

# Planning and Environment Committee

## Report

The 13th Meeting of the Planning and Environment Committee  
July 22, 2019

PRESENT: Councillors A. Hopkins (Chair), M. Cassidy, S. Turner, Mayor E. Holder  
ABSENT: J. Helmer, P. Squire  
ALSO PRESENT: Councillors S. Lewis, J. Morgan, E. Pelozza, M. van Holst and P. Van Meerbergen; I. Abushehada, M. Almusawi, G. Bailey, G. Barrett, G. Blazak, M. Campbell, B. Debbert, M. Elmadhoon, M. Feldberg, J.M. Fleming, K. Gonyou, M. Henderson, P. Kokkoros, G. Kotsifas, J. Lee, C. Lowery, H. Lysynski, H. McNeely, L. Mottram, B. O'Hagan, M. Pease, L. Pompillii, D. Popadic, C. Saunders, C. Smith, J. Smolarek, L. Snyder, S. Spring, M. Sundercock, M. Tomazincic, S. Wise and P. Yeoman

The meeting was called to order at 3:05 PM

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

### 2. Consent

Moved by: S. Turner  
Seconded by: E. Holder

That Items 2.1 to. 2.13, 2.15, 2.17 to 2.19, inclusive, BE APPROVED.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

#### 2.1 6th Report of the Trees and Forests Advisory Committee

Moved by: S. Turner  
Seconded by: E. Holder

That the 6th Report of the Trees and Forests Advisory Committee, from its meeting held on June 25, 2019 BE RECEIVED for information.

**Motion Passed**

#### 2.2 6th Report of the Advisory Committee on the Environment

Moved by: S. Turner  
Seconded by: E. Holder

That the 6th Report of the Advisory Committee on the Environment, from its meeting held on July 3, 2019 BE RECEIVED for information.

**Motion Passed**

2.3 7th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: S. Turner  
Seconded by: E. Holder

That, the following actions be taken with respect to the 7th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on June 20, 2019:

a) the following actions be taken with respect to the election of Chair and Vice-Chair for the term ending November 30, 2019:

i) notwithstanding section 4.12 of the General Policy for Advisory Committees, S. Levin BE ELECTED as Chair; and,

ii) S. Hall BE ELECTED as Vice-Chair;

b) the Working Group comments appended to the 7th Report of the Environmental and Ecological Planning Advisory Committee, relating to the One River Master Plan Municipal Class Environmental Assessment BE FORWARDED to the Civic Administration for consideration;

c) R. Trudeau and K. Moser BE APPOINTED as the representative and alternate, respectively, to the Trails Advisory Group for Environmentally Significant areas; and,

d) clauses 1.1, 1.2, 3.1 to 3.4, inclusive, 4.2 and 5.2 BE RECEIVED for information.

**Motion Passed**

2.4 Application - Removal of Holding Provision - 9345 Elviage Drive (H-9056)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Sarah Stevens, relating to a portion of the lands located at 9345 Elviage Drive, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of a portion of the subject lands FROM a Holding Agricultural (h-2•AG2) Zone TO an Agricultural (AG2) Zone to remove the h-2 holding provision for this site. (2019-D09)

**Motion Passed**

2.5 Application - 2700 Asima Drive (P-9063)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Rockwood Homes, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to exempt Block 57, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P. 13*, for a period not exceeding three (3) years. (2019-D09)

**Motion Passed**

2.6 Application - 3270 Raleigh Boulevard (H-9086)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Speyside East Corporation, relating to the property located at 3270 Raleigh Crescent, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(13)) Zone TO a Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (R5-2/R6-4/CF3/CC(13)) Zone. (2019-D09)

**Motion Passed**

2.7 Application - 1509 Fanshawe Park Road West - Removal of Holding Provision h-17 (H-9083)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by 2568401 Ontario Inc., relating to the property located at 1509 Fanshawe Park Road West, the proposed, revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Restricted Service Commercial (h-17\*RSC2/RSC5) Zone TO a Restricted Service Commercial (RSC2/RSC5) Zone to remove the h-17 holding provision. (2019-D09)

**Motion Passed**

2.8 Decision - Ontario Municipal Board Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment - 58 Sunningdale Road West

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the staff report dated July 22, 2019 entitled "Final Decision (OMB) Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment - Barvest Reality Inc. - 58 Sunningdale Road" BE RECEIVED for information. (2019-D09/D12)

**Motion Passed**

2.9 Downtown Façade Uplighting Grant Program

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to implementing program guidelines for a Downtown Façade Uplighting Grant Program, the proposed by-law amendment appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend By-law C.P.-1467-175, as amended, being "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas", to adopt the Downtown Façade Uplighting Grant Program as Schedule 2; it being noted that funding for the program is being accommodated within the existing Downtown Small Scale Projects fund. (2019-F11A)

**Motion Passed**

2.10 Register of Cultural Heritage Resources

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the staff report dated July 22, 2019 entitled "Register of Cultural Heritage Resources" BE RECEIVED for information. (2019-R01)

**Motion Passed**

2.11 Application - 1229 and 1265 Wharncliffe Road South (H-8974)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by 2670040 Ontario Inc., relating to the properties located at 1229 and 1265 Wharncliffe Road South, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Restricted Service Commercial Special Provision(h\*h-11\*h-63\*h-95\*h-100\*h-104\*h-138\*RSC1/RSC2/RSC3(16) /RSC4(14)/RSC5(16)) Zone TO a Holding Restricted Service Commercial Special Provision (h-138\*RSC1/RSC2/RSC3(16)/RSC4(14)/RSC5(16)) Zone to remove the h, h-11, h-63, h-95, h-100, and h-104 holding provisions. (2019-D09)

**Motion Passed**

2.12 Application - 349 and 379 Sunningdale Road West - Removal of Holding Provisions (h and h-100) (H-9064)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Sunningdale Golf and Country Club Ltd., relating to the property located at 379 Sunningdale Road West, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Residential R9 Special Provision (h-h-53-h-100-R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-h-53-h-100-R5-3(19)/R6-5(53)) Zone and a Holding Residential R5/R6 Special Provision/ Office (h-h-53-h-100-R5-3(19)/R6-5(53)/OF1) Zone TO a Holding Residential R9 Special Provision (h-53-R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-53-R5-3(19)/R6-5(53)) Zone, a Holding Residential R5/R6 Special Provision/ Office (h-53-R5-3(19)/R6-5(53)/OF1) Zone, a Residential R9 Special Provision (R9-7(27)) Zone, and a Residential R5/R6 Special Provision (R5-3(19)/R6-5(53)) Zone to remove the h., h-53 and h-100 holding provisions. (2019-D09)

**Motion Passed**

- 2.13 Application - 7 Annadale Drive - Removal of Holding Provision (h-5) (H-9037)

Moved by: S. Turner

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Forest Park (Sherwood Glen), relating to the property located at 7 Annadale Drive, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Residential R6 Special Provision (h-5/R6-3(8)) Zone TO a Residential R6 Special Provision (R6-3(8)) Zone to remove the h-5 holding provision from these lands. (2019-D09)

**Motion Passed**

- 2.15 Application - 2835 Sheffield Place - Removal of Holding Provisions (h, h-100, h-159) (H-8814)

Moved by: S. Turner

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2835 Sheffield Place, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Residential R6 Special Provision (h-h-100-h-159-R6-2(11)) Zone TO a Residential R6 Special Provision (R6-2(11)) Zone to remove the h, h-100 and h-159 holding provisions. (2019-D09)

**Motion Passed**

- 2.17 Appeal of Committee of Adjustment Decision on Minor Variance Application A.040/19 - 585 Colborne Street

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, in response to the letter of appeal to the Local Planning Appeal Tribunal, dated May 27, 2019, and submitted by Elliott Pityn, relating to the minor variance application concerning 585 Colborne Street, the Local Planning Appeal Tribunal BE ADVISED that:

- a) the Municipal Council supports the decision of the Committee of Adjustment to refuse the minor variance; and,
- b) the City Solicitor and Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to provide legal and planning representation at the Local Planning Appeal Tribunal Hearing to support the decision of the Committee of Adjustment. (2019-D13)

**Motion Passed**

2.18 Building Division Monthly Report for May 2019

Moved by: S. Turner  
Seconded by: E. Holder

That the Building Division Monthly Report for the month of May, 2019 BE RECEIVED for information. (2019-A23)

**Motion Passed**

2.19 Application - 2650 Buroak Drive - Removal of Holding Provisions (h, h-54, h-71, h-95 and h-100) (H-8950)

Moved by: S. Turner  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Foxhollow North Kent Developments Inc., relating to the property located at 2650 Buroak Drive, the proposed by-law appended to the staff report dated July 22, 2019 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Residential R6 (h.\*h-54\*h-71\*h-95\*h-100\*R6-5)) Zone TO a Residential R6 (R6-5) Zone to remove the h., h-54, h-71, h-95 and h-100 holding provisions. (2019-D09)

**Motion Passed**

2.14 Decision - Local Planning Appeal Tribunal - 3234, 3263 and 3274 Wonderland Road South (OZ-8590)

Moved by: M. Cassidy  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the Local Planning Appeal Tribunal decision relating to the properties located at 3234, 3263, and 3274 Wonderland Road South:

a) the staff report dated July 22, 2019 entitled “Local Planning Appeal Tribunal Decision for Southside Group – 3234, 3263 and 3274 Wonderland Road South” BE RECEIVED for information; and,

b) the proposed by-law appended to the staff report dated July 22, 2019, which reflects the decision of the Local Planning Appeal Tribunal to approve commercial floor area on the subject lands and also implements the Urban Design policies of the Southwest Area Secondary Plan on the subject lands, BE ENDORSED, and BE FORWARDED to the Local Planning Appeal Tribunal for Approval. (2019-D09)

Yeas: (3): A. Hopkins, M. Cassidy, and E. Holder

Nays: (1): S. Turner

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (3 to 1)**

2.16 Information Report - Proposed Regulations for Bill 108-More Homes, More Choices Act, 2019

Moved by: M. Cassidy

Seconded by: S. Turner

That, on the recommendation of the Managing Director, City Planning and City Planner, the following actions be taken with respect to the proposed regulations for Bill 108, the More Homes, More Choice Act, 2019:

a) the staff report dated July 22, 2019, entitled “Information Report – Proposed Regulations for Bill 108 – More Homes, More Choice Act, 2019” BE RECEIVED for information; and,

b) the Civic Administration BE DIRECTED to submit the responses outlined in the above-noted report to the Ontario Ministry of Municipal Affairs and Housing postings before August 5, 2019. (2019-D04)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

**3. Scheduled Items**

3.1 Delegation - M. Clawson, Clawson Group Inc. - 660 Sunningdale Road East

Moved by: M. Cassidy

Seconded by: E. Holder

That, the following actions be taken with respect to the property located at 660 Sunningdale Road East:

a) on the recommendation of the City Clerk, the report dated July 22, 2019 and entitled “Request for Council Resolution, under section 45(1.4)

of the *Planning Act, 1990* – 660 Sunningdale Road East” BE RECEIVED for information; and,

b) the Managing Director, Development Services and Compliance and Chief Building Official BE AUTHORIZED to accept a Minor Variance application by M. Clawson, Clawson Group Inc., on behalf of Extra Realty Limited, for the property located at 660 Sunningdale Road East;

it being noted that the Planning and Environment Committee heard a verbal delegation from P. Hinde, on behalf of the Clawson Group Inc., with respect to this matter. (2019-D09)

Yeas: (3): A. Hopkins, M. Cassidy, and E. Holder

Nays: (1): S. Turner

Absent: (2): J. Helmer, and P. Squire

### **Motion Passed (3 to 1)**

3.2 Delegation - D. Dudek, Chair, London Advisory Committee on Heritage - 7th Report of the London Advisory Committee on Heritage

Moved by: M. Cassidy

Seconded by: S. Turner

That, the following actions be taken with respect to the 7th Report of the London Advisory Committee on Heritage, from its meeting held on July 10, 2019:

a) 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* seeking retroactive approval for previously completed alterations to the property located at 117 Wilson Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE APPROVED with the following terms and conditions:

- the existing gable cladding be painted;
- the existing glass lite of the existing front door be replaced with a plain glass lite as proposed in Appendix C, as appended to the staff report dated July 10, 2019, and the door be painted; and,
- the existing porch be constructed of wood, with a wooden guard/railing with top and bottom rail and wooden square spindles set between, as per the drawings in Appendix C, as appended to the staff report dated July 10, 2019, and all exposed wood be painted;

it being noted that the presentations appended to the 7th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, K. Strybosch and W. Pol, with respect to this matter, were received;

b) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for designation of the heritage listed property at 2442 Oxford Street West (Kilworth United Church), the following actions be taken:



- i) 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 D of this report; and,
- ii) should no appeals be received to Municipal Council's notice of intention to designate, a by-law to designate the property at 2442 Oxford Street West to be of cultural heritage value or interest for the reasons outlined in Appendix D 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 Municipal Council's notice of intention to designate be received, the City Clerk will refer the appeal to the Conservation Review Board;

it being further noted that the presentation appended to the 7th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner and the photographs submitted by B. Moyer, with respect to this matter, were received;

- c) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property at 567 King Street, the following actions be taken:

- i) the property owner BE REQUESTED to salvage any elements or artifacts from the building appropriate for reuse;
- ii) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the building on this property; and,
- iii) the property at 567 King Street BE REMOVED from the Register;

it being noted that the presentation appended to the 7th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, as well as a verbal delegation from J. O'Neil, with respect to this matter, were received;

- d) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to construct an addition and alterations to the existing building located at 10 Napier Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the drawings included in Appendix C, as appended to the staff report dated July 10, 2019 with the following terms and conditions:

- all exposed wood and the doors be painted;
- the Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the presentation appended to the 7th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, with respect to this matter, was received;

e) the following actions be taken with respect to the Archaeology Sub-Committee Report, as appended to the agenda:

i) the above-noted Archaeology Sub-Committee Report appended to the 7th Report of the London Advisory Committee on Heritage BE FORWARDED to the Civic Administration as part of the review of the wording of the H-18 Holding Provision; and,

ii) the Civic Administration BE REQUESTED to circulate the revised H-18 Holding Provision to the London Advisory Committee on Heritage at a future meeting for review;

f) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the Heritage Places 2.0 document, as appended to the agenda;

it being noted that the LACH recommends that the above-noted document be reviewed every five years;

it being further noted that the presentation appended to the 7th Report of the London Advisory Committee on Heritage from L. Dent, Heritage Planner, with respect to this matter, was received;

g) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the porch of the building located at 25 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the proposed alteration drawings in Appendix C, as appended to the staff report dated July 10, 2019, with the following terms and conditions:

- no decorative brackets be installed;
- the existing dentil details be restored;
- turned, painted wood spindles be spaced no greater than 3” apart on centre;
- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the presentation appended to the 7th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, with respect to this matter, was received;

h) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval

to alter the porch of the building located at 783 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, BE PERMITTED; it being noted that the presentation appended to the 7th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, with respect to this matter, was received; and,

i) clauses 1.1 to 1.3, 2.5, 3.1 to 3.6, 4.1, 5.4 and 5.5 BE RECEIVED for information;

it being pointed out that the Planning and Environment Committee heard a verbal presentation from D. Dudek, Chair, London Advisory Committee on Heritage, with respect to these matters.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

### **Motion Passed (4 to 0)**

#### **3.3 Public Participation Meeting - Application - 1631 - 1649 Richmond Street (OZ-9019)**

Moved by: M. Cassidy

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by 1635 Richmond (London) Corporation, relating to the property located at 1631-1649 Richmond Street:

a) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend the Official Plan BY AMENDING policies 3.5.25 and 3.5.26 of the Specific Policies for Residential Areas;

b) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), BY AMENDING the Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and Residential R9 Special Provision (R9-7(23)) Zone; and,

c) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019, to amend The London Plan BY AMENDING specific policies 823\_ and 825\_ of the Transit Village Place Type;

it being noted that the amendments will come into full force and effect concurrently with Map 1 and Map 7 of The London Plan;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2014;
- the recommended amendment conforms to the in-force policies of The London Plan;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan; and,
- the recommended amendment conforms to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines. (2019-D09)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: E. Holder

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: S. Turner

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

### 3.4 Public Participation Meeting - Demolition Request for Heritage Listed Property at 567 King Street

Moved by: M. Cassidy

Seconded by: S. Turner

That, on the recommendation of the Managing Director, City Planning and 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 567 King Street:

- a) the property owner BE REQUESTED to salvage any elements or artifacts from the building appropriate for reuse;
- b) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the building on this property; and,

c) the property located at 567 King Street BE REMOVED from the Register;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2019-R01/P10D)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: M. Cassidy

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: M. Cassidy

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

3.5 Public Participation Meeting - Application - Part of 124 St. James Street (OZ-9012)

Moved by: S. Turner

Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Grosvenor Development Corporation, relating to the property located at 124 St. James Street:

a) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend the 1989 Official Plan by changing the policies of Section 3.5.3 ii) – St. George/Grosvenor Neighbourhood – Multi-family, Medium Density Residential, to permit the use of a portion of 124 St. James Street contiguous with 112 St. James Street, having an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, for high density residential uses only in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street;

b) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend The London Plan by changing policy 1022\_ – St. George/Grosvenor Neighbourhood – Medium Density Residential, to permit the use of a portion of 124 St. James Street that is contiguous with 112 St. James Street, having an approximate frontage of

12.9 metres along St. James Street and an approximate area of 574 square metres, for a high-rise, high density apartment building, only in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street; and,

c) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Residential R8 (R8-4) Zone, TO a Residential R9 (R9-7·H45) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Official Plan and Zoning By-law amendments are consistent with the Provincial Policy Statement, 2014;
- the recommended 1989 Official Plan amendment will provide policies to facilitate the addition of the subject lands to a property that is already zoned for high density residential development, providing for the direct alignment of the private driveway servicing the development with the terminus of Talbot Street where it meets St. James Street, supporting Official Plan policies and City standards for the alignment of access locations on development sites. The marginal increase in the number of units to be accommodated as part of the proposed development at 112 St. James Street will not cause a cumulative impact on the ability to develop the site or on the surrounding neighbourhood. The amendment conforms to the general intent of the Official Plan;
- the recommended amendment to The London Plan will provide policies to facilitate the addition of the subject lands to a property that is already zoned for high density residential development, providing for the direct alignment of the private driveway servicing the development with the terminus of Talbot Street where it meets St. James Street, supporting City standards for the alignment of access locations on development sites. The marginal increase in the number of units to be accommodated as part of the proposed development at 112 St. James Street will not cause a cumulative impact on the ability to develop the site or on the surrounding neighbourhood. The amendment conforms to the general intent of the in-force policies of The London Plan; and,
- the recommended amendment to Zoning By-law Z.-1 will conform to the 1989 Official Plan and The London Plan as recommended to be amended and provide for seamless development of the site with an appropriate access location and safe traffic control. (2019-D09)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Vote:

Moved by: S. Turner

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: E. Holder  
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

3.6 Public Participation Meeting - Application - Residential Plan of Subdivision and Zoning By-law Amendment - 600 Sunningdale Road West 39T-18501 (Z-8888)

Moved by: M. Cassidy  
Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sunningdale Golf and Country Club, relating to the property located at 600 Sunningdale Road West (legally described as RCP 1028 PT Lot 16 RP 33R13891, PT Part 1 RP 33R16774 Parts 3 to 10 IRREG), located on the south side Sunningdale Road West, between Wonderland Road North and Richmond Street:

a) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM an Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2\*UR3) Zone and an Open Space (OS4) Zone TO:

i) a Holding Residential R1 (h\*h-18\*R1-9) Zone, to permit single detached dwellings with a minimum lot frontage of 18.0 metres, a minimum lot area of 690m<sup>2</sup>;

ii) a Holding Residential R4 Special Provision (h\*h-18\*R4-4 ( \_)) Zone, to permit street townhouses to a maximum density of 35 units per hectare and maximum height of 10.5 metres; and,

iii) an Open Space (OS5) Zone to permit conservation lands and passive recreational uses;

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Subdivision by Sunningdale Golf and Country Ltd., relating to the property located at 600 Sunningdale Road West; and,

c) the Approval Authority BE ADVISED that the Municipal Council supports issuing Draft Approval of the proposed plan of residential

subdivision, submitted by Sunningdale Golf and Country Ltd. (File No. 39T-18501), prepared by Callon Dietz Inc., Terry Dietz OLS., as revised, which shows 108 single detached lots, two (2) residential multi-family blocks, two (2) walkway blocks, two (2) road widening blocks, five (5) open space blocks and several 0.3m reserve blocks all served by three (3) new local street, SUBJECT TO the conditions contained in Appendix “39T-18501” appended to the staff report dated July 22, 2019;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the proposed revised draft plan is consistent with the *Planning Act, R.S.O 1990, c. P. 13*, including but not limited to Section 51 (24);
- the recommended revised draft plan and zoning amendments are consistent with the Provincial Policy Statement (PPS), 2014, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The recommended draft plan and amendments also supports efficient and resilient development patterns, accommodating an appropriate range and mix of housing and protects the Natural Heritage feature;
- the proposed revised draft plan and Zoning By-law amendment conforms to the in-force policies of The London Plan, including but not limited Section 1688;

the proposed revised draft plan conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential” and “Open Space designation policies;

- the recommended Zoning By-law amendments encourage the development of plan of subdivision that includes an appropriate mix of residential uses that support pedestrian oriented development; and,
- the draft plan design is appropriate for the site, compatible with abutting land uses and makes efficient use of the existing services and infrastructure available in this area. (2019-D09)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

#### **Motion Passed (4 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire



**Motion Passed (4 to 0)**

Moved by: M. Cassidy  
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

3.7 Public Participation Meeting - Application - 3080 Bostwick Road (O-9025)

Moved by: E. Holder  
Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by 731675 Ontario Ltd., relating to the property located at 3080 Bostwick Road:

- a) The Urban Design Guidelines for 3080 Bostwick Road appended to the staff report dated July 22, 2019 as Appendix "A" BE ADOPTED at the Municipal Council meeting to be held on July 30, 2019 by resolution of City Council;
- b) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend section 1716 of The London Plan by ADDING the Urban Design Guidelines for 3080 Bostwick Road to the list of Council approved guideline documents;
- c) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend section 1565\_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by ADDING a policy to section 20.5.9.2.iv) – "Bostwick Residential Neighbourhood – High Density Residential";
- d) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "D" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend section 1565\_5, List of Secondary Plans - Southwest Area Secondary Plan by ADDING a portion of the subject site to the list of Locations of Convenience Commercial and Service Station uses in section 20.5.17.3.3.6.5.vi); to permit Convenience Commercial Uses;
- e) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "E" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend section 19.2.2 of the 1989 Official Plan by ADDING the Urban Design Guidelines for 3080 Bostwick Road to the list of Council approved guideline documents;

f) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix “F” BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend section 20.5 of the 1989 Official Plan, List of Secondary Plans - Southwest Area Secondary Plan, by ADDING a policy to section 20.5.9.2.iv) – “Bostwick Residential Neighbourhood – High Density Residential”; and,

g) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix “G” BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend section 20.5, List of Secondary Plans - Southwest Area Secondary Plan, by ADDING a portion of the subject site to the list of Locations of Convenience Commercial and Service Station uses in section 20.5.17.3.3.6.5.vi); to permit Convenience Commercial Uses;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the proposed amendment is consistent with the policies of the Provincial Policy Statement, 2014 as the Urban Design Guidelines promote well-designed built form and a sense of place;
- the proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to Chapter 19 which governs the use and adoption of Guideline Documents;
- the proposed amendment conforms to the policies of the Southwest Area Secondary Plan and will guide the design for 3080 Bostwick Road in the Bostwick Residential Neighbourhood;
- the proposed amendment conforms to the in-force policies of The London Plan including but not limited to Our Tools and the Key Directions to build strong, healthy and attractive neighbourhoods for all; and,
- the proposed amendment provides more specific direction for the preparation and review of planning and development proposals in this area. (2019-D09)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: E. Holder  
Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

3.8 Public Participation Meeting - Application - 1076 Gainsborough Road (Z-9035)

Moved by: M. Cassidy  
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by 2648822 Ontario Inc., relating to the property located at 1076 Gainsborough Road, the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 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 Holding Business District Commercial (h-17\*BDC) Zone TO a Business District Commercial Special Provision (BDC\*H15.5\*D90(\_)) Zone;

it being noted that the following site plan matters have been raised during the public participation process:

- i) outdoor garbage storage (central location and not along the western property line); and,
- ii) landscaping along westerly property line to help provide additional privacy to abutting rear yards;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2014;
- the recommended amendment is consistent with the City of London Official Plan policies and the in-force policies of The London Plan including, but not limited to, the Main Street Place Type policies;
- the recommended amendment facilitates the redevelopment of an underutilized site and encourages an appropriate form of development; and,
- the subject lands are located in a location where intensification can be accommodated given the existing municipal infrastructure, location

on and near arterial roads and close proximity amenities and transit services. (2019-D09)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: S. Turner

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

### 3.9 Public Participation Meeting - 447 Old Wonderland Road - SPA19-021

Moved by: S. Turner

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Beco Developments, relating to the property located at 447 Old Wonderland Road:

a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 4 storey, 41 unit apartment building:

- i) garbage storage being maintained on site;
- ii) lighting concerns;
- iii) privacy concerns for the neighbouring condominium complex;
- iv) noise, including air conditioning units;
- v) designated smoking areas;
- vi) snow storage; and,
- vii) parking;

b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application to permit the construction of a 4 storey, 41 unit apartment building at 447 Old Wonderland Road;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-D09)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: S. Turner

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

3.10 Public Participation Meeting - Not to be heard before 5:30 PM - Lambeth Area Community Improvement Plan (O-9044)

Moved by: M. Cassidy

Seconded by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Lambeth Area Community Improvement Plan:

a) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to designate the Lambeth Area Community Improvement Project Area;

b) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting

to be held on July 30, 2019 to adopt the Lambeth Area Community Improvement Plan;

c) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix “C” BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to establish financial incentive programs for the Lambeth Area Community Improvement Project Area;

d) the proposed by-law amendment appended to the staff report dated July 22, 2019 as Appendix “D” BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend the 1989 Official Plan by adding Section 14.2.2 ii) Lambeth Village Core and Wharncliffe Road Corridor to the list of commercial areas eligible for community improvement under Section 14.2.2 ii), and adding the Lambeth Village Core and Wharncliffe Road Corridor to Figure 14-1 to recognize the commercial areas eligible for community improvement; and,

e) the proposed by-law amendment appended to the staff report dated July 22, 2019 as Appendix “E” BE INTRODUCED at a future Municipal Council meeting to amend the Official Plan, 2016, The London Plan at such time as Map 8 – Community Improvement Project Areas is in full force and effect by ADDING the Lambeth Area Community Improvement Project Area;

it being noted that the Civic Administration will consider the action items and initiatives included in the Lambeth Area Community Improvement Plan in any planning design, and budgeting of future municipal capital investments within the Lambeth Area CIP Project Area; and, that the funding for the financial incentive programs is accommodated within the existing budget;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

Through the project process, it was illustrated that the Lambeth Area meets the test for community improvement as defined under the Planning Act. Like many communities, the Lambeth Area is undergoing change which is impacting its existing form and function (e.g. residential development, infrastructure projects). The Lambeth Area CIP can be used as a tool to help move the community forward through this transition. Specifically, issues and needs in the areas of: businesses and the local economy; community and connections; mobility and safety; public realm and recreation opportunities; cultural heritage; and, natural heritage were identified by stakeholders as priorities for action. The Goals, Objectives and Action Items of the Lambeth Area CIP were developed to address these issues, and are within the scope of CIPs as defined by the Planning Act. The adoption of the Lambeth Area Community Improvement Plan and the approval of the requested Official Plan Amendment is also consistent with the Provincial Policy Statement (PPS) and supported by the policies in the Southwest Area Plan (SWAP), the 1989 Official Plan and The London Plan. (2019-D19)

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: S. Turner

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

3.11 Public Participation Meeting - 3334 and 3354 Wonderland Road South (OZ-9043)

That it BE NOTED that the Planning and Environment Committee was unable to reach a majority decision with respect to the application by Gateway Casinos and Entertainment Ltd., relating to the properties located at 3334 and 3354 Wonderland Road South and pursuant to Section 19.3 of the Council Procedure By-law, the matter is hereby submitted to the Municipal Council for its disposition;

it being noted that the Planning and Environment Committee reviewed and received a communication dated July 16, 2019, from D. Speller, 3225 Singleton Avenue;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-D09)

Moved by: S. Turner

Seconded by: A. Hopkins

The application by Gateway Casinos and Entertainment Ltd., relating to the property located at 3334 and 3354 Wonderland Road South BE DEFERRED to the August 12, 2019 Planning and Environment Committee, to allow for comment to be provided by First Nations communities.

