.

Prepared by:	**Michael Corby, MCIP, RPP** **Senior Planner, Development Services**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P.ENG** **Managing Director, Development and Compliance Services and Chief building Official**
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.	

April 9, 2019
MC/mc

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Appendix A – Public Engagement

Public liaison: On January 16, 2019 Notice of Application was sent to 46 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 17, 2019. A "Planning Application" sign was also posted on the site.

5 replies were received

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone and Open Space (OS4) Zone **TO** a Residential R5 Special Provision (R5-5(_)) Zone and Open Space (OS4) Zone to permit cluster/stacked townhouse dwellings.

Responses:

From: Ian Campbell
Sent: Monday, January 21, 2019 1:52 PM
To: Corby, Mike <mcorby@London.ca>; Hopkins, Anna <ahopkins@london.ca>
Subject: File: Z-9003

Mike/Anna:
My name is Ian Campbell. I own the 3+ acres of residential land to the south of 3557 Colonel Talbot Road. (3637 Colonel Talbot Rd., London, ON N6P 1H6)

In a word. "wow'.

It was my understanding from general buzz and conversation that the owner of the property was going to re-build 1 (ONE) home on the property.
This proposal is for 28. #big_difference.

So…I am **very OPPOSED** to the Application for any changes to zoning for that property.

A recent value of my home was estimated at $2.8M…and 11 of my window face NORTH…the direction of the property. The addition of a townhouse complex with 28 units, a 2.5 story-one no less, will degrade my property value significantly.

Further, in my opinion, the traffic on Colonel Talbot Road, including the anticipate additional traffic from the York developments is already at capacity (I generally wait :30 seconds for a clearing to get out of my driveway currently) and the addition of 28+ cars in and out of a driveway will make for very dangerous traffic conditions for both owners and cars with a right of way.

Further, the plan indicates that the wooded area in the SE corner of the property would be eliminated, damaging a woodland area which currently acts as a privacy buffer between my property and the 3557 property.

Further, both lived in my house for 12 years and having worked in the past with Upper Thames Conservation Authority regarding the creek and the potential for flooding there should be significant concerns with flooding in the creek and the pond which could cause damage to land and property.

Again, I am OPPOSED to this application…and would like to continue to be informed of any updates to the application.

Can you please confirm receipt of this email.

Regards,
Ian

From: Andrew Floriancic
Sent: Thursday, January 24, 2019 7:33 PM
To: Corby, Mike <mcorby@London.ca>
Subject: File Z-9003 proposed development

Good evening Mr. Corby

My name is Andrew Floriancic. I am contacting you regarding file: Z-9003. A development that has been proposed by a developer for 3557 Colonel Talbot Road in London Ontario.

I am a resident of 3604 Isaac Court. The proposed development is suppose to back on to my back yard. The plan illustrates the my backyard and the road area will back onto each other.

My back yard along with 3 other homes have a line of large, mature cedars that are approximately 40+ feet high. These cedar trees currently lay on my properly line with them slightly going on into the new development. It is my hopes that these mature cedar trees are not removed. It is beneficial for both the developer/ new homes and for my property. It creates privacy and separation.

I am looking for direction in which I can propose this to the developer and save the trees from being removed.

Any assistance would be greatly appreciated.

Thanks for your time

Andrew Floriancic

From: Ibrahim Semhat
Sent: Tuesday, January 29, 2019 9:07 AM
To: Corby, Mike <mcorby@London.ca>;
Subject: Z-9003 3557 Colonel Talbot Road Zoning By-Law Amendment

Good Morning Mike,

Hope you are well.

We are the resident of 6961 Clayton Walk home and I am writing to you to share my thoughts and feelings on this zoning by-law amendment Z-9003.

Royal Premier Home has an application to change the zoning by-law of 3557 Colonel Talbot property from Urban Reserve UR4 & Open Space OS4 to Residential R5 Special Provision R5-5, on an application to build 28 condo units, each 2.5 stories in height in 3 townhouse buildings.

As you may know, 3557 Colonel Talbot property used to house a farm house that was damaged by fire about 2 years ago. to the best of my knowledge, the lush trees on this property are reserve protected along with the little creek and pond.

Changing the zoning of this property located adjacent to my property line will be damaging to the privacy of my home and neighborhood. It will also affect the rest of my neighbors on Clayton Walk near the intersection with Colonel Talbot Street. our property value may plunge down if this application is approved to build condo in our upscale neighborhood.

When we purchased our home on Clayton Walk in summer 2017, we fell in love with the nature of the 3557 Colonel Talbot property including the lush trees, creek and pond. This was key factor in our purchasing decision to move to our 6961 Clayton home.

We are firmly against approving this application for zoning by-law amendment and reject Royal Premier Home proposal of building these condo. Considering all the construction taking place in close neighborhood on Pack road and the city in general, it would be essential to maintain properties like 3557 Colonel Talbot as farm house with its beautiful landscape and trees.

Please let me know your thoughts and if you have any questions. Hope to hear back from you soon.

Thank you in Advance.

Best Regards,

IBRAHIM M. SEMHAT

From: Wing Man Lau
Sent: Wednesday, February 6, 2019 3:46 PM
To: Corby, Mike <mcorby@London.ca>
Subject: Re: Concerns on Planning application for 3557 Colonel Talbot Road

Hi Mike,

Hope things are well.
I just wanted to follow up on this. Is there a date set for the meeting?

In addition to my previous email, I wanted to ask a few other questions.

- I was advised that the tree's behind my property were protected? Is this true and how can I find out if they are or not?
- Will the thames valley conservation authority be deciding on the status of the units going across the dingman conservation area?

Thank-you
Regards
Wing Man Lau

On Wed, Jan 30, 2019 at 2:13 PM Wing Man Lau wrote:

Hi Mike,

I am writing in regards to the zoning by-law amendment received for 3557 Colonel Talbot Road.

My wife and I received the planning application and after reviewing it we have a few questions.

1. What is the likelihood that this will go through?
2. Will our input have any leverage on how the applicant's plan will change.

We reside on Lot 23 Clayton walk and the trees behind our property were a huge reason we selected the lot we did. We even applied for a variance on our house plans due to the trees on that property. Their 2.5 storey units will significantly invade on the privacy of the homes on the south side of Clayton walk. There are a number of homes which already have installed pools. Even if a wooden fence was a requirement they would still be intruding on the privacy of those homes.

Suggestions for the planning applicant.

1. Would they be able to relocate the mature trees currently on the north side of their property closer to the property line to maintain the privacy for the residences on the south side of Clayton walk.
2. Would the applicant be willing to repropose to move their development a few meter south to extend the distance from the north side property line, in hopes to keeping some trees.
3. If they are to reduce the number of town house units can the whole development be moved closer to the south of their property.
4. Would it be possible to limit the high of the town homes?
5. If the mature trees are maintained on the north side of the lot then the concern for privacy for all residences on the south side of Clayton walk would help.

Thank-you for your consideration.

Regards
Wing Man Lau
Resident of Lot 23 Clayton Walk

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Tiffany Richter 6969 Clayton Walk, London ON, N6P0B2	Ian Campbell 3637 Colonel Talbot Rd, London, ON N6P 1H6
	Andrew Floriancic 3604 Issac Court, London ON N6P 0B2
	IBRAHIM M. SEMHAT 6961 Clayton Walk, London ON, N6P 0B2
	Wing Man Lau 2651 Clayton Walk, London ON, N6P 0B2

Agency/Departmental Comments

London Hydro – January 29, 2019

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Parks Planning – March 15, 2019

The Parks Planning & Design Section has reviewed the Zoning By-law Amendment application for 3557 Colonel Talbot Road and offers the following comments to be considered in your decision:

- **3557 Colonel Talbot Road – Proposed Residential Developments**

    - Parkland dedication has not been collected for this development. Fulfilment of this requirement may come in the form of land dedication, payment of cash-in-lieu or a combination of the two. As indicated in the EIS, staff are interested in acquiring the open space lands as satisfaction of the parkland requirement for this proposal. These lands will be taken at the time of site plan approval. It is the intention of staff to construct a multi-use pathway from Colonel Talbot Road, south of the pond, to the pathway immediately west of the site that will be constructed in the summer of 2019. Further discussions with the applicant will be required.

    - The EIS recommends an 8 meter setback from the existing Open Space OS4 zone or the floodplain boundary. It is noted the recommended setback encroaches into the conceptual development.

    - Staff suggest all the recommendations of the December 18, 2018 and associated addendums, be reflected in the staff report, the by-law amendment and the site plan as appropriate.



If it assists you, Parks staff can provide a conceptual pathway alignment of the area

Development Services – April 9, 2019

Sanitary:

- Currently there is no municipal sanitary sewer fronting the subject lands. However as part of the Colonel Talbot Road pumping station project, a forcemain and sanitary sewer are currently being designed and are anticipated to be constructed late in 2019. **Until a sanitary outlet is constructed and operational there may need to be a holding provision.**
- As part of any development application the Applicant's Engineer must coordinate with Wastewater and Drainage Engineering Division (WADE), Sewer Operations and the City's Consulting Engineer for suitable location, size and grade of a sanitary outlet. A 200mm diameter sanitary PDC may be required and is to be connected at a sanitary manhole all to City Standards and to the satisfaction of the City Engineer.

Transportation:

- Road widening dedication of 18.0m from centre line.

- Construction of a right turn taper will be required in accordance with City Standards.
- Detailed comments regarding external works and access location and design will be made through the site plan process.

Stormwater

- **The site is located within the UTRCA regulated area and therefore UTRCA approval/permits will be required. Limits of proposed development will require a regulatory flood line buffer acceptable to UTRCA. It is recommended that the applicant engage with UTRCA as soon as possible to review the potential for development at this site.**
- The subject lands are located in the Dingman Creek Subwatershed subject to the ongoing Dingman Creek EA. The City is currently finalizing phases 3 and 4 of the Dingman Creek Municipal Class Environmental Assessment (EA) by Aquafor Beech (City's Dingman Creek EA Consultant) and therefore the SWM criteria and environmental targets applicable to this site are unknown at this time.
- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.
- Currently there is no municipal storm sewer or storm outlet available to service the site.
- Additional SWM related comments will be provided upon future review of this site.

Upper Thames River Conservation Authority – April 9, 2019

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. The Regulation Limit is comprised of a riverine flooding hazard associated with a tributary of Dingman Creek. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland. In the event of a conflict with the mapping, the text description under the Conservation Authorities Act Ontario Regulation 157/06 prevails.

UTRCA and City staff participated in a site visit on May 15, 2018 along with the landowner's consulting team (Matt Campbell from Zelinka Priamo Ltd. and Dave Hayman from BioLogic Incorporated). The purpose of the meeting was to develop a Terms of Reference/Scope for an Environmental Impact Study for the subject lands. In addition to the scoping information provided for the EIS, the UTRCA advised that the floodline in the subwatershed was being updated and that new information was anticipated to be available in the fall of 2018 which could impact the limit of the riverine flooding hazard on the subject lands. A copy of the Terms of Reference/Site Visit notes prepared by BioLogic Incorporated, dated May 29, 2018, is attached.

Dingman Creek Stormwater Servicing Class Environmental Assessment (EA)
The subject lands are located within the Dingman Creek Subwatershed, forming part of the Dingman Creek EA. As shown on the attached Dingman Subwatershed Screening Area map, the subject lands are located within the Screening Area. Further to the advisory comments provided at the May 15, 2018 site visit, UTRCA staff met with Matt Campbell of Zelinka Priamo Ltd. on October 22, 2018 to review a draft version of the Dingman Subwatershed Screening Area map. During these discussions, the UTRCA

reviewed the potential impacts of the Screening Area map for the subject lands and advised that the Conservation Authority was not in a position to support development within the flood plain area based on the preliminary information as the UTRCA's policies do not allow for new development in the flood plain.

UTRCA Transition Policy

On August 28, 2018, the UTRCA's Board of Directors approved the Transition Policy for implementing updated Regulation Limit mapping. The Transition Policy is in place to ensure that where there is a discrepancy between the mapping and the text of Ontario Regulation 157/06, the text of the Regulation prevails. The review of development proposals within an area with discrepancies or updated mapping shall consider:

1. The most recent and best available information for natural hazard lands including flood plain modelling, and watercourse and wetland mapping;
2. If available information is insufficient, the proponent may be required to undertake modelling to assess the hazard lands; and
3. The Principle of Development has been previously established under the Planning Act.

In regards to the subject lands:

1. The most recent and best available information identifies the southern portion of these lands as flood plain;
2. The Dingman Screening Area Mapping is currently being peer reviewed to confirm accuracy and no additional modelling is required at this time; and,
3. The Principle of Development has not been established for these lands under the Planning Act as they are not zoned to accommodate the proposed development and therefore this application to amend the Zoning By-law is required.

RECOMMENDATION

New modelling indicates that the current flood plain mapping depicted on the UTRCA's Regulation Limit mapping no longer accurately represents the regulated riverine flooding hazards in areas of the Dingman Creek subwatershed. The hazards are defined in text within regulations made pursuant to the Conservation Authorities Act (Ontario Regulation 157/06). As previously noted, in the event of a conflict with the maps, the text description prevails. The UTRCA must rely on the best available information to assess the risks due to flooding in applying the regulation and to be consistent with the natural hazards policies contained within the Provincial Policy Statement.

A review of the modelling and mapping has been initiated to: ensure that it is consistent with best practices; confirm the best available information is used appropriately in updating hazard mapping; and confirm that the modelling and mapping meets provincial standards. As part of the Dingman Creek EA, the City of London has retained a consultant to peer review the modelling work completed to date. It is anticipated that the peer review will be completed in the summer of 2019.
Updated mapping that accurately illustrates the hazard lands is required to properly plan servicing, review development proposals and issue building permits. While the mapping is being updated the Screening Area is an interim tool intended to assist the UTRCA, City of London and proponents to assess development proposals. The UTRCA considers the following when reviewing development proposals within the Screening Area:

- The use of the property, expanding existing uses versus new development proposals;
- Appropriate floodprooding measures;
- Ensure that the proposed development, including mitigation/floodproofing, does not impact upstream or downstream flood levels;
- The maintenance of channel capacity and channel conveyance functions; and,

- Changes in flood storage characteristics.

At this time during the review of the flood modelling and mapping, the UTRCA does not have sufficient information to confirm that the subject lands are not affected by the flooding hazard.

As previously noted, the UTRCA met with the agent in October 2018 to advise of the potential development restrictions due to the forthcoming Dingman Subwatershed Screening Area which was presented to the public in November 2018. Based on foregoing comments, the UTRCA does not have sufficient information to confirm the extent of the flooding hazard that impacts the subject lands. Accordingly, this application is considered to be premature and the UTRCA recommends that the Zoning By-law Amendment being sought for the lands known municipally as 3557 Colonel Talbot Road be refused, or alternatively deferred until the extent of the flooding hazard can be confirmed.

Appendix B – Policy Context

The following policy and regulatory documents are being 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

City of London Official Plan

The London Plan (Neighbourhood Place Type)

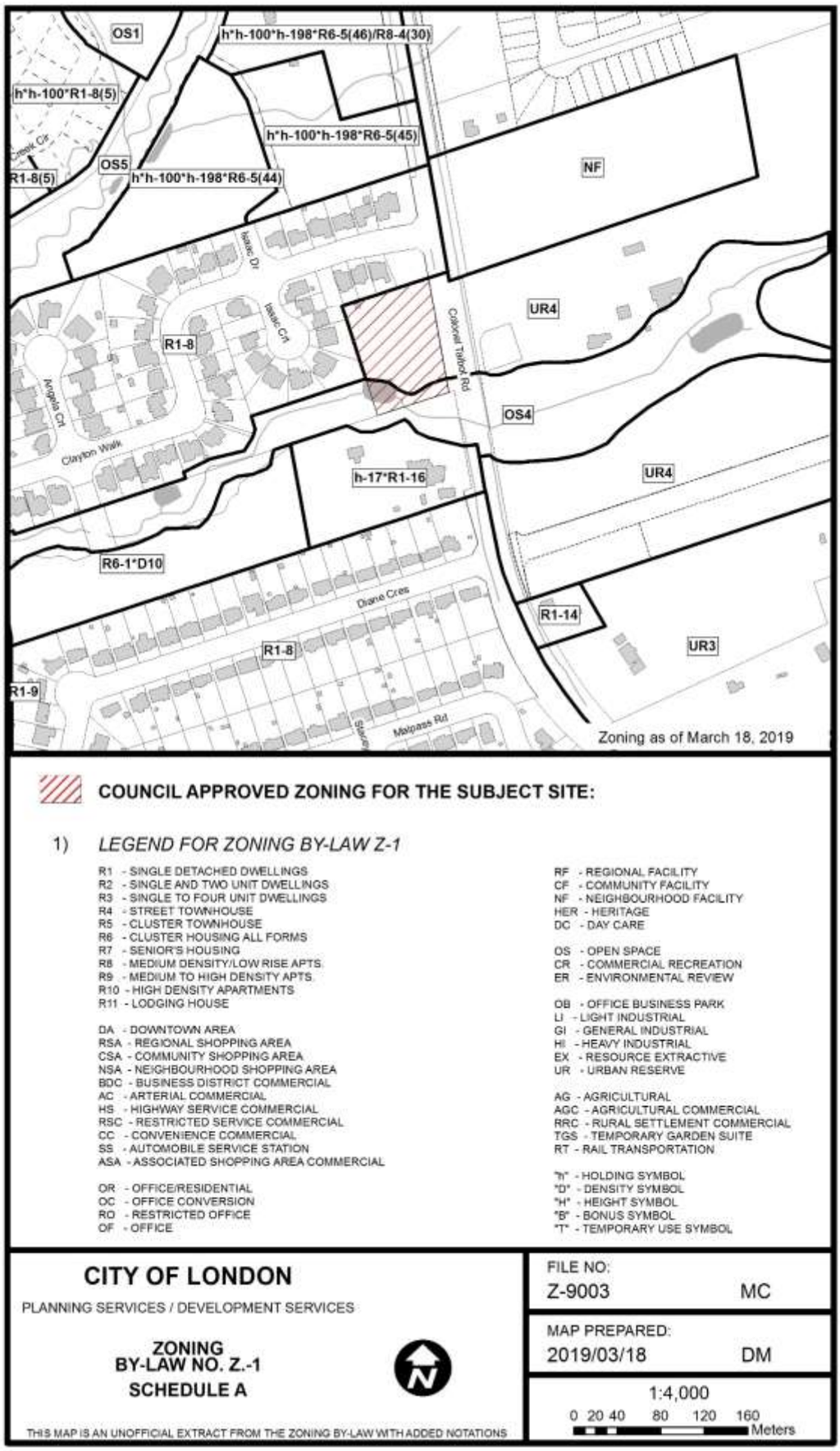
Southwest Area Plan

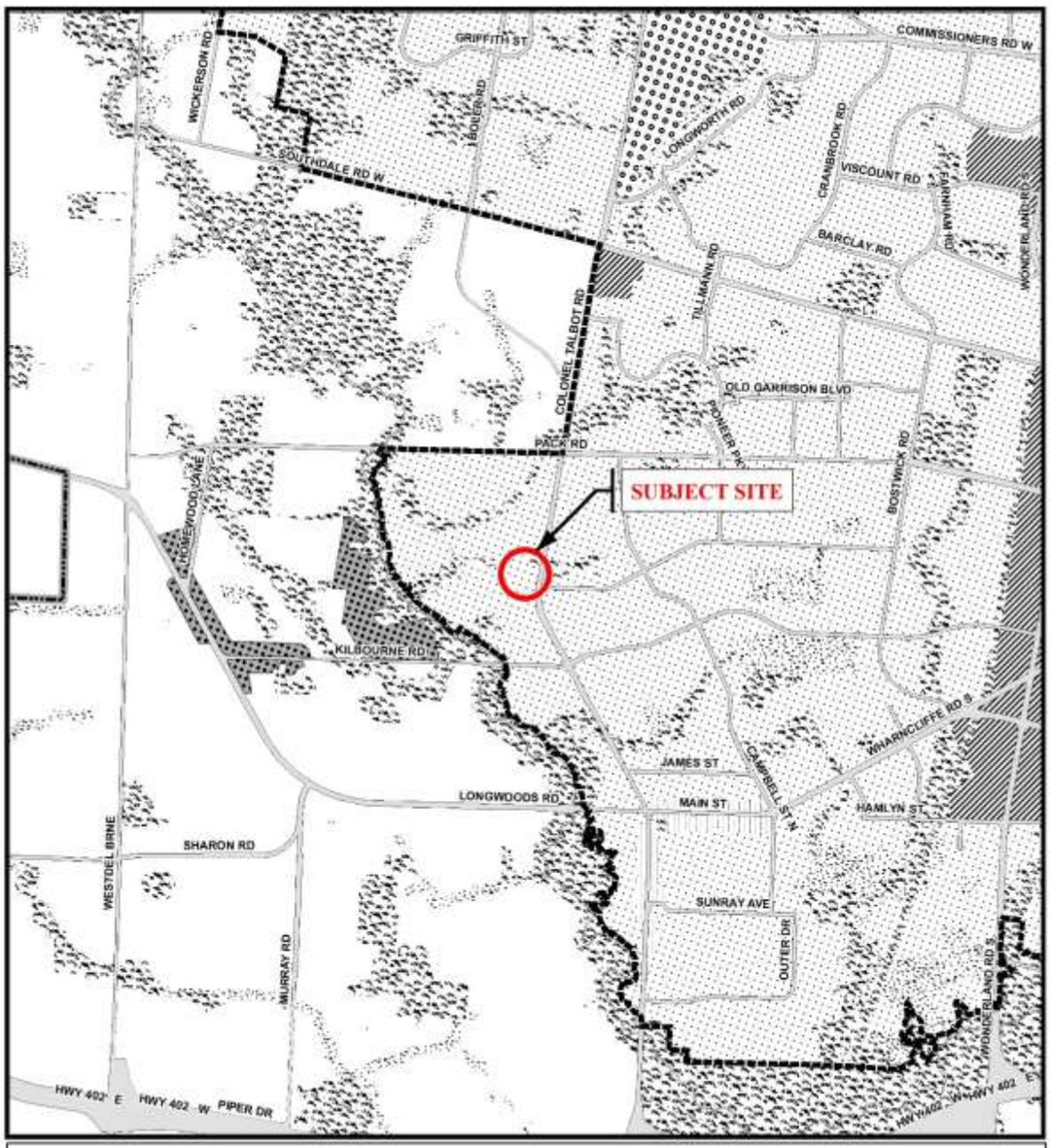
Z.-1 Zoning By-law

Site Plan Control Area By-law

Appendix C – Additional Information

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

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 -

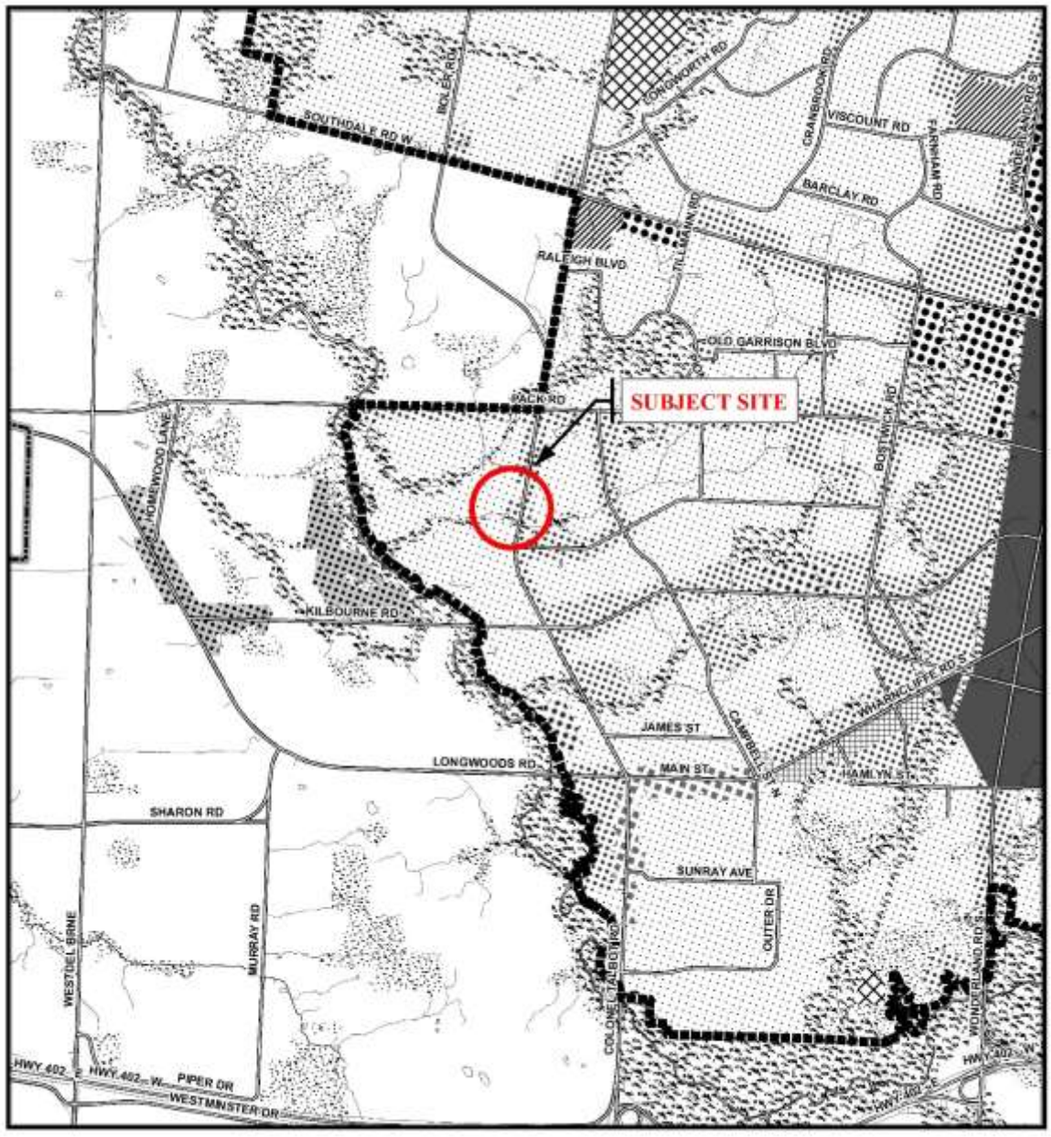
PREPARED BY: Planning Services

Scale 1:30,000

Meters

File Number:	Z-9003
Planner:	MC
Technician	DM
Date:	March 18, 2019

Project Location: E:\Planning\Projects\p_zoning\z-1zones\amendments\Z-9003\projects\Z-9003 - London Plan Excerpt.mxd



Legend

- Downtown
- Wonderland Road Community Enterprise Corridor
- Enclosed Regional Commercial Node
- New Format Regional Commercial Node
- Community Commercial Node
- Neighbourhood Commercial Node
- Main Street Commercial Corridor
- Auto-Oriented Commercial Corridor
- Multi-Family, High Density Residential
- Multi-Family, Medium Density Residential
- Low Density Residential
- Office Area
- Office/Residential
- Regional Facility
- Community Facility
- Open Space
- Urban Reserve - Community Growth
- Urban Reserve - Industrial Growth
- Office Business Park
- General Industrial
- Light Industrial
- Commercial Industrial
- Transitional Industrial
- Rural Settlement
- Environmental Review
- Agriculture
- 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:	Z-9003
PLANNER:	MC
TECHNICIAN:	DM
DATE:	2019/03/18

Document Path: E:\Planning\Projects\p_zoning\z-1zones\amendments\Z-9003\projects\Z-9003 - Official Plan Schedule A.mxd

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: **Invest Group Ltd.**
2096 Wonderland Road North
Public Participation Meeting on: May 13, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Invest Group Ltd. relating to the property located at 2096 Wonderland Road North, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 21, 2019 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 R1 (R1-16) Zone, **TO** a Residential R5 Special Provision (R5-6(_)) Zone.

Executive Summary

Summary of Request

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Residential R1 (R1-16) Zone, which permits the use of the subject lands for one single-detached dwelling, to a Residential R5 Special Provision (R5-6(_)) Zone to permit up to 18 three-storey townhouse units and up to 2 converted dwellings in the existing heritage building for a total of 20 units at a density of 50 units per hectare. Special provisions are requested to permit site-specific exceptions to the standard Residential R5 (R5-6) Zone regulations. The applicant requested a reduced minimum front yard depth and reduced (easterly) minimum rear yard depth.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit the use of the subject lands for cluster housing in the form of 18 three-storey townhouse units and up to 2 converted dwellings in the existing heritage building for a total of 20 units at a density of 50 units per hectare.

At the site plan stage, the developer should adhere to the principles established in the revised concept plan discussed in this report with respect to the relationship of the development to the surrounding existing residential development, and of the new townhouse buildings to the heritage building which is to be retained on the site. They should also continue to work with staff to address the matters that Staff and the applicant agreed would be dealt with at the site plan approval stage.