Yeas: (2): A. Hopkins, and S. Turner

Nays: (2): M. Cassidy, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Failed (2 to 2)**

Moved by: M. Cassidy

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Gateway Casinos and Entertainment Ltd., relating to the property located at 3334 and 3354 Wonderland Road South:

a) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend the Official Plan to change the designation of the subject lands FROM Multi-Family, Medium Density Residential TO Wonderland Road Community Enterprise Corridor;

b) the proposed attached, revised, by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend the Official Plan for the City of London, 1989 as it relates to the Southwest Area Secondary Plan to change the designation of the subject lands FROM Medium Density Residential TO Wonderland Road Community Enterprise Corridor;

c) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend the Southwest Area Secondary Plan policies for the Wonderland Boulevard Neighbourhood by ADDING a Section 20.5.6.6, 3334 and 3354 Wonderland Road South;

d) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "C" BE INTRODUCED at a future Municipal Council meeting to amend the Official Plan, 2016, The London Plan at such time as Map 1 is in full force and effect to change the Place Type of the subject lands FROM Neighbourhoods TO Shopping Area;

e) the proposed by-law appended to the staff report dated July 22, 2019 as Appendix "D" BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in parts a) through d) above), to change the zoning of the subject property FROM a Holding Light Industrial (h-17-LI1/LI7) Zone and Environmental Review (ER) Zone TO a Commercial Recreation Special Provision (CR(\*)) Zone and an Open Space Special Provision (OS4(\*)) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the design of the space between the Casino building and the City sidewalk as a unique space that functions as a forecourt to the building and also permits a limited amount of parking; it



being further noted that the following design elements achieve the principles discussed in detail Subsection 4.1 of this report:

- i) a flush surface that extends from the main north-south driveway to the City sidewalk along the Wonderland Road frontage;
- ii) include wide pedestrian walkways, with landscaping from the City sidewalk to the building on both the north and south edges of the forecourt;
- iii) provide continuous built form elements, such as a canopies, to delineate the forecourt space and to provide for pedestrian amenity along the walkways on north and south edges of the forecourt;
- iv) differentiate the approach to tree planting and tree locations; pedestrian scale lighting and site furniture; and landscaping scheme; between the forecourt and the general parking field. Include a similar level of trees that would be required through the City's Site Plan Control By-law;
- v) differentiate the approach to the surface treatment between the forecourt and the general parking field, either by using an alternate paving material, colour or use a combination of materials and colours; and,
- vi) include similar elements, used in the forecourt design, in the area between the main north-south driveway up to the front building façade within the drop off area and restaurant patio;

f) the Civic Administration BE DIRECTED to consult with the Oneida Nation of the Thames, the Chippewa First Nation and Munsee-Delaware Nation and to report back at the Municipal Council meeting to be held on July 30, 2019;

it being noted that the Planning and Environment Committee received and reviewed a communication dated July 16, 2019, from D. Speller, 3225 Singleton Avenue, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Official Plan Amendment and zone change are consistent with the 2014 Provincial Policy Statement ("PPS") and will contribute to a broad range and mix of land uses within the City and the Southwest Area in the interest of long-term economic prosperity. The development of the subject lands for the proposed Casino adjacent to other developed and developing lands in the Southwest Area is an efficient use of land and infrastructure in an area intended for urban development consistent with the PPS. The proposed Casino will function as an entertainment destination that has a City-wide or broader service area that will support sustainable tourism in the City consistent with the PPS. The recommended zone change will protect the natural heritage features and ecological functions of the Natural Heritage System and will direct development outside of hazardous lands consistent with the PPS;

- the recommended Official Plan Amendment to change the current Place Type and designation on the easterly (rear) portion of the subject lands to include, and expand, the Shopping Area Place Type in The London Plan and the WRCEC designation in the 1989 Official Plan and the SWAP will not fundamentally change the land use patterns in the Wonderland Road South corridor and is a reasonable extension of the Shopping Area Place Type and the WRCEC designation;
- the recommended Official Plan Amendment to the Wonderland Boulevard Neighbourhood policies in the SWAP to add a site specific policy to permit parking between the proposed building and the City sidewalk would permit a specific site design that includes a forecourt that is street-oriented, pedestrian-friendly and transit supportive and conforms to the general intent of the SWAP;
- the proposed Casino would function as an entertainment use and the recommended zone change to permit a Casino on the subject lands, conforms to the in-force policies of The London Plan including the permitted uses that are contemplated in the Shopping Area Place Type and the WRCEC designation in the 1989 Official Plan and the SWAP. The proposed, 2-storey height of the proposed Casino conforms to the maximum building height of 4-storeys (without Bonus Zoning) contemplated in the Shopping Area Place Type in The London Plan and in the WRCEC destination in the SWAP. The gross floor area maximum or “cap” for commercial development in the WRCEC designation does not apply to entertainment uses. The proposed form of the Casino building is consistent with the existing large format retail stores in the immediate area and thereby is a good fit and compatible with its context and conforms to The London Plan. The site design would include elements that are street-oriented, pedestrian-friendly and transit supportive and would conform to the general intent of the SWAP; and,
- the recommended zone change conforms to The London Plan and the 1989 Official Plan and will limit development to areas outside of natural hazards and to areas that are appropriately buffered from the natural heritage features and ecological functions of the Natural Heritage System. (2019-D09)

Yeas: (2): M. Cassidy, and E. Holder

Nays: (2): A. Hopkins, and S. Turner

Absent: (2): J. Helmer, and P. Squire

**Motion Failed (2 to 2)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: S. Turner

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, S. Turner, and E. Holder

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (4 to 0)**

Moved by: E. Holder

Seconded by: M. Cassidy

Motion to grant Mr. S. Allen, MHBC, an extension beyond five minutes for his delegation.

Yeas: (3): A. Hopkins, M. Cassidy, and E. Holder

Nays: (1): S. Turner

Absent: (2): J. Helmer, and P. Squire

**Motion Passed (3 to 1)**

3.12 Public Participation Meeting - 8076 Longwoods Road - SPA19-022

Moved by: S. Turner

Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of London Quality Meat, relating to the property located at 8076 Longwoods Road:

a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Site Plan Approval to facilitate the construction of an abattoir:

- i) the increase in climate change;
- ii) the increase in land, air and water pollution from the increase in animals;
- iii) the increase in waste flowing into rivers and streams;
- iv) the increase in greenhouse and methane gases; and,
- v) the loss of trees to provide grazing land for animals;

b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application to facilitate the construction of an abattoir;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- 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;
- the proposed Site Plan conforms to the policies of the Farmland Place Type and all other applicable policies of The London Plan;
- the proposed Site Plan is in conformity with the policies of the Agriculture designation of the Official Plan (1989) and will implement an appropriate form of development on the site;
- the proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law. (2019-D09)

Yeas: (3): A. Hopkins, M. Cassidy, and S. Turner

Absent: (3): J. Helmer, P. Squire, and E. Holder

**Motion Passed (3 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (3): A. Hopkins, M. Cassidy, and S. Turner

Absent: (3): J. Helmer, P. Squire, and E. Holder

**Motion Passed (3 to 0)**

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (3): A. Hopkins, M. Cassidy, and S. Turner

Absent: (3): J. Helmer, P. Squire, and E. Holder

**Motion Passed (3 to 0)**

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

##### **4.1 Demolition Request for Heritage Designated Property at 123 Queens Avenue**

Moved by: S. Turner

Seconded by: M. Cassidy

That the demolition request for the heritage designated property at 123 Queens Avenue, located in the Downtown Heritage Conservation District, BE PERMITTED pursuant to Section 42(1) of the *Ontario Heritage Act* subject to the following terms and conditions:

- a) prior to any demolition, the property owner BE REQUIRED to obtain final Site Plan Approval for the redevelopment of the property that includes

new building(s) and/or structure(s) and submit full building permit drawings;

b) prior to any demolition, photographic documentation and measured drawings of the existing building, including the alleyway, at 123 Queens Avenue BE COMPLETED by the property owner and submitted to the satisfaction of City Planning;

c) prior to final Site Plan Approval, the recommendations of the Heritage Impact Assessment BE COMPLETED by the property owner and submitted to the City.

Yeas: (3): A. Hopkins, M. Cassidy, and S. Turner

Absent: (3): J. Helmer, P. Squire, and E. Holder

**Motion Passed (3 to 0)**

4.2 Request for Delegation Status - P. Derakhshan, Thames Valley Joint Venture - Lot 66 - 1738-1754 Hamilton Road

Moved by: M. Cassidy  
Seconded by: S. Turner

That P. Derakhshan, Planner, Thames Village Joint Venture, BE GRANTED delegation status at the August 12, 2019 Planning and Environment Committee meeting relating to the application by Thames Village Joint Venture, with respect to the property located at Lott 66, 1738 Hamilton Road, in the Old Victoria subdivision. (2019-D09)

Yeas: (3): A. Hopkins, M. Cassidy, and S. Turner

Absent: (3): J. Helmer, P. Squire, and E. Holder

**Motion Passed (3 to 0)**

**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

The meeting adjourned at 10:49 PM.

**Motion Passed**

# **Trees and Forests Advisory Committee**

## **Report**

The 6th Meeting of the Trees and Forests Advisory Committee  
June 26, 2019  
Committee Room #4

Attendanc                    PRESENT: R. Mannella (Chair), A. Cantell, M. Demand, A. Hames, J. Kogelheide, A. Morrison, A. Thompson, A. Valastro; and P. Shack (Secretary)

ALSO PRESENT: A. Beaton, M. Schulthess, J. Spence and B. Westlake-Power

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

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

#### 1.1 Orientation

That it BE NOTED that the Trees and Forests Advisory Committee heard verbal presentations from M. Schulthess, Deputy City Clerk and B. Westlake-Power, Deputy City Clerk, with respect to an orientation.

#### 1.2 Disclosures of Pecuniary Interest

None.

#### 1.3 Election of Chair and Vice Chair for the term ending November 30, 2019

That the following actions be taken with respect to the election of Chair and Vice Chair for the term ending November 30, 2019:

- a) R. Manella BE ELECTED as Chair; and,
- b) A. Cantrell BE ELECTED as Vice Chair.

### **2. Scheduled Items**

None.

### **3. Consent**

#### 3.1 4th and 5th Reports of the Tress and Forests Advisory Committee

That the following actions be taken with respect to the 4th and 5th Reports of the Trees and Forests Advisory Committee:

- a) that clauses 5.1, 5.3 and 5.4 from the 4th Report of Trees and Forests Advisory Committee from its meeting held on April 24, 2019 BE REFERRED to the next meeting, and the remaining clauses be received; and,
- b) that it BE NOTED that the 5th Report of the Trees and Forests Advisory Committee from its meeting held on May 22, 2019, be received.

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

None.

### **5. Items for Discussion**

None.

**6. Adjournment**

The meeting adjourned at 1:25 PM.

# Advisory Committee on the Environment

## Report

The 6th Report of the Advisory Committee on the Environment  
July 3, 2019  
Committee Room #4

Attendance                   PRESENT: M. Bloxam(Chair), J. Howell, K. May, M. Ross,  
M.D. Ross, R. Sirois, D. Szoller, A. Thompson and A.  
Tipping and P.Shack (Acting Secretary)

ABSENT: K. Soliman

ALSO PRESENT: T. Arnos and M. Schulthess

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

### 1. Call to Order

#### 1.1 Orientation

That it BE NOTED that the Advisory Committee on the Environment heard a verbal presentation from M. Schulthess, Deputy City Clerk, with respect to an Advisory Committee orientation.

#### 1.2 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

#### 1.3 Election of Chair and Vice Chair for the term ending November 30, 2019

That it BE NOTED that the Advisory Committee on the Environment elected M. Bloxam and A. Tipping as Chair and Vice Chair, respectively, for the term ending November 30, 2019.

### 2. Scheduled Items

None.

### 3. Consent

#### 3.1 5th Report of the Advisory Committee on the Environment

That it BE NOTED that the 5th Report of the Advisory Committee on the Environment, from its meeting held on May 1, 2019, was received.

#### 3.2 Municipal Council resolution adopted at its meeting held on May 21, 2019, with respect to the 5th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on May 21, 2019, with respect to the 5th Report of the Advisory Committee on the Environment, was received.

#### 3.3 Municipal Council resolution adopted at its meeting held on April 23, 2019, with respect to the 4th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on April 23, 2019, with respect to the 4th Report of the Advisory Committee on the Environment, was received.

### 4. Sub-Committees and Working Groups

None.

### 5. Items for Discussion



5.1 2019 ACE Work Plan

That it BE NOTED that the Advisory Committee on the Environment held a general discussion, with respect to the 2019 Work Plan.

**6. Adjournment**

The meeting adjourned at 1:50 PM.

# Environmental and Ecological Planning Advisory Committee

## Report

The 7th Meeting of the Environmental and Ecological Planning Advisory Committee  
June 20, 2019  
Committee Rooms #1 and #2

Attendance PRESENT: S. Levin (Chair), E. Arellano, I. Arturo, A. Bilson Darko, A. Boyer, A. Cleaver, R. Doyle, C. Dyck, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Secretary)

ABSENT: L. Banks, J. Khan, B. Krichker and I. Mohamed

ALSO PRESENT: G. Barrett, C. Creighton, J. MacKay, L. McDougall, C. Saunders, M. Schulthess, B. Westlake-Power and E. Williamson

The meeting was called to order at 5:03 PM

### 1. Call to Order

#### 1.1 Orientation

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee heard verbal presentations from C. Saunders, City Clerk, M. Schulthess, Deputy City Clerk and B. Westlake-Power, Deputy City Clerk, with respect to an orientation.

#### 1.2 Disclosures of Pecuniary Interest

That it BE NOTED that M. Wallace disclosed a pecuniary interest in clause 5.2 of this Report having to do with the Old Victoria - Grenier Lands Geotechnical Investigation - Slope Stability, by indicating that his employer has a business relationship with Sifton Properties Limited.

#### 1.3 Election of Chair and Vice Chair for the term ending November 30, 2019

That the following actions be taken with respect to the election of Chair and Vice-Chair for the term ending November 30, 2019:

a) notwithstanding section 4.12 of the General Policy for Advisory Committees, S. Levin BE ELECTED as Chair; and,

b) S. Hall BE ELECTED as Vice-Chair.

### 2. Scheduled Items

None.

### 3. Consent

#### 3.1 6th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 6th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on May 16, 2019, was received.

3.2 5th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 5th Report of the Trees and Forests Advisory Committee from its meeting held on May 22, 2019, was received.

3.3 Municipal Council Resolution - 6th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on June 11, 2019, with respect to the 6th Report of the Environmental and Ecological Planning Advisory Committee, was received.

3.4 Notice of Public Information Centre 1 - Dingman Drive East of Wellington Road to Highway 401 and Area Intersections - Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Public Information Centre 1 for Dingman Drive, east of Wellington Road to Highway 401 and area intersections Municipal Class Environmental Assessment, was received.

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

4.1 Review of One River Master Plan Municipal Class Environmental Assessment

That the attached Working Group comments relating to the One River Master Plan Municipal Class Environmental Assessment BE FORWARDED to the Civic Administration for consideration.

4.2 You, Your Dog and Environmentally Significant Areas Brochure

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the "You, Your Dog and Environmentally Significant Areas" brochure drafted by P. Ferguson; it being noted that this matter will be discussed further at the next meeting.

**5. Items for Discussion**

5.1 Trails Advisory Group for Environmentally Significant Areas

That R. Trudeau and K. Moser BE APPOINTED as the representative and alternate, respectively, to the Trails Advisory Group for Environmentally Significant areas.

5.2 Old Victoria - Grenier Lands Geotechnical Investigation - Slope Assessment

That it BE NOTED that the Old Victoria - Grenier Lands Geotechnical Investigation - Slope Assessment prepared for Sifton Properties Limited by exp Services Inc., was received.

**6. Adjournment**

Next Meeting Date: To be Determined

The meeting adjourned at 6:43 PM.

## **Review of the ONE RIVER Master Plan Municipal Class Environmental Assessment (EA) by JACOBS, dated May 2019**

The City of London identified that the overall goal of the One River Master Plan Class EA study is to develop a comprehensive plan that encompasses the implementation plan and strategies for various projects within the One River study area.

This Master Plan identifies:

- the infrastructure projects major principals that have been assessed based on the Municipal Class EA Master Plan stage requirements under the Environmental Assessment Act (EAA); and
- the community's visions and needs regarding social, recreational, cultural, environmental and economic issues associated with the One River Master Plan Class EA study area.

The **One River Master Plan Strategy** incorporates the selected preferred alternatives for the:

- ***Springbank Dam;***
- ***Forks of the Thames; and***
- ***River Management Plan to reflect the City's current and future vision of the Thames River as an important environmental, ecological and cultural heritage resources.***

Furthermore, this Master Plan recommends various projects become the basis for future planning and project infrastructure implementation and in some permanent infrastructure cases, further Municipal Class EA studies will be required to be undertaken prior to constructing these works.

### **Springbank Dam Partial Removal - One River Master Plan Class EA the selected preferred alternatives**

EEPAC has no concerns and supports the **One River Master Plan selected preferred alternatives for the Springbank Dam Partial Removal that was completed as Class EA, Schedule B** and provided adequate details. EEPAC agrees with the Master Plan Class EA conclusions and this Plan's recommended solution that is intended to improve River environmental/ecological conditions and the system health, water quality and sediment transportation conditions, as well the southern shoreline should be restored and the existing dam structure should be stabilized.

EEPAC has the concern that the post-construction water quality monitoring was not included in the recommendations for the **Springbank Dam Partial Removal** work. EEPAC is of the opinion that the post-construction water quality monitoring is a critical component of the post construction monitoring requirements and is intended to measure the expected water quality improvements as the results of the recommended solution for the Springbank Dam of the One River Master Plan. This water quality monitoring program was also suggested and identified in previous comments from EEPAC to the City staff and the Consultant in January 2019.

### **Recommendations:**

1. EEPAC recommends that the post-construction water quality monitoring program be undertaken by the City in addition to the Master Plan identified proposed post-construction monitoring programs. EEPAC recommends that the post-construction water quality monitoring program be consisted with the water quality basic chemistry monitoring/analysis together with BioMAP biological monitoring of the Thames River water quality and be implemented to measure and evaluate the water quality improvements associated with the **Springbank Dam Partial Removal** proposed work.
2. EEPAC recommends that the Restoration Mitigation Naturalization Plan, which will be required to be developed during the detailed design stage for this proposed work, be reviewed by EEPAC to reaffirm and ensure that improved River environmental/ecological conditions and health associated with the proposed works are maintaining, protecting and meeting the public's expectations.

### **The Forks of the Thames Suspended Walkway and Softscaped Terraces- One River Master Plan Class EA the selected preferred alternatives**

This solution includes the Thames Suspended Walkway and Softscaped Terraces that are intended to provide:

- public exposure;
- spaces for events;
- access to the shoreline;
- pathways to provide pedestrian integration with exiting City's Parks, all works need to be done in accordance with City standards;
- existing sewer outfalls protection and access to linear infrastructure; and
- design of the space that will be provided by the First Nation Community for their cultural requirements.

EEPAC has concerns related to the Thames Suspended Walkway and Softscaped Terraces proposed work solution. EEPAC concerns are mostly based on the facts that this construction would require construction equipment and usages of this equipment would cause significant intrusions into the existing natural areas of this study areas and potentially create adverse impacts on the existing ecological/environmental system and the system conditions. Therefore, EEPAC is of the opinion that potential adverse impacts of the proposed works are not well addressed by the required specific details and/or mitigated in River Master Plan. Also, the mitigation and compensation plan are not identified.

Furthermore, the proposed work represents new **permanent** structural work that may create significant adverse impacts on and/or substantially alter the existing slope stability conditions and the erosion hazard limits within the proposed work areas that may case adverse impacts on ecological/environmental conditions. Also, appropriate remediation slope stability measures/works may be required to be implemented to minimize the long-term adverse impacts on the study area.

### **Recommendations:**

1. As identified in the One River Master Plan Class EA, Schedule 'B', EEPAC recommends that additional detail studies related to assessments and evaluations of the existing and future Geotechnical, Hydrogeological and Slope Stability conditions, as well as the evaluation of the existing infrastructure outlets conditions, locations, relation to the existing slope stability and the proposed work needs to be undertaken, prior to completing the detailed design.
2. Taking into consideration that the Thames Suspended Walkway and Softscaped Terraces proposed work represents a new permanent structural work, which also includes the existing sewer outfalls protection and access to linear infrastructure, and completed only as the Master Plan Class EA, Schedule 'B' (some parts of Class EA process are not completed because they are not required under the status of the Master Plan of Class EA process), EEPAC suggests that a full scale Municipal Class EA, Schedule 'B' study for the proposed work may required, subject to accepting the One River Master Plan of Class EA by MOECP and their conditions of acceptance of this Class EA.
3. EEPAC recommends that all additional detailed studies, which will be developed for this proposed work, be reviewed by EEPAC to reaffirm and to ensure that improved River environmental/ecological conditions and the system health associated with the proposed works will be maintained, protected and meet the public's expectation.

## **One River Management Plan: Stage 2 - Strategic River Corridor Active Use and strategic access to the Thames River**

One River Management Plan - Stage 2 - Strategic River Corridor Active Use and strategic access to the Thames River represents an overall plan that encompasses River accesses, social (fishing and boating) and environmental management.

Stage 2 identified and evaluated River Management Plan Alternatives and recommended and selected the preferred alternatives for River Management Class EA Schedule B and C projects studies that will be required to be undertaken as an additional Class EA work, which were identified within the One River Master Plan Class EA as part of the Stage 2 River Management Plan (not including the Springbank Dam and Forks of the Thames projects).

The Schedule A works for the River Management Plan are recommended to proceed on the basis of this Master Plan and MEA Master Planning Process, subject to reaffirming that the proposed Schedule A projects will have minimum adverse impacts on environmental/ecological conditions within the One River Master Plan study area.

EEPAC has no concerns and supports in principal the One River Management Plan - Stage 2 - Strategic River Corridor Active Use and strategic access to the Thames River.

### **Recommendations:**

1. EEPAC recommends that all detailed studies and additional Class EA studies for the various projects for the Stage 2, River Management Plan proposed work be reviewed by EEPAC to reaffirm and to ensure the improved River environmental/ecological conditions and the system health associated with the proposed works be maintained, protected and meet the public's expectation.

## 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: Sarah Stevens  
9345 Elviage Drive  
Removal of Holding Provision

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Sarah Stevens, relating to a portion of the lands located at 9345 Elviage Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on July 30, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of a portion of the subject lands **FROM** a Holding Agricultural (h-2•AG2) Zone **TO** an Agricultural (AG2) Zone to remove the h-2 holding provision for this site.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (h-2) provision from the zoning over part of an existing lot located at 9345 Elviage Drive to allow development of a proposed farm dwelling.