Rationale of Recommended Action

1. The recommended amendment is consistent with the 2014 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future.

2. The recommended amendment conforms to The London Plan which contemplates townhouses and converted dwellings as a primary permitted use, and a minimum height of 2-storeys and maximum height of 4-storeys within the Neighbourhoods

Place Type where the property has frontage on an Urban Thoroughfare. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the periphery of an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of neighbourhoods providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

3. The recommended amendment conforms to the 1989 Official Plan and would implement the residential intensification policies of the Multi-family, Medium Density Residential designation that contemplate residential intensification in the form of cluster townhouse dwellings at a density up to 75 uph. The recommended amendment would permit development at an intensity that is less than the upper range of the maximum density for residential intensification within the Multi-family, Medium Density Residential designation to ensure the form of development is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the goal of providing housing options and opportunities for all people.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject property is located on the east side of Wonderland Road North south of Sunningdale Road West. The site is currently occupied by a 2-storey Georgian-style farmhouse that was designated under Part IV of the Ontario Heritage Act in September of 2018 and is to be retained on site.



The site is undulates gently and slopes generally downward toward the east with a low point in the south-east corner. Grading created at the time of construction of the adjacent cluster development to the east resulted in a pronounced grade decrease from the east property line of 2096 Wonderland Road North to the internal condominium roadway along the north-east portion of the property line. Along the south-east portion of the property line, grades are higher on the condominium corporation lands than on the subject site. There are a number of mature coniferous and deciduous trees on the site, which are proposed to be removed to accommodate the development.

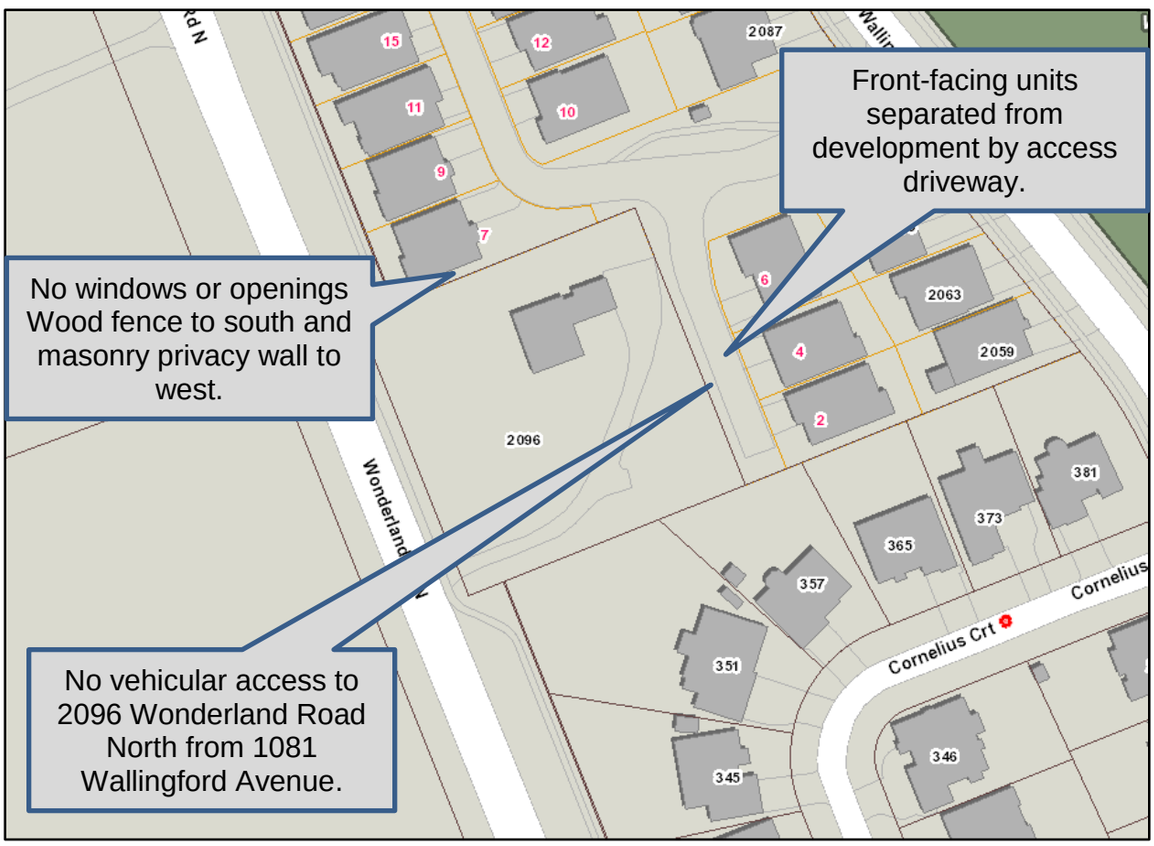
Wonderland Road North is classified as an Arterial Road and is intended to move medium to high volumes of traffic at moderate speeds.

The surrounding land uses on the east side of Wonderland Road North include low-rise, low density, single detached dwellings.

The dwellings directly to the north and east are within Vacant Land Condominium Corporation (MVLCC) No. 775 at 2081 Wallingford Avenue, registered in 2012 and constructed between the years 2012 to 2017. The immediately adjacent Unit 7 within this development presents the windowless side of the structure to the subject property and is separated from the site by an existing tight board fence. While the condominium units fronting Wonderland Road North were designed and constructed to be oriented to Wonderland Road North with their amenity space to the rear (east) of the units, they are now separated from Wonderland Road North by a masonry and wrought iron privacy wall, permitted by a resolution of Council in 2014.

Units 2 through 6 at 2081 Wallingford Avenue, located to the east of the development site, will face the rear of the proposed development, separated by an internal access driveway, green space and a wood fence. On approving Plan of Subdivision 33M-593, the City required the block now described as 1081 Wallingford Avenue to provide for a permanent/private easement/right of way for vehicular and pedestrian access over a common internal driveway from Wallingford Avenue to 2096 Wonderland Road North, such easement to be located to facilitate the preservation of the existing heritage building at 2096 Wonderland Road North. This requirement was carried through the approved site plan and development agreement (ER800997) and the Draft Plan of Vacant Land Condominium approval (39CD-10508). When Vacant Land Condominium Corporation No. 775 was registered on title, however, the condominium declaration and description created the required easement but limited access to only one single family residence. This detail negates the City's intent to provide for future access to potential new development for multi-family housing at 2096 Wonderland Road North through 1081 Wallingford Avenue.

Relationship of Existing Dwellings to the Subject Site



The land to the south was registered as Plan of Subdivision 33M-593 in 2008 and is characterized by large lot single detached dwellings built approximately 9 years ago. Two pie-shaped lots back directly onto the southerly boundary of the subject site.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Residential R1 (R1-16) Zone

1.3 Site Characteristics

- Current Land Use – large lot single detached dwelling – registered under Part IV of the Ontario Heritage Act
- Frontage – 63.4 metres (208 feet)
- Depth – 63.4 metres (208 feet)
- Area – 0.405 hectares (1 acre)
- Shape – square

1.4 Surrounding Land Uses

- North – Cluster single detached dwellings
- East – Cluster single detached dwellings
- South – Freehold single detached dwellings
- West – Vacant land planned for future low and medium density residential development

1.5 Intensification

- This development represents intensification outside the Built-Area Boundary and outside the Primary Transit Area through the addition of 18 new units and the conversion of an existing single detached dwelling to 2 units.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment is intended to permit and facilitate the development of cluster housing in the form of eighteen townhouse dwellings on the subject lands, along with the conversion of the existing Georgian-style heritage structure to 2 dwelling units. The resultant 20 units are equivalent to 50 units per hectare. A contemporary addition to the rear of the heritage building is to be demolished.

Original Concept Plan

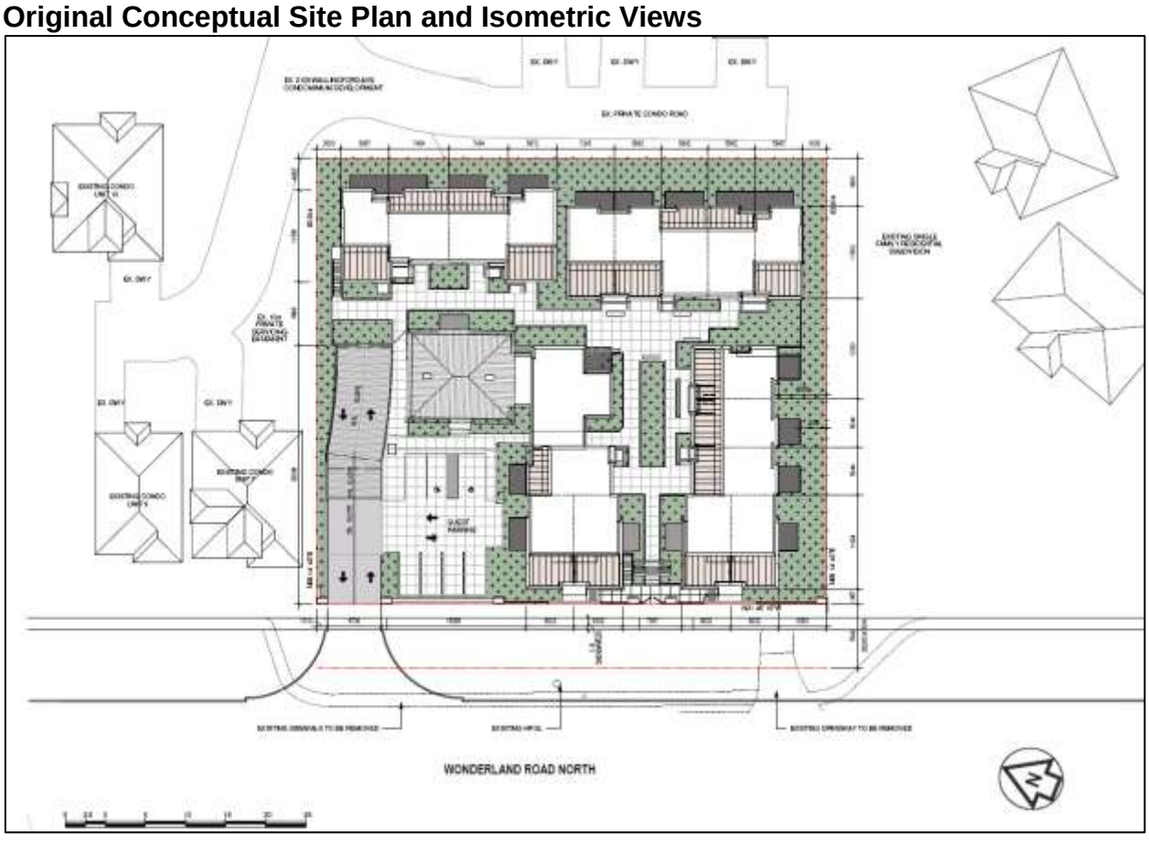
The conceptual site plan submitted in support of the requested amendment shows the proposed townhouse dwelling units arranged into four (4) separate blocks, 2 with 5 units, and 2 with 4 units. One of the four unit townhouse blocks provides for an internal walkway through the building from the north to south and is also connected to the heritage building. The north-easterly block is proposed to be situated 3.8 metres from the east property line to accommodate a suitable separation distance between the fronts of the new units and the back of the heritage building. The fronts of the westerly blocks are proposed to be situated 1.8 metres from the front property line.

The townhouse units are typically three storeys in height, except those adjacent to the existing heritage building, where the height drops to two storeys. The three storey units incorporate 2-storey podiums, the roofs of which function as private terraces. The units also include first floor balconies which, at the rear of the property, are approximately level with the top of the existing privacy fence.

Access to the 36 space underground parking lot is located at the north end of the property along with a small surface parking lot of 7 spaces providing for guest and accessible parking situated in front of the heritage structure. The remaining surface area of the property not dedicated to buildings provides a mix of green space, walkways and courtyards for use by the residents. A masonry and wrought iron privacy wall is proposed to extend across the front property line. Pedestrian access to and from the site is available through a gate locate between the two westerly buildings.

The applicant proposes to remove 29 of the 30 trees located on-site and within the future City right-of-way after road widening. Boundary trees on adjacent properties are to be retained and protected during the construction period, and new trees are to be planted as part of the development.

Original Conceptual Site Plan and Isometric Views





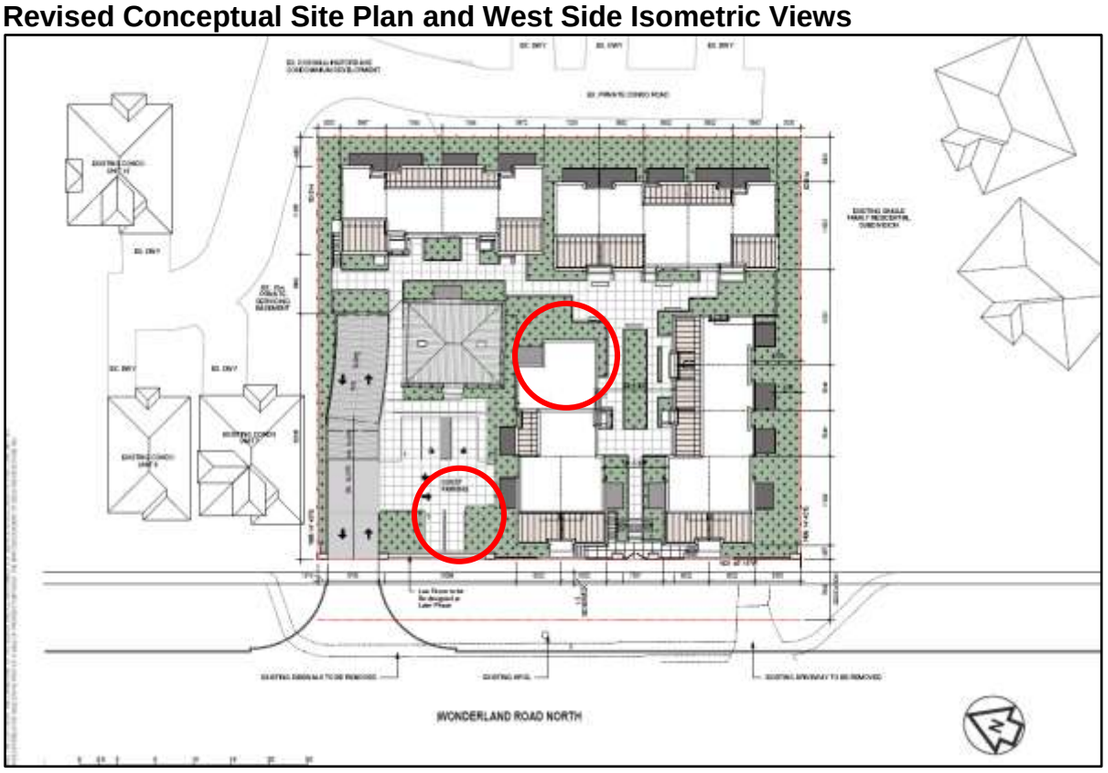
Revised Concept Plan

Following discussions with City staff who expressed concerns about maintaining an appropriate contextual relationship between the proposed development and the existing Georgian-style heritage structure, the applicants submitted a revised concept with the following changes:

- The 2-storey central unit reconfigured so that it is not attached to the heritage building and provides a more generous green amenity space central to the development, also providing additional opportunities for tree planting on-site;
- Two parking spaces removed from the surface parking area to improve the context for the heritage building and provide better opportunities for tree planting and snow storage.

The other components of the plan remain the same.

Revised Conceptual Site Plan and West Side Isometric Views







3.0 Relevant Background

3.1 Planning History

On request for demolition, Council designated the subject property as being of cultural heritage value or interest under Part IV of the Ontario Heritage Act on September 18, 2018. The designating by-law was registered on title on September 26, 2018.

3.2 Requested Amendment

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Residential R1 (R1-16) Zone which permits the use of the subject lands for one single-detached dwelling, to a Residential R5 Special Provision (R5-6(_)) Zone to permit up to 18 three-storey townhouse units and up to 2 converted dwellings in the existing heritage building for a total of 20 units at a density of 50 units per hectare. Special provisions are requested to permit site-specific exceptions to the standard Residential R5 (R5-6) Zone regulations. The applicant requested a reduced minimum front yard depth and reduced (easterly) minimum rear yard depth.

3.3 Community Engagement (see more detail in Appendix B)

Nine (9) members of the public replied to this application. Their comments are summarized as follows:

- Not a good fit with surrounding cluster and single detached dwellings;
- Proposed rear yard reduction would cause proximity issues such as noise and light for the condominium units that face the east property line, especially due to the height of the rear units and the higher elevation of 2096 Wonderland Road North in relation to the condominium internal roadway;
- Front yard setback is inconsistent with setbacks of buildings in the surrounding area and will lead to objections when Wonderland Road North is widened;
- Shadow impact, loss of privacy/overlook, loss of views given scale of the proposed buildings;
- Consideration or abatement should be considered for the condominium unit to the north of the subject site, with respect to vehicle lights and noise upon entry/departure from 2096 Wonderland Road North;
- The proposed development is too intense with inadequate provision for snow storage or maneuvering for emergency service vehicles, delivery and moving trucks;
- 7 surface visitor parking spaces are insufficient for 20 townhouses;
- Insufficient green space on site;
- Loss of mature trees;
- Design and massing impact of townhouses built around the existing heritage structure;
- Risk of damage to the heritage structure during construction;
- Traffic impacts on Wonderland Road North;

- Stonebridge Condominium Corporation No. 775 will not support any potential access, pedestrian or vehicular, through the condo development;
- Potential flooding; impact on the existing stormwater systems within the surrounding subdivision; the proposal to direct overland flows onto adjacent lands is inappropriate;
- Impact on the existing wastewater systems within the surrounding plan of subdivision; risk of sewer backups as the sanitary servicing was designed for 36 people where the MTE Servicing Brief indicates there will be 46 people;
- Ownership status;
- Reduction in property value.

The applicant also held a Community Information meeting on March 21, 2019 which was attended by representatives of eight households. Some very informative discussion ensued and the major issues were summarized as follows:

- Interface along the south boundary;
- Interface along the east boundary;
- More assurance of sufficiency of sanitary and storm flows;
- Lowering the effective overall height of the development by sinking the project further into the ground.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. 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 (1.1.1b.). The PPS also directs planning authorities to identify appropriate locations and promote opportunities for residential intensification (1.1.3.3). In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features. (Key Direction #7, Direction 5).

The subject site is located in the Neighbourhoods Place Type on *Map 1 – Place Types in The London Plan, with frontage on an Urban Thoroughfare (Wonderland Road North). *Table 10 - Range of Permitted Uses in Neighbourhoods Place Type, contemplates a broad range of residential land uses for the subject lands including, but not limited to, single-detached, semi-detached, duplex and converted dwellings, triplexes, fourplexes, townhouses, stacked townhouses and low-rise apartments. The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. *Table 11 – Range of Permitted Heights in Neighbourhoods Place Type, requires a minimum height of 2-storeys and contemplates a maximum height of 4-storeys, and up to 6-storeys through Bonus Zoning. The London Plan provides opportunities for residential intensification and redevelopment within the Neighbourhoods Place Type where it is appropriately located and a good fit with the surrounding neighbourhood.

1989 Official Plan

The 1989 Official Plan contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS.

The subject lands are designated Multi-family, Medium Density Residential in the 1989 Official Plan. This designation is intended for multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes; rest homes and homes for the aged. The 1989 Official Plan uses density and height as measures of intensity for residential uses. Height limitations are to be sensitive to the scale of development in the surrounding neighbourhood and will normally not exceed 4 storeys. Medium density development will not exceed an approximate net density of 75 units per hectare (Section 3.3.3).

4.0 Key Issues and Considerations

Through an analysis of the use, intensity and form, Staff have considered the compatibility and appropriateness of the requested amendment and proposed development, as shown in the revised concept plan, with the subject lands and within the surrounding neighbourhood.

4.1.1 Use

Provincial Policy Statement, 2014 (PPS)
The Provincial Policy Statement directs growth and development to settlement areas and encourages their regeneration (Policy 1.1.3.1). Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2 b)). The PPS directs that planning authorities consider the housing needs of all residents (Policy 1.4.3 a) and b)).

The London Plan
The subject lands are located within the Neighbourhoods Place Type with frontage on an Urban Thoroughfare in The London Plan. The range of uses permitted within the Neighbourhoods Place Type is directly related to the classification of street onto which a property has frontage (*Table 10- Range of Permitted Uses in Neighbourhoods Place Type). While The London Plan contemplates a broader range of uses along higher-order streets within the Neighbourhoods Place Type (*919_ 2. & 3.), townhouses are contemplated on all lands within the Neighbourhoods Place Type.

1989 Official Plan
The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (Section 3.1.1 ii)). The subject lands are designated Multi-family, Medium Density Residential in the 1989 Official Plan. The

Multi-family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-family, High Density Residential designation (Preamble Section 3.3 – Multi-family, Medium Density Residential).The primary permitted uses for the Multi-family, Medium Density Residential designation include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. (Section 3.3.1). Multiple-attached dwellings, such as the proposed cluster townhouse use, are contemplated in the Multi-family, Medium Density Residential designation in the 1989 Official Plan as a permitted form of residential intensification.

Analysis:
Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended cluster townhouse use will add to the range and mix of housing types and provide for an alternative housing option within the surrounding neighbourhood that predominately consists of single detached dwellings in cluster and freehold formats. As an alternative housing option, the recommended cluster townhouse use has the potential to assist in providing a diverse range of housing needs within the community consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan. The recommended cluster townhouse use is contemplated in the Multi-family, Medium Density Residential designation in the 1989 Official Plan as a permitted form of residential intensification, and is included in the range of primary permitted uses within the Neighbourhoods Place Type on all street classifications. Although the proposed cluster townhouse dwellings are a different housing type than the single detached dwellings that are predominant in the area, through an analysis of intensity and form below, it is believed that cluster townhouse dwellings can be developed on the subject lands in a way that is appropriate for the site and the surrounding neighbourhood.

4.1.2 Intensity

Provincial Policy Statement, 2014 (PPS)
The PPS directs growth to settlement areas and encourages their regeneration (Policy 1.1.3.1). The PPS states that land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2). Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated considering matters such as existing building stock, brownfield sites, and suitable existing or planned infrastructure and public service facilities. (Policy 1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4).

The London Plan
The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*Policy 83_, *Policy 937_, *Policy 939_ 2. and 5., and *Policy 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (Policy 84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2-storeys and a maximum height 4-storeys, with bonusing up to 6-storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on an Urban Thoroughfare (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (*Policy 953_3.).

1989 Official Plan
The scale of development in the Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys. Medium density development

will not exceed an approximate net density of 75 units per hectare. (Section 3.3.3). Residential intensification in the Multi-family, Medium Density Residential designation is subject to a Planning Impact Analysis on the basis of criteria relevant to the proposed change (Section 3.7.2). See Appendix C of this report for a complete PIA addressing matters of both intensity and form.

Analysis:
The subject lands have frontage on an Urban Thoroughfare (Wonderland Road North) which is a higher-order street. The subject lands also have access to full municipal services, and are located at the periphery of an existing residential neighbourhood and in proximity to lands planned for a mix of housing types including single detached dwellings and medium density cluster development. The subject lands are of a size to accommodate additional development, and in terms of the policy framework in The London Plan, are underutilized by the existing single detached dwelling. Consistent with the PPS, the subject lands are located where the City's Official Plans directs and supports residential intensification and redevelopment.

The proposed development of 18 new townhouse dwellings and the conversion of the existing heritage building for up to 2 converted dwellings equates to 50 uph and would conform to the maximum density of 75 uph contemplated in the Multi-family, Medium Density Residential designation of the 1989 Official Plan. The height of the proposed townhouse dwellings (3 storeys) also conforms to the minimum height of 2-storeys and maximum height of 4-storeys contemplated in the Neighbourhoods Place Type on an Urban Thoroughfare in The London Plan. Additional measures addressing the impacts of the proposed intensity on surrounding lands have been reviewed. The requested intensity of development contemplated is recommended on the subject lands, subject to certain considerations at the site plan stage.

With regard to whether the recommended amendment would result in an intensity of development that is compatible and a good fit with the surrounding neighbourhood, concerns regarding the adequacy of: resident and visitor parking, snow storage and maneuvering and parking space for emergency service vehicles, delivery and moving trucks; sufficiency of green space; and potential wastewater and stormwater impacts on the lands to the east are analysed below:

Parking, Snow Storage and Service Vehicles

The minimum parking space requirement for cluster townhouse dwellings in Parking Area 3 is 1.5 spaces per unit and the requirement for converted dwellings is 1 space per unit. The proposed development of 18 townhouse dwelling units and 2 converted dwellings would require a minimum of twenty-nine (29) parking spaces based on the applicable minimum parking space requirements. The original conceptual site plan submitted in support of the planning application shows a total of thirty-two (plus 2 tandem) parking spaces located in underground parking and an additional 7 surface parking spaces including 2 accessible spaces. In order to achieve other design goals, the revised conceptual plan includes 5 surface parking spaces, including 2 accessible spaces. Municipal site plan standards indicate that 2 visitor parking spaces, which would be provided by the surface parking, are required to service a 20 unit development.

Snow clearing activities using large snow-clearing machinery and the resultant snow stockpiles will be limited to the surface parking area. The requested revision to the surface parking area, reducing it from 7 spaces to 5, serves multiple functions including reducing the area to be cleared and increasing the amount of green space on which the snow can be stored. More detailed snow storage requirements will be determined at the site plan approval stage. The applicant's consultant has indicated that snow will be removed from the site.

Provision for emergency vehicles will be delineated within the parking ramp/parking area at the site plan stage in accordance with municipal requirements. Moving and delivery vehicles will be accommodated within the surface parking area.

On-site Open Space

The minimum open space requirement under the Zoning By-law within the Residential R5 (R5-6) Zone is 35%. The proposed underground parking garage allows for increased

development intensity, while providing open space areas in excess of the zoning requirement, at 49 percent. These areas are comprised of walking paths and green, landscaped areas both at grade and within raised planters. Staff requested the applicant to consider changes to the plan that would provide better opportunities for a centralized green space. An increase in central green space potential was achieved in the revised site concept by shifting the central townhouse unit to the south in combination with efforts to provide more appropriate massing around the heritage building (discussed further in Section 4.2 of this report).

Wastewater and Stormwater Impacts

Sanitary servicing is to be provided via the existing sanitary sewer on Wallingford Avenue. Access to this sewer is via a 150mm sanitary private drain connection in an easement over 2018 Wallingford Avenue created through the subdivision and condominium approval processes. The MTE Servicing Brief (December 6, 2018) identified a population of 46 people, 10 more people than the forecast capacity of 36 people in the 2010 sanitary sewer design. While neither City engineering staff nor the consultants anticipate any issues with the marginal increase in sanitary flows, a detailed design capacity analysis will be undertaken and the sanitary area plan and design sheets will be updated to the satisfaction of Wastewater Drainage Engineering and the City Engineer at the time of site plan approval. Approval will not be granted for development if it will be inadequately serviced by the design solution.

City design standards for stormwater management do not support designs that will increase pre-to-post-development runoff and overland flow onto adjacent properties. Given the identification by the public of existing standing water issues to the east of the subject site within the condo roadway and along the south property lines of condominium Unit 2 and 2059 Wallingford Avenue, City staff will be seeking on-site design solutions at the site plan stage that maintain or reduce post-development overland flow and where possible, improve flow patterns for the condominium corporation.

4.1.3 Form

Provincial Policy Statement, 2014 (PPS)
The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form, and by conserving features that help define character (Policy 1.7.1(d)).

The London Plan
The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy 7_, Policy 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (Policy 59_ 2., Policy 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (Policy 59_ 4.). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (Policy 59_ 8.).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (*Policy 953_ 2. a. –f.).

Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (*Policy 1578_).

1989 Official Plan
The scale of development in the Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development (Section 3.3.2). The 1989 Official Plan recognizes residential intensification as a means of providing for the efficient use of land and achieving a

compact urban form (Section 3.2.3). The Planning Impact Analysis criteria in the 1989 Official Plan, are to be used to evaluate the appropriateness of a proposed change in land use and identify ways to reduce any adverse impacts on surrounding land uses (Section 3.7). See Appendix C of this report for a complete PIA.

Analysis:
Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed and developing area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed cluster townhouse dwellings, along with the conservation and conversion of the existing heritage building on the site, would be a more compact form of development than the single-detached dwelling that currently exists on the subject lands.

With regard to whether the recommended amendment would result in a form of development that is compatible and a good fit with the surrounding neighbourhood, concerns regarding scale and height; yard depths/setbacks; shadow impacts and access to daylight; privacy and overlook; light and noise; relationship to the street; and tree protection are analyzed below:

Scale and Height

The scale or height of the proposed townhouse dwellings (3 storeys with massing reductions to 2 storeys incorporated into the buildings – approx. 12 metres), would conform to the minimum height of 2-storeys and maximum height of 4-storeys contemplated in the Neighbourhoods Place Type in The London Plan where the property has frontage on an Urban Thoroughfare. It would also conform to the low-rise form of development, generally not exceeding four storeys contemplated in the Multi-family, Medium Density Residential designation and would be compatible with the scale of the adjacent land uses in the surrounding residential neighbourhood that are 1- and 2-storeys in height.

To address potential public concerns about the impact of the massing of the buildings adjacent to existing development, the applicant has incorporated height reductions to two storeys at selected locations that also act as private terraces for the residents of the new units.

Yard Depth/Setbacks

The requested amendment includes a reduced easterly minimum rear yard depth of 3.8 metres in place of the required 6.0 metres. Based on the submitted and revised concept plans, this reduction applies only to the townhouse block in the north-east corner of the site in order to provide a suitable separation distance between the rear of the existing heritage building and the front of the townhouse block. The impacts of this reduction are minimized because the reduced rear yard townhouse block is situated west of the internal condominium roadway that divides the front-facing homes within the condominium corporation from the back of the proposed development. The distance between the front of existing condominium Unit 6 and the back of the new townhouse block will be approximately 20 metres.