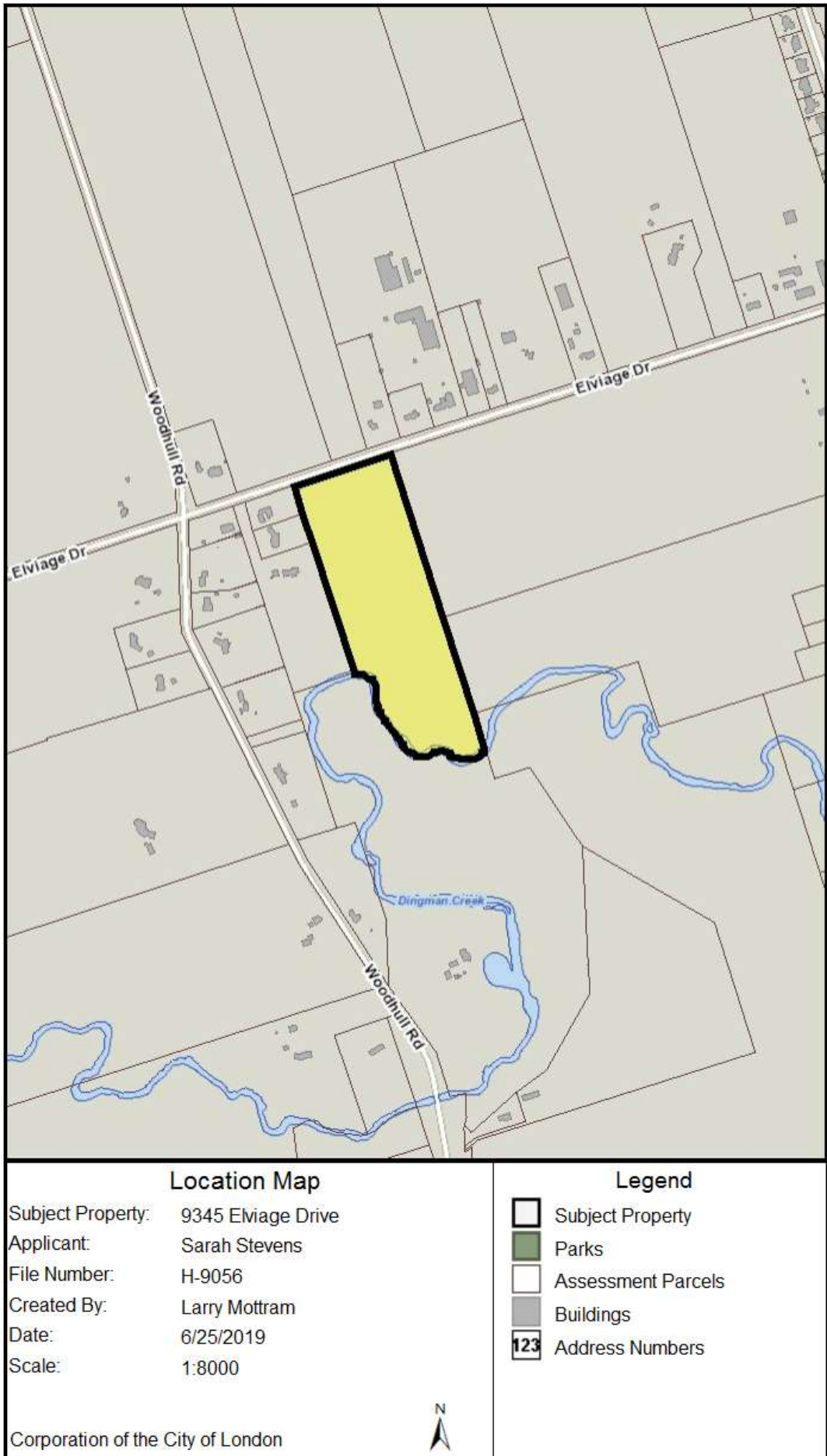
### Rationale of Recommended Action

1. The conditions for removing the holding (h-2) provision have been met and the recommended amendment will allow development of a proposed farm dwelling in compliance with the Zoning By-law.
2. The holding (h-2) provision can be removed from the zoning as the limit of development for the proposed dwelling, together with sufficient buffer to protect the surrounding natural feature has been established to the satisfaction of the City, such that there will be no negative impact on the Natural Heritage System.
3. Appropriate conditions have been established through the Committee of Adjustment (A.134/18) decision to ensure, among other matters that a restoration plans for the 10 metre buffer area and an invasive species management plans be approved prior to the issuance of a building permit.

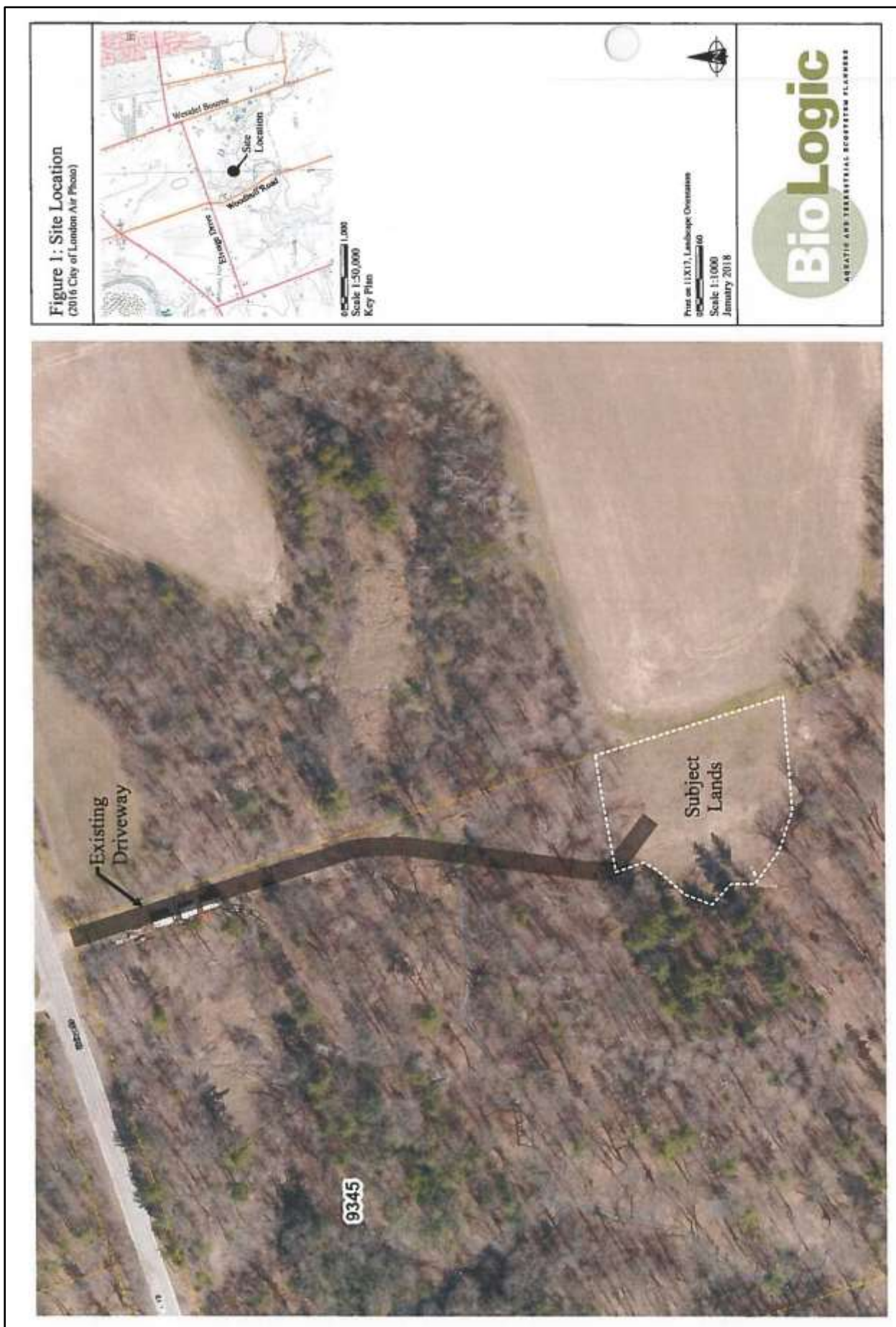


# Analysis

## 1.1 Location Map

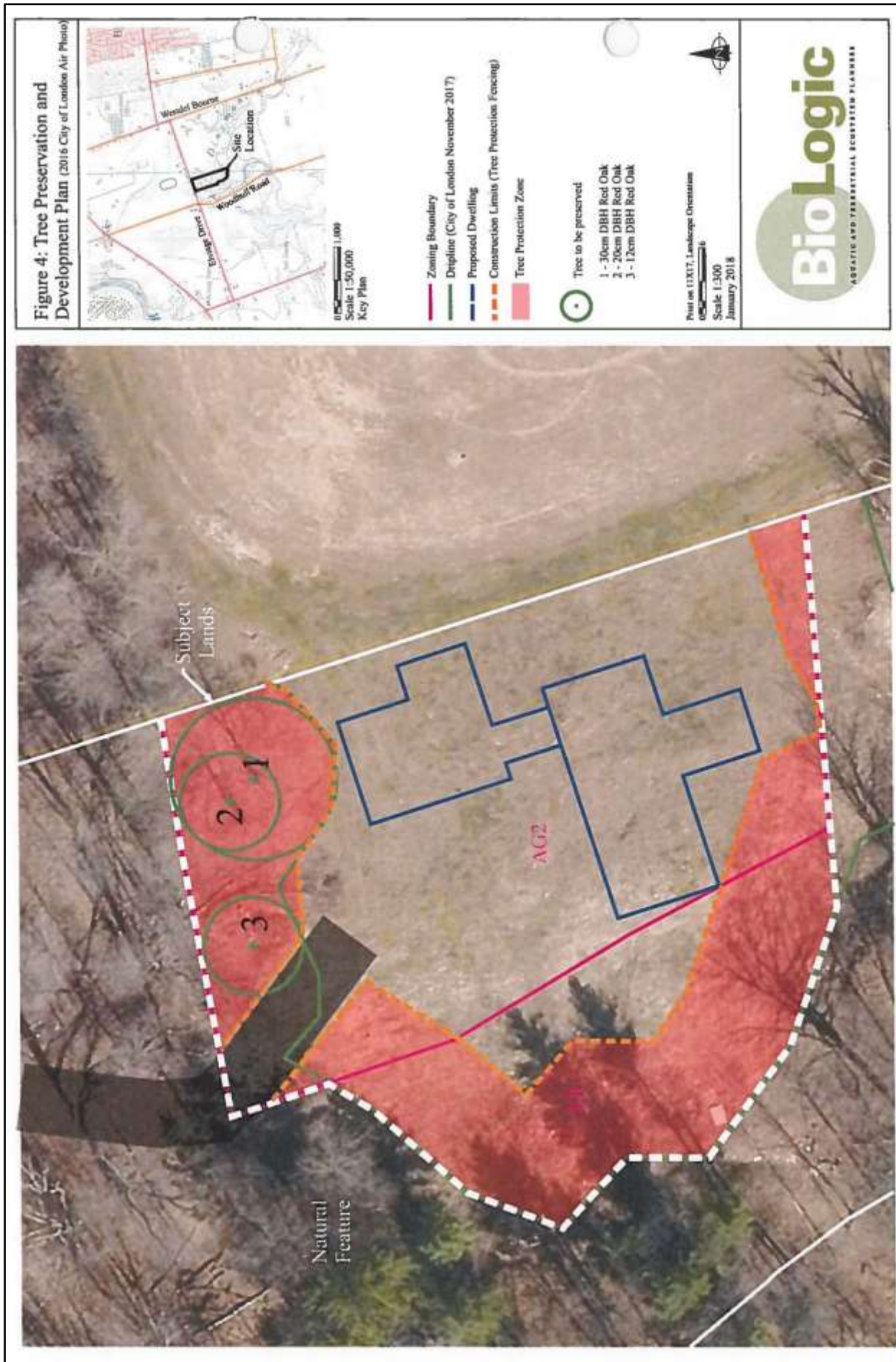


## 1.2 Site Location



(Excerpt Fig. 1 Tree Preservation Report – 9345 Elviage Drive - Biologic, January 25, 2018)

### 1.3 Tree Preservation and Development Plan



(Excerpt Fig. 4 Tree Preservation Report – 9345 Elviage Drive - Biologic, January 25, 2018)

## 2.0 Description of Proposal

The purpose and effect is to remove the holding h-2 provision from the zoning on a portion of the existing lot at 9345 Elviage Drive to allow development of a proposed farm dwelling.

## 3.0 Relevant Background

### 3.1 Planning History

On November 26, 2018, the Committee of Adjustment granted a minor variance for the purpose of constructing a farm dwelling on the property at 9345 Elviage Drive. The minor variance allows an interior side yard setback of 2.2m (7.2') from the easterly property line, whereas 30m (98.4') is the minimum required under the Agricultural AG2 Zone. The Committee's decision was granted conditionally, subject to the following:

1. A building permit is required.
2. A Section 28 Permit is required.
3. The proposed development shall meet the required odour setbacks in accordance with the provincial Minimum Distance Separation (MDS I) Implementation Guidelines and Formulae.
4. Prior to the issuance of a building permit for a new livestock facility, the City will require compliance with the provincial Minimum Distance Separation (MDS II) setbacks and compliance with the provisions of the Zoning By-law.
5. The applicant shall provide a plan, prepared by an ecological consultant, illustrating the established dripline with a 10 meter buffer and zone lines.
6. The applicant shall provide and implement a restoration plan, prepared by an ecological consultant, for the 10 meter buffer lands.
7. The applicant shall provide and implement an approved invasive species management plan, prepared by an ecological consultant, for the entire site focusing on the removal of buckthorn, garlic mustard and fragmites.
8. Parkland dedication has not been collected for the subject lands. Consistent with the regulations of the Ontario Planning Act, the applicant shall provide land or cash-in-lieu of parkland equal to 5% of the value of the property assessed on the day before the day of issuance of a building permit.
9. The Owner shall carry out a Stage 1-2 Archaeological Assessment by a licensed archaeologist. Implementation recommendations as a result of the assessment must be addressed, to the satisfaction of Heritage Planning. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the owner providing confirmation that the Ministry of Tourism, Culture, and Sport has reviewed and accepted the Stage 1-2 Archaeological Assessment into the Ontario Public Register.

The above-noted conditions must be cleared by the City prior to issuance of a building permit. The purpose of the application for removal of holding provision is to facilitate the proposed farm dwelling which is a permitted use under the AG2 Zone.

## 4.0 Key Issues and Considerations

### 4.1 Has the condition for removal of the holding (h-2) provision been met?

The purpose of the holding ("h-2") provision in the zoning by-law is as follows:

*"Purpose: To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System (identified on Schedule "B" of the Official Plan), an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status*

**File: H-9056**

**Planner: L. Mottram**

*Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol.*”(Z.-1-051390)

*Permitted Interim Uses: Existing uses*

The portion of the property zoned h-2•AG2 is approximately 2100 square metres in area. It consists of a pocket of tableland surrounded by wooded ravine and open space lands to the north, south and west, and a cultivated farm field to the east. Based on previous discussions between the applicant and City staff, a 10 metre buffer from the drip line of the surrounding natural feature has been accepted in lieu of the requirement for a scoped EIS or Subject Lands Status Report. The drip line of the natural feature was surveyed in the field with the surveyor, proponent and City staff present, and a 10 metre setback established to define the primary development exclusion zone was accepted. The area for construction of the proposed dwelling is clear of vegetation with the exception of three trees located within the AG2 Zone on the northerly portion of the subject site. These trees were identified and recommended for preservation as part of a Tree Preservation Report (BioLogic January 25, 2018) prepared by a certified arborist and submitted as supporting documentation with the application.

The 10 metre setback plus drip line of the three trees to be preserved forms the Tree Protection Zone (TPZ). The building footprint for the proposed dwelling is outside of the drip line of the existing trees and Tree Protection Zone, as shown on Figure 4: Tree Preservation and Development Plan. The Tree Protection Zone is to be staked and demarcated by a 1.2 metre high protective fencing, together with standard tree protection measures to be undertaken during the excavation and building construction, as outlined in the Tree Preservation Report.

As noted in the report, the 10 metre buffer and Tree Protection Zone provides opportunities for re-naturalization with planting of native tree species such as Sugar Maple, Red Oak, White Oak, Basswood, and American Beech. Due to the close proximity of the natural feature, it is recommended that the development area be landscaped only with native plant species or ornamental plants that have proven to be non-invasive. In accordance with conditions attached to the previous Committee of Adjustment decision, the Owner is required to prepare and implement a restoration plan for the 10 metre buffer area, as well as an approved invasive species management plan. These conditions must be satisfied prior to issuance of a building permit.

Based on staff's review, the h-2 holding provision can be removed from the AG2 Zoned area of the property as a limit of development for the proposed dwelling, together with sufficient buffer to protect the surrounding natural feature has been established to the satisfaction of the City such that there will be no negative impact on the Natural Heritage System.

## 5.0 Conclusion

In the opinion of Staff, the holding zone requirement has been satisfied and it is appropriate to proceed to lift the holding (“h-2”) symbol from the zoning applied to this site.

<b>Prepared by:</b>	<b>Larry Mottram, MCIP, RPP Senior Planner, Development Planning</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

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

July 15, 2019  
GK/PY/LM/lm

**Appendix A**

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

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

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 9345 Elviage Drive.

WHEREAS Sarah Stevens has applied to remove the holding provision from the zoning over a portion of the lands located at 9345 Elviage Drive, 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 the lands located at 9345 Elviage Drive, as shown on the attached map, to remove the h-2 holding provision so that the zoning of the lands as an Agricultural AG2 Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

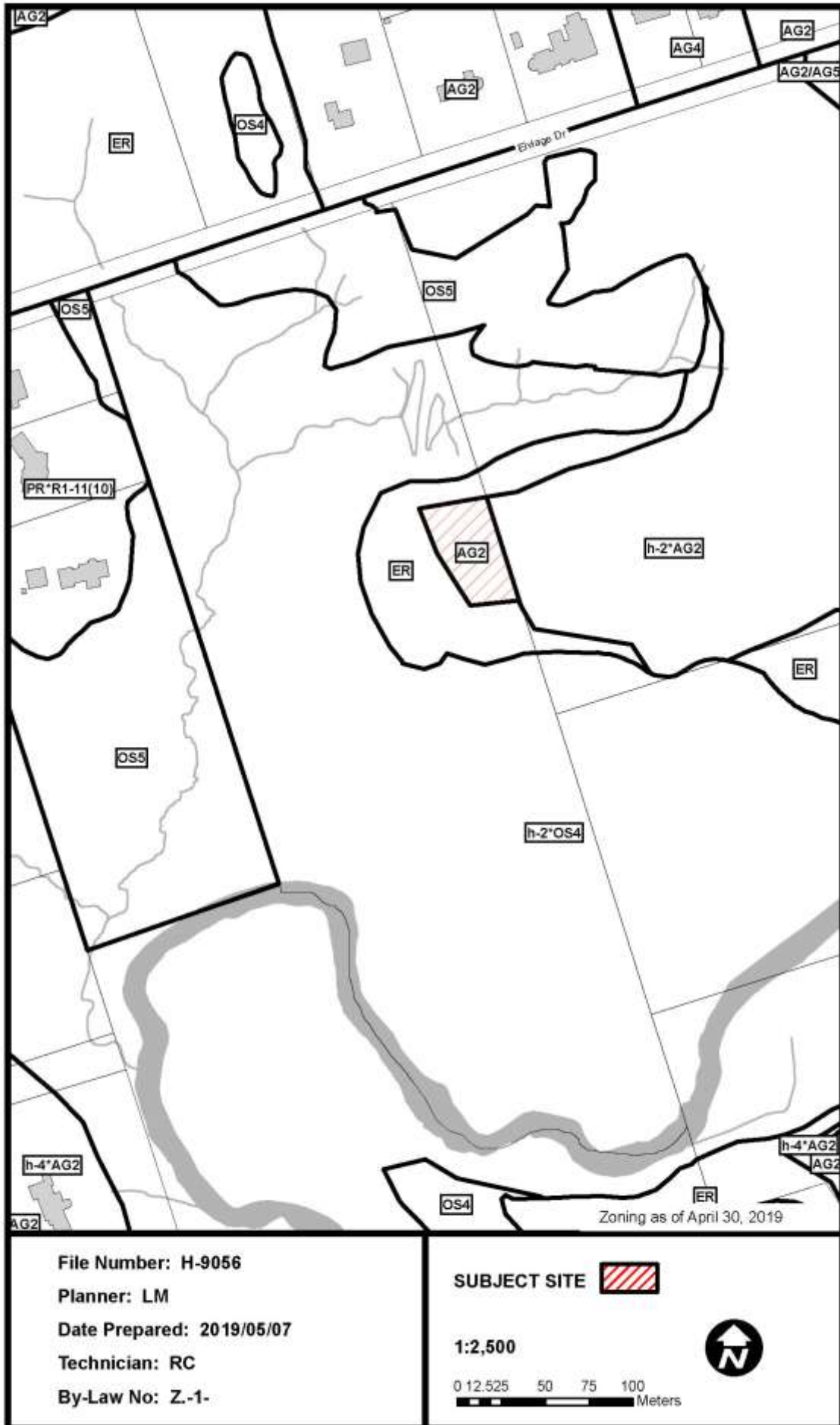
PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

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





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on May 16, 2019.

0 replies were received

**Nature of Liaison: 9345 Elviage Drive; located on the south side of Elviage Drive, between Westdel Bourne and Woodhull Road** – City Council intends to consider removing the Holding (“h-2”) Provision from the zoning of the subject lands to allow a farm dwelling permitted under the Agriculture AG2 Zone. The purpose of the “h-2” provision is to determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System (identified on Schedule “B” of the Official Plan), an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the “h-2” symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than June 25, 2019.

### Agency/Departmental Comments:

#### Upper Thames River Conservation Authority (UTRCA)

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 riverine flooding and erosion hazards associated with the Dingman Creek, and an area of interference associated with on-site and adjacent Provincially Significant Wetlands. 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.

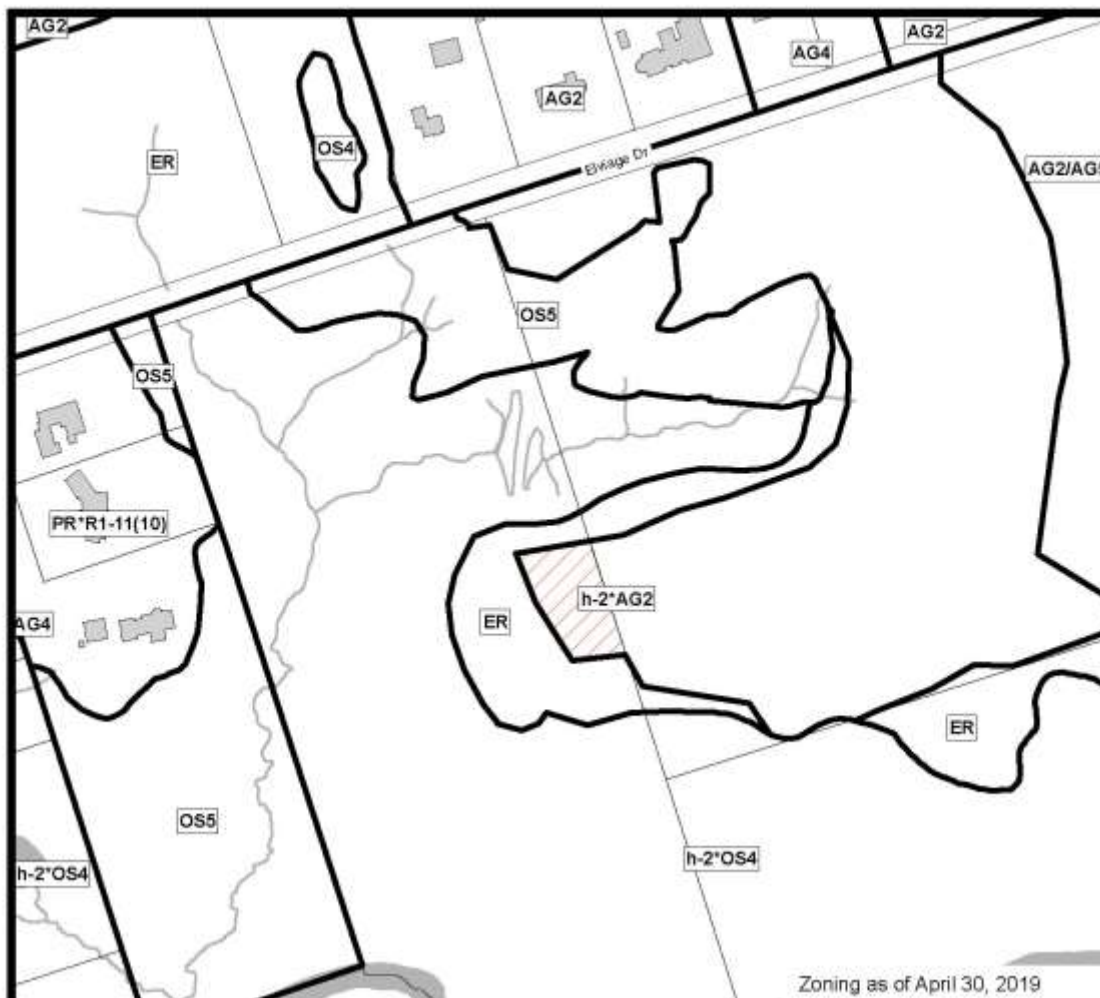
In March 2016, the UTRCA received a Section 28 Permit application to “construct a ravine crossing to access the agricultural component of the subject lands and allow for the long term cultivation of the agricultural areas”. In November of 2017, a permit was issued (#55/16) to undergo the completion of this work based on the conditions provided. The UTRCA is of the understanding that this work is now complete.

In late 2018, the UTRCA received a Section 28 Permit application regarding “Proposed Construction of Residential Dwelling and Septic System”. In April 2019, a permit was issued (#217/18) to undergo the works. We remind the applicant to contact the UTRCA regarding project commencement and completion dates as a follow-up inspection may be required.

As indicated, the subject lands are regulated by the UTRCA and are located within the Dingman Subwatershed Screening Area. A Section 28 Permit (#217/18) has been issued for the proposed works. Please ensure all works are carried out in accordance with the conditions of the permit, and notify the UTRCA of the commencement and completion of the project. The UTRCA has no objections to this application.

**Appendix C – Relevant Background**

**Existing Zoning Map**



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

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

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>H5 - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>™ - HOLDING SYMBOL</li> <li>*D* - DENSITY SYMBOL</li> <li>*H* - HEIGHT SYMBOL</li> <li>*B* - BONUS SYMBOL</li> <li>*T* - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:  
 H-9056 LM

MAP PREPARED:  
 2019/05/07 RC

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## Report to Planning and Environment Committee

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

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

**Subject:** Application By: Rockwood Homes c/o Al Allendorf  
2700 Asima Drive

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application by Rockwood Homes, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to exempt Block 57, Plan 33M-699 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

## Executive Summary

### Summary of Request

This report is a request for approval to exempt Block 57 in Registered Plan 33M-699 from the Part-Lot Control provisions of the *Planning Act*.

### Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will allow for the creation of four (4) street townhouse units, with access provided via Asima Drive.

### Rationale for Recommended Action

The conditions for passing the Part-Lot Control By-law have been satisfied and it is appropriate to allow the exemption from Part-Lot Control. The applicant has acknowledged that they are responsible for the cost of registration of the by-law.