The condominium block at the south-east corner of the development site is proposed to be located 6 metres from the property line in accordance with zoning requirements. At the site plan stage, the applicant should be encouraged to provide robust plantings within the available space to soften the appearance of the new buildings from condominium units 2 through 6.

There is support in *The London Plan* for the requested reduction in the minimum front yard depth to maintain and reinforce the prevailing street wall or street line (policy 256) and position buildings with minimal setbacks from public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (*Policy 259_). The noise and privacy walls to the north and south of the subject site establish the street wall/edge on the east side of Wonderland Road North. The requested reduction in the minimum front yard depth would allow for the proposed buildings to be positioned closer to the property line to maintain and reinforce the street wall/edge. The requested reduction in the minimum front yard depth will not negatively impact the future widening

of Wonderland Road North, as the ultimate right-of-way width recognized in *Zoning By-law Z.-1* has been taken into account in the concept plans. A road widening dedication will be taken along 2096 Wonderland Road North through the subsequent site plan approval process.

Shadow Impacts/Access to Daylight
Within the built-up area of the City it should be understood that there will be shadow impacts from adjacent development; but adjacent development should not significantly obstruct access to daylight. Shadow impacts were evaluated as part of the Urban Design Brief (Kirkness Consulting and Zedd Architecture, December, 2018). They demonstrated that most of the surrounding buildings will not be affected by shadowing between 9:30 a.m. and 3:00 p.m., and that those shadow impacts that occur will be modest, intermittent and seasonal in nature.

Privacy/Overlook
Loss of privacy and overlook is important to achieving residential intensification that is sensitive to, and compatible with the surrounding neighbourhood. It is recognized that the yard depths required to achieve absolute visual privacy and prevent overlook are much greater than those that can be feasibly provided in the built-up area of the City while providing for meaningful intensification.

To the east, overlook impacts are mitigated, firstly, by the front yard relationship of the existing dwellings, and the intervening condominium roadway between the existing buildings and the proposed new development. The existing units are a reasonable distance from the proposed buildings and have “rear yard” space that will be completely private from the new development. Secondly, the proposed buildings have been designed to orient many (not all, in order to provide massing relief adjacent to existing development) of the 2nd floor terraces toward the interior of the development, with lower main floor balconies than contemplated in the pre-application design stages. Over time, landscaping features may also provide screening between the developments.

To the south and north, the most easterly proposed buildings have no windows on the ends of the buildings, thereby limiting privacy and overlook issues to occasional outdoor use of the second floor terraces on the backs of the end units. To the south, the more westerly townhouse block has windows set back 6 metres from the rear property lines of the existing dwellings and only one second floor terrace. Over time, landscaping features may also provide screening between the developments.

Light/Noise

Concern for direct noise and light impacts on Unit 7 of 1081 Wallingford Avenue were expressed with respect to the adjacency of the proposed driveway/underground parking facility. Unit 7 is surrounded on the west side by a masonry privacy wall and on the south by a 2.4 metre high tight board fence. These, along with additional plantings between the driveway and the fence, will provide an acceptable level of protection from lights and noise from vehicles accessing the underground parking within the new development. It is not uncommon for the driveways providing access to townhouse developments to be located between two single detached dwellings, which usually do not benefit from the protective structures currently in place for this property.

Relationship to the Street

Overall the proposed development has a good relationship to the street, providing for front façade and front door activity adjacent to Wonderland Road North. Staff are, however, concerned about the height of the proposed masonry wall along the property line creating a sense of isolation that is undesirable and unnecessary in the proposed design. Staff have discussed with the applicant the possible reduction to the height of the wall to no more than 0.7 metres to define the public and private realms and provide for a built edge. The wall could be taller in the locations of unit entrance stairs as it could act as the railing for the staircases. This matter should be further considered at the site plan stage.

Tree Protection
The subject lands contain several mature trees that contribute to the character of the streetscape along Wonderland Road North and provide an established landscape

screen between the subject lands and adjacent properties. The Tree Assessment Report and Tree Preservation Plan (November 2018) prepared by Ron Koudys Landscape Architects and submitted in support of the planning application for the subject lands, showed the removal of all of the trees on site.

It is a goal of The London Plan to manage the tree canopy proactively and increase the tree canopy over time (*Policy 389_). It is a target of The London Plan to achieve a tree canopy cover of 28% within the Urban Growth Boundary by 2035, and 34% by 2065 (Policy 393_ and Policy 394_). To achieve tree canopy targets The London Plan directs that action shall be taken to protect more, maintain and monitor the tree canopy better, and plant more (Policy 398_).The London Plan directs that large, or rare, culturally significant, or heritage trees deemed healthy or structurally sound should be retained (*Policy 399_ 3.) The London Plan provides direction to the Site Plan Approval Authority that the removal of existing trees will require replacement at at a ratio of one replacement tree for every ten centimetres of tree diameter that is removed (*Policy 399_ 4. b.).

The recommended Zoning By-law amendment provides yard depths that are of a sufficient size to provide for the planting of new trees and landscape screening along the shared boundary with adjacent residential properties. Additionally, concept plan revisions providing for additional central green space and less parking provide additional opportunities for compensatory tree plantings. The conceptual landscape plan submitted with the application illustrates the provision of several new deciduous and coniferous trees along property boundaries and internal to the development. Tree planting efforts will be considered at the site plan stage in accordance with applicable policies, by-laws and regulations that are in force at that time. During that review, the applicant is encouraged to maintain the greatest setbacks possible along the east property boundary, particularly for the south-east building, to allow for robust tree planting and vegetation.

Design issues to be considered through the SPA process include the following:

- height reductions at strategic locations be implemented to reduce massing impacts on adjacent properties and the heritage building on the property;
- separate the heritage building from the proposed new development to provide a suitable context for the heritage building;
- use a warm tone colour palette for the new development that is compatible with the buff brick colouring of the heritage building;
- enhanced opportunities for green space and tree planting in the parking area and adjacent to the heritage building to provide a suitable context for the heritage building;
- given the prevalence of hardscaping within the open space area and to buffer adjacent land uses, explore opportunities to soften edges through landscaping;
- explore opportunities to remove the proposed wall/fence along the Wonderland Road North frontage. Alternatively, a low masonry wall can be provided along the property line to define the public and private realms and provide for a built edge, but not block the development or the heritage building from public view. The wall could be taller in the locations of unit entrance stairs to act as a railing for the staircases.

These matters are primarily intended to retain the design principles demonstrated in the revised site concept or were identified by staff and the applicant as matters to be addressed at the site plan stage.

4.2 Cultural Heritage

Council designated 2096 Wonderland Road North under Part IV of the Ontario Heritage Act on September 28, 2018, thereby necessitating its retention and that new development on the property be undertaken in such a way as to enhance and be sensitive to the designated property.

Provincial Policy Statement, 2014
The PPS supports the wise use and management of resources, including cultural heritage and archaeological resources for economic, environmental and social benefit. The PPS directs that significant built heritage resources and significant cultural heritage landscapes shall be conserved (Policy 2.6.1).

The London Plan
The London Plan directs cultural heritage resources to be conserved for future generations, and that new development will be undertaken to enhance and be sensitive to cultural heritage resources (Policy 554_ 2. and 3.)

The London Plan requires new development, redevelopment and all civic works located on or adjacent to heritage designated properties to be designed to protect the heritage attributes and character of those resources and minimize the visual and physical impact on those resources (*Policy 565_). Where a property of cultural heritage value or interest is designated under Part IV of the Ontario Heritage Act, no alteration, removal or demolition shall be undertaken that would adversely affect the reasons for designation except in accordance with the Ontario Heritage Act (587_). A property owner may apply to alter the cultural heritage attributes of a property designated under the Ontario Heritage Act. The City may issue a permit to alter the structure. (589_).

1989 Official Plan
The 1989 Official Plan directs that no alterations, removal or demolition of heritage buildings will be undertaken on heritage properties designated under the Ontario Heritage Act that would adversely affect the reasons for designation except in accordance with the OHA (Section 13.2.3).

Analysis:
A Heritage Impact Statement (HIS) was prepared by Stantec in April 2018 predicated on the removal of the heritage structure, prior to its designation in September. An addendum by Kirkness Consulting (December 2018) reflected the designation of the building on the property and revisions to the design. City staff concerns with the revised HIS related to both the relationship between the existing heritage building and its context and the proposed new development, and the contemporization of the heritage building with modern replacement features and detailing.

The latter is not the subject of the current Zoning By-law amendment application or a future site plan approval. It, along with features of the new proposed development that are likely to impact the reasons for designation, will be the subject of a Heritage Alteration Permit (HAP) prior to the issuance of building permits. It is preferable that the property owner coordinate the HAP application with the future site plan approval process.

The heritage attributes which support or contribute to the cultural heritage value or interest of the property include:

- Georgian two storey farmhouse with the Georgian style of architecture reflected in the symmetrical façade and minimal use of ornamenting and detail.
- Square shaped plan
- Low pitched hip roof with bookend chimneys
- Buff brick construction
- Field stone foundation
- Brick voussoirs above windows.

City staff, the London Advisory Committee on Heritage and the Urban Design Peer Review Panel all expressed concerns about the massing of the original development proposal in relation to the Georgian Farmhouse, including the attachment of the townhouse block to the existing building instead of allowing it to stand on its own, and the lack of green space to retain the context of the Georgian Farmhouse. In addition, City staff expressed concern that the darker tones of brick, door and window framing for

the new development contrasts with and visually isolates the farmhouse within the new development and recommends that a warm tone material colour palette compatible with the buff brick colouring of the Farmhouse be used.

The revised site concept includes revisions in response to the massing and context concerns. It provides for the separation of the new townhouse structure from the heritage building, and two-storey massing adjacent to the building with additional relief provided through a reduction to one storey at a strategic location incorporated into the building design in the form of a private terrace. It also provides for additional green space in front of and to the south of the heritage building through the removal of two parking spaces and as a result shifting the new townhouse unit away from the heritage building and connecting it directly to the townhouse block to the south. The additional green space provides better context and opportunities for landscaping and specimen tree planting on the site.

The applicant will continue to work with the City regarding the colour palette for the new development, to be addressed through the site plan approval and Heritage Alteration Permit processes.

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

5.0 Conclusion

The requested amendment to permit up to 18 three-storey townhouse units and up to 2 converted dwellings in the existing heritage building is consistent with the 2014 Provincial Policy Statement that encourages a range and mix of land uses to support intensification and achieve compact forms of growth and directs municipalities to identify appropriate locations for intensification and plan for all forms of housing required to meet the needs of current and future residents.

The recommended amendment conforms to the 1989 Official Plan that contemplates residential intensification in the Multi-family, Medium Density Residential designation in the form of multiple-attached dwellings, such as the recommended cluster townhouse dwellings. The recommended amendment conforms to The London Plan that contemplates residential intensification in the Neighbourhoods Place Type, where townhouses are contemplated as a primary permitted use on all street classifications.

The recommended amendment conforms to the 1989 Official Plan and the maximum density contemplated in the Multi-family, Medium Density Residential designation through residential intensification. The recommended amendment also conforms to the height minimum and height maximums contemplated in the Neighbourhood Place Type on an Urban Thoroughfare (Wonderland Road North) in The London Plan.

The recommended amendment provides for a form of residential intensification that can be implemented on the subject lands in light of the location of the existing heritage building on the site. The recommended amendment provides appropriate development standards to regulate the form of residential intensification and assist in minimizing or mitigating potential adverse impacts for adjacent land uses to ensure compatibility and a good fit with the surrounding neighbourhood.

At the site plan stage, the developer should adhere to the principles established in the revised concept plan discussed in this report with respect to the relationship of the development to the surrounding existing residential development, and of the new townhouse buildings to the heritage building which is to be retained on the site. They should also continue to work with staff to address the matters that Staff and the applicant agreed would be dealt with at the site plan approval stage.

Prepared by:	**Barb Debbert** **Senior Planner, Development Services**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P.ENG** **Managing Director, Development and Compliance Services and Chief building Official**
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.	

May 3, 2019
BD/

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2019 Applications 9002 to\9010Z - 2096 Wonderland Road North (BD)\PEC\2096 Wonderland Road North Z-9010 Report BD 1of1.docx

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2096 Wonderland Road North.

WHEREAS Invest Group Ltd. has applied to rezone an area of land located at 2096 Wonderland Road North, 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 2096 Wonderland Road North, as shown on the attached map comprising part of Key Map No. A102, from a Residential R1 (R1-16) Zone to a Residential R5 Special Provision (R5-6(_)) Zone.

2) Section Number 9.4 of the Residential R5 (R5-6) Zone is amended by adding the following Special Provision:

) R5-6(_) 2096 Wonderland Road North

a) Additional Permitted Uses
   i) Converted dwellings

b) Regulations

i)	Front Yard Depth (minimum)	0 metres (0 feet)
ii)	Rear Yard Depth (minimum)	3.8 metres (12.47 feet)

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 May 21, 2019.

File:Z-9010
Planner: B. Debbert

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 21, 2019
Second Reading – May 21, 2019
Third Reading – May 21, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On January 30, 2019, Notice of Application was sent to 70 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 31, 2019. A "Planning Application" sign was also posted on the site.

9 replies were received.

Nature of Liaison: The notice advised of a possible amendment to Zoning By-law Z.-1 to change the zoning from a Residential R1 (R1-16) Zone to a Residential R5 Special Provision (R5-6(_)) Zone to permit and facilitate the development of cluster housing in the form of eighteen, 3-storey townhouse dwelling units and the possible conversion of the existing heritage building to 2 residential units. The notice advised of the use of possible special provisions to the standard R5-6 Zone regulations to permit a reduced minimum front yard of 0 metres and reduced rear (easterly) yard depth of 3.8 metres.

Responses: A summary of the various comments received include the following:

- Not a good fit with surrounding cluster and single detached dwellings;
- Proposed rear yard reduction would cause proximity issues such as noise and light for the condominium units that face the east property line, especially due to the height of the rear units and the higher elevation of 2096 Wonderland Road North in relation to the condominium internal roadway;
- Front yard setback is inconsistent with setbacks of buildings in the surrounding area and will lead to objections when Wonderland Road North is widened;
- shadow impact, loss of privacy/overlook, loss of views given scale of the proposed buildings;
- Consideration or abatement should be considered for the condominium unit to the north of the subject site, with respect to vehicle lights and noise upon entry/departure from 2096 Wonderland Road North;
- the proposed development is too intense with inadequate provision for snow storage or maneuvering for emergency service vehicles, delivery and moving trucks;
- 7 surface visitor parking spaces are insufficient for 20 townhouses;
- Insufficient green space on site;
- Loss of mature trees;
- Design and massing impact of townhouses built around the existing heritage structure;
- Risk of damage to the heritage structure during construction;
- Traffic impacts on Wonderland Road North;
- Stonebridge Condominium Corporation No. 775 will not support any potential access, pedestrian or vehicular, through the condo development;
- Potential flooding; impact on the existing stormwater systems within the surrounding subdivision; the proposal to direct overland flows onto adjacent lands is inappropriate;
- Impact on the existing wastewater systems within the surrounding plan of subdivision; risk of sewer backups as the sanitary servicing was designed for 36 people where the MTE Servicing Brief indicates there will be 46 people;
- Ownership status;
- Reduction in property value.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Chris Sparling 9 - 2081 Wallingford Avenue London ON N6G 0K1
	Nabil Sultan 365 Cornelius Court London ON N6G 0E5
	Elia Votta 345 Cornelius Court London ON N6G 0E5
	Clive Forbes 351 Cornelius Court London ON N6G 0E5
	Bill Farndale 14 – 2081 Wallingford Avenue London ON N6G 0K1
	Denis Merrall 19 – 2081 Wallingford Avenue London ON N6G 0K1
	Stonebridge Condo Corp (MVLCC #775) c/o Paulette Krisak 2063 Wallingford Avenue London ON N6G 0K1
	Agnes OK 357 Cornelius Court London ON N6G 0E5
	Craig & Caroline Postons 7 – 2081 Wallingford Avenue London ON N6G 0K1

From: Bill Farndale
Sent: Monday, February 11, 2019 8:23 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Morgan, Josh <joshmorgan@london.ca>;
Subject: File Z-9010 2096 Wonderland Road

As an adjacent home owner (14-2081 Wallingford Ave.) we received the Notice Of Planning Application regarding the subject lands. In accordance with the mailing I would like to make a number of observations:

1. the density of structures seems to be excessive with inadequate provisions for snow storage or capacity for emergency services to enter and turn around onsite,

2. rear yard depths cause proximity issues (noise, light) for units 2,4, & 6, especially due to the height of the rear units and the higher elevation of 2096 in relation to our internal roadway,

3. some consideration or abatement should be considered regarding unit #7 in our development with respect to vehicle lights and vehicle noises upon entry/departure from 2096,

4. the solid row of units at the east side of this development will greatly interfere with light shadows and sky sightlines for units 2,4 & 6 .

I have not decided at this time if I would plan to speak at the public meeting but may do so in the future.

Sincerely W.J. Farndale
14-2081 Wallingford Ave.

From: Chris Sparling
Sent: Tuesday, February 05, 2019 10:17 AM
To: Debbert, Barb <bdebbert@London.ca>; Morgan, Josh <joshmorgan@london.ca>
Subject: Zoning By-Law Amendment 2096 Wonderland Road North - File # Z-9010

I have received today the Notice of Planning Application for this proposed project. I am an owner of 2081 Wallingford Ave., Unit #9 London Ontario and my property is 2 lots away from the proposed site.

I have serious concerns in this regards. In no way shape or form are there any Multi level properties in this area and the proposal will be non com forming with existing buildings and structures in this neighborhood which are mainly single level homes. The worry here is the proposed three story new structures will negatively effect our privacy and aesthetics of the neighborhood. We don't want properties hovering over our backyards.

Not sure but I would require clarification as to the property ownership status of this new proposal. Are these "rentals" or will they be individually owned as single family dwellings.

I'm also deeply concerned with the increased traffic and access onto Wonderland Rd North which in itself is busy enough now, particularly at this point of the road where it is only 2 lanes. It is a nightmare on most occasions now accessing Wonderland North and adding more vehicular traffic without widening the road would be in my opinion a recipe for disaster.

Also on the submission sent to us there are "Building Renderings" with "Views" denoted from "Richmond" Street. This must be an error as Richmond is nowhere near this proposal.

Having just recently bought in this neighborhood, I am disappointed to see a project such as this. We purchased because the area was free of multi unit developments. We purchased because our neighbors in our community enjoy our privacy and the last thing we need or want is an increase in density and peering neighbors. Disappointed to say the least.

Chris & Sue Sparling
2081 Wallingford Ave., Unit #9
London Ontario
N6G 0K1

From: Clive Forbes
Sent: February 9, 2019 3:10 PM
To: bdeberrt@london.ca; joshmorgan@london.ca; mayor@london.ca
Subject: Requested Zoning By-Law Amendment for 2096 Wonderland Road North

Dear Barb,

My wife and I, home owners of 351 Cornelius Court are in receipt of the Requested Zoning By-law Amendment for 2096 Wonderland Road North. We would like to use this medium to express our objection to this request and to voice our concerns about the proposed eighteen (18) three storey townhouse development by Invest Group Ltd.

We, like many of our neighbours believe that any rezoning request should be reviewed against the background of how would the proposed development fit with what now

obtains in terms of existing housing & the subdivision that borders the property at 2096 Wonderland Road North.

- As such we do not agree with changing the current R1-16 zoning to R5-6 and with the requested Special Provisions for R5-6.
- Building 18 three storey townhouses would not be a good fit with the north easterly Stonebridge Condo development adjacent to the north of subject land and the south easterly single detach residential homes adjacent to the south of subject land.
- If approval was to be given to the special provision request to reduce the rear yard depth for R5-6 zoning from 6.0 metres to 3.8 metres it would only compound the problem and result in three storey townhouses encroaching on the adjacent homes.
- There is serious concerns about massing impact if 18 three storey townhouses were to be built (squeezed) around the existing heritage structure.
- Having so many townhouses in such a small space does not lend itself to comfortable living and the required green space that is needed for healthy lifestyle.
- The developers propose 7 above ground visitors parking space (two of the seven for accessible parking) for 20 townhouses. Realistically this would not be adequate and even more reason why this request should not be approve.
- It is clear that the developers know that even if the R5-6 zoning request was approved, without the special provision request/amendment it is not realistic to squeeze and or tightly fit 18 three storey townhouses around the heritage structure... this should be an automatic dis-qualifier.
- Currently all home owners and or tenants have a great degree of privacy in their back yards and this would be shattered (especially for the single detached residential homes south of the proposed development) if townhouses were to be built on the subject land.
- There is also concern about potential flooding that could occur and the impact the proposed development would have on our existing subdivision stormwater and wastewater systems.
- The likely risk of damage to the heritage structure is something that cannot be ignored during the process of creating underground parking for the proposed 18 three storey townhouses and the existing heritage building.

Given all of the above we strongly object to the requested zoning by-law amendment and believe any amendment and subsequent development should fit with what now obtains with the surrounding homes. Squeezing 18 three storey townhouses while converting the existing heritage structure into two townhouses is definitely not the way forward.

Regards,

Clive

From: Denis Merrall
Sent: Monday, February 11, 2019 3:25 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Morgan, Josh <joshmorgan@london.ca>
Subject: File Z-9010 Invest Group Limited 2096 Wonderland Road North

I have objections to the proposed rezoning as itemized below:

1. Standard regulations regarding setbacks are there for a reason and based on best practices. These standard setbacks should be retained for this development. The proposed 0 meter front yard setback is not compatible with setbacks of other buildings in this area and will likely lead to objections when the city widens Wonderland Road.
2. The lot coverage is too intense and will provide little common areas once visitor parking and access to underground parking is taken into account.

3. Sanitary servicing was designed for 36 people and the proposed development will exceed this substantially. This puts upstream and downstream landowners at risk of sewer backups.
4. The storm sewer outlet was designed for a runoff co-efficient of 0.5 while the development will exceed this substantially putting upstream and downstream landowners at risk of sewer backups. The proposal to direct overland flows onto adjacent lands is inappropriate without the consent of the impacted landowners.
5. A development such as this should make provision for delivery trucks and moving trucks. Hopefully this will be addressed at the site plan approval stage but the proposed lot coverage may not allow for this.

Please keep me apprised of progress on this file.

Denis Merrall
#19-2081 Wallingford Ave.

From: Elia Votta
Sent: Wednesday, February 06, 2019 10:05 AM
To: Debbert, Barb <bdebbert@London.ca>; Morgan, Josh <joshmorgan@london.ca>
Subject: FIle: Z-9010 (Invest Group Ltd).

Good morning,

My name is Elia Votta and I'm resident of Sunningdale West (345 Cornelius Court). I received the Notice of Planning Application and wanted to formally submit my opposition to the zoning by-law amendment.

Unsure of the best forum to go about providing a formal opposition (or if anyone will even care). The primary basis of our appeal is privacy, anticipated noise and impact of townhomes on our home value.

Please let me know how to best address…..

Many thanks

From: Nabil Sultan
Sent: Tuesday, February 05, 2019 9:26 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: Re: request for demolition - 2096 Wonderland Rd N

Hi there,

I received the notice of the request for demolition of 2096 Wonderland Rd N and the building of 18 three story townhouses. I am a property owner that backs on to that property. My address is 365 Cornelius Crt. I have concerns about this proposed plan, first because it is a heritage home and in this area of the city, there are few heritage properties left. Also, the property has beautiful large and mature trees that are quite old and it would be a real shame to have those trees come down. The area doesn't have many mature trees like that and it would be a shame to lose them.

thank you for considering my comments,

Nabil Sultan
365 Cornelius Crt
London,ON
N6G0E5

File:Z-9010
Planner: B. Debbert

Dear Ms Debbert,

We have received the *Notice of Planning Application – Zoning By-Law Amendment for 2096 Wonderland Road North (File Z-9010).* We have reviewed the plans including the *Urban Design Brief* by *Kirkness Consulting*. On behalf of the *Stonebridge Condo Corp. (MVLCC #775),* which is directly adjacent to the proposed development, we are forwarding the observations, queries, and concerns we have at the present time, in no particular order:

1. There is currently a single residence easement on the east side of the proposed development. Should the proposed development proceed, this easement will no longer be an option given change from single to multiple residences. *Stonebridge* would not support any potential access, pedestrian or vehicular, through the condo development.

2. As referenced in the *MTE Service Briefing*, the demand on the sanitary service will exceed the original design capacity by 28% (46 vs. 36 people), which is a concern.

   As well, the demand on storm water service facilities (above and below ground) will exceed existing design capacity; a possible risk of flooding to homes between the subject site eastward to the municipal street of Wallingford Avenue which is again a concern.

3. Proposed structures appear overly dense (too many units in a relatively small area without adequate natural space around and between them). The design and massing of the surrounding structures do not appear to complement the heritage property and vice versa.

   In addition, will there be adequate space for snow storage and for snow plowing and emergency services to navigate their vehicles and equipment within the site?

4. Setback on all sides of the development is minimal and will cause noise, loss of natural light, increase in artificial light, and privacy issues for neighbours. Neighbours directly east will be significantly impacted. Unit #7 in particular will be even further affected by the additional noise and light created by the vehicular parking exit/entrance to the proposed development. Privacy of neighbours is of the utmost importance. Although the *Urban Brief* indicates privacy will be respected, drawings show large east-facing windows. How will rooftop terraces be modified to ensure privacy of neighbours?

5. The current proposal would negatively impact the existing view for neighbours along the east side of the development. The natural green landscaped area would become a wall of tall, overbearing urban buildings.

   The proposed height of 3 storeys is too high, especially given the added height resulting from the already higher elevation of the proposed development. This height will cause adverse changes to sunlight/shadowing patterns. The proposed height of the units is not in harmony with the height of surrounding structures and would not enhance the appearance of the neighbourhood aesthetically.

6. Existing natural enhancements such as mature deciduous and evergreen trees would be lost. Are any trees on the property in the category of protected trees?

Sincerely,
Board of Directors, Stonebridge Condo Corp.

From: Young Hwan Kim
Sent: Saturday, February 16, 2019 10:23 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: Objection to Amendment for 2096 Wonderland Road North

Dear Barb

I am the owner of 357 Cornelius Court and I wish to object strongly to the construction of the 18 three story townhouses in 2096 Wonderland Road North. Below, I write why I strongly oppose to the plan to construct the townhouses.

The construction of 18 townhouses in such limited area of 2096 Wonderland Road North would have the detrimental impact upon residential amenities. Such high-density and over-development layout within the small limited area would bring concerning unpleasant land landscaping and external appearance of all houses in the vicinity. The current harmonious landscape of the neighboring houses and the heritage house makes very pleasant layout and design of all houses in the Sunningdale area. This is also why I strongly oppose against demolishing the current heritage house.

The adverse impact on the existing trees in 2096 Wonderland Road North cannot be underestimated as the trees along with the heritage house promote to not just the above visual amenity but also the quality of nature the surrounding houses could experience every day. This is significant because the construction of such 18 townhouses instead would bring both noise and disturbance to the surrounding houses.

I am quite concerned about both the safety of pedestrians and traffic generation in our neighborhoods. The plan proposed only 7 above ground visitors parking space for 20 townhouses, and this is realistically not adequate for the townhouse owners. The plan also includes constructing underground parking spaces and there might be the potential flooding that could impact both the traffic and the safety of our neighbors especially during the winter.

Most importantly, building so many townhouses within the limited compact area would bring loss of privacy especially to the houses that are right next to the townhouses. There are many houses that would be right next to the townhouses and there might be issues with overlooking and privacy. Also building three story townhouses would cause other issues such as with overshadowing and loss of natural light from such high story constructions.

In our peaceful and orderly neighborhood, constructing the eyesore buildings at such very close distance by eliminating the beautiful heritage would overwhelmingly threaten the privacy of the neighbors and therefore can never be tolerated.

As I strongly believe that you have the insight and can make wise judgements on behalf of all of us, I pray that the plan which brings both grief and sorrow to our neighbors and cannot be reversed would not happen.

Thank you for reading earnest request.

Sincerely,

Agnes Ok

From: Craig Postons
Sent: Sunday, March 31, 2019 1:24 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Morgan, Josh <joshmorgan@london.ca>
Subject: [EXTERNAL] Planning Application - 2096 Wonderland Rd N.

Dear Ms. Debbert,

We live at Unit 7, 2081 Wallingford Rd., and unfortunately were unavailable to attend the recent meeting on the above proposed development due to travel.

We echo the concerns previously submitted to you by our Board, and by the representatives at the meeting.

The purpose of this e-mail is to particularly emphasize our personal concerns with the proposed development, primarily:

- The projected demands on the sanitary service exceeding the original design capacity, and the possible risk of flooding to homes in our development.

- The significant intrusion of the development on our own home, Unit 7. I ask you to put to yourself in our position. Would you enjoy the additional noise and disruption created by a parking exit/entrance immediately next door? We treasure our privacy, and this development significantly reduces it.

- I share the concerns of our unit-owners residing immediately east of the development and the horrible impact on their own views and privacy. The proposed height of 3 storeys is too high, especially given the added height resulting from the already higher elevation of the proposed development. This height will cause adverse changes to sunlight/shadowing patterns. The proposed height of the units is not in harmony with the height of surrounding structures and would not enhance the appearance of the neighbourhood aesthetically.

We regret we missed the opportunity to express these concerns directly to you at the meeting, and we wanted them on the record.

Thank you,

Craig & Caroline Postons
7 — 2081 Wallingford Ave.
London, ON
N6G 0K1

Agency/Departmental Comments

Urban Design Peer Review Panel – see Appendix E for UDPRP comments and the applicant's reply

Urban Design (March 26, 2019)

Urban Design staff commend the applicant for incorporating the following into the proposed design; The retention, in situ, of the heritage building, locating the majority of parking underground, which increases the amount of landscaped open space and provides for a better pedestrian experience through the site, providing for built form along the Wonderland Road N frontage that is oriented to the street with individual unit access to the City sidewalk.

Staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the Urban Design Peer

Review Panel, the community and City staff. Some of the design concerns that remain outstanding include;

- Remove Townhouse 9 and lower Townhouses 1, 2, and 8 to two storeys in order to ensure that the massing and form of the new buildings proposed for the site provide an appropriate context for the existing heritage structure. Removing Townhouse 9 would also ensure that there is an adequately sized and located amenity area on site for future residents;

- Explore opportunities to remove some of the surface parking in front of the heritage house in order to increase opportunities for tree planting.

- Remove the proposed wall/fence along the Wonderland Road frontage. Alternatively, a low masonry wall (maximum of 0.7m in height) can be provided along the property line to define the public and private realms and provide for a built edge. The wall could be taller in the locations of unit entrance stairs as it could act as the railing for the staircases.

Heritage (March 26, 2019)

I have reviewed the Heritage Impact Statement-Addendum (Kirkness Consulting, December 2018) for the Zoning By-law Application (Z-9010) at the above noted address, and provide the following heritage planning comments. These comments are consistent with the *Ontario Heritage Act* and *1989-Official Plan/The London Plan*, and directly reference the Designating By-law L.S.P.-3477-475 for the above property.

1. Background

2096 Wonderland Road North is a property consisting of approximately (.5ha) located on the east side of Wonderland Road North, just south of Sunningdale Road W at the northwestern edge of the City of London. In September 2018, the property was designated under Part IV of the *Ontario Heritage Act*. The property is not adjacent (contiguous) to any LISTED or designated properties and archaeological potential once associated with this property can be considered addressed.

The building located on the property is a rare and representative example of a mid-19th century Georgian farmhouse, and is associated with the Warner family with Wesley Warner being a noted member of London Township for his involvement in the temperance society. Heritage attributes which support or contribute to the cultural heritage value or interest of the property include:

- Georgian two storey farmhouse with the Georgian style of architecture reflected in the symmetrical façade and minimal use of ornamenting and detail.
- Square shaped plan
- Low pitched hip roof with bookend chimneys
- Buff brick construction
- Field stone foundation
- Brick voussoirs above windows

The application (Z-9010) is for a zoning by-law amendment to permit cluster townhouses and cluster stacked townhouses where currently singe-detached dwellings (one/lot) are allowed. The specific proposal calls for 18 townhouses and underground parking encircling the existing heritage building.

2. Heritage Impact Statement (HIS)

As part of a complete application requirements for a zoning bylaw application, a Heritage Impact Statement was originally prepared by Stantec in April 2018, but

was revised by addendum by Kirkness Consulting in December 2018, to reflect the designation of the building on the property and revisions to the design. The primary purpose of the current HIS is to assess the impacts of this application on the cultural heritage value and attributes of the designated Georgian Farmhouse and surrounding context, and to make recommendations to mitigate any adverse impacts that may arise.

3. Heritage Staff Review – Comments & Summary

- The proposed development at 2096 Wonderland Rd N is novel and well executed in its design approach, but is not wholly compatible with the heritage attributes of the designated Georgian Farmhouse retained on the property, mainly related to:
    - the height and massing of the proposed development, particularly at the interface and within close proximity of the Farmhouse
        - the two-storey, square shaped plan is integral to the Georgian style of architecture and reasons for designation; the proposed development in its 'intensity' (height, massing, density) overwhelms and is not consistent with the context of the Farmhouse situated on this site
    - material colour palette selected for the proposed development
        - darker tones of brick, door and window framing selected for the development contrasts with, and visually isolates, the Farmhouse within the new development
    - contemporization of the Farmhouse with modern replacement features and detailing
        - heritage compatible window type/style and entrance treatment are integral with the Georgian style of architecture and reasons for designation; the proposal entirely alters these details to mimic those used in the new development

4. Additional Comments Related to Proposal – London Advisory Committee on Heritage

At its February 13th meeting, the London Advisory Committee on Heritage (LACH) stated that it was not satisfied with the research and assessment of the Heritage Impact Statement (HIS) Addendum, appended to the agenda, from Zedd Architecture and Kirkness Consulting; further:

- the LACH does not support the conclusions of the above-noted HIS Addendum;
- the LACH suggests that further consideration be given to the conservation of the heritage attributes, described in the designating by-law, for the property located at 2096 Wonderland Road North; and,
- the LACH has concerns about the following with respect to this application:
    - retaining the Georgian character of the current building;
    - massing of the proposed development related to the Georgian farmhouse, particularly townhouse 1, 2, 8 and 9 on the submitted plans;
    - proposed window and door replacement, which was proposed to match design treatment of the new townhouses, but should, instead, reflect the Georgian character of the farmhouse;
    - the lack of green space to retain the context of the Georgian farmhouse; and,
    - potential construction impacts on the heritage building.

5. Recommendations & Conclusions

Based on the review of the HIS and LACHs comments, heritage staff recognizes the above stated adverse impacts to the heritage designated resource on the

property (Section 3, 4). The applicant is strongly encouraged to consider the following mitigative design measures to enhance compatibility:

- Limit the intensity on site and increase compatibility with the Farmhouse and its setting – providing ample 'breathing room' – by removing the townhouse directly attached to the Farmhouse, while also limiting the height (to 2-storeys) of the townhouse identified as Block B in the *Urban Design Brief* (December 2018, SK013).
- Remove (2) visitor parking spaces adjacent to Wonderland Rd N – specifically those spaces flanking the center two.
- Enhance Farmhouse setting by increasing landscaping and specimen tree planting in areas made available through townhouse removal and visitor parking reduction.
- Utilize a warm tone material colour palette – compatible with the buff brick colouring of the Farmhouse – for brick, door and window framing in proposed development.
- Select window type/style and entrance treatment that is consistent with the Georgian style of architecture of the Farmhouse and reasons for its designation.

Heritage Requirements Moving Forward will include:

- a Heritage Impact Assessment (HIA)
    - The *1989 Official Plan* (13.2.3.1) and *The London Plan* (Policy 586) require that an evaluation of heritage impacts be prepared for development that occurs on designated properties. The evaluation should demonstrate that the heritage attributes of the heritage designated property will be conserved – in this case, specifically the heritage attributes which support of contribute to the cultural heritage interest or value of the property. The evaluation process should take the form of a Heritage Impact Assessment (HIA) based the Ministry's InfoSheet #5, noting that: *HIAs must be prepared by qualified individuals, such as architectural and landscape consultants with knowledge of accepted standards of historical research, identification, evaluation, and methods of conservation and mitigation* (InfoSheet #5, p4).

      A wholly revised HIA may be required to reflect substantial changes to the proposed design.

- Heritage Alteration Permit (HAP)
    - This property is designated under Part IV of the *Ontario Heritage Act* (*OHA*) by By-law No. L.S.P.-3477-475; heritage alteration approval will be required for any work that is likely to impact reasons for designation. Colour samples for brick, door and window treatment should be reviewed with heritage staff as part of the permit process. The London Advisory Committee on Heritage will provide a recommendation to Municipal Council on the HAP with Council having approval authority. A maximum 90-day statutory review and decision period (as/per *OHA* 33(4)) for the HAP should be anticipated. Heritage Alteration Permit approval is required prior to obtaining a building permit.

London Advisory Committee on Heritage (Feb 13, 2019 meeting)

Notice of Planning Application - Zoning By-law Amendment - 2096 Wonderland Road North

That B. Debbert, Senior Planner, BE ADVISED of the following with respect to the Notice of Planning Application for a Zoning By-law Amendment for the property located at 2096 Wonderland Road North:

- the London Advisory Committee on Heritage (LACH) is not satisfied with the research and assessment of the Heritage Impact Statement (HIS) Addendum, appended to the agenda, from zedd Architecture and Kirkness Consulting;
- the LACH does not support the conclusions of the above-noted HIS Addendum;
- the LACH suggests that further consideration be given to the conservation of the heritage attributes, described in the designating by-law, for the property located at 2096 Wonderland Road North; and,
- the LACH has concerns about the following with respect to this application:

  o retaining the Georgian character of the current building;

  o massing of the proposed development related to the Georgian farmhouse, particularly townhouse 1, 2, 8 and 9 on the submitted plans;

  o proposed window and door replacement, which was proposed to match design treatment of the new townhouses, but should, instead, reflect the Georgian character of the farmhouse;

  o the lack of green space to retain the context of the Georgian farmhouse; and,

  o potential construction impacts on the heritage building;

it being noted that the attached presentation from L. Dent, Heritage Planner, was received with respect to this matter.

Parks Planning & Design (March 25, 2019)

Parks Planning & Design has reviewed Tree Assessment Report for the above noted application. We have no concerns with regard to the completeness and accuracy of the report, however there are some concerns regarding the extent of proposed development.

The site plan as shown does not preserve any existing trees, and does not provide compensation. There are few areas on site that would be favourable for new tree plantings.

This is not in keeping with the Council-endorsed London Plan policies for tree preservation and planting (398-401). Also, at the time of Site Plan Approval, the proposed parking area and building locations may not implement Sections 9 and 13 of the Site Plan Control Area By-law for landscaping and tree preservation requirements, and may not comply with Section 4.19.4.(c) of the Zoning By-law for parking setback from the road allowance.

If feasible, there should be further consideration for tree preservation and/or additional space for new tree planting.

Engineering (March 7, 2019)

No comments for the rezoning application.

The below comments were provided at the time of the preconsultation process in November 2018 for a future site plan application.

A Servicing and Lot Grading Plan stamped by a professional engineer will be required for the subject property. Attached are notes and commentary to assist the applicant in providing the necessary Site Servicing and Grading Plan and engineering reports to progress this development.

- The site serving and grading plans are to show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, watermains, utilities, etc.
- Should a private drain connection(s), or other works be installed on a City street to service this site, then details of these works including restoration of the City street are to be shown on the site servicing plan or a separate drawing to City standards.
- A Traffic Management Plan may be required prior to issuance of a Permit of Approved Works.
- The Owner is required to obtain all other necessary and relevant permits and approvals such as Ministry of the Environment, Conservation and Parks approvals, Permits for Approved Works (PAWS) etc.

WASTEWATER ENGINEERING COMMENTS:

- The municipal sewer for the subject lands is the 450mm municipal sanitary sewer on Wallingford Avenue. The subject lands Municipal No. 2096 Wonderland Road North was provided a 150mm sanitary PDC. within in an easement through the adjacent Condo Corporation 39CD-10508 to the internal 200mm diameter sanitary sewer, which is tributary to the Wallingford sanitary sewer.
- The proposed development of 2096 Wonderland Road North was accounted for in Whitney Engineering Inc.'s overall sanitary design of the adjacent condominium identified as external land with a design population of 36 people. As a higher density than what the lands were allocated is supported, the Owner's Engineer is to update the sanitary area plan and design sheets to the satisfaction WADE and the City Engineer.
- A new 1200mm sanitary maintenance hole shall be proposed within the development in proximity of the existing 150mm stub at the northeast corner of the development to serve as a sanitary inspection maintenance hole. The existing septic tank will need to be decommissioned.

WATER ENGINEERING COMMENTS:

- Water is available via the existing 450m PVC watermain on Wonderland Road North.
- Service to existing building will need to be decommissioned.

TRANSPORTATION COMMENTS:

- Road widening dedication of 18.0m from centre line is required on Wonderland Road North (7.942m)
- Relocate sidewalk on Wonderland Road North fronting the property to standard location
- External works drawings required for the construction of left and right turn lanes (RT lane 30.0m storage & 80m taper, LT lane 30.0m storage 50.0m parallel & 80.0m taper) ensure existing 1.5m bike lane is incorporated into the design
- Close and restore existing driveway to City Standard
- Dimension access (width 6.0m-7.3m, curb radii 6.0m-9.0m, clear throat 6.0m)

STORMWATER MANAGEMENT COMMENTS:

- The site is tributary to the existing Sunningdale SWM facility 6B via storm maintenance hole 9s34 (identified as MHR5 in the as-constructed sheets 20489 and 20495. Changes in the "C" from the designed C=0.50 to the value required to accommodate the proposed development will trigger the need for hydraulic calculations (storm sewer capacity analysis) to demonstrate adequacy of the existing downstream system and that on-site SWM controls will be designed to the satisfaction of the City Engineer.
- It is our expectation that the design of the condominium east of the site (Block 101 in as-con 20489) account for the required storm sewer stub and associated easement to service this site.
- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan is required to 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.

Upper Thames River Conservation Authority (February 4, 2019)

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

Upon review of the current assessment report mapping, we wish to advise that the subject lands ***are not*** identified as being within a vulnerable area.

RECOMMENDATION
The UTRCA has no objections to this application.

London Hydro (February 4, 2019)

This site is presently serviced by London Hydro. Contact Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required.
Note: Transformation lead times are minimum 16 weeks.
Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Appendix 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 (PPS)

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 b)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

1.4.3

Section 1.7 – Long Term Economic Prosperity

Section 2.6 Wise Use and Management of Resources, Cultural Heritage and Archaeology

2.6.1

1989 Official Plan

General Objectives for All Residential Designations

3.1.1 ii)

3.2.3.2 – Residential Intensification, Density and Form

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

Multi-family, Medium Density Residential Designation

3.3 - Preamble

3.3.1 - Permitted Uses

3.3.2 - Scale of Development

3.3.3 - Residential Intensification

3.7 - Planning Impact Analysis,

3.7.2 – Scope of Planning Impact Analysis

3.7.3 - Required Information

Heritage Resource Policies

13.2.3 – Alteration, Removal or Demolition

The London Plan
(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 59_2., 4., and 5. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_5. Our Strategy, Key Directions, Direction # 7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

*Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 256_City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 389_City Building Policies, Forest City, What Are We Trying to Achieve

Policy 393_ City Building Policies, Forest City, How Are We Going to Achieve This, Urban Forestry Strategy

Policy 394_ City Building Policies, Forest City, How Are We Going to Achieve This, Urban Forestry Strategy

Policy 398_ City Building Policies, Forest City, How Are We Going to Achieve This, Strategic Approach

*Policy 399_4. b. City Building Policies, Forest City, How Are We Going to Achieve This, Strategic Approach, Protect More

Policy 554_2. and 3. City Building Policies, Cultural Heritage, What Are We Trying To Achieve

*Policy 565_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, General Cultural Heritage Policies, Design

Policy 587_ City Building Policies, Cultural Heritage, Specific Policies for the Protection, Conservation, and Stewardship of Cultural Heritage Resources

Policy 589_ City Building Policies, Cultural Heritage, Specific Policies for the Protection, Conservation, and Stewardship of Cultural Heritage Resources

*Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

*Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

*Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

*Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

*Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

*Policy 1578_ Our Tools Planning and Development Applications, Evaluation Criteria for Planning and Development Applications

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The proposed land *use* is a different housing type than the prevailing land use on the east side of Wonderland Road North, but is compatible. The different housing form provides for a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	Due to the provision of underground parking the revised site concept achieves an intensity that allows for other on-site functions such as guest parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use; and	The residential land on the east side of Wonderland Road North the vicinity of the subject lands is largely developed. On the west side of Wonderland Road North, additional lands are designated and zoned for medium density residential development but are not available for immediate development as the draft plan of subdivision affecting these lands is not registered on title and the lots/blocks have not been created.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.	The subject site is within a 10 minute walk of Foxfield District Park which provides a variety of amenities for local and regional users. Shopping facilities that would provide for the daily needs of residents are located just over a 10 minute walk away at Fanshawe Park Road West and Wonderland Road North. Regional shopping needs can be met by Masonville Place at Fanshawe Park Road West and Richmond Street and Smart Centres and surrounding commercial development at Fanshawe Park Road West and Hyde Park Road. Transit service is not available on Wonderland Road North, north of Fanshawe Park Road West.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.	The proposed development does not contribute to affordable housing initiatives.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale or height of the proposed townhouse dwellings will be mitigated by height reductions at strategic locations to 2 storeys to break down the massing of the proposed buildings. Impacts on adjacent properties such shadow, overlook, noise and light penetration would be mitigated through a combination of yard depth and appropriate space for landscape screening.

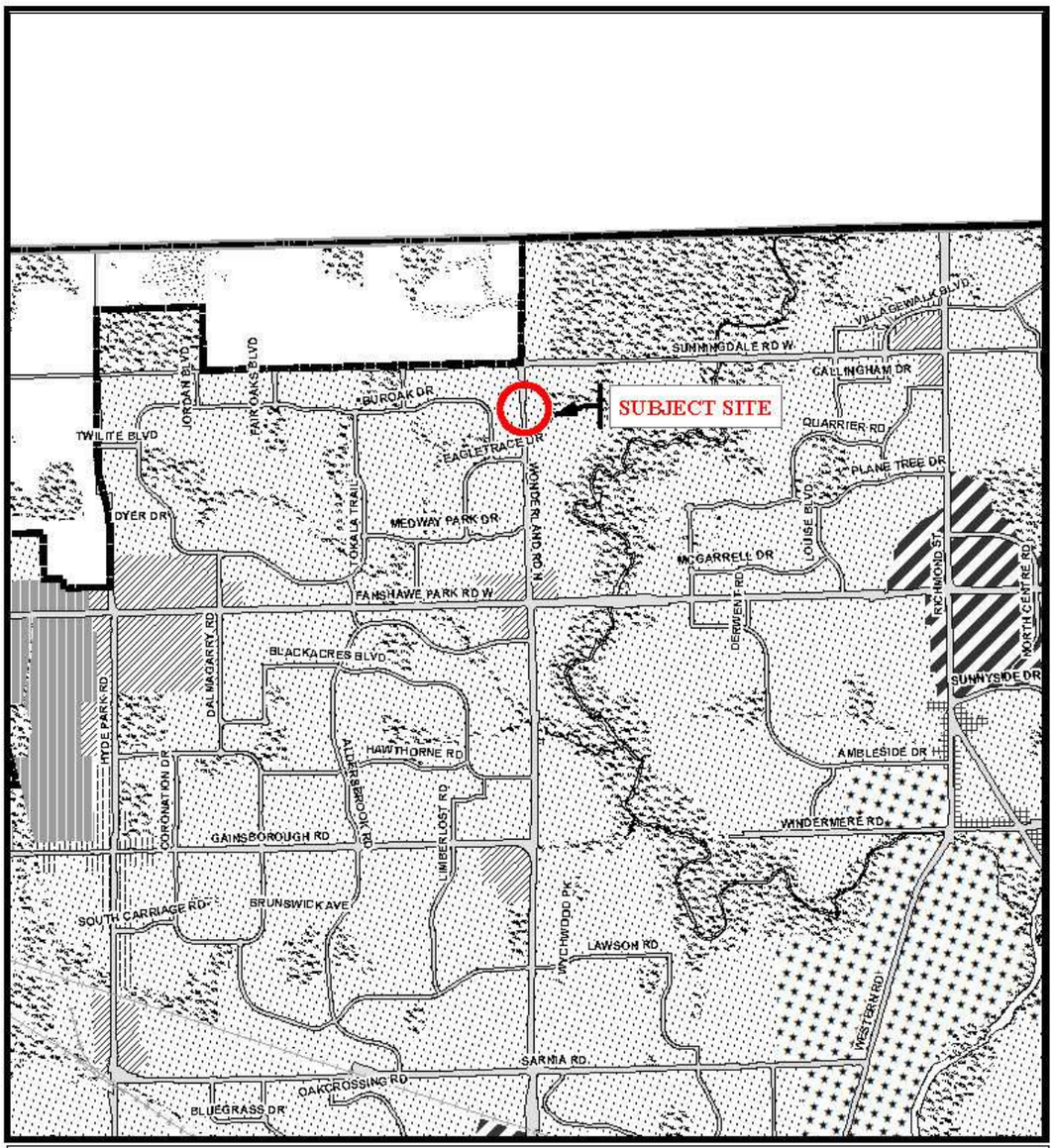
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	The proposed development does not provide for the retention of existing vegetation that contributes to the visual character of the surrounding area. Tree replacement measures are proposed around the periphery and internal to the site. Site concept revisions provide additional green spaces in which tree planting can occur.
The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties	Transportation Planning and Design was circulated on the planning application and development proposal and did not comment on the driveway access or traffic to be generated by the proposal. Wonderland Road North is a high-order street and is intended to move medium to high volumes of vehicular traffic at moderate speeds. The recommended amendment and total number of dwelling units (20) it could add along Wonderland Road North is not expected to affect capacity of Wonderland Road North in a significant way.
The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The three-storey, approximately 12 metre scale or height of the proposed townhouse dwellings is consistent with the heights that can be achieved on adjacent residential properties to the south and not significantly higher than the zoning permissions on the condominium corporation to the north and east (10.5 metres). The massing (bulk) of the proposed townhouse blocks is mitigated by the strategic use of 2 storey components that act as terraces for individual townhouse units, and exterior treatments that break up the massing horizontally and vertically. The massing (bulk), scale and layout of the proposed buildings will be reviewed and evaluated in greater detail through the Site Plan Approval process.
The potential impact of the development on surrounding natural features and heritage resources;	No natural heritage features will be affected by the proposed development. The existing heritage structure on the site is to be retained and the revised site concept physically separates the heritage structure from the proposed new development and provides additional green space to put it in its context. Additional consideration of the heritage resource will be addressed through the site plan approval and heritage alteration permit processes.

Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	n/a
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and	The proposed form of development will be required to conform to the in force Official Plan policies and comply with the City's regulatory documents prior to approval of the ultimate form of development through the Site Plan Approval process.
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	As discussed above, tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system.

Appendix D – Relevant Background

Additional Maps

The London Plan – Map 1 – Place Types



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

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

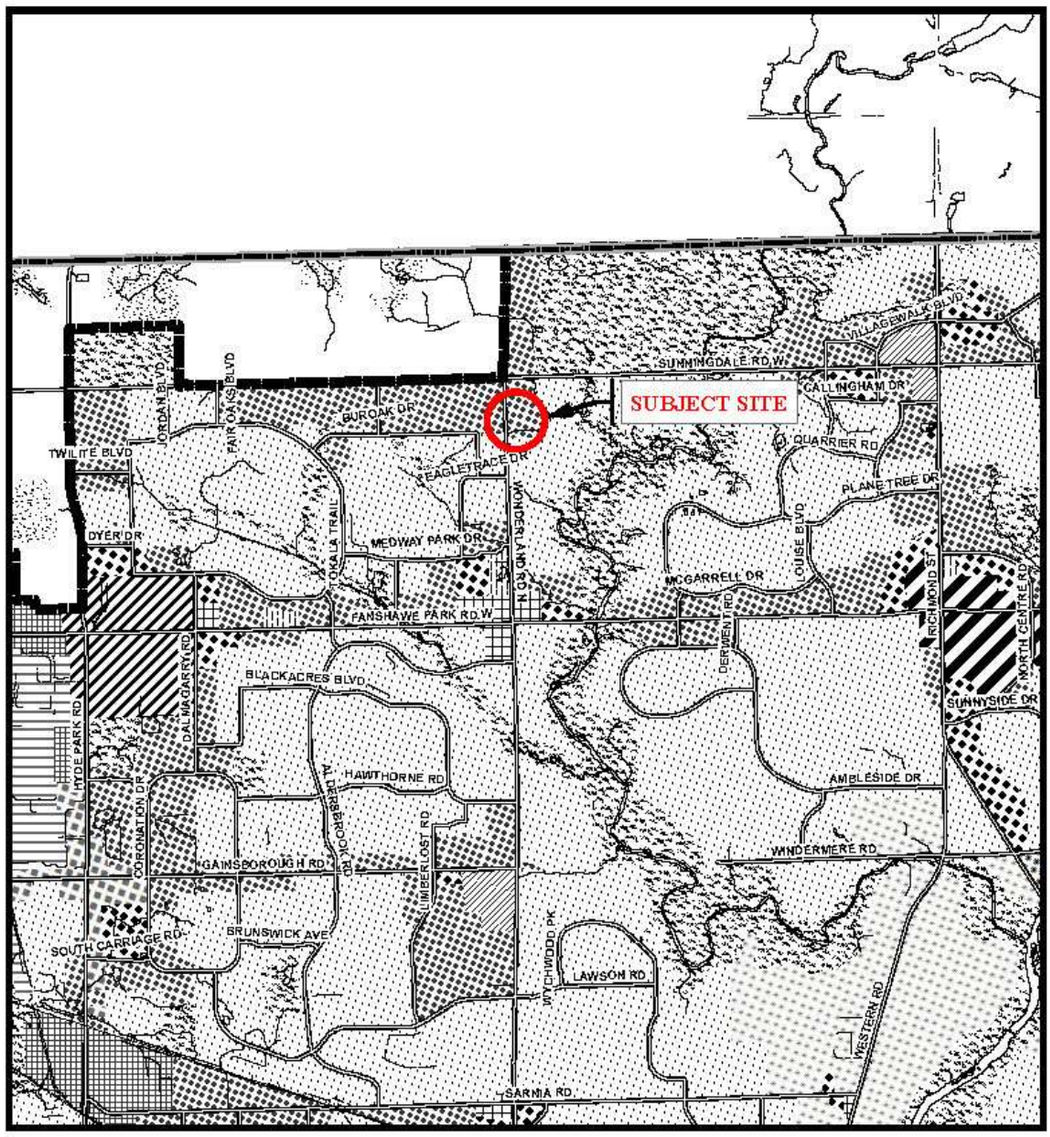
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services

Scale 1:30,000
Meters

File Number:	Z-9010
Planner:	BD
Technician	RC
Date:	April 18, 2019

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts\MXDS_TEMPLATES\Schedule_A\mxds\Z-9010-EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd

1989 Official Plan – Schedule A – Land Use



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:	**Z-9010**
PLANNER:	BD
TECHNICIAN:	RC
DATE:	2019/04/18

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1



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: Z-9010 BD

MAP PREPARED: 2019/04/18 rc

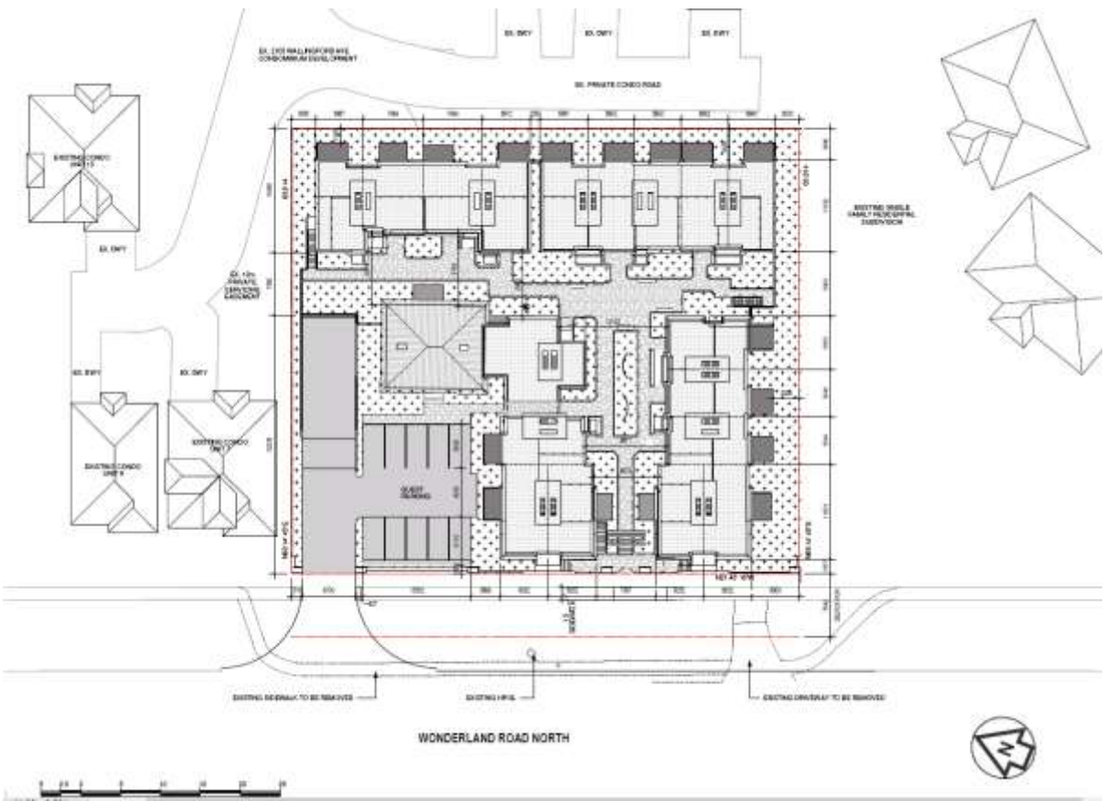
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Appendix E – Urban Design Peer Review Panel Comments/Response

Urban Design Comments

<u>Urban Design Peer Review Panel Comments (Nov 21, 2018, prior to submission of application)</u>

Site Concept Included on the UDPRP Agenda




Southwest Isometric View


Northwest Isometric View


Northeast Isometric View


Southeast Isometric View

The Panel provides the following feedback on the submission to be addressed through zoning bylaw amendment application.