## 1.0 Analysis

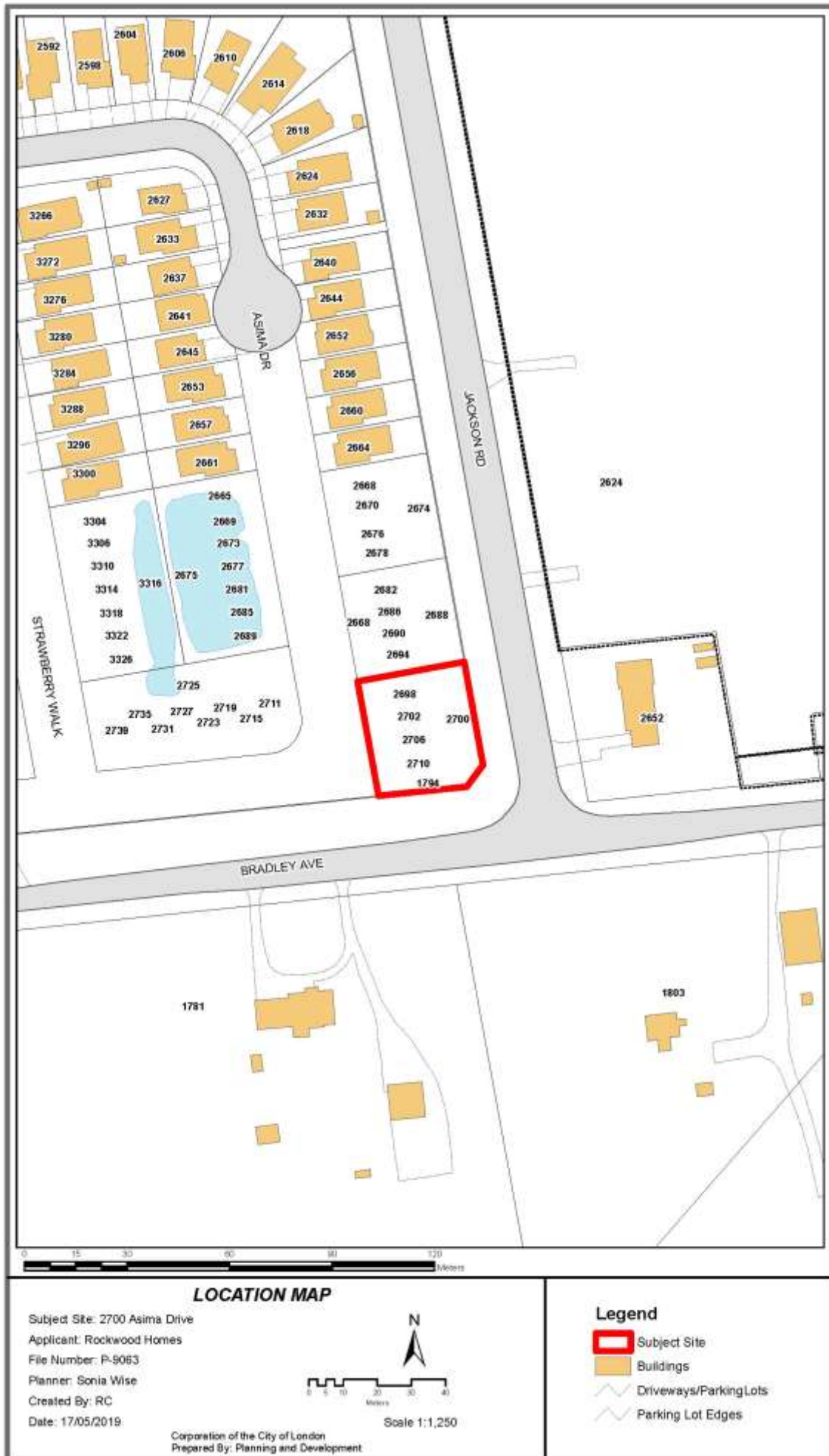
At its meeting held on June 25, 2019, Municipal Council resolved:

*“That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes, to exempt Block 57, Plan 33M-699 from Part-Lot Control:*

- (a) Pursuant to subsection 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 57, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said Act, **IT BEING NOTED** that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum garage front yard depth of 5.5m, a minimum exterior side yard main building depth of 3.0m and a minimum interior side yard depth of 1.5m;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 57, Plan 33M-699 as noted in clause (a) above:
  - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;

- ii. *The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*
- iii. *The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
- iv. *The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;*
- v. *The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*
- vi. *The applicant shall enter into any amending subdivision agreement with the City, if necessary;*
- vii. *The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*
- viii. *The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;*
- ix. *The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;*
- x. *The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*
- xi. *The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;*
- xii. *The applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 3 and 4 by parts 2 and 5; and,*
- xiii. *That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question."*

Location Map



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

- i. *The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;*

Acknowledged by the applicant on July 5, 2019.

- ii. *The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*

Satisfied by registration of reference plan 33R-20377.

- iii. *The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*

Satisfied by submission on July 5, 2019.

- iv. *The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;*

Satisfied by installation of Hydro Services on May 17, 2019.

- v. *The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*

Satisfied by the acceptance of Lot Grading and Servicing Plans submitted as per Site Plan Application SPA18-058.

- vi. *The applicant shall enter into any amending subdivision agreement with the City, if necessary;*

Satisfied as the subdivision agreement was registered by instrument ER1192669 and no further amendment was required.

- vii. *The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*

Satisfied by service installation on October 19, 2016.

- viii. *The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;*

Satisfied by municipal numbering assigned on October 22, 2018.

- ix. *The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the*

land registry office;

Satisfied by reference plan 33R-20377

- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;

Satisfied by reference plan 33R-20377

- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;

Satisfied as per issuance of building permit number 19-004498.

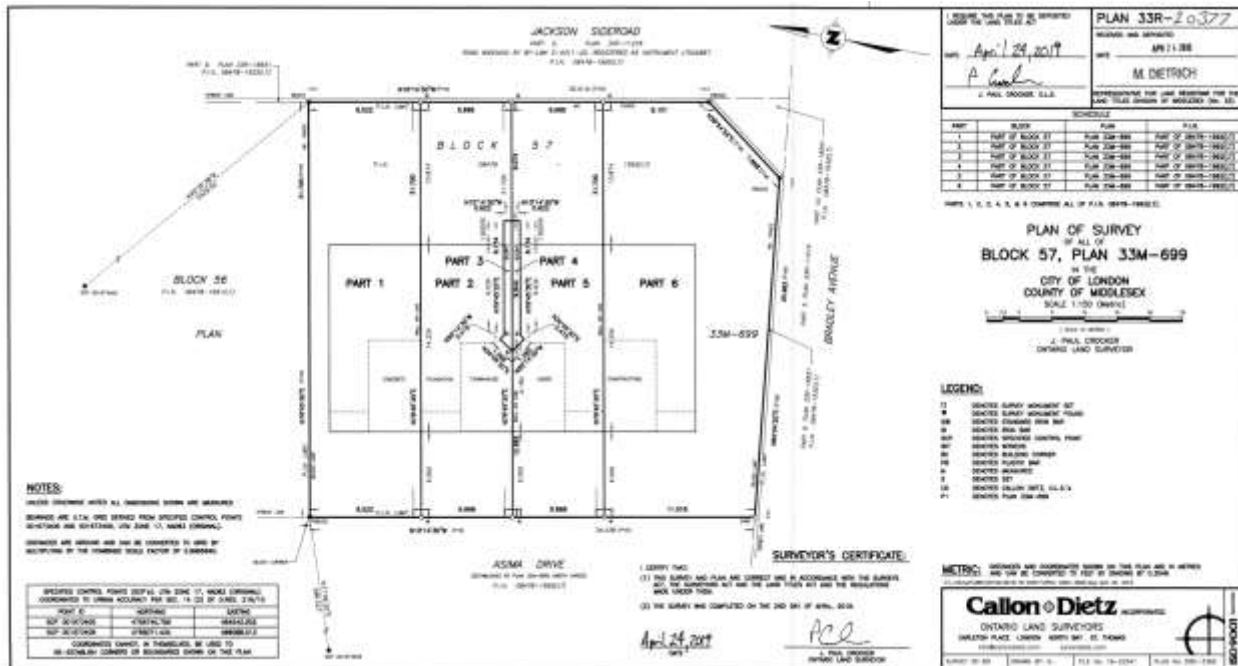
- xii. The applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 3 and 4 by parts 2 and 5; and,

Satisfied as per draft transfer provided from Block 55 registered as ER1206610.

- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.”

Acknowledged by applicant on July 5, 2019.

**Plan 33R-20377**



**2.0 Description of Proposal**

**2.1 Development Proposal**

The Applicant, Rockwood Homes, has requested exemption from Part-Lot Control to create a total of four (4) freehold townhouse dwelling units on a local street (Asima Drive). The plan of subdivision was registered on July 14, 2016 as 48 single detached dwelling lots and nine (9) multi-family medium density residential blocks, all served by three (3) new local streets (Turner Crescent, Strawberry Walk and Asima Drive). The dwellings will be freehold street townhouse units, approximately two storeys in height, and accessed from Asima Drive.

### 3.0 Relevant Background

#### 3.1 Planning History

The draft plan of subdivision (39T-07508) was approved by the Approval Authority as one (1) phase, consisting of 48 single family detached lots, and nine (9) multi-family medium density residential blocks, and was registered on July 4, 2016 as plan 33M-699.

A Site Plan Application was submitted in 2018 (SPA18-058) for Blocks 56 and 57 of Plan 33M-699. The Site Plan was approved and a Development Agreement was entered into with the City of London, which was registered as ER1192669 on September 13, 2018.

The application for exemption from Part-Lot Control was considered by the Planning and Environment Committee on June 17, 2019, and Municipal Council on June 25, 2019. The attached recommended by-law implements Council's June 25, 2019 resolution and allows for the conveyance of individual lots within Block 57, Plan 33M-699.

### Conclusion

The recommended exemption from Part-Lot Control is considered appropriate and in keeping with the planned intent of the Summerside Subdivision. The conditions have been satisfied and the exemption from Part-Lot Control is recommended to allow for the creation of individual units.

<b>Prepared by:</b>	<b>Sonia Wise, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 15, 2019

cc: Lou Pompilli, MPA, RPP, Manager, Development Planning  
cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Ismail Abushehada, Manager Development Engineering  
/sw



## Appendix A

Bill No. (*Number inserted by Clerk's Office*)  
2019

By-law No. C.P.- (*Number inserted by Clerk's Office*)

A by-law to exempt from Part-Lot Control, lands located at 2700 Asima Drive, legally described as Block 57 in Registered Plan 33M-699.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Rockwood Homes, it is expedient to exempt lands located at 2700 Asima Drive, legally described as Block 57 in Registered Plan 33M-699, from Part-Lot Control;

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

1. Block 57 in Registered Plan 33M-699, located at 2700 Asima Drive, west of Jackson Road, is hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

## 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: Speyside East Corporation  
3270 Raleigh Crescent

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Speyside East Corporation relating to the property located at 3270 Raleigh Crescent, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 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/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(13)) Zone **TO** a Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (R5-2/R6-4/CF3/CC(13)) Zone.

## Executive Summary

### Summary of Request

The applicant has requested the removal of the "h, h-53, h-56 and h-91" holding provisions from 3270 Raleigh Crescent, which are in place to ensure: the orderly development of land; street oriented design which discourages noise walls, noise attenuation from the arterial road, and urban design.

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h, h-53, h-56 and h-91" holding symbols to facilitate the development of a 16 unit townhouse development with access from Raleigh Crescent.

### Rationale of Recommended Action

The requirements for removing the holding provisions have been met, and the Approval Authority has confirmed that no further work is required. It is appropriate to remove the holding provisions as they are no longer required.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is located in the southwest area of the City with frontages on Colonel Talbot Road, Raleigh Boulevard and Raleigh Crescent. There are commercial uses and an ambulance station to the north, low density residential uses to the east, cluster residential uses to the south and future development lands to the west. The site is approximately 0.46 ha in size and is currently undeveloped and vacant.

## 1.2 Location Map



### 1.3 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Low Density Residential
- Existing Zoning – holding Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(13))

### 1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 38 metres
- Depth – 116 metres
- Area – 0.46 ha
- Shape – Irregular

### 1.5 Surrounding Land Uses

- North – Ambulance Station and Commercial
- East – Low Density Residential
- South – Low Density Residential
- West – Future Development lands

## 2.0 Description of Proposal

### 2.1 Development Proposal

The proposal is for a 16 unit cluster townhouse development with 4 units in 4 blocks. Vehicular access is provided from Raleigh Crescent and a private window street (driveway) is provided along Colonel Talbot Road.

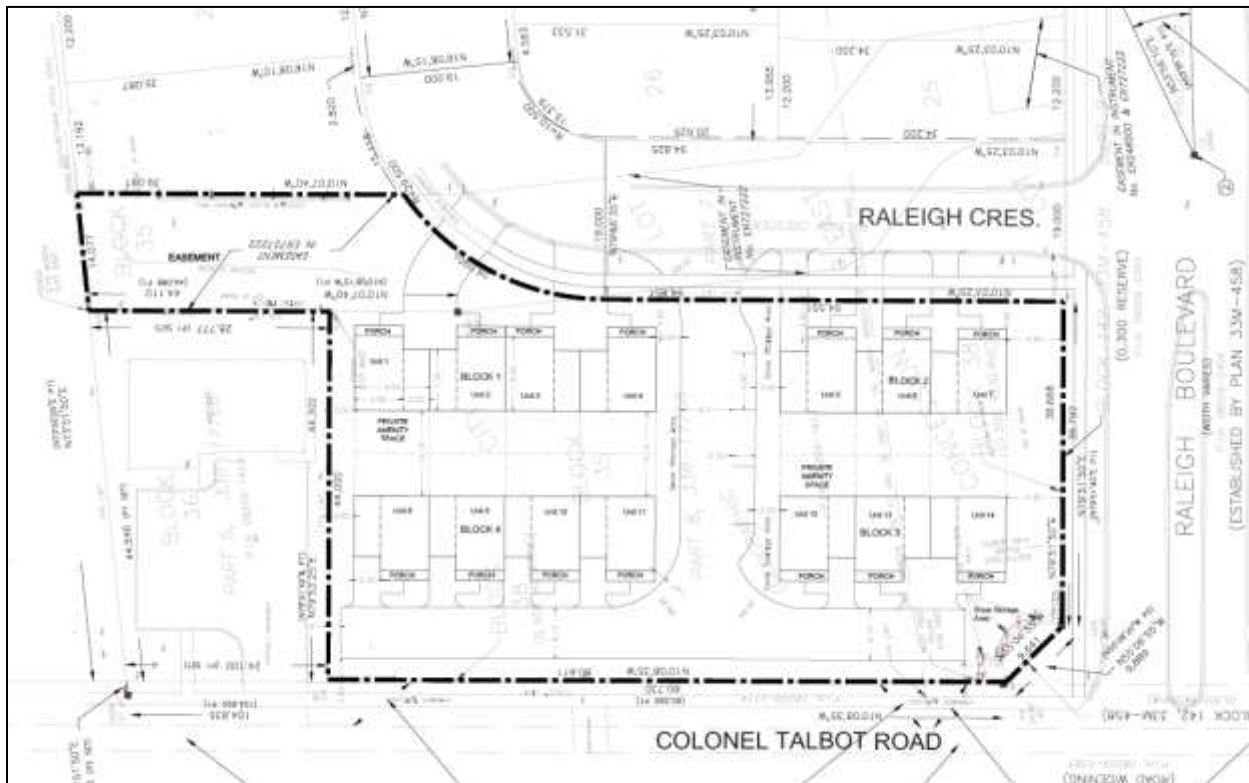


Figure 1: Conceptual Site Plan

## 3.0 Relevant Background

### 3.1 Planning History

39T-00514/Z-5967

The subject site is part of the Talbot Village subdivision, which is comprised of 89.67 hectares (222 acre) located on the east side of Colonel Talbot Road, between

Southdale Road W at the north limit of the plan and Pack Road at the south limit of the plan, known municipally as 3126 Colonel Talbot Road. The Talbot Village subdivision includes 31 residential blocks, 3 mixed use blocks, 1 commercial shopping block, 5 park blocks, 2 open space/stormwater management blocks, 2 institutional blocks and 7 future residential blocks serviced by new secondary collector and local roads.

The original application for Draft Plan of Subdivision Approval was accepted on August 14, 2000 and was subsequently revised and resubmitted February 20, 2001. Draft approval was granted on April 19, 2001. The corresponding zoning by-law amendment (Z.-1-01875) was passed by Municipal Council on April 2, 2001 which zoned the lands holding Residential R2 Special Provision/Residential R4 Special Provision/Community Facility (h-30\*R2-1(13)/R4-3(1)/CF3).

#### 39T-13504/Z-8243

In March of 2014 a residential plan of subdivision was considered to permit single detached dwelling lots, cluster housing, community facility uses and to recognize the existing E.M.S Station. A concurrent zoning amendment changed the subject site to a Residential R5-2 Zone to permit cluster townhouses and cluster stacked townhouses, and a Residential R6-4 Zone to permit cluster housing in the form of single detached, semi-detached and duplex dwellings. The Community Facility zone was maintained on to allow for these uses should the block not be development for residential uses. The plan was registered as 33M-684 on September 28, 2015.

#### OZ-8486

In August of 2015 the subject site was re-zoned to add and allow for convenience commercial uses as there was interest to develop the site for non-residential uses. Through this process the property was zoned holding Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(\_)) Zone.

#### A.155/18

In March of 2018 a minor variance application was granted for the proposed townhouse development to allow for a reduced exterior side yard setback of 4.5m (14.8') and to permit a density of 31 units per hectare whereas 30 units per hectare was the maximum.

### **3.2 Previous Reports and Applications Relevant to this Application**

March 25, 2014, Planning and Environment Committee; "Public Participation Meeting, Speyside East Corporation, 3100 Colonel Talbot Road Subdivision, 39T-13504/Z-8243"

March 17, 2001, Planning Committee; Planning Report on Application by Speyside East Corporation, 3126 Colonel Talbot Road, 39T-00514, Z-5967"

December 13, 1999, North Talbot Community Plan (NTCP), Talbot Community Urban Design Guidelines

### **3.3 Requested Amendment**

The applicant is requesting the removal of the "h, h-53, h-56 and h-91" holding provisions from the site to allow for the development of the cluster townhouses.

### **3.4 Community Engagement**

No comments were received in response to the Notice of Application.

### 3.5 Policy Context

*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 including the process, and notification and removal procedures.

## 4.0 Key Issues and Considerations

### 4.1 What is the purpose of the holding provisions and is it appropriate to consider their removal?

*h - Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law;*

The Site Development Planner advised on July 11, 2019 that the development agreement has been entered into and security has been provided.

*h-53 - Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.*

The development is oriented towards Colonel Talbot Road and Raleigh Crescent to present strong street edges and built form. The use of a private window 'street' (driveway) along Colonel Talbot Road provides adequate setbacks from the arterial road noise to the residential amenity areas, avoiding the need for noise walls.

*h-56 - Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the "h-56" 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 development mitigates the arterial noise and measures have been included in the development agreement to manage noise for the residential amenity areas as per the noise study prepared by IBI Group on March 5, 2019.

*h-91 - Purpose: To ensure that the urban design concepts established through the Zoning amendment review process are implemented, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and Addresses identified urban design issues. Permitted Interim Uses: Existing Uses*

The development agreement and site plan have implemented the urban design concepts established through earlier planning applications and represents a positive built form outcome.

## 5.0 Conclusion

The Applicant has undertaken sufficient works to remove the holding provisions. The resulting development is street-oriented, mitigates noise from the arterial road, and incorporates urban design principles from the Zoning Amendment process into a development agreement and approved Site Plan application. It is appropriate to remove the holding provisions to allow the zoning to come into force.

<b>Prepared by:</b>	<b>Sonia Wise, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 15, 2019

/sw

cc: Matt Feldberg, Manager, Development Services (Subdivisions)

cc: Lou Pompilii, MPA, RPP, Manager, Development Planning

cc: Ismail Abushehada, Manager Development Engineering

**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 3270  
Raleigh Crescent.

WHEREAS Speyside East Corporation has applied to remove the holding provision from the zoning for the lands located at 3270 Raleigh Crescent, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said 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 3270 Raleigh Crescent, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (R5-2/R6-4/CF3/CC(13)) 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 July 30, 2019.

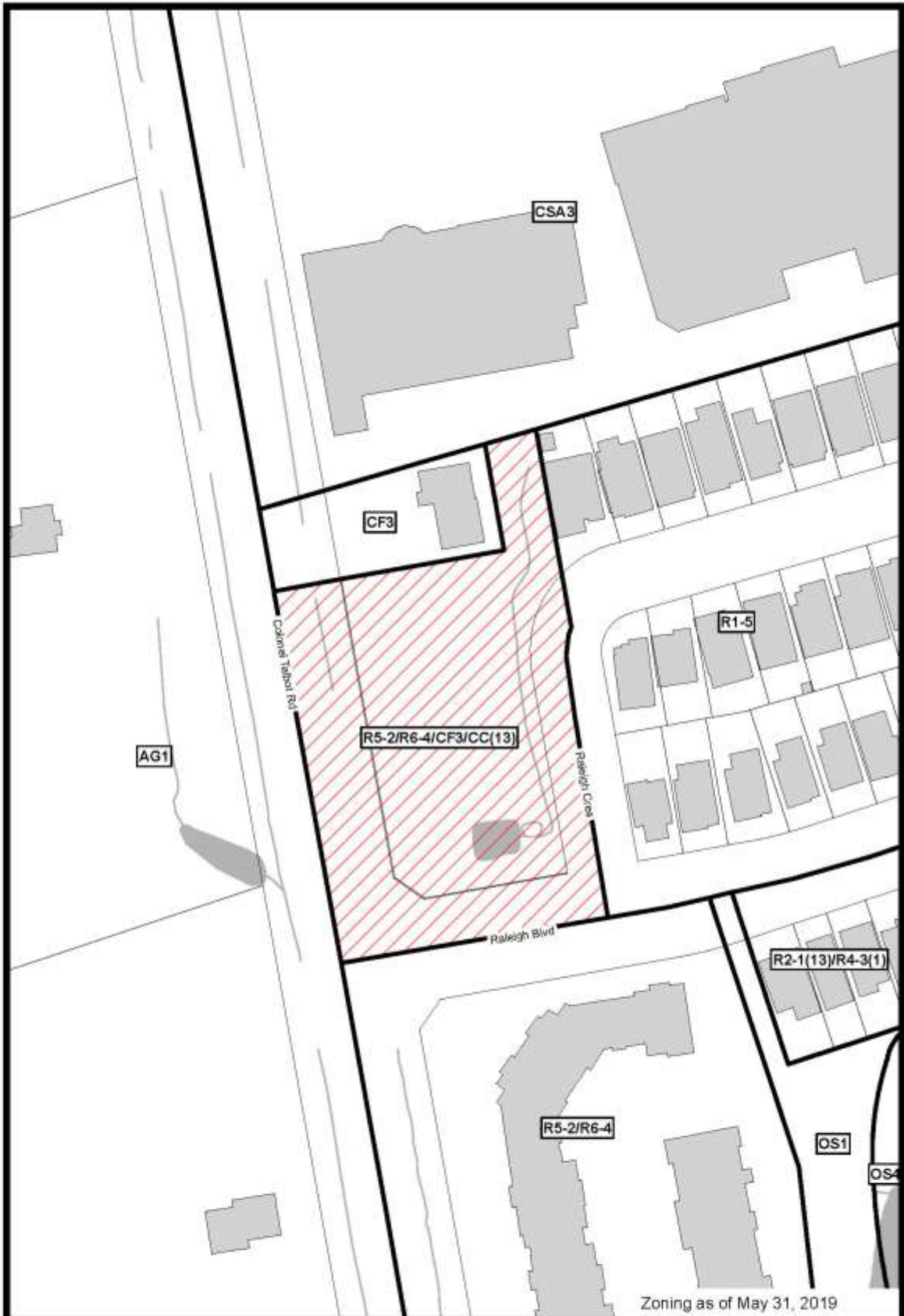
Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019




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



File Number: H-9086  
Planner: SW  
Date Prepared: 2019/06/27  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

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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: 2568401 Ontario Inc.  
1509 Fanshawe Park Road West  
Removal of Holding Provision h-17

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application of 2568401 Ontario Inc. relating to the property located at 1509 Fanshawe Park Road West the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1509 Fanshawe Park Road West **FROM** a Holding Restricted Service Commercial (h-17\*RSC2/RSC5) Zone **TO** a Restricted Service Commercial (RSC2/RSC5) Zone to remove the h-17 holding provision.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h-17 holding provision applied to this site to permit the development of an automobile service station, a gas bar, and a car wash.

### Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law.
2. Through the site plan approval process the required security has been submitted to the City of London, the execution of the development agreement is imminent and the full municipal services are available to service the site. Therefore, the h-17 holding provision is no longer required.

# Analysis

## 1.1 Location Map





## 2.0 Description of Proposal

The purpose of this amendment application is to remove the h-17 holding provision from these lands. This provision requires that full municipal sanitary sewer and water services are available to service the site. The removal of the h-17 holding provision at 1509 Fanshawe Park Road West will allow for the construction of an automobile service station, a gas bar, and a car wash.

## 3.0 Relevant Background

### 3.1 Planning History

The lands were designated Auto-Oriented Commercial Corridor through the Hyde Park Community Plan process. Council adopted the Hyde Park Community Plan on April 17, 2000. OPA 193 was adopted by Council in 2001 implementing the land use designation as adopted through the Community Plan process.

An application for site plan for phase one of this site was submitted on June 26, 2017. A development agreement has been signed and security has been submitted. The application for phase two of this site was submitted May 1, 2019. Approval is still pending.

### 3.2 Requested Amendment

The applicant is requesting the removal of the “h-17” holding provision from the lands to permit development.

### 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

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

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

The h-17 holding provision states that:

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

The h-17 holding provision requires that full municipal sanitary sewer and water service systems are available for these lands. A municipal sanitary sewer and watermain are located in the Fanshawe Park Road right-of-way. As this development proposal progressed through Site Plan Approval, the accepted plans and Development Agreement for this site include provisions to ensure that a connection to the existing water and sanitary systems in the immediate area is required. This satisfies the requirement for removal of the “h-17” holding provision.

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

## 5.0 Conclusion

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

<b>Prepared by:</b>	<b>Alanna Riley, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

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

July 15, 2019  
CS/

## Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1509 Fanshawe Park Road West.

WHEREAS 2568401 Ontario Inc. have applied to remove the holding provision from the zoning for the lands located at 1509 Fanshawe Park Road West, 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 land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1509 Fanshawe Park Road West, as shown on the attached map, to remove the h-17 holding provision so that the zoning of the lands as a Restricted Service Commercial (RSC2/RSC5) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - July 30, 2019  
Second Reading – July 30, 2019  
Third Reading - July 30, 2019

## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on July 4, 2018

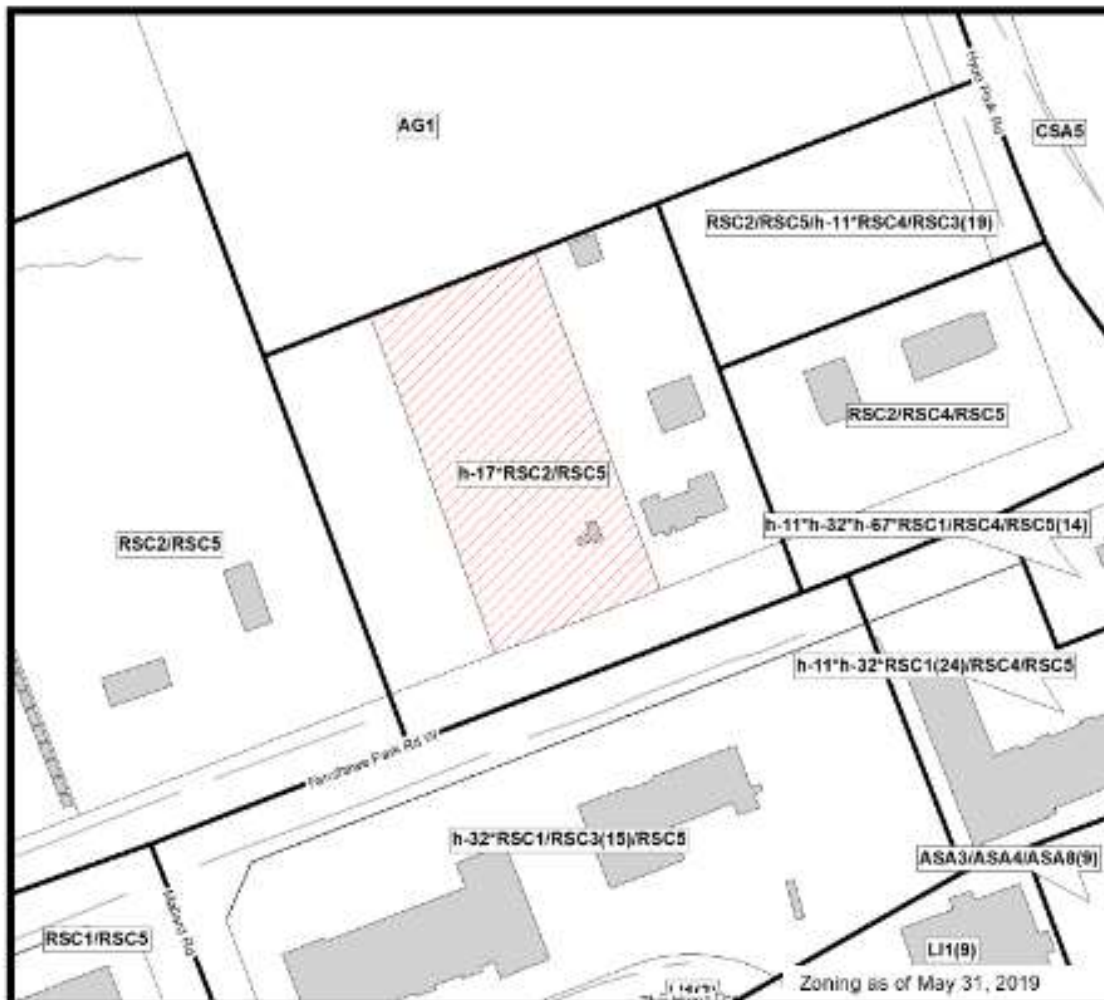
0 replies were received

**Nature of Liaison:** City Council intends to consider removing h-17 holding provision from the lands which requires full municipal sanitary sewer and water services are available to service the site to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than July 22, 2019.



**Appendix C – Relevant Background**

**Existing Zoning Map**



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:  
H-9083 AR

MAP PREPARED:  
2019/06/17 rc

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

## Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1509 Fanshawe Park Road West.

WHEREAS 2568401 Ontario Inc. have applied to remove the holding provision from the zoning for the lands located at 1509 Fanshawe Park Road West, 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 land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1509 Fanshawe Park Road West, as shown on the attached map, to remove the h-17 holding provision so that the zoning of the lands as a Restricted Service Commercial (RSC2/RSC5) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - July 30, 2019  
Second Reading – July 30, 2019  
Third Reading - July 30, 2019

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



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, P.ENG  
Managing Director, Development & Compliance Services and  
Chief Building Official

**Subject:** Final Decision (OMB) Draft Plan of Subdivision, Official Plan  
and Zoning By-law Amendment  
Barvest Realty Inc.  
58 Sunningdale Road West

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following report on the Ontario Municipal Board decision of the appeal by Analee Ferreira on behalf of Barvest Realty Inc. relating to Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment for the lands located at 58 Sunningdale Road West **BE RECEIVED** for information.

## Executive Summary

On June 10, 2016 the applicant submitted an application for Draft Plan of Subdivision approval, an Official Plan Amendment and a Zoning By-law Amendment including all required reports/studies identified during pre-consultation. Staff reviewed and accepted the applications as complete on June 14, 2016.

On November 14, 2016 a public participation meeting was held at the Planning and Environment Committee meeting to consider a red line draft plan of subdivision, Official Plan amendment and Zoning By-law Amendment. At the public participation meeting, the agent for the applicant requested that the application be referred back to staff for further discussion with the public, staff and the applicant regarding the requested expansion of the commercial block.

At its meeting held on November 22, 2016, Municipal Council resolved that the following actions be taken with respect to the application by Barvest Realty Inc., relating to the property located at 58 Sunningdale Road West:

- a) *the application **BE REFERRED** to a future Planning and Environment Committee meeting to provide an opportunity for further discussions between the community, including members of the public who spoke at the November 14, 2016 Planning and Environment Committee public participation meeting, the applicant and the Civic Administration; and,*
- b) *pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** except to the members of the public in attendance at the Planning and Environment Committee meeting held on November 14, 2016;*

*it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;*

*it being further noted that the Municipal Council approves this application for the following reasons:*

- *the proposed red line revised draft plan is consistent with the Provincial Policy Statement;*

- *the proposed red line revised draft plan is consistent with the Planning Act;*
- *the proposed red line revised draft plan is consistent with the Sunningdale Area Plan and the Official Plan;*
- *the recommended Zoning By-law amendments encourage the development of plan of subdivision that includes an appropriate mix of low, medium and commercial uses that support pedestrian oriented development; and,*
- *the proposed red line revised draft plan and Zoning By-law amendment is consistent with the Council approved London Plan.*

Actions that followed the November 14, 2016 PEC meeting:

November 28, 2017: Staff met with the applicant and applicant's agent to discuss a proposed submitted plan for the development of the residential block along Villagewalk Boulevard and to discuss future actions to engage and communicate with the public.

February 7, 2017: Staff reviewed plans submitted by the applicant on a confidential and without prejudice basis.

June 6, 2017: Applicant held a community meeting at St. John the Devine Church.

June 28, 2017: Staff and the Applicant met and discussed all plans submitted to date. The applicant requested that the application be scheduled on the July 31, 2017 PEC Agenda for a Council decision.

July 19, 2017: Analee Ferreira on behalf of Barvest Realty Inc. submitted appeals to the Ontario Municipal Board (OMB), on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a Draft Plan of Subdivision application; and a non-decision by Municipal Council within 120 days relating to an Official Plan and Zoning By-law Amendment application.

August 28, 2017: Staff report to the Planning and Environment Committee notifying that the applications for Draft Plan Approval, Official Plan and Zoning By-law Amendment were appealed.

On September 6, 2017, Council resolved:

*That, on the recommendation of the Senior Planner, Development Planning, in response to appeals to the Ontario Municipal Board, dated July 19, 2017, submitted by Analee Ferreira, on behalf of Barvest Realty Inc., on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application and a non-decision by Municipal Council within 120 days relating to an Official Plan and Zoning By-law amendment applications concerning lands located at 58 Sunningdale Road West:*

- a) *the Ontario Municipal Board **BE ADVISED** that the Municipal Council does not support draft approval of the proposed plan of subdivision, submitted by Barvest Realty Inc. (File No. 39T-16503), prepared by Holstead and Redmond Limited OLS., drawing No. BAR/LON/07-02, which shows 41 single detached lots, one (1) medium density blocks, two (2) commercial blocks, two (2) residential part blocks and several 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road and three (3) new local streets:*
- i) *the proposed plan of subdivision is not consistent with the Provincial Policy Statement;*
  - ii) *the proposed plan of subdivision is not consistent with the Planning Act;*
  - iii) *the proposed plan of subdivision is not consistent with the Sunningdale Area Plan and the Official Plan;*

- iv) *the proposed plan of subdivision does not encourage the development of plan of subdivision that includes an appropriate mix of low, medium and commercial uses that support pedestrian oriented development; and,*
  - v) *the proposed plan of subdivision is not consistent with the Council approved London Plan;*
- b) *the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends that the request to amend the Official Plan to change the designation of the subject lands **FROM** a Multi-Family, Medium Density Residential designation which allows townhouses and various forms of cluster housing at a maximum density of 75 units per hectare **TO** a Community Commercial Node designation to allow all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies, convenience commercial uses, personal services, restaurants, commercial recreation establishments, financial institutions and services, a limited range of automotive services, service-oriented office uses such as real estate, insurance and travel agencies, community facilities, such as libraries or day care centres, professional and medical/dental offices, commercial and private schools and some small scale office uses with a total maximum gross floor area of 16,778 m<sup>2</sup> (180,600 ft<sup>2</sup>) **BE REFUSED** for the following reasons:*
- i) *the proposed expansion does not meet the intent of the Sunningdale Area Plan;*
  - ii) *the proposed expansion does not meet the intent of the City of London Official Plan policies;*
  - iii) *the proposed expansion does not meet the intent of the City of London Council approved London Plan; and,*
  - iv) *the proposed expansion does not provide for an orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers previously considered in this area through the Sunningdale Area Plan;*
- c) *the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends that the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR3) Zone **TO** a Community Shopping Area Special Provision (CSA4 ( \_ )) Zone, to permit various retail and commercial uses with a 20,000 square metre maximum gross floor area, a 0 metre minimum front and exterior side yard setback, a 15 metre maximum height and 1 parking space per 30m<sup>2</sup> for all uses excluding office uses **BE REFUSED** for the following reason:*
- i) *the proposed CSA4 ( \_ ) Zone would permit a sizable amount of commercial development that is not in keeping with the policies of the Multi-Family Medium Density Residential designation which applies to this parcel, and is not consistent with the Sunningdale Area Plan;*
- d) *the Ontario Municipal Board **BE ADVISED** that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Barvest Realty Inc. (File No. 39T-16503), prepared by Holstead and Redmond Limited OLS., drawing No. BAR/LON/07-02, as red-line amended, which shows 41 single detached lots, three (3) medium density blocks, one (1) commercial blocks, two (2) residential part blocks, and several 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road, and three (3) new local street, **SUBJECT TO** the conditions appended to the staff report dated August 28, 2017 as Appendix “39T-16503”;*

e) the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends that the Zoning By-law No. Z.-1 **BE AMENDED** in accordance with Appendix "A" as appended to the staff report dated August 28, 2017, (in conformity with the Official Plan), **FROM** an Urban Reserve (UR3) Zone which permits existing uses **TO:**

- i) a Holding Residential R1 Special Provision (h\*h-94\*h-100\*R1-6 ( )) Zone, to permit single detached dwellings with a minimum lot frontage of 15.0 metres, a minimum lot area of 450m<sup>2</sup>, a maximum height of 10.5 metres and a minimum 1.2 metre interior sideyard setback for one and two storey dwellings plus an additional 0.6 metre setback for dwellings above 2 storeys as per section 5.3 of Zoning By-law Z-1;
- ii) a Holding Residential R1 Special Provision (h\*h-100\*R1-6 ( )) Zone, to permit single detached dwellings with a minimum lot frontage of 15.0 metres, a minimum lot area of 450m<sup>2</sup>, a maximum height of 10.5 metres and a minimum 1.2 metre interior sideyard setback for one and two storeys dwellings plus an additional 0.6 metre setback for dwellings above 2 storeys as per section 5.3 of Zoning By-law Z-1;
- iii) a Holding Residential R5 Special Provision / Residential R6 Special Provision (h\*h-5\*h-53\*h-54\*h-100\*h-108\*R5-7 ( )/R6-5 ( )) Zone, to permit medium density development in various forms of townhouses and cluster townhouses to a maximum density of 60 units per hectare and height of 12 metres maximum and to permit cluster housing from single detached dwellings to townhouses and apartments to a maximum density of 35 units per hectare, a maximum height of 12 metres maximum and with a minimum 4.5 metre front and exterior yard setback;
- iv) a Holding Residential R5 Special Provision / Residential R6 Special Provision (h\*h-5\*h-53\*h-54\*h-100\*R5-7 ( )/R6-5 ( )) Zone, to permit medium density development in various forms of townhouses and cluster townhouses to a maximum density of 60 units per hectare and height of 12 metres maximum and to permit cluster housing from single detached dwellings to townhouses and apartments to a maximum density of 35 units per hectare, a maximum height of 12 metres and with a minimum 4.5 metre front and exterior yard setback;
- v) a Holding Residential R5 Special Provision / Residential R6 Special Provision (h\*h-5\*h-100\*R5-7 ( )/R6-5 ( )) Zone, to permit medium density development in various forms of townhouses and cluster townhouses to a maximum density of 60 units per hectare and height of 12 metres maximum and to permit cluster housing from single detached dwellings to townhouses and apartments to a maximum density of 35 units per hectare, a maximum height of 12 metres maximum and with a minimum 4.5 metre front and exterior yard setback; and,
- vi) a Holding Community Shopping Area Special Provision (h\*h\*-5\*h-53\*h-100\*h-173\*CSA3 ( )) Zone to permit various retail and commercial uses with a 15,000 square metre maximum gross floor area with 0.0 metre minimum front and exterior side yard setback, a maximum 15 metre height, 40% maximum lot coverage and 1 parking space per 30m<sup>2</sup> for all uses excluding office uses;

the following is a description of the holding provisions which have been applied:

- i) (h) to ensure that there is orderly development through the execution of a subdivision agreement;
- ii) (h-5) to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review



- specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol;*
- iii) *(h-53) to encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London;*
  - iv) *(h-54) 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;*
  - v) *(h-94) to ensure that there is a consistent lotting pattern in this area, the "h-94" symbol shall not be deleted until the block has been consolidated with adjacent lands;*
  - vi) *(h-100) to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available;*
  - vii) *(h-108) to ensure that this parcel is developed in conjunction with abutting lands, to the satisfaction City of London, prior to removal of the "h-108" symbol; and,*
  - viii) *(h- 173) to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through a development agreement, to the satisfaction of the City of London;*
- f) *the Ontario Municipal Board **BE REQUESTED** to advise the applicant that the Director, Development Finance, has summarized claims and revenues information appended to the staff report dated August 28, 2017 as Appendix "B"; and,*
- g) *the City Solicitor **BE DIRECTED** to provide legal and planning or expert witness representation at the Ontario Municipal Board hearing in support of Municipal Council's position;*

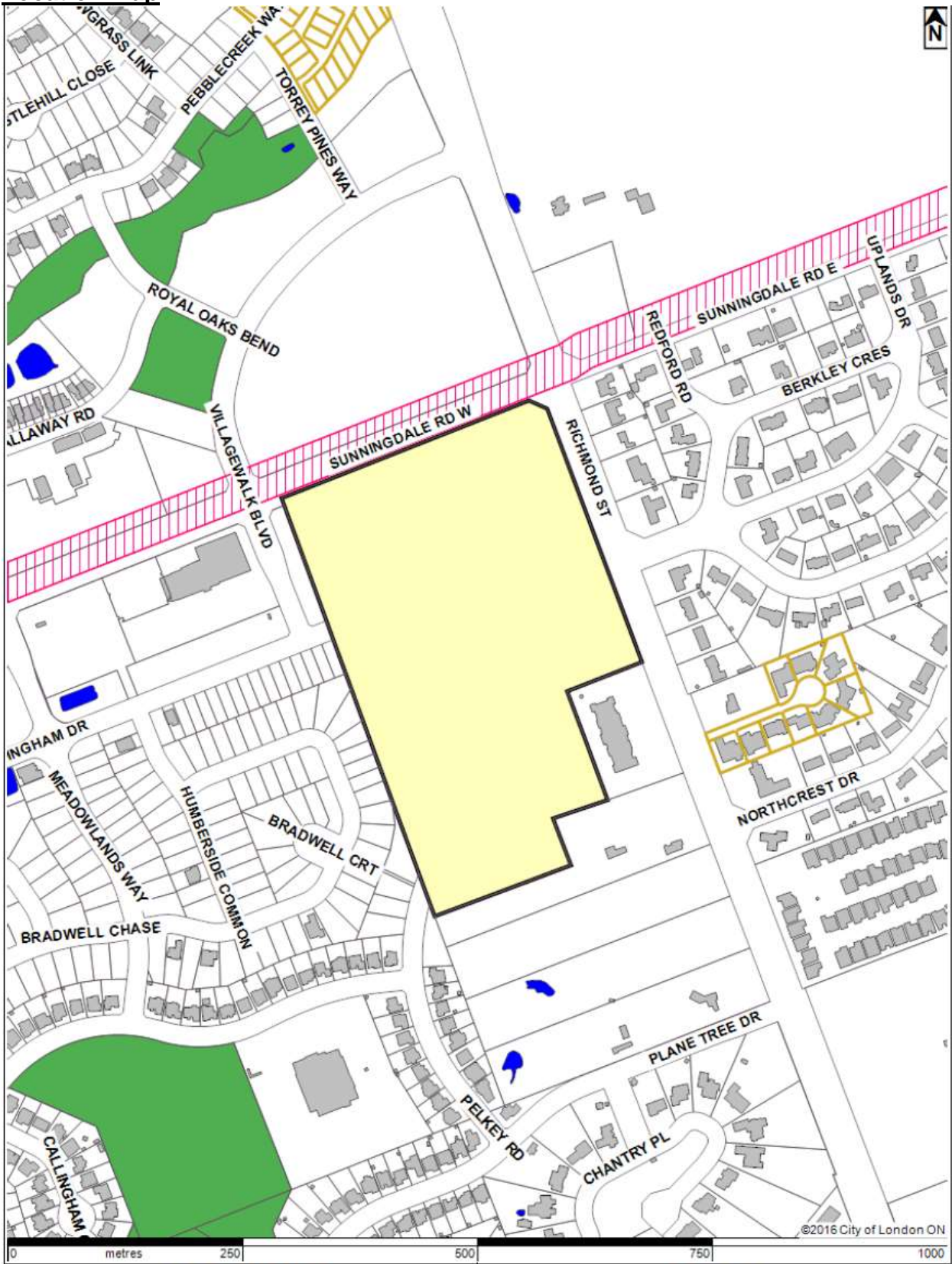
On January 21, 2019, the City Solicitor's Office submitted a confidential report to the Planning and Environment Committee in a meeting closed to the public as the subject matter being considered pertained to the appeal to the LPAT and included a proposed settlement to be endorsed by Council. The potential settlement reflected the efforts of the City's professional Planners to develop a concept that balances the interest of the City and the developer. The settlement under consideration and ultimately endorsed by Council allowed for slightly more commercial floor space, in the context of existing Official Plan policy, that satisfied the developer's goal, while also allowing the form to be more consistent with the City's Urban Design policies and goals. The settlement also converted proposed commercial floor space to Multi-Family, Medium Density Residential blocks with an appropriate mix of residential use, intensity and form.

The OMB hearing was held on March 4, 2019 by teleconference. On March 4, 2019 an oral decision was made by the OMB approving the Draft Plan of Subdivision with conditions, as well as the Official Plan and Zoning By-law Amendments. On June 18, 2019 the OMB issued its written decision to allow the lands to be developed with 41 single detached lots, three medium density blocks, one commercial block and two residential part blocks and several 0.3 metre reserve blocks, all served by an extension of Callingham Drive, an extension of Pelkey Road and three new local streets subject to the completion of conditions as directed by the Board (Attached Appendix A).

As per Section 51 (34) of the *Planning Act*, the draft approval lapse date is March 5, 2022

The full OMB decision is available in Appendix A of this report.

**Location Map**



**LOCATION MAP**  
 Subject Site: 58 Sunningdale Rd W  
 File Number: OZ-8637  
 Planner: Craig Smith  
 Created By: Jeffrey Shaughnessy  
 Date: 2016-09-30  
 Scale: 1:5000

Corporation of the City of London  
 Prepared By: Planning and Development

**LEGEND**

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

<b>Prepared by:</b>	<b>C Smith, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 15, 2019  
CS/

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

**Appendix "A" - Ontario Municipal Board Decision**

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** June 18, 2019

**CASE NO(S):** PL170842

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

**Applicant and Appellant:** Barvest Reality Inc.  
**Subject:** Request to amend the Official Plan  
- Failure of the City of London to adopt the requested amendment

**Existing Designation:** Multi-Family Medium Density Residential  
**Proposed Designated:** Community Commercial Node  
**Purpose:** To permit all types of retail stores  
**Property Address/Description:** 58 Sunningdale Road  
**Municipality:** City of London  
**Approval Authority File No.:** OZ-8637  
**LPAT Case No.:** PL170842  
**LPAT File No.:** PL170842  
**LPAT Case Name:** Barvest Reality Inc. v. London (City)

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

**Applicant and Appellant:** Barvest Reality Inc.  
**Subject:** Proposed Plan of Subdivision  
- Failure of the City of London to make a decision

**Purpose:** To permit 41 single detached lots, 1 medium density residential block, and 2 commercial blocks

**Property Address/Description:** 58 Sunningdale Road  
**Municipality:** City of London  
**Municipality File No.:** 39T-16503  
**LPAT Case No.:** PL170842  
**LPAT File No.:** PL170844

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Barvest Reality Inc.
Subject:	Application to amend Zoning By-law No. Z.-1 - Refusal or neglect of the City of London to make a decision
Existing Zoning:	Urban Reserve (UR3) Zone
Proposed Zoning:	Site Specific (To be determined)
Purpose:	To permit single detached dwellings, townhomes and various retail and commercial uses
Property Address/Description:	58 Sunningdale Road
Municipality:	City of London
Municipality File No.:	39T-16503
LPAT Case No.:	PL170842
LPAT File No.:	PL170843

Heard: March 4, 2019 by telephone conference call

#### APPEARANCES:

##### Parties

Barvest Realty Inc.

City of London

##### Counsel

Analee Baroudi

Aynsley Anderson

#### MEMORANDUM OF ORAL DECISION DELIVERED BY L.M. BRUCE ON MARCH 4, 2019 AND ORDER OF THE TRIBUNAL

---

#### INTRODUCTION

[1] This hearing arose from a settlement associated with appeals originally made under s. 22(7), s. 34(11) and s. 51(34) of the *Planning Act* by Barvest Realty Inc. ("Applicant") respecting the property at 58 Sunningdale Road in London ("subject property"). The City of London ("City") failed to make decisions on the Official Plan

Amendment ("OPA"), Zoning By-law Amendment ("ZBA") and Draft Plan of Subdivision ("Draft Plan") applications within the statutory time limits.

[2] The proposed development is for a mix of commercial and residential uses on the 12.5 hectare ("ha") subject property. Since the original Pre-hearing Conference in January 2018, the parties have continued discussions and have reached a settlement.

[3] The Tribunal qualified J. Craig Smith to provide expert land use opinion evidence in support of the Minutes of Settlement between the City and Applicant (Attachment 1). Mr. Smith is a Senior Planner with the City of London. The hearing was conducted by telephone conference call. The Tribunal had before it the sworn affidavit of Mr. Smith and the Council resolution with respect to the settlement.

[4] Changes to the original development plan have eliminated the need for the OPA which was originally sought to expand the Community Commercial Node from 3.2 ha to 5.5 ha. This proposed expansion did not represent a minor increase to the node as provided for in Policy 4.3.10 of the OP. Since that time the amount of commercial node expansion has been reduced and it was Mr. Smith's opinion that the modified development plan now meets OP Policy 4.3.10, thus eliminating the need for an OPA.

[5] The Tribunal confirms that the Applicant has withdrawn the application for an OPA. The ZBA and approval of the Draft Plan are still required.

[6] The subject lands are situated in the southwest quadrant of Richmond Street North and Sunningdale Road West. To the west and to the east of these lands are existing residential developments. The subject lands consist of Blocks 44-47 and Lots 1-41.

[7] The requested zoning is described in Schedule B of Exhibit B of the Affidavit of J. Craig Smith (Exhibit 3) included with this Decision as Attachment 2. The zoning provides for holding provisions for residential uses on Blocks 44, 45, 47 and Lots 1-41 with special provisions. Block 46 will be for a community shopping area, also with special provisions.

[8] The Draft Plan of subdivision shows 41 single detached lots, three medium density blocks, one commercial block and two residential part blocks and several 0.3 metre reserve blocks, all served by an extension of Callingham Drive, an extension of Pelkey Road and three new local streets. Schedule C of Exhibit B of the Affidavit of Craig Smith (Exhibit 3) includes the Draft Plan of Subdivision (Attachment 3 to this decision).

#### **EVIDENCE AND ANALYSIS**

[9] The Tribunal was advised that the existing OP designations are applied through the Sunningdale Area Planning process, concluded in June 1998. The area is currently designated Multi-Family, Medium Density Residential along the Sunningdale Road West and Richmond Street. There is a Low Density Residential designation along the western portion of the lands. A 3.2 ha block is designated as a Community Commercial Node on the southwest corner of Richmond Street and Sunningdale Road.

[10] It was Mr. Smith's summary opinion that the proposed ZBA supports the development of a Draft Plan with an appropriate mix of low, medium and commercial uses that support pedestrian oriented development and is consistent with the Official Plan. He stated that Blocks 45 and 46, located along the Sunningdale Road and Richmond Street will provide a form of residential development that will provide for a pedestrian oriented development. He stated that a holding provision on Block 45 will require the lands to be consolidated with the Multi-Family Medium Density Residential Block located outside of this plan on the east side of Village Walk Boulevard. Other

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setbacks of a minimum of 1.2 metres for one or two storeys and a minimum of 2.4 metres for three stories.

[16] Further, it was Mr. Smith's opinion that the residential component of the proposed development is consistent with the classification of streets and their intended character, goals and functions. He stated that it provides for a high-level quality pedestrian realm along the Urban Thoroughfares and neighbourhood connector roads.

[17] He stated that the proposed zoning provides for form, height and intensities on the Urban through fare and Neighbourhood streets and will provide a quality pedestrian realm and high standard of urban design. Further he stated that the proposed development is consistent with the policies of Neighbourhood place types since it:

- a. Provides for attractive streetscapes and buildings;
- b. Provides for a diversity of housing choices;
- c. Provides for a well-connected neighbourhood to the commercial node and open space to the west of the development;
- d. Provides for easy access to daily goods and services within the plan of subdivision and commercial node; and
- e. Provides for parks, pathways and recreational opportunities.