- The Panel appreciates the applicant for involving us at such an early stage in the development approvals process. The Panel is supportive of the contemporary design direction, maintaining the heritage building and underground parking components of the project.
- The Panel has some concerns that the overall building height and massing on site may be too dense: creating a street wall that is too tall for the neighbouring buildings to the east; forcing at grade parking in front of the heritage building; and resulting in an awkward connection between the new buildings and heritage building.
- The Panel recommends that the heritage building remain separate from the new development, or a design solution that gives it more space/separation such as an internal courtyard or glass connection.
- The Panel has some concerns with the rear and east side setback. The setback should provide adequate space for tree planting and limit balconies in proximity to the property line.
- The Panel has concerns with the parking area in front of the heritage building. The Panel notes that it is difficult to provide design comment relative to the heritage building without having the benefit of reviewing the heritage impact assessment.
- The material selection of the proposed buildings should be in alignment with the HIA.
- The Panel is supportive of a wall along Wonderland Road but the height should be lowered such that it continues to allow views of the property.
- The common amenity area(s) on site should include space for communal gathering / active use. In the current concept, they appear to be simply walkways within the courtyard space between the buildings.

Concluding comments:
The Panel is supportive of additional density on the site through a zoning bylaw amendment subject to the comments above. The Panel has provided some detailed design comments for consideration in working through the site design and requests that the project returns for additional comment at the site plan consultation stage.

Invest Response to UDPRP Comments

Urban Design Panel Comments	Response from Invest Team (Applicant)
1. overall building height and massing on site may be too dense: creating a street wall that is too tall for the neighbouring buildings to the east; forcing at grade parking in front of the heritage building; and resulting in an awkward connection between the new buildings and heritage building.	• Roof-top decks have been removed • Balconies oriented inward and not outward over adjacent lands • Ground floor decks on east and south elevations lowered to respect existing fence height and mitigate over viewing onto adjacent lands.
2. the heritage building remain separate from the new development,	• DONE - the heritage building is now separated
3. some concerns with the rear and east side setback. The setback should provide adequate space for tree planting and limit balconies in proximity to the property line.	• SEE response in 1 above • Underground parking dimensions and retention of heritage building require minimal building setback • Abundance of trees to be planted within development
4. concerns with the parking area in front of the heritage building	• two spaces have been removed • paving will be ornamented for communal space gatherings
5. material selection of the proposed buildings should be in alignment with the HIA.	• Considered and will be further discussed at SPA and HAP stages
6. is supportive of a wall along Wonderland Road but the height should be lowered such that it continues to allow views of the property	• Agree and will be considered and will be further discussed at SPA stages
7. common amenity area(s) on site should include space for communal gathering / active use.	• DONE – changed central unit to two storeys and enlarged central opens pace communal area
8. Panel is supportive of additional density on the site through a zoning bylaw amendment subject to the comments above	• 75 unit per ha DENSITY is permitted by Official Plan. Bonusing also is permitted. Density requested is 50 units per ha and no bonusing is requested. Overall is a unique upscale housing form with UG parking that has not been built in any London suburb to date.

Prepared by Laverne Kirkness, Kirkness Consulting Inc. Urban and Rural Planning. April 2019

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: **St. James Development Corp.**
112 St. James Street
Public Participation Meeting on: May 13, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions **BE TAKEN** with respect to the application of St. James Development Corp. relating to the property located at 112 St. James Street:

(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 construction of a112 unit apartment building; and

(b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

Executive Summary

Summary of Request

The development for consideration is a thirteen (13) storey 112 unit apartment building on the northwest corner of Talbot Street and St. James Street. The site is to be developed with municipal services and vehicular access from Talbot Street. The development proposal is subject to a public site plan meeting in accordance with the Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines, being a Council approved guideline document contained in The London Plan and 1989 Official Plan.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommendation is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for the Site Plan Approval.

Rationale of Recommended Action

1. The proposed Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development.

2. The proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.

3. The proposed Site Plan is in conformity with the policies of the Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate form of residential intensification for the site.

4. The proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law.

5. The proposed Site Plan meets the requirements of the Site Plan Control By-law.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located at the northwest corner of Talbot Street and St. James Street. Talbot Street and St. James Street are both classified as Neighbourhood Connector streets in The London Plan, and as Secondary Collector corridors in the 1989 Official Plan. Currently the site is vacant with a variety of existing mature trees densely located around the perimeter of the property. The subject lands are not regulated by the UTRCA, and a Section 28 permit is not required for the development.

The lands uses surrounding the subject lands are comprised of the following: to the west of the subject site is Gibbons Park and the Thames River, to the north and northeast are apartment buildings, the lands to the east are undeveloped, and to the south of the site there is an established residential development in the form of single family dwellings.

The vacant lands to the east are subject to an approved 2012 Site Plan Control Application. The approval of the application permits the development of two (2) - three (3) storey unit apartment buildings with 36 units in each building. To date, the Owner of the identified lands has not initiated construction of the approved development. The existing apartment buildings to the north are 13 storeys and 7 storeys in height.

1.2 Current Planning Information (See Appendix 'D')

- 1989 Official Plan Designation – Multi-Family Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Types
- Existing Zoning – Residential R9 (R9-4 * H45 Zone), with a maximum height of 45 metres

1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 74.5m
- Depth – 83.2m
- Area – 6001.5m^2
- Shape – Irregular

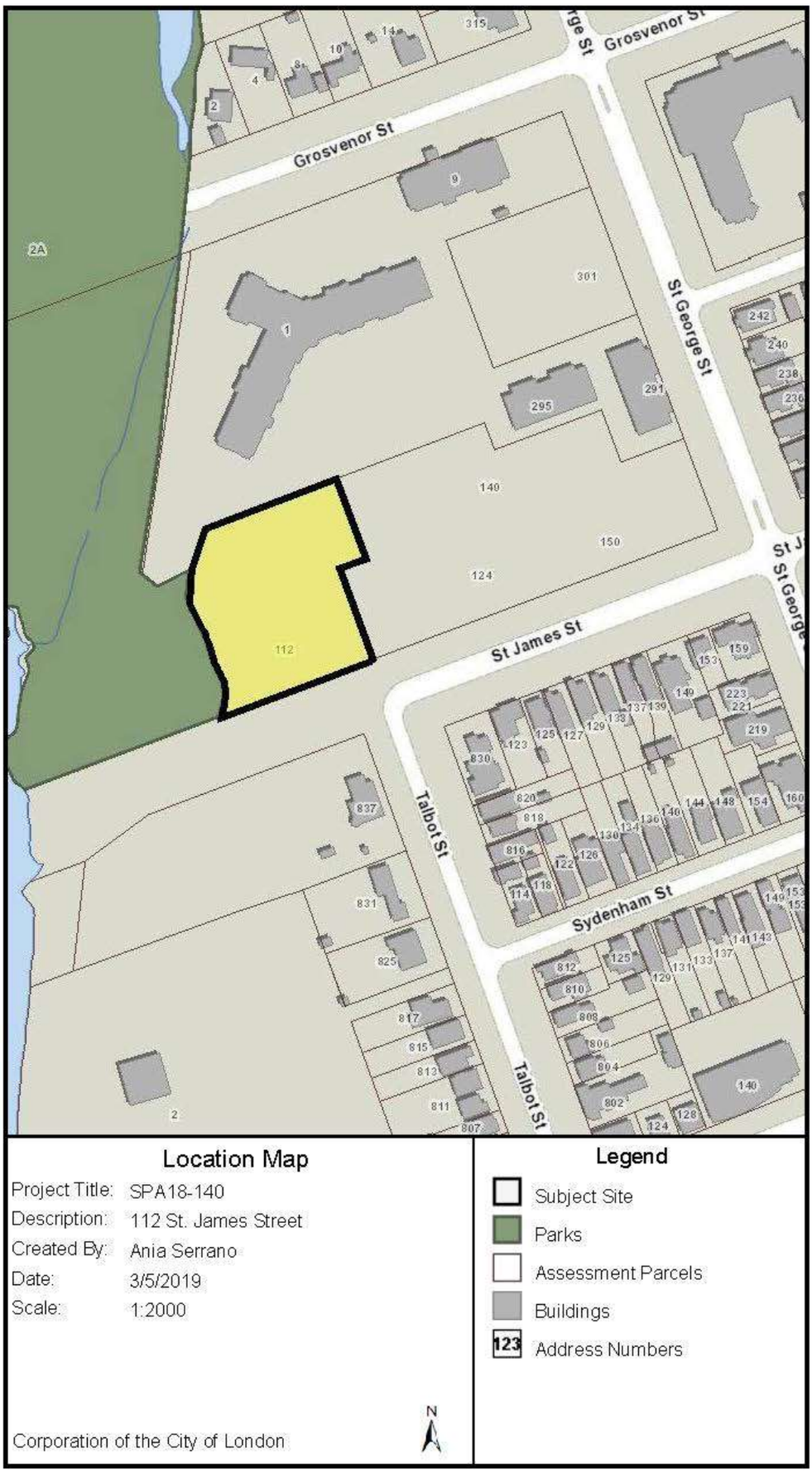
1.4 Surrounding Land Uses

- North – Apartment and single detached dwellings
- North East- Apartment
- East – Undeveloped. Further east - single detached dwellings and St. Joseph's Hospital
- South – Single detached dwellings
- West – Open Space (Gibbons Park) and Thames River

1.5 Intensification

- The proposed apartment is located inside the Primary Transit Area as identified in Figure 4.23 of the Zoning By-law.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The development for consideration is a thirteen (13) storey 112 unit apartment building on the northwest corner of Talbot Street and St. James Street. Access to the site will align with the centreline of Talbot Street, with the access leading to the main entrance of the apartment and parking areas. Seven (7) surface parking spaces (including accessible) are provided at grade, with the remaining 151 vehicular parking spaces provided in an underground parking area. The top deck of the underground parking area is at grade and treated with sod to create a continuous, visual green space from surface view. The main entrance to the apartment is located at the south east corner of the building. The podium of the apartment stands one storey in height and is setback 7 metres from the south property line, 18.0 metres from the west property line, 7.2m from the north property line, and between18.0-21.0 metres from the easterly property lines. The main tower, a total of twelve (12) storeys in height, is setback from the edge of the podium approximately three (3) metres to nine (9) metres. Materials identified on the proposed elevations include thin brick on pre-cast panels, stone banding, concrete, and clear glazed windows.

The proposed development does not encroach into the erosion hazard to the west. The Upper Thames River Conservation Authority have expressed no objection to the development as it is marginally located within their regulated area.

Detailed plans of the development are contained in Appendix ‘A’ of this report.

3.0 Relevant Background

3.1 Planning History

Application for Consent

In October 2011, an Application for Consent to Sever (file B.054/11) was received by the City of London for 1 and 9 Grosvenor Street; 291, 295 and 301 St. George Street; 120 and 124 St. James Street. The request was to sever 0.4hectare parcefor the purpose of future apartment buildings, and to retain 4.33hectares for an existing high density residential development. The City of London Consent Authority issued a Provisional Consent Decision granting approval of the request subject to 13 conditions. Conditions of the Provisional Decision included the requirement for easement agreements to be registered on title of the subject lands for water servicing, access, and right-of-way, parkland dedication, as well as the preparation of urban design guidelines for this site. The condition relating to urban design is as follows:

7. *An urban design guideline document will be submitted for the severed and retained parcels, to address those matters identified in Policy 3.2.3.5 of the Official Plan. The guideline document shall be submitted to the City Planner who will subsequently bring it forward for adoption by Municipal Council as a guideline document under Section 19.2 of the Official Plan to guide the review of all future site plan applications for these lands.*

Grosvenor Gate Urban Design Guidelines

The urban design guidelines were submitted to the City in 2012. The Guidelines provide direction for future developments in the area of the subject lands, bounded by St. George Street on the east, St. James Street on the south, the Thames River on the west, and Grosvenor Street on the north. The urban design guidelines provided framework on design matters related to Character and Image, Servicing, Site Design, Building Design, and Landscape Design.

In November 2012, an Official Plan amendment (file O-8102) was initiated by the City of London to include Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines as a Guideline document in accordance with Section 19.2.2 of the London Official Plan.

Minor Variance

September 2012, Minor Variance Application (file A.106/12) was received by the City of London. The requests for minor variance were to increase height to 14 metres whereas 13 metres is the maximum, a reduced side yard setback of 5 metres whereas 7m is required, and to request reduced interior side yard setback of 1.8m whereas 6 metres is required.

October 29, 2012 the application was heard before Committee and the requested variances were granted subject to the following conditions:

1. A maximum of three bedrooms per unit in all buildings; and
2. The development complies to the satisfaction of the City Planner, with Neighbourhood Compatibility Guidelines cited in the Neighbourhood Character Statement and Compatibility Guidelines recommended by the City Planner for Council in the November 5th, 2012 report to the Planning and Environment Committee.

Urban Design Peer Review Panel

On December 19, 2018, the applicant presented the design proposal before the Urban Design Peer Review Panel (UDPRP). Members of the panel provided comments relating to the building, pedestrian circulation, vehicular circulation, and see attached response to the comments from UDPRP in Appendix ‘C’.

Site Plan Control Application

In March 2019, the subject application of this report, being a Site Plan Control Application (file SPA18-140), was received by the City of London. Conditional approval was granted, subject to the applicant satisfying the requirements of the City (including the requirement of this public site plan meeting).Further submissions are required to address comments provided from the first submission review, and any comments directed to staff as part of the public meeting.

Zoning By-law and Official Plan By-law Amendment Application

In December 2018, corresponding Official Plan Amendment and Zoning By-law Amendment Applications (File OZ-9012) were received by the City of London for a rectangular portion of land on 124 St. James Street, located to the west of the subject lands. The intent of the applications is to allow the identified lands at the southwest portion of 124 St. James Street to be developed in conjunction with the development of the subject lands at 112 St. James Street. The effect of this amendment (and future severance application) will facilitate increased density, and for vehicular access to be fully on the subject lands. The corresponding application (OZ-9012) is under review and will be scheduled to be held before the Planning and Environment Committee at a future date.

The current proposal for Site Plan Control does not contemplate additional units as part of the amendment application (OZ-9012). Should it be approved an amendment to the current site plan would be required to include additional units and area. No exterior changes to the site are expected as a result of the amendment.

3.2 Community Engagement (see more detail in Appendix B)

Site Plan Control

Notice of Application

On March 14, 2019, Notice of Application was sent to property owners and tenants within 120 metres of the site area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of the Londoner on March 14, 2019.

Notice of Public Meeting

On April 23, 2019, Notice of Public Meeting was sent to property owners and tenants within 120 metres of the site area. Notice was also published in the Public Notices and Bidding Opportunities section of the Londoner on Thursday April 25th, 2019.

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

- 2 written responses

Summary of Comments:

- Concerns with details relating to the Zoning By-law and Official Plan amendment applications prior to the submission of the site plan application.
- Request for a copy of the memo from the Urban Design Peer Review Panel (UDPRP).
- Concerns with traffic on Talbot Street, and requested that a Transportation Impact Assessment Study be submitted by the Applicant for review by the City.

Response to Public Concern

An email providing clarification about the timing of the site plan application in relation to the Zoning By-law amendment application was provided to the resident. Additionally, the comments from the UDPRP were also provided.

With respect to traffic concerns, a meeting with City Staff members and members of the community was held on March 7, 2019 at City Hall. Following the meeting an e-mail was provided to residents from City staff indicating that the development would not necessitate the need for a Traffic Impact Analysis (TIA). The expected trip generation for the use was not in excess of volume that is required to warrant such a study.

Refer to Appendix 'B' for detailed comments and responses.

3.3 Community Meeting April 16, 2019

On April 16, 2019, the applicant hosted a proponent lead community meeting at King's College. The purpose of the meeting was to provide the community with information with respect to both of the active applications. Thirteen members of the community attended the community meeting. The applicant provided a presentation on the 112 unit apartment application and answered questions relating to the development proposal. Questions from the community were specific to traffic, timing of construction, garbage and recycling methods, and the types of residential units.

3.4 Policy 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 within an existing residential neighbourhood. Land use within settlement areas shall be based on densities that 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 an existing residential neighbourhood. Further, the proposed development will assist in achieving an established intensification target for built up areas, consistent with the goals of Municipal Council and in accordance with the PPS (1.1.3.5).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies and maps under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) are not in force and effect and are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan encourages “inward and upward” growth in existing built-up areas. Residential intensification is supported by infill development of vacant and underutilized lots through redevelopment at a higher density than currently exists on developed lands (Policy 80.4_ & 6_). A target minimum of 45% for all new residential development will occur within the Built-Area Boundary (*Policy 81_). Intensification, such as that provided by the proposed development, assists the City in meeting its intensification targets.

City Design policies on site layout are supportive of the proposed development. The development abuts a park and provides access to promote connectivity and safe movement in the neighbourhood (*Policy 255_). The proposed development is in line with the design policies of The London Plan.

While the Neighbourhoods Place Type does not contemplate the use of apartment buildings, the proposed development is being proposed as part of the existing zone on the lands to permit such a use. The use is viewed as non-conforming to The London Plan Place Type: however, contemplated through the zone on the lands.

Official Plan (1989)

The subject lands are designated Multi-Family, Medium Density Residential and permit the use of low-rise apartment buildings. The designation permits a maximum of 75 units per hectare, while the zone on the lands permit 150 units per hectare. The applicant is utilizing a landscape bonus of up to 25% additional units per hectare to achieve a density of 187 units per hectare. Much like the policies of The London Plan, the use and intensity is viewed as being non-conforming: however, permitted through zoning. Section 19.5.1 contemplates uses which do not conform to the Official Plan, but are permitted through Zoning, and provides criteria which may be considered by Council. The criteria include the provision for Health and Safety, compatibility with surrounding uses, and that the use does not detract from the long term intent of the Plan. It is the opinion of staff that the proposed development maintains the intent of these policies through the design and layout, and that it is in keeping with the Grosvenor Gate design guidelines.

Z.-1 Zoning By-law

The subject lands are zoned Residential R9 (R9 * H45), and permits apartment buildings with a maximum height of 45 metres and density of 150 units per hectare. The R9 zone permits a density bonus which states that for every 70.0 square metres (753.0 square feet) of exterior common open space provided at grade in excess of the landscaped open space required by the By-law, the density of the residential development may be increased by three units. In this case the applicant is proposing an apartment building at 44.6 metres in height, and a density of 187 units per hectare (as part of the density bonus of the R9 zone). Setback, coverage, parking, and area regulations of the By-law are being met. The proposed development meets the requirements of the Z.-1 Zoning By-

law.

4.0 Key Issues and Considerations

4.1 Use

As noted, the development of an apartment building is not necessarily contemplated through the permissions of the Place Type: however, the Zoning on the lands prevail to permit the use. The use is viewed as non-conforming to the policies. Notwithstanding this, it is important to utilize key goals of The London Plan, where possible to ensure that overall objectives are being maintained. The Neighbourhoods Place Type strives for attractive streetscapes, buildings, and public spaces, to create strong neighbourhood character with a sense of identity, diversity in housing choices allowing for affordability and giving people opportunity to remain in neighbourhoods as they age, safe, comfortable convenient and attractive alternatives for mobility, and parks, pathways, and recreational opportunities that strengthen the community and serve as connectors and gathering spaces (*Policy 916_). The Site Plan Control application proposes 112 residential unit apartment which compliments the existing apartments in the area and does not conflict with the design guidelines for the area.

4.2 Intensity

The Site Plan Control application proposes a 112 units, for a total density of 187 units per hectare, which is the maximum permitted within the zoning for the lands. The intensity will not conflict with what was previously established through consultation and engagement with the surrounding community as part of the formulation and approval of the urban design guidelines.

4.3 Form

Under the Neighbourhood Place Type within The London Plan, new residential development should provide for frontage onto streets, and create both vibrant and recreational spaces (*Policy 919 and 920 –). Ground floor units to the west abut the Thames River and Gibbons Park serving as a linkage to open space. Direct pedestrian walkways from each ground floor unit will be provided and connection to City sidewalk are provided to address the policies of The London Plan.

4.4 Traffic and Access

The site is located with frontage and access on Talbot Street. The proposed access is required to be aligned with the existing centre line of Talbot Street. As noted previously, traffic volumes in the area are of concern to residents within the community. The proposed development does not trigger the requirement for a Traffic Impact Analysis (TIA) due to lower than required trip generation. However, as part of the application, City staff are requesting that stop signs be placed at the east and west side of intersection of the access, on St. James Street. The recommended traffic calming measure would permit free flow of traffic northbound on Talbot either into the site or to the east on St. James Street, and out of the site.

Outside of the development process there are tools available for the residents to explore to further study and address traffic in the area. One such tool includes traffic calming measures to reduce the speeds on the nearby streets and to discourage cut-through traffic. The process will need to follow the Traffic Calming Practices & Procedures. If a street is qualified for traffic calming measures, majority support will be needed from the residents. This process has been articulated to the residents at the March 2019 meeting.

4.5 Landscaping

The subject lands are located within a Tree Protection Area, with a number of existing trees located on site. The intent, as recommended by staff, is to preserve as many trees possible while also recognizing that the lands are zoned for development and that some trees internal to the site are to be removed for the construction of the apartment building. The removal of identified trees and the addition of new trees will be addressed in accordance with Section 9 of the Site Plan Control By-law.

An updated tree preservation plan is required as part of second submission confirming the existing tree species, sizes, quantities, and condition. Based on the tree preservation plan, the appropriateness of tree removal and tree compensation will be determined. The proposed landscape plan maintain as many existing trees and propose native size species to compliment the development.

The top deck of the parking structure will remain at grade and treated with sod to create a continuous green space. The top deck serves as an outdoor amenity space to the residential units (*Policy 295_).

4.6 Response to the Grosvenor Gate Urban Design Guidelines

The Grosvenor Gate Urban Design Guidelines provide three (3) areas of focus for new development on the lands: Site Design, Building Design, and Landscaping.

With respect to site design, the proposed development is located primarily along an unopened portion of St. James Street, leading to the Gibbons Park. While the building has presence along the unopened road allowance (as an extension of the St. James streetscape) the applicant is also proposing the protection of as many of the perimeter trees as possible. It is important to note that the street edge is not defined by hard surface parking areas, but rather building and landscaping.
The primary entrance to the site is located along the St. James frontage to further promote walkability and street orientation. Pedestrian connections are also proposed in two locations along the St. James Street street frontage to provide connectivity to the park and surrounding community.

With respect to building design, the applicant is encouraged to explore the reduction of the floor plate; however, it is recognized that efforts were made to ensure that the massing has variation and articulation to create interest along the streetscape. The proposed development is in keeping with the height of the abutting apartment building to the north and does not conflict with the goals to provide a gradual transition to the east. The previously approved apartment building to the east (not yet constructed) is three (3) storeys in height and provides the transition between the existing residential development and the proposed 13 storey apartment building, the subject of this application. The applicant is proposing masonry materials (brick and stone) for the building face to ensure that the design of the building is in keeping with the character of the surrounding neighbourhood and streetscape.

The landscaping of the site will be done in accordance with the Site Plan Control By-law, and will also be sensitive to the design guidelines. Staff encourage native plantings, noting sensitivity to the nearby park. Staff are supportive of landscaping as a means to provide a buffer or screen from building elements such as foundation faces and utility features.

4.7 Outstanding Site Plan Comments

First submission site plan control comments were provided to the applicant in March 2019. The comments request that the applicant:

- finalize the tree inventory plan in accordance with Section 9 of the Site Plan Control By-law,
- provide internal garbage storage locations,

- revise the access location to be at the centreline of Talbot Street,
- provide pedestrian connection to the City sidewalk,
- consider of the reduction in the tower floor plate to reduce massing size, and
- address outstanding engineering and servicing comments.

It is noted that the applicant has provided staff with updated site plan and landscape plans demonstrating how some of the above noted matters have been addressed. These plans are expected as part of a formal second submission. For reference purposes, the identified plans have incorporated as part of this report in Appendix 'A'.

More information and details are available in Appendix 'C' of this report.

5.0 Conclusion

The proposed Site Plan is consistent with the Provincial Policy Statement, has regard to The London Plan, and is in conformity with the City of London Official Plan, 1989. The application has been reviewed in accordance with the Z.-1 Zoning By-law, and, as proposed, complies with the regulations of the By-law. The proposed Site Plan and elevations will result in development that will not conflict with the character of the area, and is in compliance with the Site Plan Control By-law.

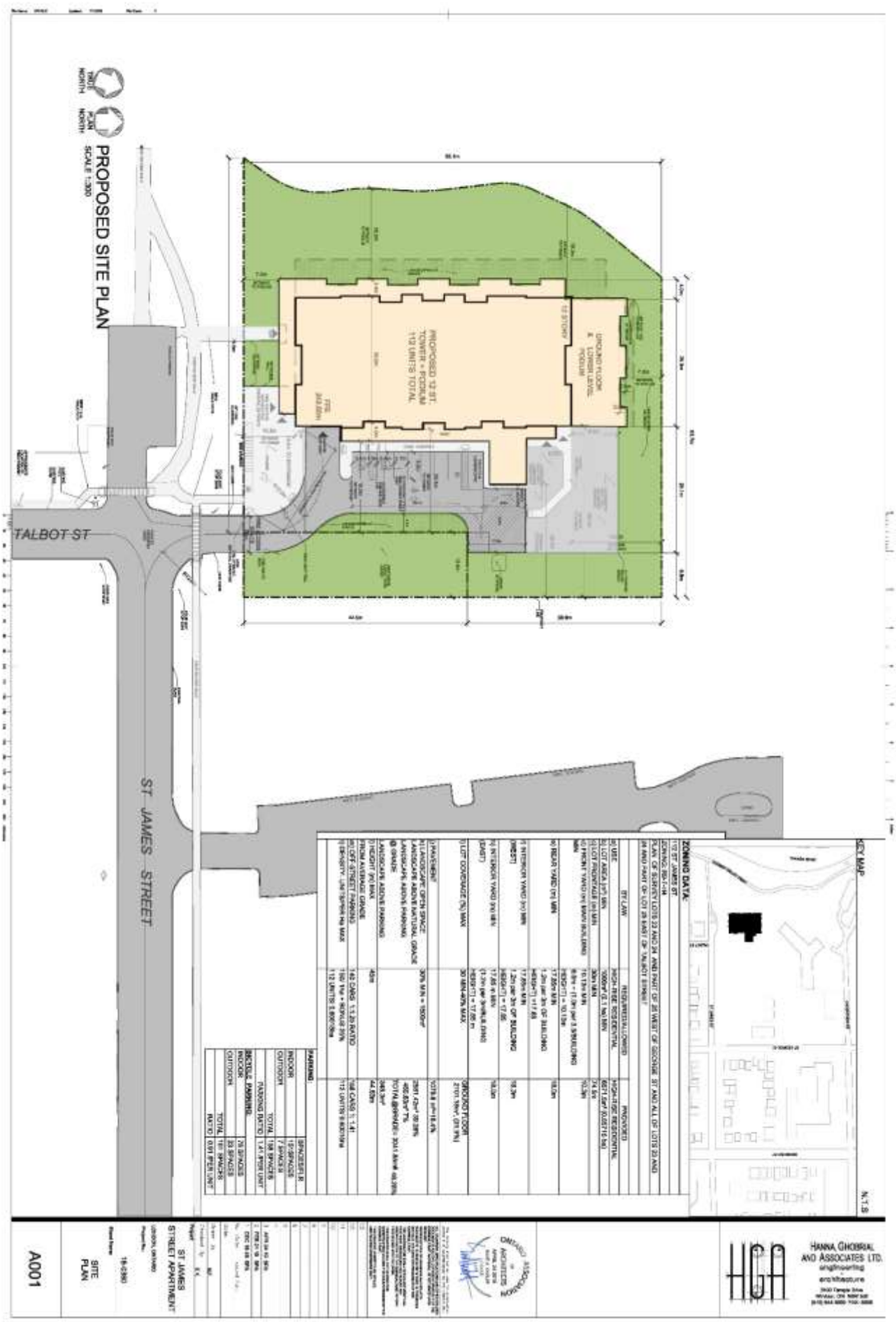
Prepared by:	**Vanessa Santos, Site Development Planner** **Development Services**
Recommended by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
Submitted by:	**George Kotsifas, P.Eng.** **Managing Director, Development and Compliance Services & Chief Building Official**
The opinions contained 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.	