[18] It was Mr. Smith's opinion that the proposed ZBA and Draft Plan are consistent with the Provincial Planning Statement, 2014, the *Planning Act*, the Sunningdale Area Plan and the Official Plan.

[19] The City in closing stated that they support the ZBA and Draft Plan of subdivision subject to conditions (Attachment 3).. Further, the parties are seeking that the final approval of the Draft Plan will rest with the City's approval authority and that minor changes may be made by the approval authority.

[20] Participant Dr. Len Boksman indicated that the proposed settlement addressed some of the concerns held by residents, however, they remained concerned about provisions which would allow for residential buildings of six storeys. The Tribunal considered the concerns of Dr. Boksman but was persuaded by the opinion evidence of Mr. Smith.

#### ORDER

[21] The Tribunal orders that the appeal is allowed in part and that the City of London is directed to amend By-law Z-1 as set out in Attachment 2 to this Order.

[22] Further, the Tribunal orders that the appeal is allowed and the draft plan shown on the plan included as Attachment 3 is approved subject to the fulfillment of the conditions set out in Attachment 4 to this Order.

[23] Finally, the Tribunal orders that pursuant to s. 51(56.1) of the *Planning Act*, the City of London shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the *Planning Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

"L.M. Bruce"

L.M. BRUCE  
MEMBER

**ATTACHMENT 1**

**MINUTES OF SETTLEMENT**  
**("Minutes")**

**BETWEEN:**

**THE CORPORATION OF THE CITY OF LONDON**  
**(hereinafter referred to as the "City")**

**-and-**

**BARVEST REALTY INC.**  
**(hereinafter referred to as "Barvest")**

**(together referred to as the "Parties")**

**WHEREAS** Barvest is the owner of property known municipally as 58 Sunningdale Road West, City of London, as more particularly described in Schedule "A" attached to these Minutes (the "Lands");

**AND WHEREAS** on June 14, 2016, Barvest filed applications: to amend the City of London Zoning By-law Z.-1; to amend the City of London Official Plan; and for a proposed draft plan of subdivision, to permit the creation of 41 single detached lots, three (3) medium density blocks, one (1) commercial blocks, two (2) residential part blocks, and several 0.3m reserve blocks on the Lands (the "Applications");

**AND WHEREAS** a public participation meeting was held on November 14, 2016 to consider the Applications;

**AND WHEREAS** on July 19, 2017, Barvest appealed to the Ontario Municipal Board (as it was then known) from the City of London Council's failure to make a decision on any of the Applications within 120 days (the "Appeals");

**AND WHEREAS** the Tribunal has scheduled a hearing of these Appeals on March 4, 2019;

**AND WHEREAS** the Parties have reached an agreement to settle the Appeals as between the City and Barvest, subject to the terms of these Minutes;

**NOW THEREFORE** the Parties hereby acknowledge, covenant and agree with each other as follows:

#### RECITALS

1. The Parties hereto acknowledge and agree that the above recitals hereto are true and correct in substance and in fact.

#### SCHEDULES

2. The following is a list of all of the Schedules to these Minutes of Settlement which shall form part of these Minutes for all purposes:
  - a. Schedule "A" – Legal Description of Lands
  - b. Schedule "B" – Zoning By-law Amendment;
  - c. Schedule "C" – Draft Plan of Subdivision and conditions.

#### GENERAL

3. The Parties agree that they are contractually bound to the terms of these Minutes, and that the obligations and benefits thereof are enforceable by either Party against the other Party in the event of a breach of them. The Parties covenant and agree that at all times, and from time to time hereafter, upon every reasonable written request so to do, they shall make, execute, deliver or cause to be made, done, executed and delivered, all such further acts, deeds, assurances and things as may be required for more effectively implementing and carrying out the true intent and meaning of these Minutes.
4. The Parties agree to act reasonably and with good faith in respect of all dealings between themselves pursuant to these Minutes.
5. These Minutes constitute the entire agreement between the Parties with respect to the matters set out in these Minutes and supersede all prior agreements, negotiations and understandings with respect to the Minutes.
6. Any amendment to or waiver of any provision of these Minutes must be in writing and signed by the Parties.
7. The undersigned represent and warrant that they have all necessary power and authority to execute these Minutes of Settlement.

#### SETTLEMENT

8. The Parties will together request that the Tribunal grant the Appeals, in part, and approve the Zoning By-law Amendment attached as Schedule "B", confirm a withdrawal of the application for an Official Plan Amendment, and give draft plan approval to the Draft Plan of Subdivision attached as Schedule "C".
9. The Parties agree that the purpose of Schedules "B" and "C" is to permit the development of the Lands as 41 single detached lots, three (3) multi-family medium density blocks, one (1) commercial block, two (2) low density residential part blocks, and several 0.3m reserve blocks.
10. The Parties agree that the modified expansion of the commercial node, identified as Block 46, represents a minor increase in the existing planned commercial node, and as such, in accordance with policy 4.3.10 of the Official Plan, no

amendment to the Official Plan is required, contingent on the approval of these Minutes of Settlement in their entirety. Accordingly, Barvest agrees to withdraw its application to amend the Official Plan.

11. The Parties agree that they will request of the Tribunal that the final approval authority of the plan of subdivision and conditions will rest with the City, and that minor modifications may be required to implement the substantial approval being granted herein.
12. The Parties are prepared to settle this matter, on a without costs basis, and to request the approval by the Tribunal of the Zoning By-law amendment substantially in accordance with the forms referenced in Section 2 above.
13. The Parties agree that the Zoning By-law Amendment shall be presented to the Tribunal for approval at the hearing scheduled for March 4, 2018.
14. The Parties agree that expert land use planning evidence in support of the proposed settlement contained herein shall be prepared and presented by the City in coordination with Barvest.

**BINDING NATURE**

15. These Minutes shall be binding upon, and enure to the benefit of, the Parties' successors and assigns.

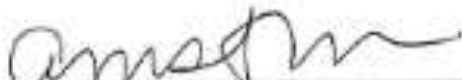
**COUNTERPARTS**

16. The Parties acknowledge and agree that these Minutes may be executed by their solicitors, respectively. They may also be executed in counterparts, which together shall constitute a complete set of these Minutes, and executed counterparts may be delivered by email or facsimile transmission and considered originals for all purposes. Once executed by all Parties, these Minutes shall be of full force and effect.

Dated this 31 day of January, 2019.

THE CORPORATION OF THE CITY OF LONDON

Per:



Aynsley Anderson  
Solicitor

BARVEST REALTY INC.

Per:



Analee Baroudi  
Solicitor

ATTACHMENT 2

ATTACHMENT 2

SCHEDULE "B"

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

2019

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

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 58  
Sunningdale Road West.

WHEREAS Barvest Realty Inc. has applied to rezone an area of land  
located at 58 Sunningdale Road West, as shown on the map attached to this by-law, as  
set out below;

AND WHEREAS the Local Planning Appeal Tribunal, by its Decision issued  
on [INSERT DATE], and Order issued [INSERT DATE], in Tribunal File PL170842,  
approved amendments to the City of London By-law No. Z.-1, as amended with respect  
to those lands;

THEREFORE the Local Planning Appeal Tribunal enacts as follows:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located  
at 58 Sunningdale Road West, from an Urban Reserve (UR3) Zone to a Holding Residential R1  
Special Provision (h<sup>h</sup>-94<sup>h</sup>-100<sup>h</sup>R1-6 (\*) Zone, a Holding Residential R1 Special Provision (h<sup>h</sup>-  
100<sup>h</sup>R1-6 (\*) Zone, Holding Residential R4 Special Provision/ Residential R5 Special Provision /  
Residential R6 Special Provision/ Residential R7 Special Provision (h<sup>h</sup>-5<sup>h</sup>-100<sup>h</sup>R4-4 (2)R5-6  
(\*)R6-5 (\*\*R7(\*)H12\*D100) Zone, a Holding Residential R5 Special Provision / Residential R6  
Special Provision/ Residential R7 Special Provision (h<sup>h</sup>-5<sup>h</sup>-54<sup>h</sup>-100<sup>h</sup>-106<sup>h</sup>R5-6 (\*\*R6-5  
(\*\*R7(\*\*)H12\*D100) Zone, a Holding Residential R5 Special Provision / Residential R6 Special  
Provision/ Residential R7 Special Provision (h<sup>h</sup>-5<sup>h</sup>-54<sup>h</sup>-100<sup>h</sup> R5-6 (\*\*R6-5  
(\*\*R7(\*\*)H12\*D100) Zone, and a Holding Community Shopping Area Special Provision (h<sup>h</sup>-  
100<sup>h</sup>CSA3 (\*) Zone.

- 1) Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by adding the following  
Special Provision:

5.4 f) \_\_\_ R1-6 (\*)

(a) Regulations

- |     |  |  |
|-----|--|--|
| i)  | Interior Side Yard<br>(minimum)<br>(one or two storeys)  | 1.2 metres<br>3.0 metres one side<br>if no attached garage |
| ii) | Interior Side Yard<br>(single detached dwellings greater | See Section 5.3 (5)  |

than two storeys)

- 2) Section 9.4 of the Residential R5 Zone to By-law No. Z-1 is amended by adding the following Special Provision:

9.4 f) \_\_\_ R5-6 (\*)

(a) Regulations

- |   |                       |
|---|-----------------------|
| i) Front and Exterior<br>Yard Setback<br>(Minimum): | 4.5 metres            |
| ii) Density<br>(Maximum):                           | 100 units per hectare |
| iii) Height<br>Within 30 metres of<br>'Street B':   | 10.5 metres           |

9.4 f) \_\_\_ R5-6 (\*\*)

(a) Regulations

- |   |                       |
|---|-----------------------|
| i) Front and Exterior<br>Yard Setback<br>(Minimum): | 4.5 metres            |
| ii) Density<br>(Maximum):                           | 100 units per hectare |

- 3) Section 10.4 of the Residential R6 Zone to By-law No. Z-1 is amended by adding the following Special Provision:

10.4 e) \_\_\_ R6-5 (\*)

(a) Regulations

- |   |                       |
|---|-----------------------|
| i) Front and Exterior<br>Yard Setback<br>(Minimum): | 4.5 metres            |
| ii) Height Apartment Uses<br>Only<br>(Maximum):     | 15 metres (4 storeys) |

- iii) Density (Maximum): 100 units per hectare
- iv) Height Within 30 metres of "Street B": 10.5 metres

10.4 o) \_\_\_ R6-5 (\*\*)

(a) Regulations

- i) Front and Exterior Yard Setback (Minimum): 4.5 metres
- ii) Height Apartment Uses Only (Maximum): 15 metres (4 storeys)
- iii) Density (Maximum): 100 units per hectare
- iv) Height: In exchange for one (1) level of underground parking (65% of required parking minimum) and a \$50,000 contribution for public art, an increased height of 22.5 m (6 storey) maximum for apartment buildings may be permitted.

- 4) Section 11.4 of the Residential R7 Zone to By-law No. Z-1 is amended by adding the following Special Provision:

11.4) \_\_\_ R7 (C)

(a) Regulations

- i) Height (Maximum): 22.5 metres (6 storeys)
- ii) Density: 100 units per hectare



(Maximum):

- |      |  |             |
|------|--|-------------|
| iii) | Height<br>Within 30 metres of<br>"Street B": | 10.5 metres |
|------|--|-------------|

11.4) \_\_\_ R7 (\*\*)

(a) Regulations

- |     |                       |                         |
|-----|-----------------------|-------------------------|
| i)  | Height<br>(Maximum):  | 22.5 metres (6 storeys) |
| ii) | Density<br>(Maximum): | 100 units per hectare   |

- 5) Section 22.4 of the Residential R1 Zone to By-law No. Z-1 is amended by adding the following Special Provision:

22.4 f) \_\_\_ CSA3 (\*)

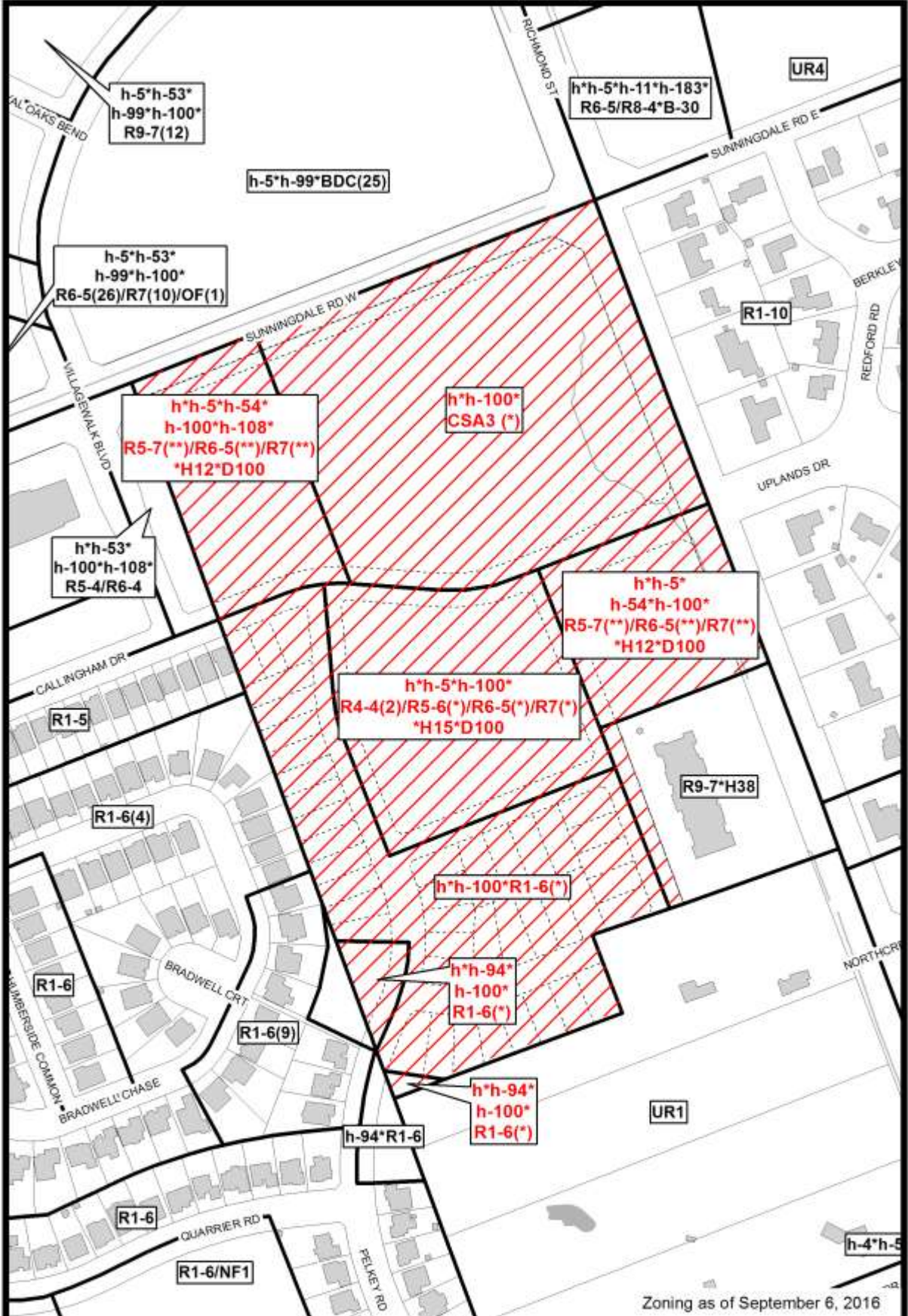
(a) Regulations

- |      |  |  |
|------|--|--|
| i)   | Front and Exterior<br>Yard Setback<br>(Minimum): | 0.0 metres                                       |
| ii)  | Height<br>(Maximum):                             | 15.0 metres                                      |
| iii) | Coverage<br>(Maximum):                           | 40%  |
| iv)  | Parking excluding<br>Office Area (Minimum):      | 1 space per 30m <sup>2</sup><br>gross floor area |

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.

ENACTED by the Local Planning Appeal Tribunal in proceeding PL170842 on  
[INSERT DATE].

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



File Number: 39T-16503/OZ-8637  
Planner: CS  
Date Prepared: January 3, 2019  
Technician: DM  
By-Law No: Z.-1-

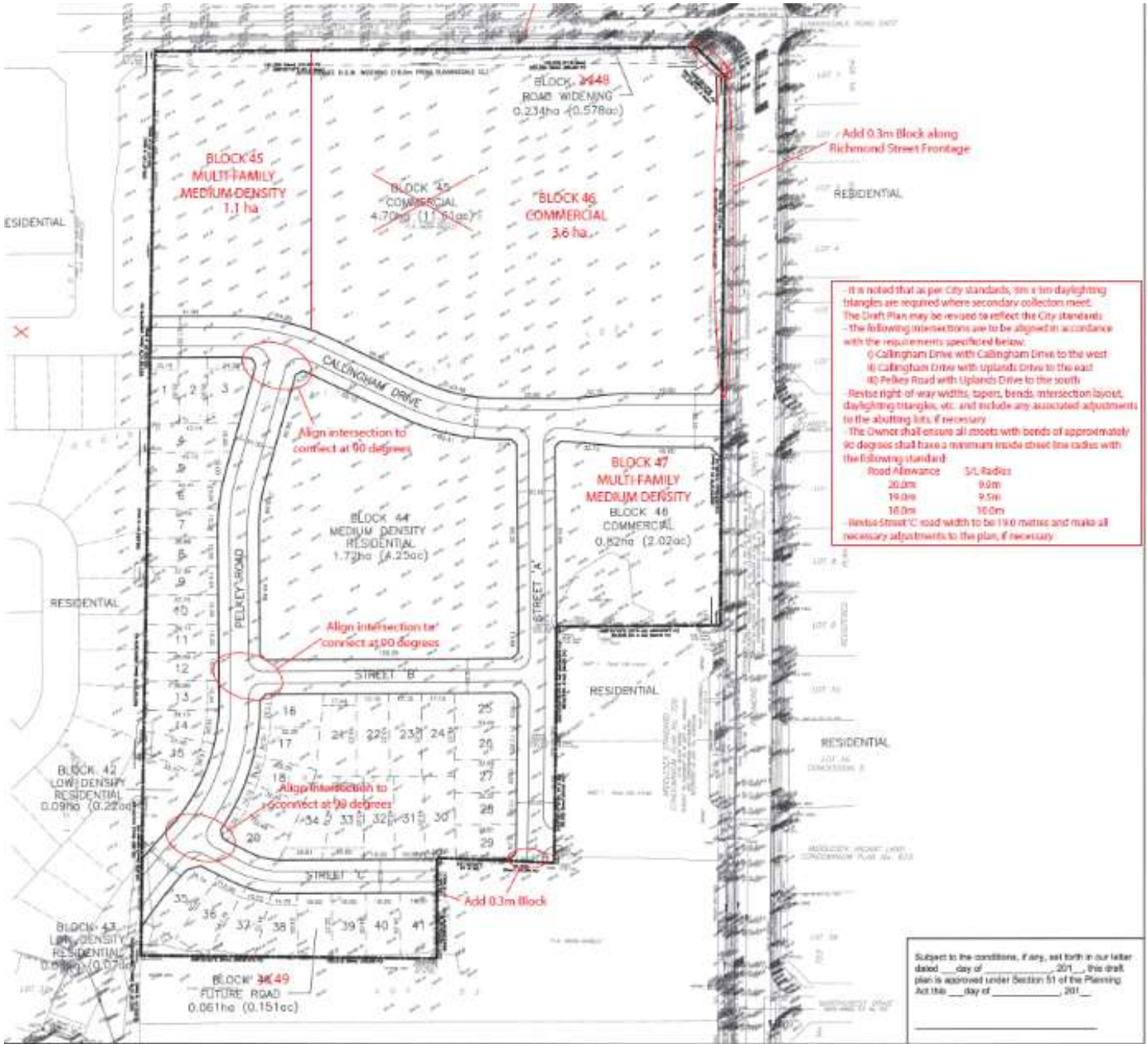
SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



ATTACHMENT 3



It is noted that as per City standards, 9m x 1m daylighting triangles are required where secondary collector meet. The Draft Plan may be revised to reflect the City standards.

The following intersections are to be aligned in accordance with the requirements specified below:

- Callingham Drive with Callingham Drive to the west
- Callingham Drive with Uplands Drive to the east
- Pelkey Road with Uplands Drive to the south

Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc. and include any associated adjustments to the abutting lots, if necessary.

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
20.0m	9.0m
19.0m	9.5m
18.0m	10.0m

Revise Street C road width to be 19.0 metres and make all necessary adjustments to the plan, if necessary.

Subject to the conditions, if any, set forth in our letter dated \_\_\_ day of \_\_\_, 201\_\_\_, the draft plan is approved under Section 51 of the Planning Act this \_\_\_ day of \_\_\_, 201\_\_\_.

**ATTACHMENT 4**

**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-16503 ARE AS FOLLOWS:**

- | <b>NO.</b> | <b>CONDITIONS</b>  |
|------------|--|
| 1.         | This draft approval applies to the draft plan as submitted by Barvest Realty Inc. (File No. 39T-16503), prepared by Zelinka Priamo Limited and certified by P.R. Levac OLS, (Project No. BAR/LON/07-02, dated June 2016), <u>as red-lined</u> , which shows 41 single detached lots, three (3) medium density blocks, one (1) commercial blocks, two (2) residential part blocks, and several 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road, and three (3) new local street. |
| 2.         | This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.  |
| 3.         | 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 request that street(s) shall be named to the satisfaction of the City.   |
| 5.         | The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.  |
| 6.         | Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.  |
| 7.         | The subdivision agreement between the Owner and the City 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.  |
| 8.         | Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision   |
| 9.         | Phasing of this subdivision (if any) shall be to the satisfaction of the City  |
| 10.        | 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.  |
| 11.        | Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be         |

returned to the Owner without detailed review by the City.

12. 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.)

### **Planning**

13. The Owner shall obtain and submit to the City 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.
14. The Owner to register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard or to be extended to the rear wall of the dwelling unit if greater than 50% abutting the exterior side yard road frontage. Further, the owner shall obtain approval of their proposed design from the Manager of Urban Design prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan
15. The Owner shall transfer the Future Development Block 49, on the south side of Street "C" as needed, at no cost to the City. Should the adjacent lands develop for residential use and Future Development Block 49 is required for access purposes, the Future Development Block 49 shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this plan (39T-16503) within 30 days of such sale. Should the City determine that the Future Development Block 49 is not needed for access purposes, then the City would transfer the lot back to the Owner of this plan for a nominal fee.
16. The Owner shall comply with Canada Post in regards to Community Mailbox requirements, to the satisfaction of the City.

### **Parks Planning**

17. The Owner shall provide 2% of the value of the commercial blocks the day before the issuance of the first building permit and cash in lieu will be required for all residential development in accordance with By-law CP-9 all to the satisfaction of the City.

### **Engineering - Sanitary**

#### **Sanitary:**

18. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
  - i.) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced (eg. 1985 Richmond Street, Winder Lands to the south, Baran lands and existing lands east of

- Richmond Street), to the satisfaction of the City;
- ii.) Propose a suitable routing for the sanitary sewer to be constructed through this plan;
  - iii.) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken;
19. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i.) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm diameter sanitary sewer located on Callingham Drive and the 250 mm diameter sanitary sewer located on Pelkey Road;
  - ii.) Construct servicing for 1985 Richmond Street
  - 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.
20. 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.) Install 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.
21. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway/Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.
- i.) Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the

City to have reserved sewage treatment capacity reassigned to the subdivision.

Storm and Stormwater Management (SWM)

22. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
  - 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.) Ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
  - 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.
  
23. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
  - i.) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
  - ii.) The approved Functional Stormwater Management Plan for the Sunningdale SWM Facility # 4 and Compensation Area, prepared by DelCan (April 2011) or any updated Functional Stormwater Management Plan;
  - iii.) 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.;
  - iv.) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - v.) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vi.) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - vii.) 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 management (SWM) and stormwater services for this draft plan of subdivision:
  - i.) Construct storm sewers to serve this plan, located within the Medway Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 975 mm diameter storm sewer located on Pelkey Road

and the 825 mm diameter storm sewer on Callingham Drive, outletting to the existing Regional Sunningdale SWM Facility # 4 via the existing sewer connections within plans 33M-664 and 33M-665;

- ii.) Construct servicing for 1985 Richmond Street;
  - iii.) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan
  - iv.) 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
  - v.) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
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 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
26. 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.
27. In conjunction with the first submission of engineering drawings, 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 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
  - viii.) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
- all to the satisfaction of the City.
28. 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.



29. 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

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:
- a) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
  - b) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;
  - c) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
  - d) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
  - e) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
  - f) Develop a looping strategy when development is proposed to proceed beyond 80 units;
  - g) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable; The Winder Lands to the south must be serviced by appropriately sized mains
  - h) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
  - i) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
  - j) Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - k) Include full-sized water distribution and area plan(s);
  - l) 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);
  - n) Adherence to the North London Water Servicing Strategy
  - o) Identify the servicing strategy for 1985 Richmond Street North
  - p) An engineering analysis to determine the extent of external watermains are required to serve Blocks within this plan, at no cost to the City.
31. Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.
32. Prior to the issuance of any Certificate 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 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 200 mm diameter watermain on Callingham Drive, the 300 mm diameter watermain on Pelkey Road and the

- 400 mm diameter watermain on Richmond Street (high level system);
- ii.) If a watermain connection is required, provide an easement and temporary watermain connection between Street 'A' and Street 'C'
  - iii.) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
  - iv.) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;  
The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval
33. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:
- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
  - ii) any incidental and/or ongoing maintenance of the automatic flushing devices;
  - iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
  - iv) all works and the costs of removing the devices when no longer required; and
  - v) ensure the automatic flushing devices are connected to an approved outlet.
34. 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.
35. 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
36. The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.
37. 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, TRANSPORTATION & SURVEYS**

### Roadworks

38. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, in accordance with City standards, unless otherwise approved by the City Engineer. The following intersections are to be aligned to the satisfaction of the City:
- i.) Callingham Drive with Callingham Drive to the west

- ii.) Callingham Drive with Uplands Drive to the east
  - iii.) Pelkey Road with Pelkey Road to the south
39. In conjunction with the first submission of engineering drawings, the Owner shall provide a concept plan showing the alignment of Callingham Drive opposite Uplands Drive, to the satisfaction of the City.
40. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines. It should be noted tapers are not to be within an intersection.
41. In conjunction with the first submission of engineering drawings, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City Engineer for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, pavement markings, turn lanes, etc., and include any associated adjustments to the abutting lots.
42. 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 (eg. Pelkey Road at Callingham Drive and Street 'C' at Pelkey Road).
43. In conjunction with the first submission of engineering drawings, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
44. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
- i.) Callingham Drive and Pelkey Road have a minimum road pavement with (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.
  - ii.) Street 'A' have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
  - iii.) Street 'C' have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres.
  - iv.) Street 'B' have a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres.
  - v.) The Owner shall construct a gateway feature on Callingham Drive at the intersection of Richmond Street 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. Landscaped gateway features shall be installed within a widened boulevard area, to the specifications and satisfaction of the City Engineer.
45. The Owner shall construct Callingham Drive and Pelkey Road to secondary collector road standards, to the satisfaction of the City Engineer.
46. Sidewalks/Bikeways
47. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:
- i.) Callingham Drive
  - ii.) Pelkey Road

48. The Owner shall construct a 1.5 metre sidewalk on one side of the following streets:
- i.) Street 'A' – west boulevard
  - ii.) Street 'B' – north boulevard
  - iii.) Street 'C' – north boulevard

#### Street Lights

49. At the time of site plan approval for Block 46, the Owner shall install temporary street lights at the intersection of the commercial driveway and Sunningdale Road West, to the satisfaction of the City Engineer, at no cost to the City.
50. 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

51. In conjunction with the Focused Design Studies, the Owner shall update the 58 Sunningdale Road Traffic Impact Study, to the satisfaction of the City. Prior to undertaking this study, the Owner shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study. .
52. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment, at no cost to the City, to the satisfaction of the City Engineer.
53. The Owner shall be required to make minor boulevard improvements on Sunningdale Road West and Richmond Street North 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.
54. The Owner shall grade their site in accordance with the Sunningdale Road Environmental Assessment, to the satisfaction of the City and at no cost to the City.
55. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing street lights on Richmond Street or provide temporary street lights to provide for sufficient illumination at the intersection of Callingham Drive and Richmond Street, at no cost to the City, to the satisfaction of the City Engineer.
56. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional consulting engineer submit design criteria for the left turn and right turn lanes on Richmond Street North at Callingham Drive for review and acceptance by the City.
57. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct left and right turn lanes at Callingham Drive on Richmond Street North and all associated works, to the satisfaction of the City Engineer.

#### Road Widening

58. The Owner shall be required to dedicate sufficient land to widen Sunningdale Road West and Richmond Street North to 18.0 metres from the centreline of the original

road allowance.

59. The Owner shall be required to dedicate 3.0 m x 3.0 m “daylighting triangles” at the intersection of ‘collector’ road streets in the Plan (ie. Where Callingham Drive meets Pelkey Road) to satisfy requirements necessary for servicing bus transit routes, as specified by the City Engineer.

#### Vehicular Access

60. The Owner shall provide access to 1985 Richmond Street from the internal road network in this plan, at no cost to the City, to the satisfaction of the City.

#### Traffic Calming

61. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures, on internal streets in this plan of subdivision, to be relocated and/or constructed along Callingham Drive and Pelkey Road, including raised intersections, parking bays, curb extensions and other measures, to the satisfaction of the City.
62. The Owner shall relocate and/or construct traffic calming measures associated with this traffic calming plan, including parking bays, curb extensions and other measures to the satisfaction of the City.
63. The Owner shall construct a raised intersection on Callingham Drive at Pelkey Road, to the satisfaction of the City Engineer, at no cost to the City. Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures on Callingham Drive, to the satisfaction of the City Engineer.

#### Construction Access/Temporary/Second Access Roads

64. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Sunningdale Road West via Villagewalk Boulevard and Callingham Drive or other routes as designated by the City.
65. 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.
66. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
  - i.) Street 'A' – south limit
  - ii.) Street 'C' – east limit

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

67. The Owner shall remove the temporary turning facility on Pelkey Road and adjacent lands, in Plan 33M-665 to the south of this Plan, and complete the construction of Pelkey Road in this location as a fully serviced road, including

restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-665 for the removal of the temporary turning facility and the construction of this section of Pelkey Road and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Pelkey Road in Plan 33M-665 is constructed as a fully serviced road by the Owner of Plan 33M-665, then the Owner shall be relieved of this obligation.

## GENERAL CONDITIONS

68. 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.
  69. 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.
  70. 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.
  71. 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 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.
72. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
  73. 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 replotting 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.

74. 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.
75. In conjunction with the 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 condominiums/townhouses indicated on Block 44. 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.
76. The Owner shall have the common property line of Sunningdale Road West and Richmond Street North graded in accordance with the City of London Standard "Subdivision Grading along Arterial Roads", at no cost to the City.
77. 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.

78. 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.
79. 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.

80. 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.

81. 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.

82. 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.
83. In conjunction with the first submission of engineering drawings, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
84. The Owner shall have its 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".

85. 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.)
86. 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.
87. 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.
88. 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.
89. 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.
90. 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.
91. 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.
92. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
93. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
94. Prior to the issuance of a Certificate of Conditional Approval for Blocks 42 and 43 in this plan, Blocks 42 and 43 shall be combined with lands to the south and west to create developable lots and/or blocks, to the satisfaction of the City. The above-noted blocks shall be held out of development until they can be combined with adjacent lands to create developable lots and/or blocks.
95. Prior to the issuance of a Certificate of Conditional Approval for Block 45 in this plan, Block 45 shall be combined with lands to the west to create a developable

block, to the satisfaction of the City. The above-noted block shall be held out of development until they can be combined with adjacent lands to create a developable block.

96. Lot 30 shall be held out of development until lands to the south and east develop.
97. Prior to the issuance of a Certificate of Conditional Approval for Pelkey Road, the Owner shall construct new services and make adjustments to the existing works and services on Pelkey Road in Plan 33M-665, 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, all to the satisfaction of the City Engineer, at no cost to the City.
98. Should Commercial, Industrial or Institutional blocks exist within this plan of subdivision, the Owner shall either register against the title of Block 46, 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.
99. 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 or as otherwise directed by the City, all to the satisfaction of the City, at no cost to the City.
100. 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.
101. 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.
102. In conjunction with the first submission of engineering drawings, 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.

## 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  
Downtown Façade Uplighting Grant Program

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to implementing program guidelines for a Downtown Façade Uplighting Grant Program, the proposed by-law amendment attached as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend By-law C.P.-1467-175, as amended, being a by-law to establish financial incentives for the Downtown Community Improvement Project Areas, to adopt the Downtown Façade Uplighting Grant Program as Schedule 2.

**IT BEING NOTED** that funding for the program is accommodated within the existing Downtown Small Scale Projects fund.

## Executive Summary

### Summary of Request

To offer downtown property owners a grant to encourage the uplighting of their building’s design and architectural features.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to introduce a Downtown Façade Uplighting Grant Program that works in conjunction with the existing Downtown Façade Improvement Loan Program. Appendix “A” contains the detailed guidelines on how the grant program will operate.

### Rationale of Recommended Action

The introduction of a Façade Uplighting Grant Program is supported by *Our Move Forward: London’s Downtown Plan* as Strategic Direction 6 “Create the Buzz” recommends using innovative lighting and audio technology to enliven downtown buildings and spaces.

The Façade Uplighting Grant Program is also consistent with Municipal Council’s adopted *2019-2023 Strategic Plan*. Under the Strategic Area of Focus “Growing our Economy”, the program will assist with an increase in public and private investment in strategic locations and revitalizing London’s downtown.

## Discussion

### 1.0 Background

Creating excitement and vibrancy in downtown has been a priority for many years. The opening of Dundas Place will help generate that excitement. The implementation of the *Music, Entertainment and Culture Districts Strategy* to facilitate and support events and activities in the downtown has begun. *Our Move Forward: London’s Downtown Plan* offers numerous planning policies providing direction for future public and private initiatives within the downtown. One of those directions is the use of innovative lighting

techniques to illuminate building façade details, which will add vibrancy during the evening hours as well as throughout the winter months.

## **2.0 Program Structure & Funding**

To help support the aforementioned initiatives, as well as to help contribute to the vibrancy of the downtown environment, the City is seeking to offer a grant to property owners or authorized agents (tenants, contractors, etc.) to uplift their buildings to enhance and highlight the building's design and architectural features.

The Downtown Façade Uplighting Grant Program will work in conjunction with the existing Façade Improvement Loan. The work required to install façade uplighting is already eligible under the existing Façade Improvement Loan; however, there has been low uptake to date on installing uplighting. Offering a grant for a portion of the work needed to install uplighting on a building will provide a further incentive to property owners and authorized agents to go that extra step to do a standalone uplighting project or consider uplighting as part of a larger scale façade renovation.

### **2.1 Source of Funding**

It should be noted that the Façade Uplighting Grant Program was not independently considered during the Community Improvement Plan (CIP) Service Review that was undertaken in 2016 and 2017; however, the Façade Uplighting Grant Program will be imbedded within the existing Façade Improvement Loan Program that was reviewed during the CIP Service Review, and funding will come from an existing source – the Small Scale Downtown Projects fund.

\$50,000 of funding has been earmarked in the Downtown Small Scale Projects fund for the grant program. As applications are processed and approved, the grants will be paid from this fund, reducing the balance of the project commitment. Any surplus funding remaining at the end of the two-year pilot project will remain in the Downtown Small Scale Projects fund and be available to support further small scale projects or if warranted, used to fund the Downtown Uplighting Grant Program for an additional time period.

The Program will operate as a two-year pilot project or until the funding is exhausted, whichever comes first. The Program will focus on the Downtown community improvement project area including Richmond Row.

### **2.2 Eligibility**

An approved uplighting project is eligible for a grant to cover up to a maximum of \$5,000 per building, and shall not exceed the total cost of the uplighting materials and labour. The grant is a one-time improvement grant provided upon completion of the project work and submission of receipts. The amount of the grant will be removed from the total of any Façade Improvement Loan. Under the program, applicants can only apply once per discrete building (as defined in the program guidelines) to discourage staged improvements over multiple years.

The Program Guidelines (Appendix "A") outline the eligibility criteria for the grant and the grant approval process including the required grant agreement. As this program is an extension of the Façade Improvement Loan, the guidelines are modelled on the existing financial incentive programs offered in the downtown.

### **2.3 Monitoring**

The Program Guidelines also propose that criteria to monitor both the take-up and success of the Uplighting Grant Program be included. The success of the Façade Uplighting Grant Program will determine if it should continue beyond the two-year pilot or receive additional funding. The monitoring criteria will also help determine if the Program should be eliminated or potentially be expanded to the other community improvement project areas (Old East Village, SoHo, and Hamilton Road Area, to date).

### 3.0 Additional Considerations

In January 2019, Development Services introduced draft provisions for bird-friendly design. The bird-friendly design provisions would be implemented through Site Plan Control, which primarily focuses on new development. Applications to the Façade Uplighting Grant program are not subject to the Site Plan Control process; however, through the review of Façade Uplighting Grant applications, Staff will work to ensure that any uplighting is limited to the architectural features of buildings and is not designed to project into the sky.

### 4.0 Conclusion

The City is looking to enhance its existing Downtown Façade Improvement Loan Program by offering a companion grant for property owners and authorized agents who wish to uplight the architectural features of their buildings.

\$50,000 of funding has been earmarked in the Downtown Small Scale Projects fund for the pilot project. Each approved project is eligible for a maximum grant of \$5,000.

The Façade Uplighting Grant Program Guidelines are attached as Appendix "A". The Guidelines outline in detail how the Façade Uplighting Grant Program will work.

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

July 15, 2019  
GB/gb

**Appendix A**

**Appendix “A”**

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

By-law No. C.P.-1467-\_\_\_\_\_

A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas”.

WHEREAS by Subsection 28(2) of the Planning Act, the Council of a municipal corporation may, by by-law, designate such an area as a community improvement project area;

AND WHEREAS by Subsection 28(4) of the Planning Act, the Council of a municipal corporation may adopt a community improvement plan for the community improvement project area;

AND WHEREAS Municipal Council adopted By-law C.P. 1356-234 to designate the Downtown Community Improvement Project Area;

AND WHEREAS Municipal Council adopted By-law C.P. 1357-249 to adopt the Downtown Community Improvement Plan;

AND WHEREAS Municipal Council adopted By-law C.P. 1467-175 to establish financial incentives for the Downtown Community Improvement Project Area;

AND WHEREAS the Official Plan for the City of London contains provisions relating to community improvement within the City of London;

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

1. The Downtown Façade Uplighting Grant Program Guidelines attached hereto as Schedule 2 is hereby adopted.
2. This by-law shall come into force on the date it is passed.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

## Schedule 2

### Downtown Community Improvement Plan – Façade Uplighting Grant Program

**\*Effective July 30, 2019\***

This program guideline package provides details on the new Façade Uplighting Grant Program to be contained within the existing Façade Improvement Loan program provided by the City of London (“City”) through the Downtown Community Improvement Plan (CIP).

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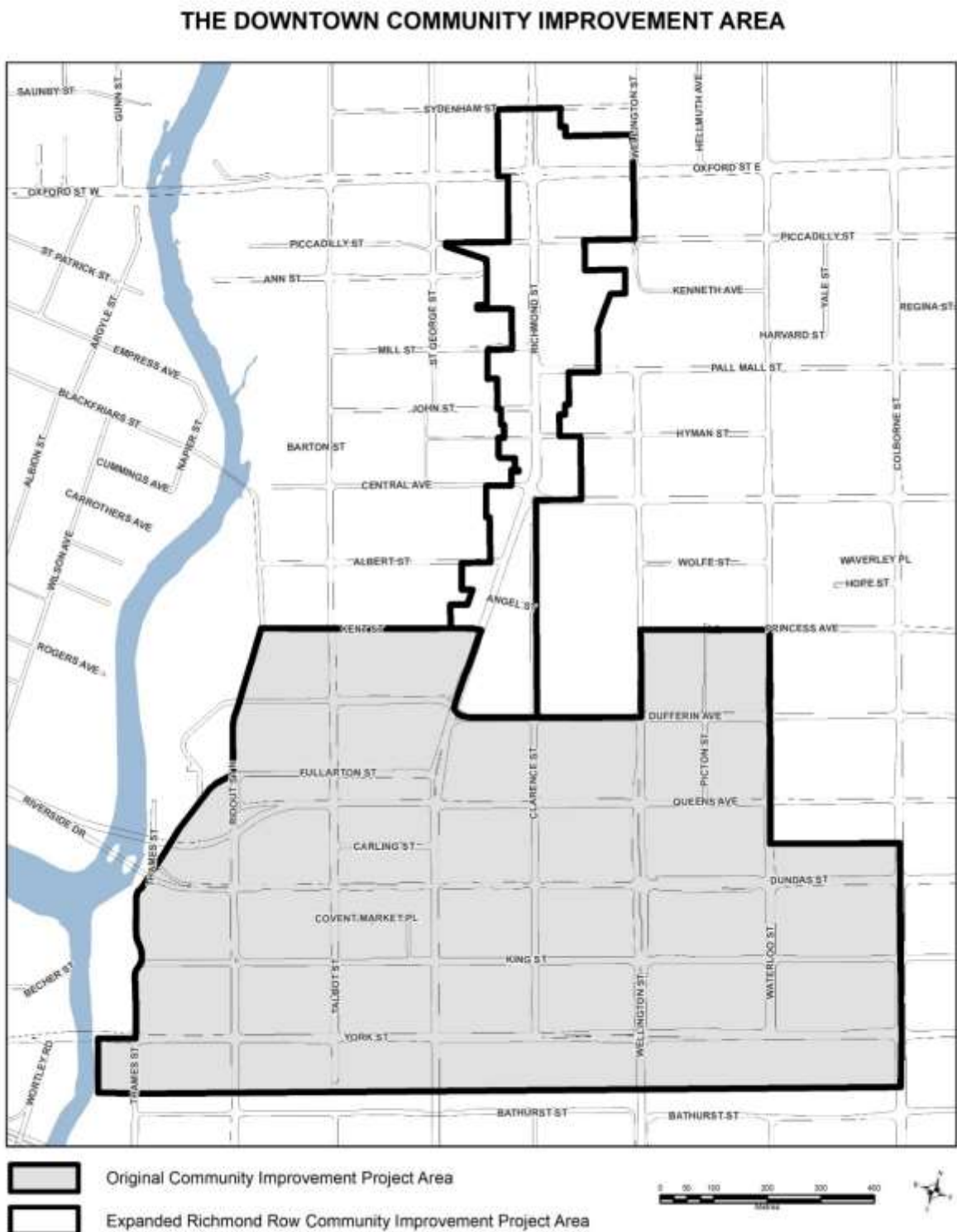
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## How to Read this Document

This document helps to identify what the responsibility of each stakeholder is in the Uplighting Grant Program. The initials **PO** indicate the property owner (or agent acting on behalf of the property owner) is responsible for completing that task or action, whereas **CL** indicates that a City of London staff member is responsible. Schedule 1 (not attached) contains additional details on the Façade Improvement Loan program and other Downtown CIP financial incentives.

**PO** – The Façade Uplighting Grant Program is available to property owners in the Downtown Community Improvement Project Area including Richmond Row (Map 1).

## Map 1 – Downtown Community Improvement Project Area





## 1. Definitions

Approved Works – The materials, labour and/or effort made to improve a property that are determined to meet eligibility criteria under the incentive program requirements.

Applicant – The person who makes a formal application for a financial incentive program offered through the City's Community Improvement Plans. The person may be the owner of the subject property, or an agent, including a business owner who is occupying space on the subject property or contractor who has been retained to undertake improvements on the subject property. If the *Applicant* is not a registered owner of the property subject to the incentive program the *Applicant* will be required to provide authorization in writing from the registered owner as part of a complete application.

Commitment Letter – A document prepared by the City of London outlining its agreement with a property owner, to provide a future financial incentive – loan(s) and/or grant(s) – to a property owner, based on a redevelopment, rehabilitation and/or renovation project that the applicant has yet to undertake. The letter describes the specific scope of approved works that the property owner will undertake in order to receive the grant or loan.

Complete Application – Includes a completed application form for financial incentive program(s) with the property owner(s) signature and date, which is accompanied by:

- Complete drawings of the works to be undertaken (including a façade drawing for façade projects) including:
  - An image of each elevation that is proposed to have exterior lighting improvements;
  - Colour images of the surrounding neighbourhood context;
  - Colour rendering of the proposed lighting schemes and concepts, including details in lighting fixtures and other required elements;
- If the upper floors of the building have occupied residential units, the applicant will need to show how the uplighting will not adversely impact the quality of life for those residents;
- The applicant will need to show how the lighting scheme will avoid unnecessary light pollution;
- Itemized list of specific improvements;
- Two (2) comparable quotations by qualified contractors showing cost estimates for each of the proposed works which are required to be included in the incentive program. In general, the lower of the two estimates will be taken as the cost of the eligible works the purpose of the program. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);
- A cover letter that summarizes the work to be completed, summarizes the provided quotations, and outlines the proposed days/hours of operation of the lighting program;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the Managing Director of Planning and City Planner, or designate.

Discrete Building – Means any permanent structure which is separated from other structures by a solid party wall and is used or intended to be used for the shelter, accommodation, or enclosure of persons. To be a discrete building, the structure will have a distinct municipal address.

## 2. Purpose

The Façade Uplighting Grant Program is intended to provide exterior uplighting to enhance and highlight buildings in a manner respectful to the Downtown Heritage Conservation District. Further, the program will focus lighting on the best design and architectural features of an individual building. The Façade Uplighting Grant program will work in conjunction with the existing Façade Improvement Loan program.

### 3. Funding

- Total grant funding available for the pilot project will be: \$50,000
- Grant funding under the pilot project will cease on July 30, 2021, unless extended by the City of London. Commitment Letters shall expire in one year of the date of the letter, and in no case shall extend beyond July 30, 2022.
- If eligible, see Schedule 1 (not attached), applicants are permitted to also receive a Façade Improvement Loan for eligible costs not covered by the grant program.
- Grants will be payable upon the completion of the approved project subject to the eligibility criteria detailed in the program guidelines.

### 4. Eligible Works

Eligible works that will be financed through the Façade Uplighting Grant Program include improvements that are demonstrated to direct light to enhance the visual aesthetics of a building's exterior while meeting the Heritage Conservation District, as well as Urban Design Guidelines.

Examples of works that may be eligible under this program include:

- New or replacement light fixtures which are affixed to the exterior street front of a building that are designed or positioned to cast its light upwards;
- Any required electrical work and components to install and operate the new or replacement light fixtures;
- Any special installation requirements or components to retain the original historic fabric and materials of the subject structure;
- Professional fees and soft costs at the discretion of the Managing Director, Planning and City Planner, or designate (this includes, but is not limited to designers, architects, and engineers) limited to a maximum of \$500.

**Note:** Depending on the scope and nature of the proposed improvements, a Heritage Alteration Permit may be required for this work in the Downtown Heritage Conservation District.

### 5. Ineligible Works

The following list provides examples of materials and costs that are not eligible to be financed through this program:

- Lighting that projects into the sky and not on the building;
- Demolition;
- Operating or regular maintenance costs (for example, the cost of electricity);
- Construction not related to the exterior lighting elements;
- Electrical service upgrades;
- Utility services and installation;
- HST;
- Any other façade or Building Code improvements not identified in the Eligible Works section, unless permitted at the discretion of the Managing Director, Planning and City Planner, or designate.

### 6. Determination of Grants where there are Two Street Frontages

If a building has both the front and rear façade facing a municipal street (not a private street or a laneway), then the building is eligible for a Façade Uplighting Grant for each unique street fronting façade. Further, if a building is on a corner property where two or more façades face a municipal street (not a private street or laneway), then the building is eligible for two or more Façade Uplighting Grants.

### 7. Eligibility Criteria for Grant

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application, by the Managing Director, Planning and City Planner, or designate.***

To be eligible for the Façade Uplighting Grant Program, the applicant, property, and project must meet all conditions detailed in this program description unless permission is granted by the Managing Director, Planning and City Planner.

### **Property Owner Considerations**

- The registered owner of the property, an agent (including building tenant or contractor who has been retained to undertake improvements). If the applicant is not a registered owner of the subject property, the applicant will be required to provide authorization in writing from the registered owner as part of a complete application;
- All mortgages and charges must not exceed 90% of the post-rehabilitation appraised value of the property (i.e. the owner must maintain 10% equity in the property post-improvement);
- All City of London property taxes must be paid in full when the grant is issued;
- The registered owner of the property and/or applicant must have no outstanding debts to the City of London;
- The property owner and/or applicant, must not have ever defaulted on any City loan or grant program, including by way of individual affiliation with any company or group of people authorized to act as a single entity such as a corporation;
- The Façade Uplighting Grant Program will not apply retroactively to work completed prior to the approval of the application, by the Managing Director of Planning and City Planner, or designate.

### **Property Considerations**

- Properties within the Downtown Community Improvement Project Area as defined in the Downtown London Community Improvement Area By-law (see Map 1);
- There are not any City of London Building Division orders or deficiencies relating to the subject property at the time the grant is issued;
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example, applications for an Uplighting Grant, an Upgrade to Building Code Loan, Facade Improvement Loan, and Tax Grant can be made at the same time).

### **Building Considerations**

- Separate applications must be submitted for each *discrete building* (as defined) on a single property;
- Existing buildings (occupied or unoccupied) located within an identified area for improvement under the Downtown CIP;
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of the Façade Uplighting Grant program;
- Where a building is within a contiguous group of buildings, a *discrete building* will be interpreted as any structure which is separated from other structures by a solid party wall and a distinct municipal address;
- Each *discrete building* on each property is eligible for the Façade Uplighting Grant Program;
- Each *discrete building* is only eligible for one Façade Uplighting Grant (unless the building is eligible for additional grants under Section 6);
- Each *discrete building* is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example, applications for an Uplighting Grant, an Upgrade to Building Code Loan, Facade Improvement Loan, and Tax Grant can be made at the same time);
- There must be no City of London Building Division orders or deficiencies and no by-law infractions when the grant is issued.

## **8. General Terms of the Grant**

The Façade Uplighting Grant Program will be a one-time grant. Applicants can apply only once under the program to discourage staged improvements over multiple years.

## 9. Grant Amount

Grants will be issued to cover the lesser of:

- The cost of the eligible works per *discrete building*;
- A maximum of \$5,000 per *discrete building*.

While more than one *discrete building* on a single property may be eligible for a grant, grants will not exceed 100% of the cost of the eligible works that relates to each *discrete building*.

The Façade Uplighting Grant is a one-time improvement grant. Applicants can only apply once per *discrete building* under the incentive to discourage staged improvements over multiple years.

## 10. Grant Distribution

The City will provide the applicant with one cheque in the full amount of the approved grant once: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the grant, and (2) the Grant Agreement has been signed. **The City will not provide partial grant amounts or progress payments.**

## 11. Grant Security

The grant is payable upon the completion of an approved project subject to the eligibility criteria detailed in these guidelines.

## 12. Grant Agreement

Participating property owners in the Façade Uplighting Grant Program shall be required to enter into a grant agreement with the City. This agreement shall specify such items as (but not limited to) the grant amount, the duration of the grant, and the owner's obligation to repay the City for any moneys received if the property is demolished before the grant period elapses. The agreement shall include the terms and conditions included in the program guidelines. The grant agreement will be signed by the property owner or authorized agent and the Managing Director, Planning and City Planner, or designate.

## 13. Grant Repayment Provisions

Not applicable.

## 14. Transferable Grants

At the discretion of the City, grants may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the grant program. The new owner must submit a new application under the Façade Uplighting Grant Program.

## 15. Application Process

### Expression of Interest

**PO** – It is suggested to meet with the Downtown London office regarding an expression of interest or proposal before any financial incentive application is made to the City of London. While City Planning staff are often involved in meeting with Downtown London and a property owner, no records are formally kept until a complete incentive application, accompanied by appropriate drawings and estimates, is submitted to City Planning.

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application, by the Managing Director, Planning and City Planner, or designate.***

## Consultation Phase

**Step 1 – PO** – The Applicant contacts City of London and/or Downtown London staff who will arrange a meeting to share ideas for the proposed project, information about incentive programs, provide application form(s), and assist with the application process. This meeting will also help to identify what permits or permissions may be required to complete the proposed improvement project. Consultation with an Urban Designer and/or Heritage Planner may be necessary. Where possible, the City will make appropriate staff available for this meeting, which is usually on site at the property where the proposed work is planned.

Applications made for financial incentive programs do not in any way replace the need for obtaining any necessary approvals. Prior to undertaking building improvements the property owner (**PO**) is required to obtain any necessary approvals and/or permits. Heritage Alteration Permits (for properties requiring them) will be required before financial incentive applications are accepted. Discussions with City staff and Downtown London are encouraged early in the conceptual phase to ensure improvements comply with City regulations and guidelines, and the proposed improvements are eligible under the incentive program criteria. Service London staff are also available to help with clarifying/applying for applicable permits.