May 6, 2019
VS/vs

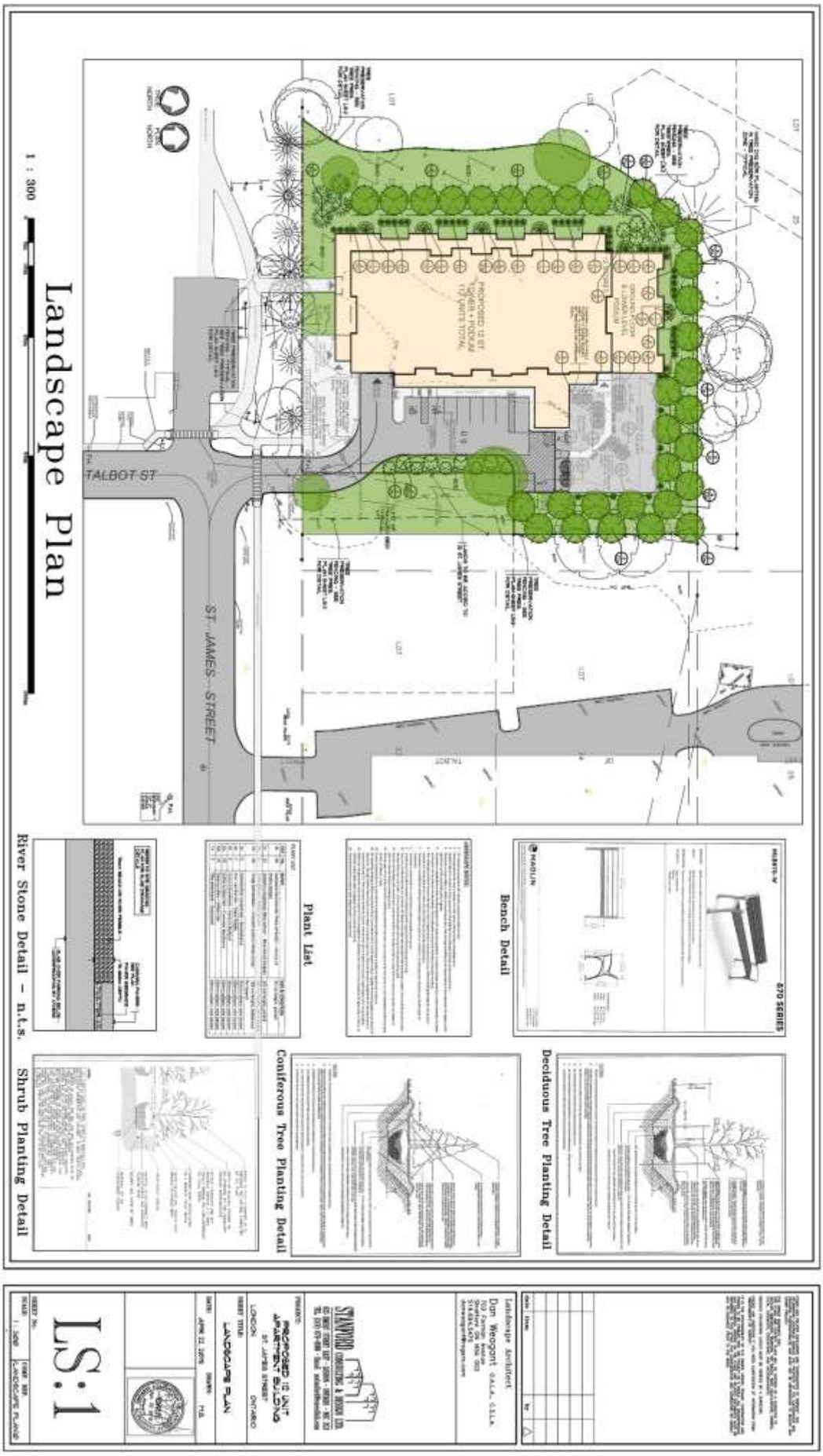
CC: Heather McNeely, Manager, Development Services (Site Plan)
Michael Pease, Manager, Development Services - Planning
Michael Tomazincic, Manager, Current Planning
Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\8- May 13\Draft 112 St. James St. SPA18-140 VS 1of1.docx

Appendix A: Plans

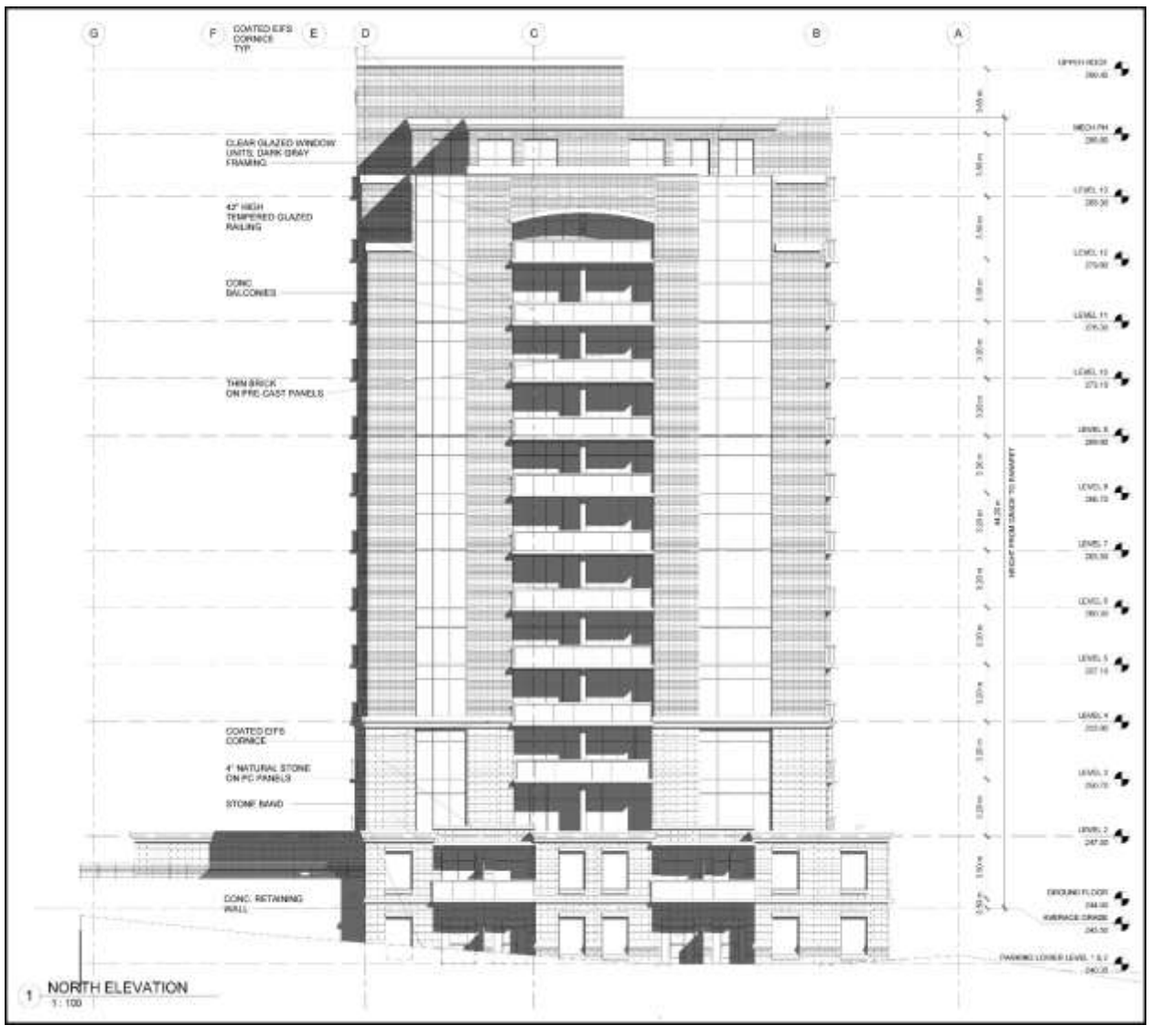
Site Plan



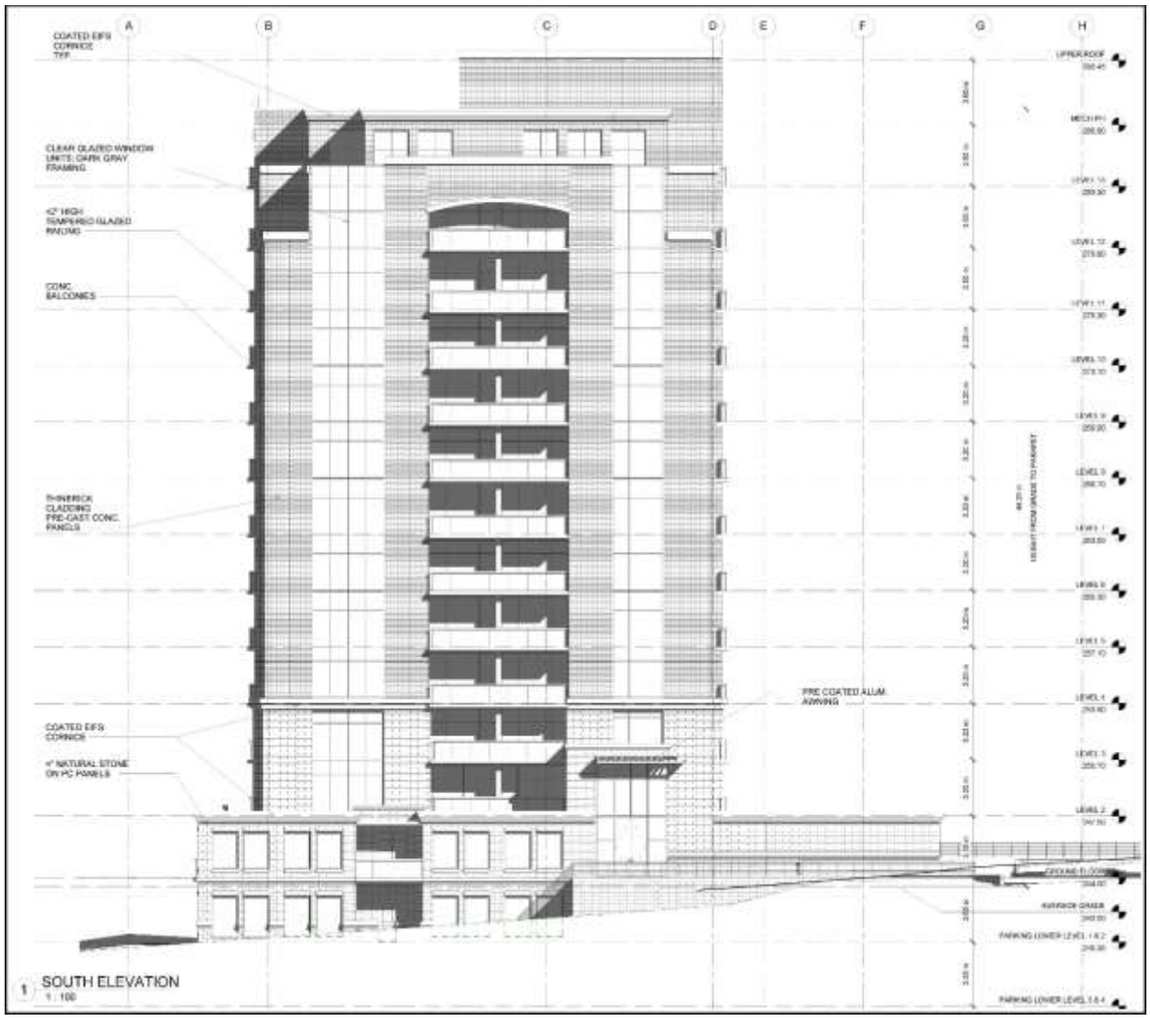
Landscape Plan



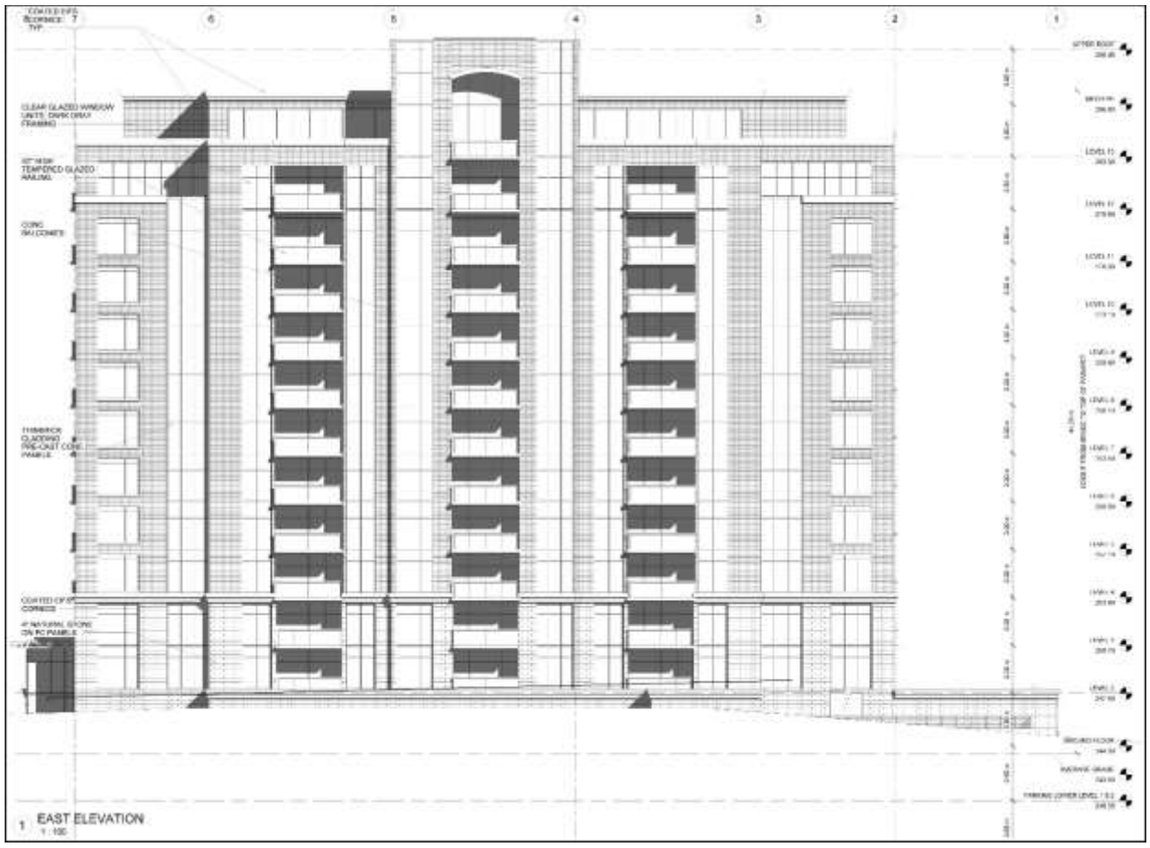
North Elevation



South Elevation



East Elevation



West Elevation



Appendix B – Public Engagement

Good morning Ken,

Please find responses to your questions in the same order below:

1. An incomplete site plan application submission was made late in December however it was not accepted to be reviewed by Development Services. When a complete site plan application is received, it will be accepted for review and a notice of application will be sent to the public (via mail to residents within 120m of the subject site, online web posting, and published in the Londoner).
2. Attached is the UDPRP memo (posted online) sent to the applicant.
3. There will be a public site plan meeting held before the Planning and Environmental Committee. The public meeting will be scheduled after the applicant submits second submission which by they have had opportunity to address first submission site plan application comments. A notice of public site plan meeting will be released when the public meeting is scheduled.
4. The City encourages the applicant to engage the community as much as possible by hosting a community meeting during the application process, however this is not a requirement under the Planning Act and the City cannot require this.
5. a) The lands are zoned to permit the apartment building use.
   b) Sometimes (and recently) there are provisions for affordable housing based on bonus zoning. In this case the lands are not bonus zoned and affordable housing was not included as a requirement of the zoning permissions for the lands. As part of the City's review of the application, the apartment building use cannot be assessed based on tenure type.
   c) The Urban Design Policy will be reviewed as part of the site plan application which includes the Grosvenor Gate Design Guidelines.

Feel free to contact myself or my manager Michael Pease with further questions.

Thank you,
Vanessa

Sent: Monday, January 21, 2019 10:31 AM
To: Smolarek, Jerzy <jsmolare@London.ca>; Santos, Vanessa <vsantos@london.ca>
Cc: Yeoman, Paul <pyeoman@london.ca>; [redacted]
Subject: 112 St. James Street

Good Morning
I understand that pursuant to the submission of an Urban Design Brief to the December 19, 2018 Urban Design Peer Review Panel regarding a proposed development at 112 St. James Street a Site Plan Application has been submitted by Zelinka Priamo Ltd., on behalf of St. James Development Corporation, regarding this development.
I would appreciate it if you could confirm and/or respond to the following:

1. If my understanding is correct, what is the file number assigned to this project by Development & Compliance Services?
2. Can you forward a copy of the UDPRP Chair's communication summarizing the EDPRP's comments with respect to the proposed development? – this should have been received within 10 business days of the UDPRP meeting noted above.
3. The projected time line for issuance of public meeting notices.
4. Have you suggested or recommended that the developer and/or consultant conduct any preliminary meetings with the local neighbourhood association regarding their proposed development?
5. What will the City's position be on this development proposal regarding the Provincial Policy Statement, 2014 with respect to:
   a. intensification
   b. consideration of the housing needs of all residents (affordable housing?)
   c. encouraging a sense of place by promoting a well-designed built form

File:SPA18-140
Planner: Vanessa Santos

Please note that I am making this request as a resident located near this proposed development , however, you should be aware that I am also President of the St. George Grosvenor Neighbourhood Association and that any and all information I receive will be shared with the Executive Committee of the Association.
I thank you in advance for your attention to the above and look forward to hearing from you by Friday, January 25, 2019.

Ken Owen
[redacted]

Hi Ken,

City staff use the Trip Generation Manual published by the Institute of Transportation Engineers in order to determine the trips generated by a development. This is the first screening exercise in order to identify the extent of an impact that a development may have on the surrounding area network. As noted below, the proposed residential development for 112 St. James Street is expected to generate much lower than100 trips during the peak hour, which is one of the criteria that trigger a traffic study. Staff also take into consideration existing roadway capacity and adjacent arterials and public transit. There have been many similar size developments in the past that staff didn't require TIAs to be conducted.

With respect to close proximity to public transit, the number of trips are reduced by a percentage equivalent to the transit mode share. For example, based on the results from the 2016 household travel survey, the overall daily transit mode share is approximately 8%, however this percentage could be higher or lower depending on the transit ridership on each corridor within the city. With respect to the subject development, the number of trips used in the traffic analysis would be reduced by at least 8%, Richmond St has much more transit mode share, so the remaining vehicular trips would be minimal. As part of the site plan process staff have asked to align the development driveway to Talbot Street center line and for future "Stop" signs to be installed in conjunction with construction facing east on St. James Street and facing west/opposing the park access, as per Traffic Signal and Street Lighting through City By-laws. The all-way stop at this intersection will also be evaluated once the development is fully occupied and trip pattern in the area becomes stable.

Thanks
Maged

Maged Elmadhoon, M.Eng., P.Eng.
Traffic & Transportation Engineer
Transportation Planning & Design Division
City of London

300 Dufferin Ave. N6A 4L9
P: 519-661-CITY (2489) x 4934 | Cell: 226.448.9058 | Fax: 519.661.4734
melmadho@london.ca | www.london.ca

From: Ken Owen redacted
Sent: Monday, March 18, 2019 12:02 PM
To: Elmadhoon, Maged <melmadho@London.ca>
Cc: Squire, Phil <psquire@london.ca>; redacted; Debbert, Barb <bdebbert@London.ca>; Santos, Vanessa <vsantos@london.ca>; Tomazincic, Michael <mtomazin@London.ca>; Ridley, Mark <MRIDLEY@London.ca>; Giesen, Andrew <agiesen@london.ca>
Subject: [EXTERNAL] RE: meeting follow up - re neighbourhood traffic

Mr. Elmadhoon,
Thank you for your prompt response to our concerns.
A review of your comments has generated a number of questions to which I hope you will be able to respond.

1. Can you share with us what "different tools" were engaged in lieu of a TIA to support the inclusion of the applicant's following statement in their Planning Justification Report?: *"Comments received from City staff state that they do not have a concern regarding traffic impacts, and a Traffic Impact Study is not required"*
2. Can you identify which, if any, other developments were used as comparators to determine that a TIA is not required for this development?
3. Was proximity to the proposed BRT north corridor a consideration in determining the number of peak hour trips and if so how much weight did this carry when measured against current public transit options?
4. Aligning the proposed driveway with Talbot Street will in effect create a 4 way intersection at this juncture with St. James Street. If the current through traffic right of way is maintained, access to public parking located on St. James west of Talbot and the driveway to 837 Talbot Street, ingress/egress traffic associated with the proposed development and pedestrian/cycle traffic accessing the Thames Valley Trail will be compromised with the creation of additional hazardous safety conditions at this intersection. What traffic control measures will be implemented at this intersection to prevent dangerous traffic manoeuvres and maintain the safety of pedestrians?

I understand that the CSDM may be directed primarily at new subdivisions and major rehabilitation projects, however, I believe that some of its key objectives such as reducing traffic congestion and supporting the character of London's neighbourhoods should not be abandoned when considering any improvements the intersection referred to above.

Ken Owen
On behalf of St. George Grosvenor Neighbourhood Association.

From: Elmadhoon, Maged [mailto:melmadho@London.ca]
Sent: March 11, 2019 10:36 AM
To: [redacted]
Cc: Squire, Phil; REDACTED; Debbert, Barb; Santos, Vanessa; Tomazincic, Michael; Ridley, Mark; Giesen, Andrew
Subject: FW: meeting follow up - re neighbourhood traffic

Dear Mr. Owen,

Thank you for your email below and for the valuable input from the St. George Grosvenor Neighbourhood Association with respect to concerns related to development and traffic in the area. My apology for not making it to the meeting last week due to sickness and thanks to Mark Ridley for attending.

City staff understand your concerns and they will be considered as part of the subject development and any other development in the area. I am happy to offer the following response to your questions in the attached document:

- - The City's Transportation Impact Assessment Guidelines document is a tool that City staff and engineering consultants use in order to determine the need and process for a traffic study. The City has the expertise to identify the extent of the impact of any development and consider mitigation measures through different tools even if a TIA was not conducted.
- - The criteria identified in the TIA are not the only factors used to make a decision for the need of a TIA, experience based on other developments and location of a development near a public transit corridor, also influence the decision.
- - The proposed residential development for 112 St. James Street is expected to generate 59 trips in the afternoon peak hour period and 34 trips in the morning peak hour period. These are not all private auto trips. A percentage of these trips will be walking and taking public transit during the peak hour periods. The number of trips generated by the subject developments are considered low and will have minimum impact on surrounding road network.
- - The area road network consisting of local, collector, and arterial streets are at or below their traffic volume capacity and will be able to accommodate the traffic generated form this development and other potential developments in the surrounding areas. For example, Richmond Street north of Oxford Street has daily traffic volume of approx.. 28,000 vehicles per day. The capacity of a 4-lane arterial is 36,000 vehicles per day. In comparison, Wonderland Road, also a 4-lane arterial carries 45,000 vehicles per day along few sections.
- - Both Talbot Street and St. James Street in the vicinity of this development are classified as Secondary Collectors In Schedule "C" of the City's Official Plan. The function of these roads is to serve through traffic and provide access to adjacent properties. These streets are expected to carry higher volumes of traffic than local streets.
- - Parking and vehicle trip generation are two distinct items, parking spaces do not transfer to vehicle trips In the peak hour.
- - Transportation staff have asked the applicant to align the proposed driveway opposite to Talbot Street and in order to provide clear sight lines for vehicles.
- - Our collision history records show that there were 20 collisions occurred within the subject area since January 1, 2014. Most of the collisions were property damage and no serious injuries. Our records do not show any road safety issues in the area.
- - With respect to Complete Streets Design Manual, this document is considered when a new subdivision is submitted or when an existing streets is reconstructed.

Moving forward, Talbot Street and St. James Street and other adjacent road network will be designed as per Complete Streets if rehabilitation and major utilities or service replacement are required.

Finally, traffic calming is another tool that can be utilized in order to mainly reduce the speeds on the streets and to discourage cut-through traffic. The residents may want traffic calming measures implemented along their streets, however the process will

need to follow the Traffic Calming Practices & Procedures. If a streets is qualified for traffic calming measures, majority support will be needed from the residents.

Please do not hesitate to call me if you have any question.

Best regards
Maged

Maged Elmadhoon, M.Eng., P.Eng.
Traffic & Transportation Engineer
Transportation Planning & Design Division
City of London

300 Dufferin Ave. N6A 4L9
P: 519-661-CITY (2489) x 4934 | Cell: 226.448.9058 | Fax: 519.661.4734
melmadho@london.ca | www.london.ca

From: Ken Owen
Sent: Friday, March 08, 2019 11:12 AM
To: Ridley, Mark <MRIDLEY@London.ca>
Cc: Squire, Phil <psquire@london.ca>; Debbert, Barb <bdebbert@London.ca>; Santos, Vanessa <vsantos@london.ca>; Tomazincic, Michael <mtomazin@London.ca>
Subject: meeting follow up - re neighbourhood traffic

Good morning Mark.
Thanks for stepping in at the last minute to represent the TP&D Division yesterdays meeting.

The St. George Grosvenor Neighbourhood Association has, for many years, raised concerns regarding the negative impact upon our residential community of traffic diverting from arterial corridors onto our neighbourhood streets.

The opportunity to discuss these concerns, particularly in regard to the most recent development proposal in our neighbourhood (112 St. James Street), was most welcome, however, I believe I failed to advance them in an appropriate manner. As agreed I am forwarding the attached document containing our notations and questions related to this issue.

From side discussions with Planning staff at the meeting it appeared evident that the approval processes associated with Site Plan Approvals and Zoning By-law Amendments for these two elements applicable to the 112 St. James Street development will be conducted independently and ignorantly of each other. If this is the case, I believe it is a flawed process inconsistent with sound planning principles. Although I will take this up as an issue with the responsible areas I have taken the liberty of copying Staff in the Development Services – Site Plans Division and Development Services – Current Planning Division in this email.

If you have any questions or require clarification please feel to contact me via email – [redacted] or telephone [redacted].

We look forward to your response.

Ken Owen
President, St. George Grosvenor Neighbourhood Association (SGGNA)

Appendix C: Agency/Departmental Comments

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

c/o Harry Froussios
St. James Development Corp
237 Appin Rd
Glencoe, ON
N0L 1M0

March 28, 2019

Re: Site Plan Control Approval for 112 St. James Street London ON – File Number SPA18-140

The City's appointed officers have the following comments regarding your above Application for Site Plan Control Approval. The Applicant is to provide a response to all City comments and submit it with their next Site Plan Control Approval submission:

Please see enclosed: Memos from the: UTRCA, Canada Post, London Hydro; draft Zoning Referral Record; OBC Checklist; and Engineering Redline drawings.

General Comments:
1. Realignment of access is needed; see transportation comments below. 2. Confirm the details of the rezoning; the additional land may change the access and parking alignment. 3. This area is located within a Tree Protection Area; no trees are to be removed prior to site plan approval or with a separate tree removal. The tree inventory report/ plan (in accordance with Section 13 of the Site Plan Control By-law) is still outstanding, please include as part of next submission. 4. Details of the community meeting received. 5. Provide a photometric plan with next submission. 6. Consensual tree removal fees to be confirmed. 7. Parkland dedication required prior to issuance of permit. 8. Submit details of the access & servicing easement. 9. The development agreement of this site plan will be registered over both parcels (including the 124 St. James St. to the east) to accommodate the access.
Response:
1.

Site Plan Comments:
1. Internal location of long term bicycle storage to be confirmed on the site plan/ lower level parking plans and site data table.
Response:
1.

Landscape Comments:
1. Clearly indicate which trees are to be removed and are to be preserved on the tree preservation plan (LS:2) 2. Landscape comments will be confirmed after the inventory is completed and submitted. 3. Include a walkway between the City sidewalk along St. James to the principle building entrance in order to provide a safe and convenient pedestrian connection.
Response:
1.

Building Design Comments:
1. The previous design submitted through Site Plan Consultation included a relatively square floor plate while the latest submission includes a rectangular floor plate which creates a slab like building massing. Explore opportunities to reduce the tower floor plate in order to reduce

massing of the building and subsequent shadow impacts on surrounding properties including the Thames Valley Corridor.

-

2. Provide further information on the proposed materials including the brick cladding, and provide locations of spandrel glazing.

Response:

1.

Engineering Comments:

General

1. Show easement limits (including existing access easement) over proposed development lands, as well as external lands shown.
2. Include revised access concept with next submission. Drawings are to be coordinated with rezoning of the rectangular parcel to the east.

Transportation

1. If access remains as shown, Align driveway to Talbot Street center line.
2. Future stop sign to be installed in conjunction with construction facing East on St. James Street, opposing the park access, as per Traffic Signal and Street Lighting through City By-laws.

-

Servicing

1. As currently shown all minor flows from the driveway and front parking area are shown to sheet flow over the TVP to Talbot Street. Revise to capture minor flows and prevent slipping conditions.
2. Provide lockable lid for proposed sanitary sewer maintenance hole within the park lands.

Grading

1. Structural drawings are required for retaining walls above 1.0m in height. Ensure the wall and its footings are located entirely on private lands.

Response:

Should you have any questions regarding your request for site plan approval please contact myself at 519-661-2489 x 4847 or vsantos@london.ca.

Yours truly,

Vanessa Santos
Site Development Planner

Response to the UDPRP Comments

ZELINKA PRIAMO LTD
A Professional Planning Practice

February 22, 2019

Vanessa Santos
Site Development Planner
Development Services
City of London
300 Dufferin Avenue
London, ON
N6A 4L9

Dear Ms. Santos:

Re:	**Application for Site Plan Approval** **St. James Development Corp.** **112 St. James Street** **London, ON**
City File:	**SPC 18-174**
Our File:	**STA/LON/18-02**

On behalf of St. James Development Corp., we are pleased to provide the following responses to the Urban Design Peer Review Panel (UDPRP) Memo, which contains comments on the proposed development subsequent to the UDPRP meeting held on December 19, 2018.

UDPRP Comment #1:

- *The Panel recognizes the importance of this property and the proposed site development as a terminating view from both St. James and Talbot Streets. It is important that the site design and built form address this view-shed as further discussed in comments below*

Response:

Acknowledged.

UDPRP Comment #2:

- *At the meeting, the proponent indicated that they are planning on proceeding with an Official Plan and Zoning bylaw amendment to "square off" the property. The Panel is of the opinion that this is an important step in resolving site organization, particularly with respect to pedestrian and vehicular access to the street as well as to accommodate the recommended changes to the ground floor identified below.*

318 Wellington Road
London, ON N6C 4P4
Tel: (519) 474-7137 • Fax: (519) 474-2284
Email: zp@zpplan.com • Website: zpplan.com

Vanessa Santos
Site Development Planner
Development Services
City of London

February 22, 2019

Response:

The Official Plan and Zoning By-law Amendment applications are currently being processed by the City; however, it is important to note that the location and size of the building, and the majority of all other site components are unaffected by the proposed amendments.

UDPRP Comment #3:

- *The Panel does not support the current organization of the ground floor and access / circulation through the site - with loading, garbage and garage doors and a dead-end driveway as the primary view into the site from the street. The front door should be the focal point at the view terminus, directly accessible and visible from the public street, and creating a connection of this property to the neighbourhood. The Panel also questions the functionality of the driveway relative to turn-arounds and does not support its location in front of the building. The Panel recommends that the "east-west" driveway be eliminated and that "back of house" activities (access to the underground garage, loading, etc.) be located at the northern portion of the ground floor, at the end of "north-south" driveway, out of view from the public realm and minimizing potential conflict with pedestrians and vehicles.*

Response:

The dead-end driveway extending to the south west corner of the property, has been eliminated. The eastern surface parking and driveway have been kept serving as a link to the garage entrance. The garage entrance has been relocated to the east side while the garbage door has been deleted and replaced with an exterior waste collection area. The front door has been moved to a more prominent 2 storey focal point in the southeastern corner marked with a canopy, creating a more strengthened public street view.

UDPRP Comment #4:

- *The southeast portion of the building is one of the most important elements of the building, yet it is one of the least developed with significant expanses of blank wall and servicing garages. The southeast portion of the building should be modified to create the primary pedestrian entrance to the building and should also include active uses (e.g., townhouses, indoor amenity spaces).*

Response:

Due to the importance of the southeast portion of the building as stated above, access and circulation have been completely re-considered. The new concept shows a pedestrian link to the building at the south. Two story townhouses with the new concept wrap around the north and west sides of building and continue to the south side to better relate to the surrounding context.

Vanessa Santos
Site Development Planner
Development Services
City of London

February 22, 2019

UDPRP Comment #5:

- *The scale, massing, and expression of the building in this area should address the surrounding residential context through wrapping the podium around front facade. This could also include shifting the tower to the north to shifting massing back from the street to better address the neighbourhood character. This could include integrating two storey townhouses on the south side of the building, where they will better relate to the surrounding context.*

Response:

The scale, massing and expression of the building have been modified. The tower has been set back which is creating a more prominent podium.

UDPRP Comment #6:

- *It is important that the relationship of site along its front with the trail be resolved. Some plans show an at-grade pedestrian connection, while others demonstrate a significant retaining wall interfacing with the public realm. A retaining wall along the south portion of the proposed development is not an appropriate design solution and should be revised in accordance with the recommendations noted above.*

Response:

The large retaining wall on the south side has been significantly cut down by the absence of the drive way and presence of the townhouses.

UDPRP Comment #7:

- *Tree protection is an important element to be considered in integrating this project into its neighbourhood context and establishing a pedestrian connection.*

Response:

Tree preservation has been maximized to the greatest extent possible in order to allow for the proposed development, as shown on the Tree Preservation Plan. A significant amount and wide variety of new plantings are proposed to enhance both the proposed development and the streetscape.

UDPRP Comment #8:

- *The Panel has a preference for a taller, slender tower on this site per London Plan policy 293.*

Response:

A slender tower on the south street view side has been provided with the new concept Improving the overall public view from the walkway. It should also be noted

Vanessa Santos
Site Development Planner
Development Services
City of London

February 22, 2019

that a goal of the proposed development is to maximize the permissions (i.e. height, density) granted in accordance with the existing zoning for the subject lands.

UDPRP Comment #9:

- *In addition to the comments above, the building design should be refined to address:*
  - *Scale / context of project in site - including proposed townhouse development to the east*
  - *Base of building relative to the Thames Valley walkway, podium and response to height (e.g. rhythm of townhouses, and fenestration),*
  - *Orient additional townhouses to face the park (instead of north),*
  - *Stone cladding on the bottom of the tower seems poorly proportioned, and "shortens" the building,*
  - *Placement of windows should be reconsidered to narrow the extent of solid wall in between windows which will increase the visual verticality,*
  - *Cornices should be explored further for scale, projection, placement, and necessity,*
  - *the Panel questions the arched windows at the top in context with rest of design,*
  - *Location of east wall of mechanical penthouse and its glazing,*
  - *Balconies on east side give a wide appearance– redesign to contribute to the vertical massing*

Response:

The building design addresses the scale of cornices in relationship with the building masses. The continuous spans of the balconies giving a wide appearance have been treated by providing shorter spanning balconies interrupted rhythmically.

Visual verticality of building has been improved by reconsidering the extent of solid wall in between windows. The new concept adds significantly more glazing to the facades in the form of vertical window walls.

UDPRP Comment #10:

- *A pedestrian access from the building to the parkway trail should be provided for residents to access this important community amenity.*

Response:

A pedestrian access has been provided from the south side of the building to the existing sidewalk along St. James Street that provides direct access to the abutting park.

UDPRP Comment #11:

- *From a site plan submission perspective, the following should be addressed:*

Vanessa Santos
Site Development Planner
Development Services
City of London

February 22, 2019

- *The urban design brief should include the shadow analysis as well as a 3D rendering at street level in context with the existing neighbourhood and proposed townhouse project to visualize its integration with the neighbourhood, particularly from terminating street views.*
- *Landscape plan is illegible with existing and proposed trees included with proposed site plan. A cohesive landscape design should demonstrate how existing trees are protected and proposed landscape design integrates this important project into its context with the community and adjacent trail system/parkland.*
- *All plans should be coordinated.*

Response:

The Urban Design Brief has been updated to the new drawings and also includes the Shadow Study.

A separate Landscape Plan and Tree Preservation Plan are provided for better clarity.

All plans have been coordinated.

We trust that the above and attached information is complete and satisfactory for your purposes and look forward to a timely approval process. Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.

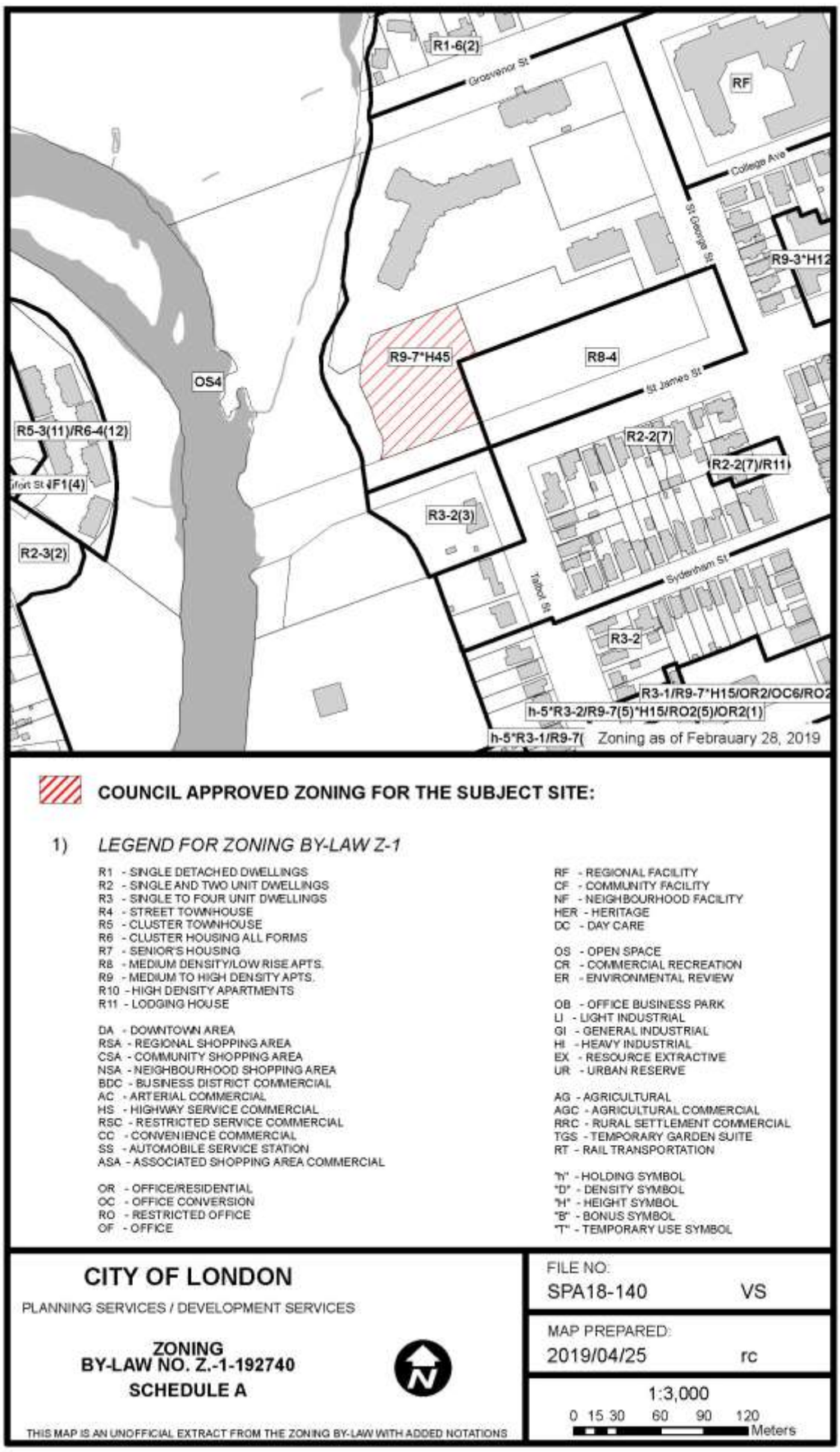
Harry Froussios, BA, MCIP, RPP
Senior Associate

Attach.

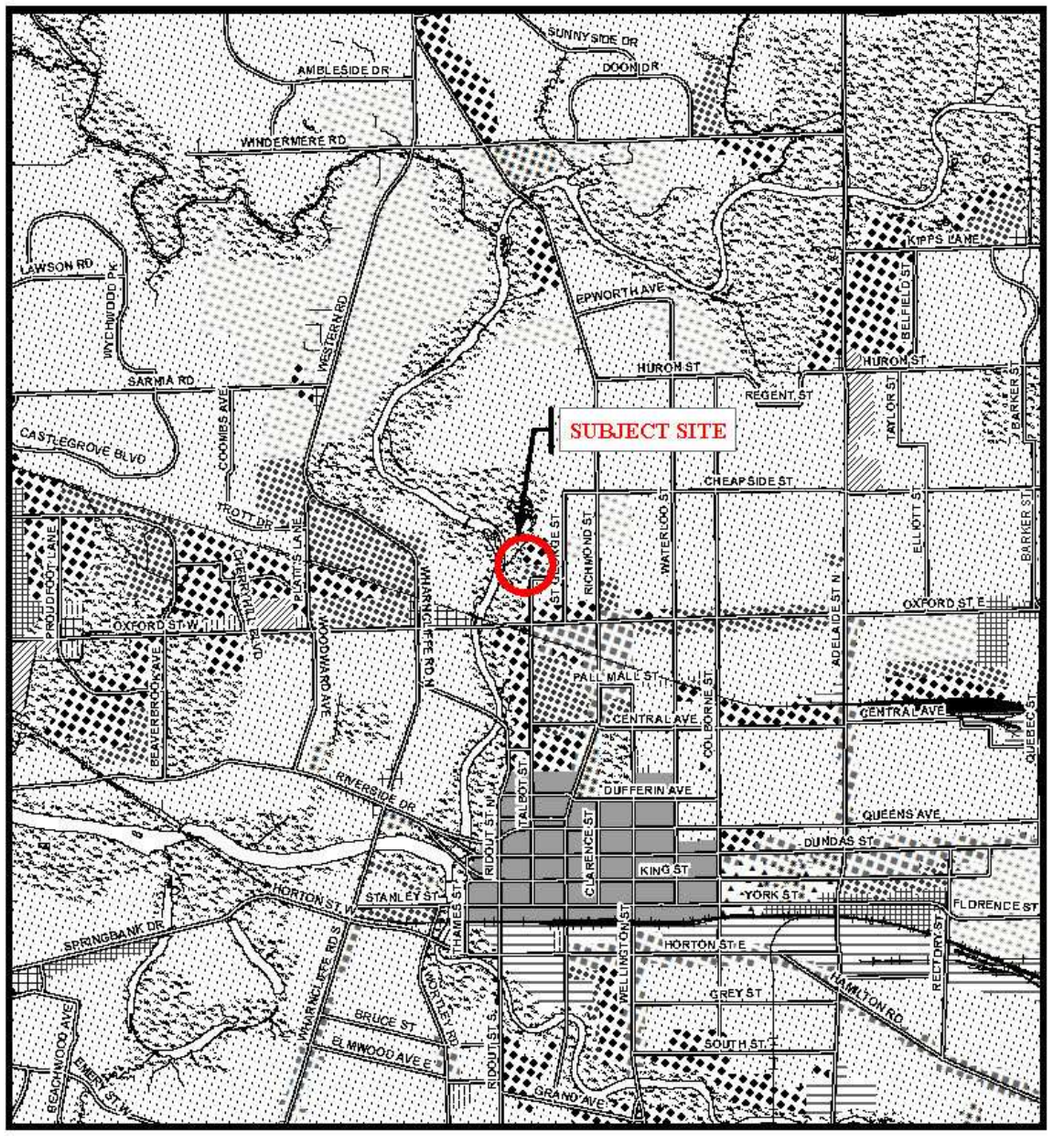
cc: St. James Development Corp.
Saad Khalaf – HGA Ltd.

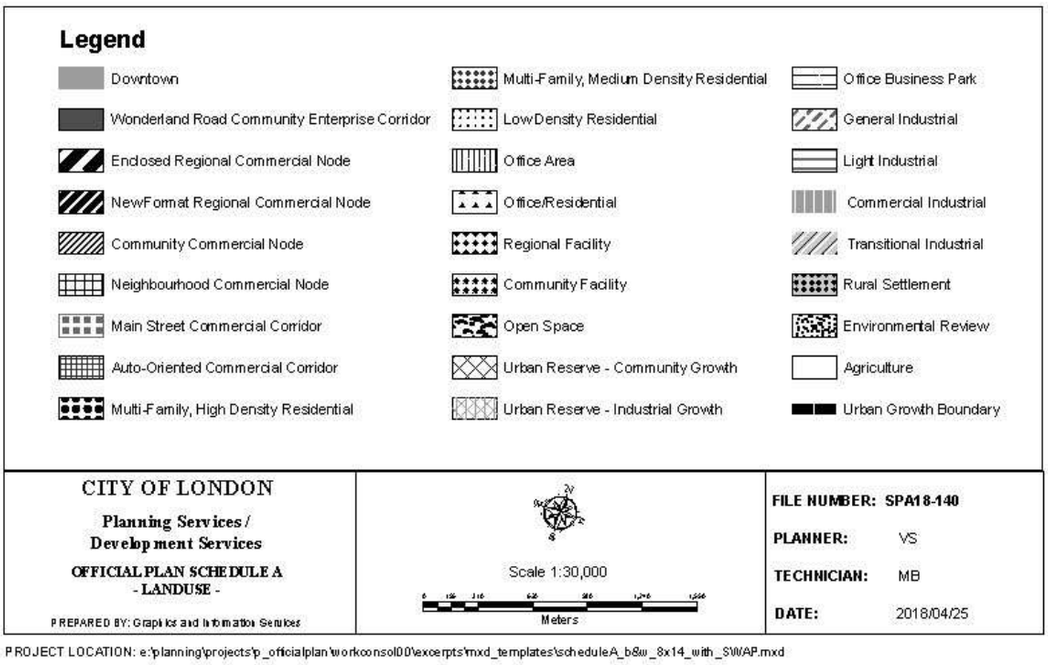
Appendix D – Zoning, TLP and Official Plan Map excerpts

Zoning Excerpt



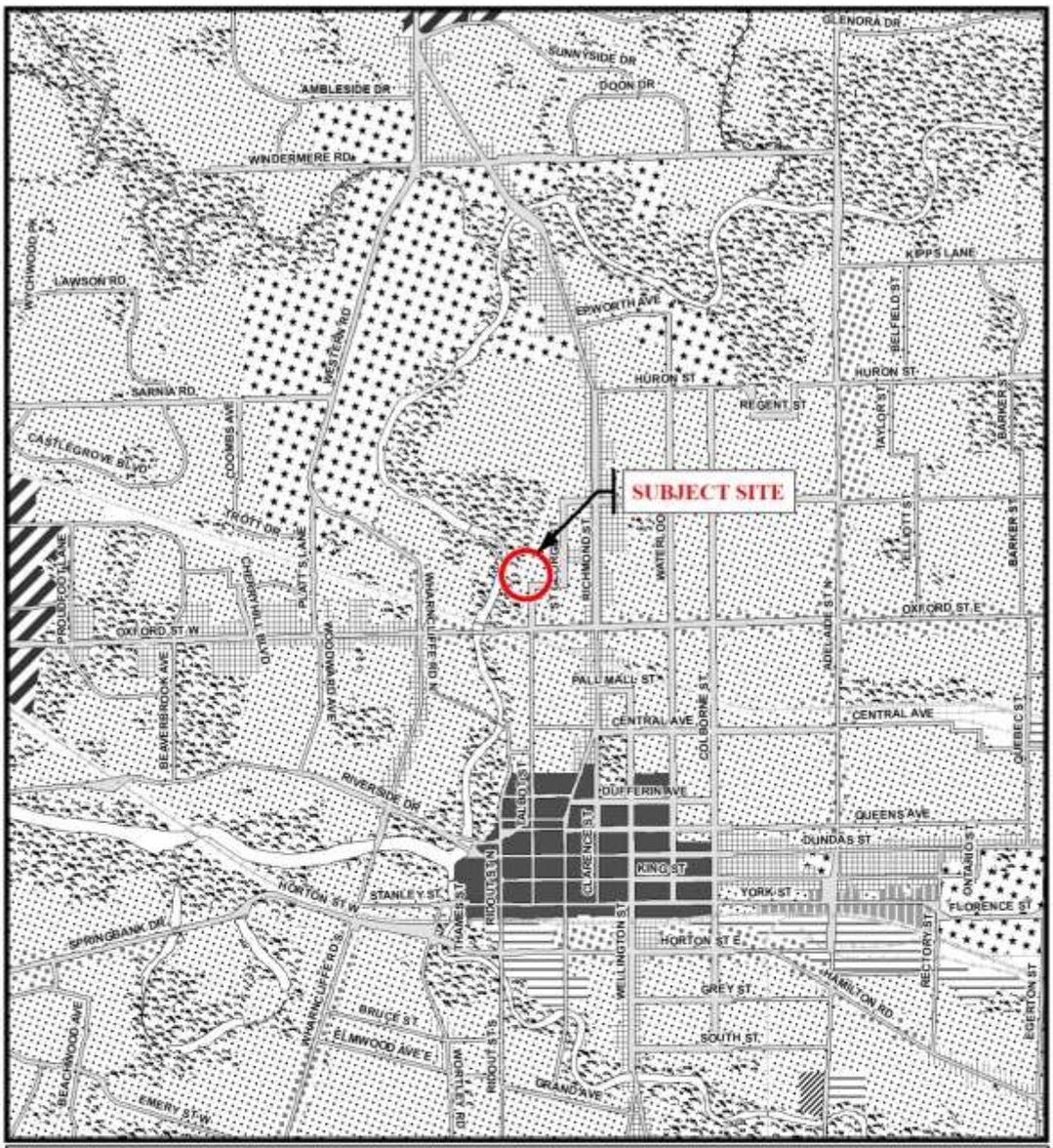
Official Plan Excerpt





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The London Plan



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

Scale 1:30,000

Meters

File Number:	SPA18-140
Planner:	VS
Technician	RC
Date:	April 29, 2019

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\112 St James St - EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd

London Advisory Committee on Heritage

Report

The 6th Meeting of the London Advisory Committee on Heritage
May 8, 2019
Committee Rooms #1 and #2

Attendance

PRESENT: D. Dudek (Chair), S. Adamsson, D. Brock, J. Cushing, H. Garrett, S. Gibson, T. Jenkins, J. Manness, K. Waud and M. Whalley and J. Bunn (Secretary)

ABSENT: H. Elmslie

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 no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 5th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 5th Report of the London Advisory Committee on Heritage, from its meeting held on April 10, 2019, was received.

3.2 Municipal Council Resolution - 2019 Appointments to the City of London Advisory Committees

That it BE NOTED that the Municipal Council resolution, from its meeting held on March 26, 2019, with respect to the 2019 Appointments to the City of London Advisory Committees, was received.

3.3 Public Meeting Notice - Zoning By-law Amendment - 1081 Riverside Drive

That it BE NOTED that the Public Meeting Notice, dated April 25, 2019, from N. Pasato, Senior Planner, with respect to a Proposed Zoning By-law Amendment for the property located at 1081 Riverside Drive, was received.

3.4 Public Meeting Notice - Zoning By-law Amendment - 2096 Wonderland Road North

That it BE NOTED that the Public Meeting Notice, dated April 23, 2019, from B. Debbert, Senior Planner, with respect to a Proposed Zoning By-law Amendment for the property located at 2096 Wonderland Road North, was received.

3.5 Public Meeting Notice - Zoning By-law Amendment - 4680 Wellington Road South

That it BE NOTED that the Public Meeting Notice, dated April 24, 2019, from M. Sundercock, Site Development Planner, with respect to a Proposed Zoning By-law Amendment for the property located at 4680 Wellington Road South, was received.

3.6 Draft Lambeth Area Community Improvement Plan

That J.M. Fleming, Managing Director, Planning and City Planner and L. Davies Snyder, Planner II, Urban Regeneration BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the Draft Lambeth Area Community Improvement Plan, as appended to the LACH public agenda, as it relates to heritage matters.

3.7 CHO Newsletter - Spring 2019

That it BE NOTED that the CHO Newsletter for Spring 2019, was received.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That the following actions be taken with respect to the Stewardship Sub-Committee Report from its meeting held on April 24, 2019:

a) the property located at 700 Oxford Street East BE ADDED to the Register (*Inventory of Heritage Resources*); and,

b) the remainder of the above-noted report BE RECEIVED.

5. Items for Discussion

5.1 Demolition Request for Heritage Designated Property Located at 123 Queens Avenue by JAM Properties Inc.

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for the demolition of a heritage designated property located at 123 Queens Avenue within the Downtown Heritage Conservation District:

a) the demolition request BE REFUSED; and,

b) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;

it being noted that the attached presentations from K. Gowan, Heritage Planner and M. Rivard, Stantec Consulting, as well as a communication dated May 7, 2019 from R. Stranges, VanBoxmeer & Stranges Engineering Ltd., were received with respect to this matter.

5.2 Demolition Request for Heritage Listed Property Located at 3303 Westdel Bourne by Carvest Properties Ltd.

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for the demolition of the heritage listed property located at 3303 Westdel Bourne:

a) 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 to be of cultural heritage value or interest for the reasons outlined in the attached Statement of Cultural Heritage Value or Interest; and,

b) should no appeal be received to the above-noted notice of intent to designate, a by-law to designate the property located at 3303 Westdel Bourne to be of cultural heritage value or interest BE INTRODUCED at a future meeting of the Municipal Council immediately following the end of the appeal period;

it being noted that should an appeal to the notice of intent to designate be received, the City Clerk will refer the appeal to the Conservation Review Board;

it being further noted that the attached presentation from K. Gowan, Heritage Planner, with respect to this matter, was received.

5.3 Heritage Alteration Permit Application by 1025123 Ontario Inc. for the Property Located at 371 Dufferin Avenue, West Woodfield Heritage Conservation District

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to permit the existing signage at 371 Dufferin Avenue in the West Woodfield Heritage Conservation District BE PERMITTED with the term and condition that internal illuminations be prohibited; it being noted that the attached presentation from K. Gowan, Heritage Planner, with respect to this matter, was received.

5.4 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.

6. Deferred Matters/Additional Business

6.1 (ADDED) Proposed Changes to the Ontario Heritage Act

That it BE NOTED that a communication from K. Finnerty, Assistant Deputy Minister, Culture Division, Ministry of Tourism, Culture and Sports, with respect to proposed changes to the *Ontario Heritage Act*, was received.

7. Adjournment

The meeting adjourned at 7:18 PM.



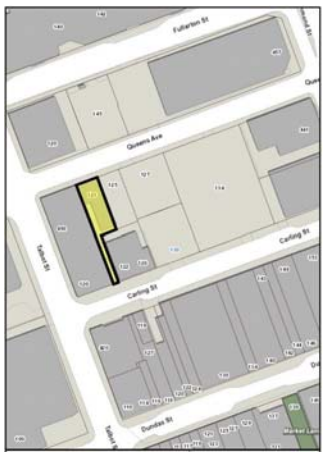
Demolition Request – 123 Queens Avenue

London Advisory Committee on Heritage

Wednesday May 8, 2019

london.ca

Property Location and Status



Location of 123 Queens Avenue



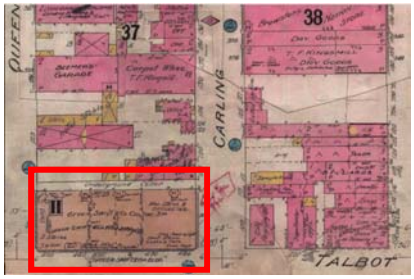
Designated under Part V under the *Ontario Heritage Act* , located within the Downtown Heritage Conservation District

123 Queens Avenue

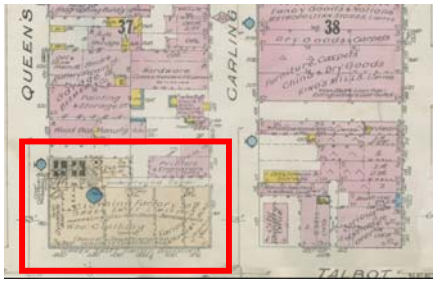


- Built between 1916-1922
- Three storey industrial structure
- Constructed of reinforced concrete
- Ornamental concrete diamonds
- Concrete parapet
- Recessed entrance with concrete lintel
- Connected to 450 Talbot

Property History



Fire Insurance Plan 1912 Rev. 1915
(Courtesy of Western Archives)



Fire Insurance Plan 1912 Rev. 1922
(Courtesy of Western Archives)

Property History



Photo of the front façade at 123 Queens Avenue looking west from Richmond (London Free Press, 1954).



Photo of the south side of Queens Avenue looking east from Talbot Street Photo taken prior to 1988

Ontario Heritage Act

In requests for demolition of a building located on a heritage designated property, the *Ontario Heritage Act* enables municipalities to give the applicant:

- a) The permit applied for;
- b) Notice that the council is refusing the application for the permit; or,
- c) The permit applied for, with terms and conditions attached (Section 42(4), Ontario Heritage Act).
- Municipal Council must respond within 90 days after receipt of a demolition request. Consultation with the municipality's municipal heritage committee (the London Advisory Committee on Heritage) is required.

The demolition request was received on March 27, 2019 and the 90-day period for the demolition request for the building located on 123 Queens Avenue expires on June 25, 2019.

Downtown Heritage Conservation District Plan

- The *Downtown Heritage Conservation District Plan* provides polices and guidelines to protect, manage, and enhance the unique heritage attributes and character of London's Downtown
- Section 3.1 identifies Principles for the *Downtown Heritage Conservation District.* One of these heritage principles is:

  Find a Viable Social or Economic Use - Buildings that are vacant or underutilized come to be perceived as undeserving of care and maintenance regardless of architectural or historic merit.

- Section 4.6 of *the Downtown London Heritage Conservation District Plan* **strongly discourages** demolition of buildings with a heritage conservation district

Heritage Impact Assessment

- A Heritage Impact Assessment accompanied the demolition request for the building located at 123 Queens Avenue
- A Heritage Impact Assessment is:
  - *A study to determine if any cultural heritage resources are impacted by a specific proposed development or site alteration. It can also demonstrate how the cultural heritage resource will be conserved in the context of redevelopment or site alteration. Mitigative or avoidance measures or alternative development or site alteration approaches may be recommended.(MTCS, Infosheet #5)*
- The Heritage Impact Assessment reviewed the Downtown Heritage Conservation District Plan and character statements of the Downtown Heritage Conservation District.

Impacts to Heritage Designated Properties

- The Heritage Impact Assessment found that:
  - *"Both direct and indirect impacts are anticipated as a result of the proposed development. Direct impacts include the demolition of the structure at 123 Queens Avenue. This is an irreversible impact and contrary to the policies of the Downtown London HCD, which discourages demolition of heritage buildings."* *(Stantec 6.3)*
- Direct impacts to 123 Queens Avenue and 450 Talbot Street
- Indirect impacts, such as vibration, are also identified as having impacts on adjacent buildings on heritage designated properties within 50 metres of the property at 123 Queens Avenue

Impacts to Downtown Heritage Conservation District

- Direct impacts to the character of the Downtown Heritage Conservation District include:
  - The removal and alteration to original building composition of independent structures of typically two or three storeys
  - The removal of existing building materials
  - Alteration of the existing streetscape along Queens Avenue
  - The removal of the laneway connecting Talbot Street and Queens Avenue
- Impacts are the result of a change in the existing patterns of the building, lot, and landscape fabric as the building at 123 Queens Avenue, which contributes to these elements, would be removed

Heritage Impact Assessment Recommendations

- Heritage Impact Assessment recommends demolition of the building at 123 Queens Avenue because the health and safety concerns outweigh the retention of the building
- Only mitigative measures for the impacts to the building at 123 Queens Avenue have been identified. The following conservation recommendations include:
  - Vibration Assessment
  - Demolition Plan
  - Documentation and Salvage
  - Commemoration
- No mitigative measures for the impact on the Downtown Heritage Conservation District have been recommended

Mitigating Impacts

- The property has been designated as part of the Downtown Heritage Conservation District and the property contributes to the existing streetscape and character of the District.
- Changes to the Downtown Heritage Conservation District should be in keeping with the *Downtown Heritage Conservation District Plan*'s guidelines.
- Anticipated impacts to the Downtown Heritage Conservation District need to be mitigated
- In the absence of a structure to replace the current building, the impacts cannot be mitigated.

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of a heritage designated property located at 123 Queens Avenue, within the Downtown Heritage Conservation District, the following report **BE RECEIVED** and the following actions **BE TAKEN**:

A. That the demolition request **BE REFUSED**; and,
B. That the Chief Building Official **BE ADVISED** of Municipal Council's intention in this matter.



JAM Properties
123 Queens Avenue

London Advisory Committee on Heritage

Stantec



The Story

Built as an addition to the Green-Swift Block between 1916 and 1922, the building housed two boilers and included a chimney, coal hopper, and boiler feed pumps. **None of these remain.**

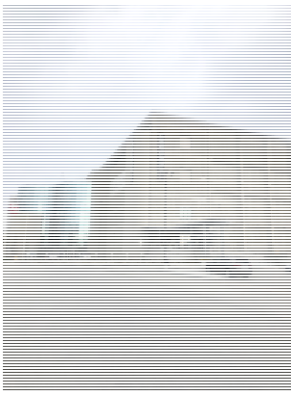
Originally home to Cities Heating Company Limited (CHC) and used as a plant building until 1952 when offices were created.

Sold in 1989 to Trigen who continued to use the boilers to distribute heat in the downtown core. In 1995, the company moved to Bathurst and Colbourne Streets. **The building has been vacant since.**

JAM purchased the property this past winter.

JAM Properties

- Property owners committed to working within a heritage framework in London
  - The Factory (Kellogg's)
  - The Powerhouse
  - Covent Market Lane





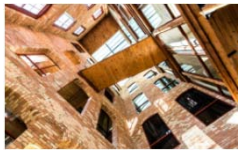


JAM Properties (con't)

- Experienced owners of historic buildings across the province and internationally
  - The Factory
  - The Powerhouse (nominated by London Heritage Award in 2019 for Conservation and Reuse)
  - Covent Market Lane











The Vision

If the building could be rehabilitated, it would be – we know how to do this and have done it before.

This building is unsafe and has not been possible to secure against continual break-ins.

We want to incorporate whatever we can into the new site while providing an opportunity for the public to better understand its own history.








The Approach

History, planning, context – we looked at it all. All impacts associated with adjacent buildings can be mitigated. What cannot be mitigated is the effect on the streetscape. This can only be addressed through proposing a new building be constructed. We're not there yet.









To lessen the effect, JAM is committed to **documenting** the structure, **salvaging** any and all materials possible, and **commemorating** the history of the place in future developments.

What we're asking



Consider the context – this is not a pristine streetscape (mostly parking lots and has been for decades) and is not in keeping with the larger HCD

Consider the opportunity – making way for good and informed development in the Downtown HCD is essential for good City building and exposing the original wall of the Greene Block could build momentum



Consider the public – this building is dangerous and is the ongoing subject of complaints (from the City, neighbours, and the public while none of the 47 property owners in the area expressed concern at removal)

Essentially, we're asking for an exception. We want to record and salvage what we can before the building cannot be safely entered. We want time to come up with a great plan for the site and don't want to see someone injured while we work.



VanBoxmeer & Stranges Ltd.
STRUCTURAL ENGINEERS

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May 07, 2019
VB&S #: **19158**

JAM Properties
180 Cheapside Street
London, Ontario
N6A 1Z8
Attn: Mr. Archie Leach

JAM Properties
Structural Review and Comments
123 Queens Avenue
London, Ontario

Dear Mr. Leach:

After our discussions with you, we understand our scope to be limited to a visual inspection only of the structure and provide an opinion on its integrity. It must be noted that only a visual review of the building was completed and that destructive testing and "tapping" of the concrete was not completed. It was determined by visual inspection and given the state of the building and that additional testing would not be required.

This letter serves as a summary of our structural review of the building at 123 Queens Avenue. We herewith provide a quick summary of our review of the existing structure.

1.1 Building Construction

The existing reinforced concrete structure is a 3 storey building with basement constructed in the early 1900's. It is reported that the building was completed some time between 1916 and 1922. This building is believed to be one of the first cast in place concrete structures in London. The first being the Harrison-Pensa building located immediately to the west of 123 Queens Ave. It was reported that the building was a former coal powered heat plant while selling steam heat to the other buildings in the downtown area. See Stantec Heritage Impact Assessment report dated March 26, 2019 (File No:160940616).

1.2 Roof/Floor Construction

The roof and floor framing is constructed for the most part using cast in place concrete. **See Photo No 01.** There have been subsequent floor additions to the building by adding Hambro Joist and concrete system. **See Photo No 02.** These joists were exposed and not fire rated.



Photo No 01: Typical Floor Construction



Photo No 02: Added Hambro Floor System

1.2 Foundation Construction

The foundation walls are constructed of cast in place concrete. There many openings in the foundation walls that have been infilled with brick. **See Photo No 03.**



Photo No 03: Concrete Foundation Walls

2.0 Observations

2.1 Exterior Beams/Lintels

The exterior walls have openings mostly used for windows. However, there are openings at the west side of 123 Queens Avenue facing the lane way that are large framing the opening over the loading doors. **See Photo No 04.** The northmost beam is a transfer beam supporting the bearing wall located between the windows. This beam is carrying a lot of load and it appears to be distressed.

The bottom of the beams are delaminated where the concrete below the main reinforcing steel has broken away from the main body of the beam. The delamination has exposed the reinforcing and the reinforcing is corroding. The delamination of the beams is typical of all large exterior beams along the west face of the building including the beam in the link portion between 450 Talbot and 123 Queens Avenue. **See Photo No 05.**



Photo No 04: Delaminated Concrete Beams



Photo No 05: Delaminated Concrete Beam at Link

The existing reinforcing bars are square non-deformed bars used in construction during that time period. The bars along the bottom of the beams are completely exposed for

approximately 65% of the length of the beam. The reinforcing has lost its bond within the concrete beams and the bars are now ineffective.

Missing in the beams in building of this period, are steel reinforcing stirrups that are a design Code requirement in new concrete beams designed today. We have not completed a design review of the beams however, experience would have us believe that this beam if reviewed would not be adequate to resist the applied loads.

2.2 Exterior Suspended Slab

The suspended slab in the link connecting 123 Queens Avenue is exposed to view. **See Photo No 06.** The underside of the concrete slab is severely delaminated exposing the reinforcing bars. Approximately 70% of the reinforcing bar is exposed and corroded. Given the large amount of concrete delamination, bar corrosion and bar exposure, we believe that this slab has lost a majority of original design capacity.



Photo No 06: Suspended Link Slab (Exterior)

2.3 Interior Excavation

There are signs that during a former renovation, an excavation was completed for what may have been an elevator. We were informed that this excavation could also be the remnants of a demolition of the original smoke stack. **See Photo No 07.** The depth of the excavation extends below the level of the existing footing. This excavation is undermining the footing and should be infilled if the opening is to remain.



Photo No 07: Excavation of the Interior (east Side)

2.3 Interior Upper Beams

The interior upper beams are all delaminated in varying degrees. Similar to the exterior beam, the concrete at the bottom of the beam has delaminated and has completely spalled and will continue to spall over time. **See Photo No 08.** There are no signs of any stirrups in any of the concrete beams.



Photo No 08: Typical Interior Upper Beam

2.4 Interior Basement Beams

Access was gained into the basement and in particular at the south end of the building.

This portion of the floor is constructed of a series of concrete beams and slabs. **See Photo No 09.** It appears that this portion of the floor supported the old boiler. Of all of the beams in the building, it is the beams in this area appear to be the most compromised. The bottom of the beams in the southern half have delaminated and the reinforcing bars being corroded the most. It is presumed that continual humidity and moisture has contributed to the condition of these beams.



Photo No 09: Interior Basement Beams (south end)

2.4 Interior Suspended Slabs

The interior suspended slabs are all showing signs of concrete delamination. While the concrete has not all spalled, there is evidence that the reinforcing has corroded, the steel expanded and a crack has cracked developed along the length of the bar. There are areas similar to the exterior slab on photo No 05 where the concrete is completely spalled exposing the concrete reinforcing. **See Photo No 10 and 11.**



Photo No 10: Interior Suspended Slab (cracked along rebar)



Photo No 11: Interior Suspended Slab (Delaminated Concrete)

3.0 Comments

3.1 Building Structure

The concrete building is severely deteriorated. Virtually every concrete floors beams, wall and pier is showing severe signs of deterioration. Based on our experience, and the cracking observed in the slabs, this would prove that the in-situ concrete would prove to be delaminated and not performing as originally designed.

The interior of the building has been exposed to decades of cycles of freeze thaw cycles over time, and in particular the horizontal surfaces. At the time the concrete was placed, the concrete mix was not designed to incorporate air-entrainment which would have limited the concrete damage from freeze-thaw.

3.2 Building Restoration

As this was a cursory review of the building, we would need to complete a full review and analysis of every floor, beam, and walls structure. This would require destructive testing to determine the extent of the delamination and corroded reinforcing bar. Restoring this building would not seem to be an economical option.

Should the concrete be found to be delaminated throughout the depth of the slab and beam, which as noted above we believe to be, this would require that the entire slab and reinforcing be removed and replaced including the reinforcing. Removal of a floor to complete the restoration would require bracing of any wall that was deemed to be capable of remaining, as the wall would lose the lateral restraint provided by the floor.

All reinforcing steel that is corroded would need to be fully exposed back to sound steel. A new piece of reinforcing would then be installed and lapped with the non-corroded bar with the appropriate lap length. Given the extent of the corrosion, this would involve so much labour that it would be uneconomical.

We do believe that based on what we have seen, demolition would be the most practical solution for this building. Trying to remediate the concrete would involve the complete demolition and replacement of floors, beams and concrete that not much of the historical building would remain and be recognized as original.

We thank you for the opportunity to submit this report. If you have any questions, please do not hesitate to call.

Regards,
VanBoxmeer & Stranges
Engineering Ltd.



Rick Stranges, P. Eng.
Vice-President
RAS/ras

Appendix F – Statement of Cultural Heritage Value or Interest

Legal Description
LT 22 RCP 423; DELAWARE TWP

Roll Number
3303 Westdel Bourne: 090110081000000

Description of Property
3303 Westdel Bourne is located on the west side of Westdel Bourne, North of Deadman's Road in London, Ontario. The property at 3303 Westdel Bourne includes a farmhouse, three barns, and a shed.

The farmhouse located at 3303 Westdel Bourne was built in 1877 in the Italianate style. The farmhouse is a two storey, buff brick, asymmetrical farmhouse, with a complex massing. The farmhouse has one projecting and one recessed bay and a one storey buff brick wing in the rear. The building is capped by a hipped roof that form a flat roof at its peak. Two single-stacked buff brick chimneys flank the north and west slopes of the roof. The two storey portion of the house has return eaves as well as tongue and groove soffits. Decorative paired brackets, that are a defining element of the Italianate style, are found around the entire house.

The building has an asymmetrical façade that is comprised of one recessed bay and one projecting bay. The projecting bay is highlighted by the decorative bargeboard on the front gable and an oculus window in the gable's centre. On the main floor, an entry door is located in the recessed bay. The door itself has been replace, but the original opening has been retained. Two fixed windows in the central bay are now in the place of the original door, and the segmented arch transom with decorative etched glass. The etched glass shows a floral motif surrounding a bird.

Brick voussoirs with contrasting mortar appear above every original window and door opening. Many windows tall, narrow and in pairs with segmented arch openings. Although all the windows appear to have been replaced, the replacement windows are wood and maintain their openings. The original cast stone sills can be found below each window. The buff brick is laid in a common bond pattern and the foundation is field stone with coursing detail.

The ell shaped wrap-around verandah is covered by a hipped roof and supported by decorative chamfered posts. The chamfered posts are connected to a concrete base with pressed design and are topped with capitals connected to fluted brackets. Each fluted bracket connects to a pierced panels supported by a decorative bracket. Spandrels extend around the verandah with a centre decorative bracket attached below.

Barn 1
Barn 1 is the largest of the barns located on the property at 3303 Westdel Bourne. Barn 1 is in the Bank Barn style as the lower level housed animals and the upper level served as storage (Appendix C, see Barn 1). The foundation of the barn has been parged in concrete and has a number of openings for multi-pane windows. The barn is a timber frame with a gable roof covered in corrugated metal and vertical barn board siding. The beams in the barn are a mix of hand hewed and machine cut. The beams in the barn are a mix of hand hewed and machine cut with a typical diagonal post and beam brace connection. The beams are connected to the post with mortise-and-tenon joints. The beams on the first level are notched into the top of the foundation wall. A reinforced concrete silo is connected to the north façade of the barn.

A barn hill is connected to the east façade of Barn 1. The barn hill appears to have a root cellar that has been parged and altered, an open space in the middle – known as a "walk way", and field stones making up the rest of the barn hill.

Barn 2 & 3
Barn 2 and Barn 3 is just south west of the Barn 1. Similar to Barn 1 the barns are also a timber frame with a gable roof and vertical barn board siding. The beams in the barn

are a mix of hand hewed and machine cut with a typical diagonal post and beam brace connection. The beams are connected to the post with mortise-and-tenon joints. The only difference is that Barn 3 sits on top of concrete piers.

Shed
The shed is a vernacular in form with timber framing and a corrugated metal roof. What is suspected to be a dog house is connected to the south façade.

Statement of Cultural Heritage Value or Interest
The property at 3303 Westdel Bourne includes a farmhouse which is a representative example of a farmhouse in Italianate style within the former Delaware Township. The farmhouse displays many of the elements commonly found on building in the Italianate style, including the most defining element of the style, paired brackets. The farmhouse also has narrow segmented arched windows, paired windows, hipped roof, wide overhanging eaves, and a projecting bay with gable and oculus window. The decorative details of the wrap-around verandah details displays a high degree of craftsmanship when comparing two other Italianate style farmhouses in the former Delaware Township.

Barn 1 (the largest barn) located on the property at 3303 Westdel Bourne is a rare and representative example of the bank barn as it has a timber frame structure with mortise and tenon joints, a gable roof, concrete foundation, and has vertical “barn board” cladding. Barn 1 is rare because it retains its barn hill, which has both a root cellar and a walk way underneath the ball hill.

The farmhouse on the property located at 3303 Westdel Bourn displays a high degree of craftsmanship. Elements that display a high degree of craftsmanship include, the contrasting mortar in the brick voussoirs, the etched glass transom window, but particularly, elements of the verandah. The ell shaped wrap-around verandah is covered by a hipped roof and supported by decorative chamfered posts. The chamfered posts are connected to a concrete base with pressed design and are topped with capitals connected to fluted brackets. Each fluted bracket connects to a pierced panels supported by a decorative bracket. Spandrels extend around the verandah with a centre decorative bracket attached below.

The property located at 3303 Westdel Bourne is significantly associated with the Ireland family. The Ireland family is one of the earliest settlers to the Delaware Township area and the property was farmed by the family for 141 years. The Ireland’s were active community members throughout the 141 years. George and Clementine Ireland were active members of the Kilworth United Church (2442 Oxford Street). Walter Ireland and his family were known for growing vegetables and apples, which they sold at the Covent Garden Market in London (Grainger 2006, 283). Also, Maggie Ireland and Marian Ireland were active member of the Women’s Institute

The area of the former Delaware Township is evolving and developing with modern residential developments to the north and south of the subject property. The farmhouse and Barn 1 are important in defining and maintaining the historic agricultural character of the area that developed in the early to late nineteenth century. Retaining the farmhouse and Barn 1 provides a tangible link to the historic agricultural character of this area. The prominent design values of the farmhouse and Barn 1 allows it to define this character. The farmhouse and Barn 1 communicates the history of a family who immigrated to Delaware Township, farmed their property, and sold their produce at the Covent Garden Market in London. The property at 3303 Westdel Bourne is important in defining the character of the Delaware Township area.

Heritage Attributes
The heritage attributes which support or contribute to the cultural heritage value or interest of the property at 3303 Westdel Bourne include:

Farmhouse
- Form, scale, and massing of the two storey buff brick farmhouse
- Setback of the farmhouse from Westdel Bourne;

- Orientation of the farmhouse with its broadest façade towards Westdel Bourne;
- Buff brick in a common bond pattern;
- Two stacked buff brick chimneys;
- Asymmetrical, staggered three-bay façade;
- Hipped roof with front gable ;
- Decorative bargeboard on the front gable and an oculus window in the gable's centre of the projecting bay ;
- Paired wood brackets at the eaves;
- Wood soffits
- Segmented arch window openings with brick voussoirs with contrasting red mortar;
- Original main door opening with a segmented arch transom with decorative etched glass with floral and bird motif;
- Cast stone sills;
- Field stone foundation with coursing detail;
- The ell shaped wrap around verandah is covered by a hipped roof and supported by decorated chamfered posts;
    - The posts are topped with capitals that connect to fluted brackets;
    - Connected to each bracket is a pierced panel with an out bracket below;
    - A spandrel, with a decorative bracket attached below in the centre, connects the pierced panels together;
    - The base of the verandah is concrete with a pressed design

Barn 1

- Form, scale, and massing of the two level, timber frame barn;
- Relationship to the farmhouse;
- Parged concrete foundation with a number of openings for multi-pane windows;
- Gable roof covered in corrugated metal;
- Vertical barn board siding;
- Mix of hand hewed and machine cut beams connected to the post with mortise-and-tenon joints;
- A reinforced concrete silo is connected to the north façade of the barn;
- A barn hill is connected to the east façade;
    - The form, scale, and massing;
    - Suspected root cellar that has been parged on the exterior; and
    - An open space in the middle of the barn hill – known as a "walk way".



Demolition Request- 3303 Westdel Bourne

London Advisory Committee on Heritage

Wednesday May 8, 2019

london.ca

Property Location and Status



Location of 3303 Westdel Bourne



Heritage Listed Property

Location of buildings



3303 Westdel Bourne - Farmhouse



- Built in 1877 in the Italianate Style
- Two storey, buff brick asymmetrical farmhouse with a one storey wing in the rear
- Projecting bay with a front gable and an oculus window in the gable's centre
- Paired brackets
- Paired, tall, narrow windows
- Field stone foundation

3303 Westdel Bourne- Farmhouse





Original door opening and transom window









Decorative verandah details

3303 Westdel Bourne- Barn 1





Barn 1 located at 3303 Westdel Bourne









3303 Westdel Bourne- Barn 2 & 3



Exterior of Barn 2 at 3303 Westdel Bourne

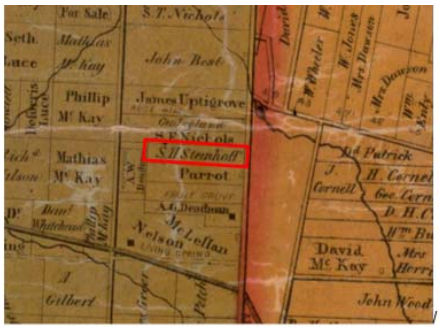


Interior of Barn 2 at 3303 Westdel Bourne



Exterior of Barn 3 at 3303 Westdel Bourne

Property History



1862 Tremaines' Map of the County of Middlesex, Canada West. Location of 3303 Westdel Bourne in red box.



1878 Illustrated Historical Atlas of the County of Middlesex. Location of 3303 Westdel Bourne in red box.

Ireland Family



Picture of Ireland family standing in front of 3303 Westdel Bourne in 1919. Courtesy of Middlesex Centre Archives.



Picture of Floy Ireland, dated 1919. Courtesy of the Middlesex Centre Archives

Comparative Properties









2420 Westdel Bourne, c. 1875



4775 Westdel Bourne, c. 1875



5617 Highbury Avenue, c.1900

Ontario Heritage Act

- Section 27(1.2) enables Municipal Council to add properties that have not been designated, but that Municipal Council "believes to be of cultural heritage value or interest" on the Register (Inventory of Heritage Resources).
- 60-day review period starts once a demolition request has been received
- Section 29 enables municipalities to designate properties to be of cultural heritage value or interest.
  - Appeals to the Notice of Intent to Designate a property pursuant to Section 29 of the *Ontario Heritage Act* are referred to the Conservation Review Board (CRB).
  - A property may be designated under Section 29 of the *Ontario Heritage Act* if it meets **one or more** of the following criteria for determining cultural heritage value or interest
- The 60-day period for the demolition request for the farmhouse on the property at 3303 Westdel Bourne expires on May 24, 2019.

Evaluation using O. Reg 9/06

Ontario Reg. 9/06 Criteria		Heritage Planner Evaluation	Meets Criteria
1. The property has design value or physical value because it,	a. Is a rare, unique, representative or early example of a style, type, expression, material or construction method,	• The farmhouse is a representative example of a farmhouse in Italianate style within the former Delaware Township. • Barn 1 (the largest barn) located on the property at 3303 Westdel Bourne is a rare and representative example of the bank barn.	Yes
	b. Displays a high degree of craftsmanship or artistic merit, or	• Elements that display a high degree of craftsmanship include, the contrasting mortar in the brick voussoirs, the etched glass transom window, but particularly, elements of the verandah.	Yes
	c. Demonstrates a high degree of technical or scientific achievement	• While the barn hill has a walk way, the barns and farmhouse do not demonstrate a high degree of technical or scientific achievement	No

Evaluation using O. Reg 9/06

Ontario Reg. 9/06 Criteria		Heritage Planner Evaluation	Meets Criteria
2. The property has historical value or associative value because it,	a. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	• The Ireland family is one of the earliest settlers to the Delaware Township area and the property was farmed by the family for 141 years. The Ireland's were active community members throughout the 141 years.	Yes
	b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	• The farmhouse and barns located on 3303 Westdel Bourne are not believed to yield or have the potential to yield, information that contributes to the understanding of a community or culture.	No
	c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	Although it is suspected that members of the Ireland Family were involved in building the farmhouse and barns, it has not been confirmed.	No

Test to Repeal a Heritage Designating By-law

Ontario Reg. 9/06 Criteria		Heritage Planner Comments	Meets Criteria
3. The property has contextual value because it,	a. Is important in defining, maintaining or supporting the character of an area,	The farmhouse and Barn 1 are important in defining and maintaining the historic agricultural character of the area that developed in the early to late nineteenth century.	Yes
	b. Is physically, functionally, visually, or historically linked to its surroundings, or,	The property located at 3303 Westdel Bourne is not physically, functionally, visually, or historically linked to its surroundings.	No
	c. Is a landmark.	While certainly recognizable, it is not conclusive if the farmhouse and the barns are a landmark in the context of their community	No

Heritage Attributes











Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for the designation of the heritage listed property at 3303 Westdel Bourne, that the following actions **BE TAKEN**:

- 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 to be of cultural heritage value or interest for the reasons outlined in Appendix F of this report; and,
- Should no appeal be received to the notice of intent to designate, the attached proposed by-law to designate the property at 3303 Westdel Bourne to be of cultural heritage value or interest **BE INTRODUCED** at a future meeting of Municipal Council immediately following the end of the appeal period.

IT BEING NOTED that should an appeal to the notice of intent to designate be received, the City Clerk will refer the appeal to the Conservation Review Board.



Heritage Alteration Permit Application - 371 Dufferin Avenue

London Advisory Committee on Heritage

Wednesday May 8, 2019

london.ca

Property Location and Status



Location of 371 Dufferin Avenue



Designated under Part V under the *Ontario Heritage Act,* located in the West Woodfield Heritage Conservation District

371 Dufferin Avenue



- Constructed 1914
- Two and half storeys
- Symmetrical residential-type building
- Central entryway, flanked by a triplet of windows
- Broad verandah with metal balustrades
- Building set back from Dufferin Avenue

Legislative/ Policy Framework

The Ontario Heritage Act

- Section 42 of the *Ontario Heritage Act* requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval.
- Municipal Council must respond within 90 days after a request for a Heritage Alteration Permit application (Section 42(4), Ontario Heritage Act).
- The Heritage Alteration Permit application was received on April 8, 2019 and the 90-day timeline will expire on July 7, 2019.

The West Woodfield Heritage Conservation District Plan

- Section 9.3.5 of the *West Woodfield Heritage Conservation District Plan* includes the following guidelines:
- Freestanding signs should not be of a design and size so as to impede views to the building.
- Sign materials should be complementary or compatible to those of the building.
- The use of internally lit, neon or plastic signage is strongly discouraged.

Heritage Alteration Permit Application



A Heritage Alteration Permit application provided the following details:

- Freestanding on a 33cm/4" metal pole (1.88m/74"high, 1.37m/54" wide) set on a base plate;
- Coloured plexiglass sign (72cm/28.5" high, 1.19m/47" wide) set in a metal frame;
- No electrical (therefore, not illuminated).

Analysis



Property at 371 Dufferin Avenue in July 2009.



Property at 371 Dufferin Avenue in July 2016.

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to permit the existing signage at 371 Dufferin Avenue, West Woodfield Heritage Conservation District, **BE PERMITTED** with the terms and conditions that internal illuminations be prohibited

Heritage Planners' Report to LACH: May 8, 2019

1. Heritage Alteration Permits processed under Delegated Authority By-law:
    a. 182 Bruce Street (Wortley Village- Old South HCD): Porch alterations
    b. 37 Empress Avenue (Blackfriars/Petersville HCD): Porch alterations
    c. 484 Colborne Street (West Woodfield HCD): Upper deck alterations
    d. 111 Wortley Road (Wortley Village- Old South HCD): ramp and railing
    e. 135 Duchess Avenue (Wortley Village – Old South HCD): porch
    f. 291 Pall Mall Street (West Woodfield HCD: gable alterations
    g. 15 St. Andrews Street (Blackfriars/ Petersville HCD): side stair alterations

2. Invitation to Reception for London's Advisory Committees - May 9, 2019, 7:00-9:00pm at the Top of the Hall Café and Promenade Deck, City Hall

3. Heritage Places 2.0 – The final guideline document Heritage Places 2.0 is being brought before the PEC on July 22, 2019 for the adoption as a Guideline Document to *The London Plan*. Following previous consultation with the LACH in November 11, 2018, staff will be seeking a recommendation from the LACH on this matter at its meeting on July 10th. The draft document can be accessed at the City's site Current Land Use Applications and Studies – Heritage Places 2.0 (https://www.london.ca/business/Planning-Development/land-use-applications/Pages/O-8965.aspx). If you have any questions, please contact Laura Dent, Heritage Planner ldent@london.ca P: 519.661.CITY (2489) x 0267

4. Insurance and Heritage Properties

5. Proposed amendments to the *Ontario Heritage Act* – Bill 108, *More Homes, More Choices Act:* https://ero.ontario.ca/notice/019-0021

Upcoming Heritage Events

- Mother's Day Tea – Sunday May 12, 2019 at Eldon House. $20-$40. 12:00, 1:30 and 3:00 p.m. Seating. By reservation only. For more information visit: https://eldonhouse.ca/product/mothers-day-tea/
- Fanshawe Pioneer Village Opening Weekend – Saturday May 18, 2019. For more information visit: http://fanshawepioneervillage.ca/events/opening-weekend-1
- Thames Valley Regional Heritage Fair Awards Night - Thursday May 23, 2019 at Museum London
- Spring Tea – Sunday May 26, 2019 at Grosvenor Lodge. $25 per person. For more information, please contact: events@heritagelondonfoundation.ca
- Ontario Heritage Conference in Goderich and Bayfield, May 30-June 1, 2019. https://www.ontarioheritageconference.ca/ (early bird registration ends April 30)
- ACO Geranium Heritage House Tour –Sunday June 2, 2019, 12:00pm – 5:00pm Early Bird tickets $25. Tickets on sale now. For more information visit: https://acolondon.ca/events
- Ontario Genealogical Society, Ontario Ancestors 2019 Conference and Family History Show, June 21-23, 2019 – London Convention Centre. More information: https://conference2019.ogs.on.ca/