## Concept Phase

**Step 2 – PO** – A *Complete Application* (see Definition Section) for the Façade Uplighting Grant Program is submitted to the City of London and/or Downtown London Staff.

**Step 3 – CL** – City of London City Planning Staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a *Commitment Letter* which outlines the approved works, related costs, and monetary commitment that the City is making to the project. The City's commitment is valid for one year from the date of issuance of the *Commitment Letter*. The City's commitment applies only to the project as submitted. **PO – Any subsequent changes to the project will require review and approval by appropriate City staff.**

**Step 4 – CL** – City Planning Staff may visit the subject property and take photographs, both before and after the subject work is completed.

## Construction Phase

**Step 5 – PO** – After obtaining all necessary approvals and/or permits and receiving a *Commitment Letter* from the City for approved works the applicant may start to undertake eligible improvements.

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application, by the Managing Director, Planning and City Planner, or designate.***

## Confirmation Phase

**Step 6 – PO** – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. The applicant will submit paid receipts (as proof of payment in full). Confirmation that related Building Permits or Heritage Alteration Permits are closed is also required so that the City may begin drafting an agreement.

**Step 7 – CL** – Before setting up any agreement City Planning staff must ensure the improvements, as described in the City's *Commitment Letter* are completed and other criteria, as set out in the respective program guidelines, have been met. Generally speaking, this includes:

- Related costs, or bills respecting those approved works are paid in full;
- Related building permits are closed;
- The loan must be in good standing with no arrears owing;
- All City of London property taxes must be paid in full and the account deemed in good standing by the Taxation Division;
- There must be no outstanding debts to the City;
- The property owner must not have defaulted on any City loans or grants;

- There must be no outstanding Building Division orders or deficiencies against the subject property.

### **Agreement Phase**

**Step 8 – CL** – Once the approved works are verified by City Planning, staff will draft the grant agreement.

**Step 9 – CL** – City Planning staff will request a cheque, and prepare two hard copies of the grant agreement to be signed.

**Step 10 – CL** – When all the documentation is ready City Planning staff will contact the applicant to arrange for a meeting to sign the documents.

**Step 11** – City Planning staff will have two original copies of the grant agreement available for signing. One original signed copy is kept by the applicant and one is retained by the City.

## **16. Façade Uplighting Grant Program Approval**

Once all eligibility criteria and conditions are met, and provided that funds are available, the Managing Director, Planning and City Planner or designate will approve the application. Approval by means of a letter to the applicant will represent a commitment by the City of London. Grant commitments will be valid for one year and will expire if the work is not completed within that time period. The Managing Director, Planning and City Planner may, at his/her discretion, provide a written time extension of up to one year. **PO – It is important to note that the consideration of such an extension will require a written request from the applicant detailing the reasons the extension is being sought.**

## **17. Additional Rehabilitation and Demolition**

Additional work to the interior of the building can be undertaken without City Planning approval subject to obtaining a building and/or heritage alteration permit, when required. The grant program does not impose any specific restrictions on demolition.

## **18. Inspection of Completed Works**

The grant will be paid to the property owner (or designate) upon receipt of invoices for all completed work and after the City inspection of all completed improvements has taken place. The City will inspect the work completed to verify that the proposed improvements have been completed as described in the application.

## **19. Incentive Application Refusal and Appeal**

If an application is refused by the Managing Director, Planning and City Planner, the applicant may, in writing, appeal the decision to the City Clerk's Office who will provide direction to have the matter heard before Municipal Council through the Planning and Environment Committee.

## **20. Relationship to other Financial Incentive Programs**

It is intended that the Façade Uplighting Grant Program will complement other incentive programs offered by the City of London, in particular, the Façade Improvement Loan Program. Property owners may also qualify for financial assistance under those programs. Applicants are permitted to also receive a Façade Improvement Loan for eligible costs not covered by the grant program.

**PO** – Applicants are advised to check with Downtown London about its proprietary programs which complement the City's financial incentive programs.

## **21. Monitoring & Discontinuation of Uplighting Grant Program**

As part of the program administration, City Planning staff will monitor the Façade Uplighting Grant Program. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease to issue any new commitments. Each program is monitored to ensure it implements the goals and objectives of the Official Plan, The London Plan, and the Community Improvement Plans within which the program applies. The City may discontinue the Façade Uplighting Grant Program at any time; however, any existing grants will continue in accordance with the agreement. A program's success in implementing a Community Improvement Plan's goals will be based on the ongoing monitoring and measurement of a series of identified targets that represent indicators of the CIP's goals and objectives, as noted in the Program Monitoring Data section.

## **22. Program Monitoring Data**

The following information will be collected and serve as data to monitor the Façade Uplighting Grant program offered through the Downtown Community Improvement Plan. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the CIP have been met:

- Number of Applications (approved and denied);
- Approved value of the grant and the total construction cost (i.e. total public investment versus private investment);
- Total Value of Building Permit (if required);
- Total Grant amount.

## **23. Activity Monitoring Reports**

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of applications;
- Total value of applications.

# DOWNTOWN FAÇADE UPLIGHTING GRANT PROGRAM GRANT AGREEMENT

THIS AGREEMENT CONSISTS OF THREE PAGES

Application No.:

Name of Property Owner(s):

Address of Project:

Legal Description of Property:

Roll Number:

Mailing Address of Owner:

Telephone No.:

Email Address:

## Heritage Alteration Permit Information:

Date Permit Approved:

Designating By-Law:

## Project Information

Building Permit Number(s):

Date of Permit(s):

Value of Project:

Application Tracking Information ( <b>for Staff use only</b> )	Date and Staff Initials
Application Accepted	
Commitment Letter Issued	
Project Completion (applicant's written confirmation)	
Request to Finance and Administration for Grant Cheque	
Grant Cheque Issued	



# **DOWNTOWN FAÇADE UPLIGHTING GRANT PROGRAM GRANT AGREEMENT**

*THIS AGREEMENT CONSISTS OF THREE PAGES*

## **Conditions:**

1. The applicant(s) for a Downtown Façade Uplighting Grant must be the registered owner(s) of the subject property or an agent, including a business owner who is occupying space on the subject property or contractor who has been retained to undertake improvements on the subject property.
2. Where the applicant is an agent (tenant or contractor) of the property, the applicant must provide confirmation in writing that the property owner is aware of, and in support of, the installation lighting to the building.
3. Separate applications must be made for each discrete building or agent under consideration for a grant.
4. The Downtown Façade Uplighting Grant Program will be a one-time grant. Applicants can apply only once per discrete building under the program.
5. The total value of the grant provided under this program shall not exceed the value of the work done.
6. If a participating property is demolished in whole within two years of receiving the grant it shall cause the grant to be forfeited and be repayable to the municipality.
7. The grant is not issued until such time as the City of London confirms that any City of London loans relating to the Property are in good standing with no arrears owing; all City of London realty taxes are paid in full; there are no outstanding debts to the City of London; the applicant and, where the applicant is an agent, the owner, has not defaulted on any City-sponsored loan or grant programs in the past; and there are no City of London Building Division orders or deficiencies registered against the Property.

# DOWNTOWN FAÇADE UPLIGHTING GRANT PROGRAM GRANT AGREEMENT

*THIS AGREEMENT CONSISTS OF THREE PAGES*

- A. I/WE HEREBY AGREE TO ALL OF THE CONDITIONS IN THIS GRANT AGREEMENT (consisting of three pages) and the terms and conditions of the Downtown Façade Uplighting Grant Program guidelines.
- B. I/WE HEREBY CERTIFY that the information given above is true, correct and complete in every respect and may be verified by the municipality. I/WE acknowledge that the City is relying upon the information provided by the applicant and if the information in this agreement and the associated application, proves to be false or substantially inaccurate, the grant will be forfeited and be immediately repayable to the City.
- C. I/WE HEREBY AGREE that in the event this property is demolished in whole or in part, prior to the issuance of the grant, any funds payable under this Program shall immediately be forfeited and all previously received grant payments shall become due and repayable to the City.
- D. I/WE hereby acknowledge receipt of a cheque for \$XX,XXX.XX, dated \_\_\_\_\_ as the Downtown Façade Uplighting Grant.

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

\_\_\_\_\_  
SIGNATURE (TITLE)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CO-SIGNATURE (TITLE)

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
SIGNATURE (TITLE)

\_\_\_\_\_  
DATE

City of London, City Planning

## 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:** Register of Cultural Heritage Resources  
**Meeting on:** Monday July 22, 2019

### Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, this report **BE RECEIVED** for information.

### Executive Summary

Staff have consolidated an update to the Register of Cultural Heritage Resources (Register), including all heritage listed properties and heritage designated properties in the City of London. The Register will be posted to the City's website, replacing the Inventory of Heritage Resources (2006).

No action of Municipal Council is required because each property was added or removed from the Register by a previous action of Municipal Council.

### Background

#### 1.0 Introduction

The Register of Cultural Heritage Resources (Register, Inventory of Heritage Resources) is an essential resource used by staff and the public to identify the cultural heritage status of properties in the City of London. The first Municipal Council-adopted *Inventory of Heritage Resources* was created in 1991, and was compiled from previous inventories dating back to the 1970s. The *Inventory of Heritage Resources* was reviewed and revised in 1997 to include newly annexed areas of the City of London. In 2005-2006, Municipal Council adopted the revised *Inventory of Heritage Resources*. The *Inventory of Heritage Resources* (2006) in its entirety was adopted as the Register pursuant to Section 27 of the *Ontario Heritage Act* in 2007.

The cultural heritage status of properties within the City of London is mapped on the City's CityMap web application in the "Heritage Conservation Districts and Properties" layer. In addition to mapping properties of cultural heritage value, it has been the local convention to publish a printed copy of the *Inventory of Heritage Resources*. The last published copy of the *Inventory of Heritage Resources* dates to 2006 and is available for downloading off the City's website. While CityMap has been regularly maintained and updated, staff have been working to publish a consolidated, updated version of the Register.

#### 1.1 Previous Reports

October 3, 1988. Resolution of Municipal Council regarding the "Inventory of Buildings of Interest in the City of London."

May 15, 1989. Resolution of Municipal Council regarding establishing priority levels for the protection of heritage resources.

August 6, 1991. Resolution of Municipal Council regarding approval of the Heritage Resources Inventory.

June 23, 1997. Resolution of Municipal Council regarding approval of the Inventory of Heritage Resources.

December 11, 2006. Report to Planning Committee. Revised Inventory of Heritage Resources.

February 12, 2007. Report to Planning Committee. *Inventory of Heritage Resources adopted as a Guideline Document within Section 19.2.2 of the Official Plan.*

March 19, 2007. Report to Planning Committee. *Adding the Heritage Inventory to the Heritage Register.*

March 26, 2007. Resolution from Municipal Council regarding the addition of the Inventory of Heritage Resources to the Register of Property of Cultural Heritage Value or Interest in accordance with Section 27 of the *Ontario Heritage Act*.

September 12, 2018. Report to the London Advisory Committee on Heritage. "Removal of Properties from the Register." (Housekeeping Report).

January 21, 2019. Report to the Planning & Environment Committee. "Priority Levels on the Register (Inventory of Heritage Resources).

## **2.0 Legislative/Policy Framework**

### **2.1 Ontario Heritage Act**

Section 27(1.1) of the *Ontario Heritage Act* requires that the Clerk of every municipality to keep a Register of properties that are of designated pursuant to Part IV of the *Ontario Heritage Act* within the municipality. A legal description of the property, the name and address of the owner, and a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property must be included in the Register.

In addition, Section 27(1.2) of the *Ontario Heritage Act* enables a Municipal Council to include properties that it believes to be of cultural heritage value or interest, but are not designated under the *Ontario Heritage Act*, on its Register. These properties are commonly referred to as "heritage listed properties."

The Ministry of Tourism, Culture and Sport (2016) has highlighted a number of benefits of including properties on a municipal Register, including but not limited to:

- Recognizes properties of cultural heritage value or interest in the community;
- Demonstrates a municipal council's commitment to conserve cultural heritage resources;
- Enhances knowledge and understanding of the community's cultural heritage;
- Provides a database of properties of cultural heritage value or interest for land use planners, property owners, developers, the tourism industry, educators, and the general public;
- Should be consulted by municipal decision makers when reviewing development proposals or permit applications; and,
- Provides interim protection from demolition.

To include a heritage listed property on the Register, a municipal council, following consultation with its municipal heritage committee, believe that a property has cultural heritage value or interest. The Ministry of Tourism, Culture and Sport (2016) notes that detailed research and evaluation of the property are not required to add it to a municipal Register. Property owner consultation or consent is not required to add a property to the Register pursuant to Section 27 of the *Ontario Heritage Act* at present.

### **2.3 The London Plan**

Policy 557\_, *The London Plan* - The Register of Cultural Heritage Resources

*In accordance with the Ontario Heritage Act, City Council, in consultation with the London Advisory Committee on Heritage (LACH), will prepare and maintain a Register listing properties of cultural heritage value or interest. The Register may also be known as the City of London Inventory of Heritage Resources. In addition*

*to identifying properties designated under the Ontario Heritage Act, the Register may include properties that are not designated but that Council believes to be of cultural heritage value or interest.*

The policies of *The London Plan* enable the preparation and maintenance of the *Register of Cultural Heritage Resources* (also known as the *Inventory of Heritage Resources*).

### **3.0 Register (Inventory of Heritage Resources)**

At its meeting on March 26, 2007, Municipal Council adopted the *Inventory of Heritage Resources* as its Register pursuant to Section 27 of the *Ontario Heritage Act*. This action took advantage of new provisions of the *Ontario Heritage Act* established in 2005 which provided a 60-day delay in the issuance of a demolition permit for a property listed on the Register. This 60-day period is intended to provide the City time to determine if the property is of significant cultural heritage value and merits designation under the *Ontario Heritage Act* to prevent its demolition.

Since 2007, Municipal Council has, by resolution, added and removed properties from the Register.

At its meeting on October 2, 2018, Municipal Council resolved to remove properties from the Register that it had previously considered via the demolition request process but had not taken the action to remove those properties from the Register. This “housekeeping” action ensured that the properties included on the Register are of potential or recognized cultural heritage value or interest.

At its meeting on January 30, 2019, Municipal Council resolved to remove the priority levels previous applied to heritage listed properties on the Register. All properties included on the Register that are not designated are considered to be of potential cultural heritage value or interest.

## **Analysis**

### **4.0 Update to the Register**

Staff have been working to compile and consolidate data on the Register and to publish an update. The updated Register includes all heritage listed properties and heritage designated properties, including properties located within one of London’s seven Heritage Conservation Districts. The updated Register can be found as Appendix A. It replaces and supersedes the print copy of the *Inventory of Heritage Resources* (2006).

Efforts to update the Register did not include addition or removal of properties from the Register; only to record the current cultural heritage status of properties in London.

As of the writing of this report, 5,939 properties are included on the Register. These properties are broken down as follows:

- 2,003 heritage listed properties;
- 326 individual heritage designated properties (Part IV, *Ontario Heritage Act*); and,
- 3,709 properties located within one of London’s seven Heritage Conservation Districts (designated pursuant to Part V of the *Ontario Heritage Act*).

The City Clerk will continue to maintain the Register pursuant to Section 27(1.1) of the *Ontario Heritage Act*, which is required to include all properties designated under Part IV of the *Ontario Heritage Act*. The published edition of the Register includes all heritage listed properties and all properties designated under the *Ontario Heritage Act* (including individually designated properties and properties located within a Heritage Conservation District) will continue to be a reference resource to identify the cultural heritage status of a property.

## Conclusion

An update to the published edition of the Register was overdue. While information on the cultural heritage status of properties was and will remain to be accessible on CityMap, the published edition of the Register is understood to be a preferred method of access by the community. The updated Register will be posted on the City's website with printed copies available upon request.

No action of Municipal Council is required because each property was added or removed from the Register by a previous action of Municipal Council.

<b>Prepared by:</b>	<b>Kyle Gonyou, CAHP Heritage Planner</b>
<b>Submitted by:</b>	<b>Gregg Barrett, AICP Manager, Long Range Planning and Research</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

July 15, 2019  
KG/

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## **Appendix A – Register of Cultural Heritage Resources**

*Attached separately.*

## 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:** 2670040 Ontario Inc.  
1229 and 1265 Wharncliffe Road South  
Removal of Holding Provisions (h, h-11, h-63, h-95, h-100, and  
h-104)

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of 2670040 Ontario Inc. relating to the property located at 1229 and 1265 Wharncliffe Road South, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1229 and 1265 Wharncliffe Road South **FROM** a Holding Restricted Service Commercial Special Provision(h\*h-11\*h-63\*h-95\*h-100\*h-104\*h-138\*RSC1/RSC2/RSC3(16)/RSC4(14)/RSC5(16)) Zone **TO** a Holding Restricted Service Commercial Special Provision (h-138\*RSC1/RSC2/RSC3(16)/RSC4(14)/RSC5(16)) Zone to remove the h, h-11, h-63, h-95, h-100, and h-104 holding provisions.

## Executive Summary

### Summary of Request

The applicant has requested the removal of the h, h-11, h-63, h-95, h-100, and h-104 holding provisions from 1229 and 1265 Wharncliffe Road South for the consideration of building permits to construct two Automobile Sales and Services establishments.

### Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Z-1 Zoning By-law.
2. Engineering plans have been submitted through the site plan approval process (SPA19-047 and SPA-048) and accepted by the City, demonstrating how all servicing (water, sewer, and storm) will be accommodated on site. Through the site plan approval process access, consolidation, noise mitigation and urban design have been addressed in the accepted final site design.
3. Through the site plan approval process the required security has been submitted to the City of London, the execution of the development agreement is imminent and the h, h-11, h-63, h-95, h-100, and h-104 holding provisions are no longer required.



# Analysis






## Location Map



### Location Map

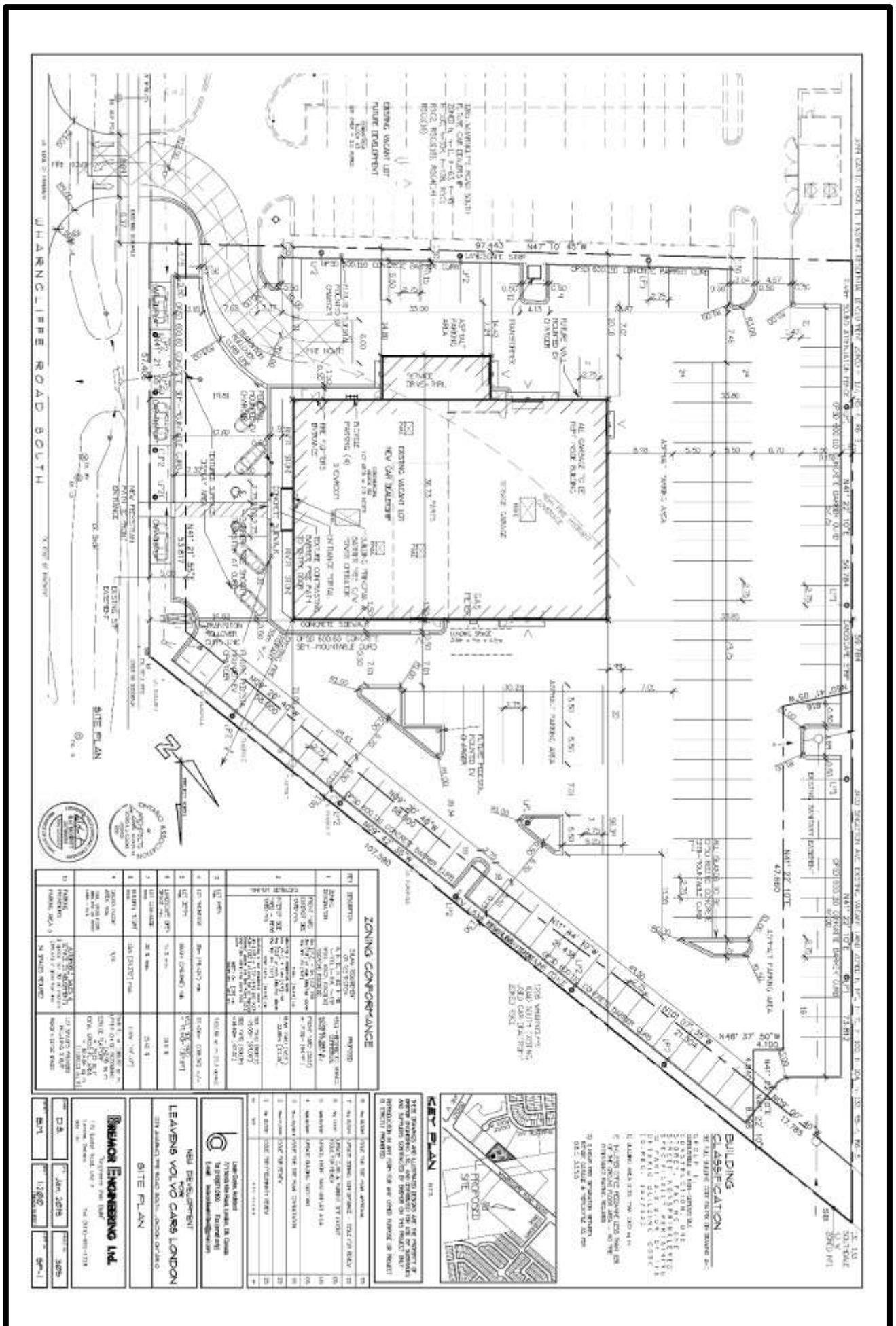
Project Title: h-9065  
Description:  
Created By: Dan Murphy  
Date: 7/11/2019  
Scale: 1:2000

### Legend

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



Proposed Site Plan- 1229 Wharncliffe Road South



**ZONING COMPLIANCE**

NO.	REQUIREMENT	STATUS	COMMENTS
1	USE	MEETS	MEETS REQUIREMENT
2	LOT AREA	MEETS	MEETS REQUIREMENT
3	LOT WIDTH	MEETS	MEETS REQUIREMENT
4	LOT DEPTH	MEETS	MEETS REQUIREMENT
5	SETBACKS	MEETS	MEETS REQUIREMENT
6	HEIGHT	MEETS	MEETS REQUIREMENT
7	AREA RATIO	MEETS	MEETS REQUIREMENT
8	SCREENING	MEETS	MEETS REQUIREMENT
9	LANDSCAPING	MEETS	MEETS REQUIREMENT
10	ADDITIONAL	MEETS	MEETS REQUIREMENT



**BUILDING CLASSIFICATION**

2018 IBC - COMMERCIAL BUILDING TYPE I

2018 IBC - MECHANICAL, ELECTRICAL, PLUMBING (MEP) SYSTEMS

2018 IBC - STRUCTURAL STEEL FRAME

2018 IBC - CONCRETE FLOOR/ROOF DECK

2018 IBC - GLASS CURTAIN WALL

2018 IBC - ROOFING SYSTEM

2018 IBC - INTERIOR FINISHES

2018 IBC - EXTERIOR FINISHES

2018 IBC - ELEVATOR SYSTEMS

2018 IBC - ACCESSIBILITY

2018 IBC - ENERGY EFFICIENCY

2018 IBC - SAFETY

2018 IBC - SUSTAINABILITY

**LEAVENS VOLVO CARS LONDON**

1229 WHARNCLIFFE ROAD SOUTH, LEAMINGTON SPA, CV32 3JG

**REMCON ENGINEERING LTD.**

15, LEAMINGTON ROAD, LEAMINGTON SPA, CV32 3JG

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## 2.0 Description of Proposal

### 2.1 Development Proposal

To permit the construction of two automobile sales and services establishments.

## 3.0 Relevant Background

### 3.1 Planning History

Two applications for site plan approval (SPA-19-047 and SPA-19-048) were received May 24, 2019. The applicant has completed the site plan approval processes and has submitted the required securities. The registration of the development agreements are imminent.

## 4.0 Key Issues and Considerations

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

The registration of the Development Agreements are imminent. Engineering plans have been submitted through the site plan approval process (SPA19-047 and SPA 19-048) and accepted by the City demonstrating how all servicing (water, sewer, and storm) will be accommodated on site. Through the site plan approval process, access, noise mitigation and urban design have been addressed in the accepted final site design. The applicant has provided the required security with the City and has executed the development agreement.

### Holding Provisions

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

The owner has provided the necessary security and the registration of the development agreement is imminent. This satisfies the requirement for removal of the "h" holding provision at this time.

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

The access arrangements are to the satisfaction of the City as is reflected in the development agreement which has been executed by the owner. This satisfies the requirement for removal of the h-11 holding provision at this time.

*h-63 Purpose: To ensure there are no land use conflicts between the commercial and residential land uses, the "h- 63" symbol shall not be deleted until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London.*

As part of the complete site plan application, the Owner submitted a Noise Assessments report prepared by Development Engineering dated May 13, 2019. The submitted noise study has been accepted by the City and the recommended mitigation measures including a construction of a 2.44 metre noise wall separating the use from the abutting residential uses has been included in the development agreement. It is appropriate to remove the h-63 holding provision at this time.

*h-95 Purpose: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues.*

Building elevations have been reviewed and accepted. The accepted elevation ensure that the urban design concepts as established have been implemented to the satisfaction of the City. It is appropriate to remove the h-95 holding provision at this time.

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

and

*h-104 Purpose: To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-104" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer*

The City has accepted all engineering servicing drawings for the development of this site. The accepted engineering drawings ensure that the stormwater management, individual sanitary, water services and access have been provided to the satisfaction of the City. This satisfies the requirements for removal of the h-100 and h-104 holding provisions at this time.

*h-138 Purpose: To ensure that commercial development in draft plan 39T-05509 does not exceed a maximum interim floor area threshold of 12,868 m<sup>2</sup>, the h-138 symbol shall not be deleted until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes.*

By email dated April 30, 2019, it was confirmed that the proposed uses do not exceed the maximum threshold and a Traffic Impact Study is not required at this time for these lands. The h-138 holding provision will remain on the lands to ensure that in the future, if the threshold is surpassed, a Traffic Impact Study will be completed. The retention of this holding provision will not impact the issuance of building permits in this instance.

## 5.0 Conclusion

It is appropriate to remove the h.\*h-11\*h-63\*h-82\*h-95\*h-100 and h-104 holding provisions from the subject lands at this time as the required security has been submitted to the City of London and registration of the development agreement is imminent. Also, engineering plans have been submitted through the site plan approval process (SPA19-047 and SPA19-048) and accepted by the City, demonstrating how all servicing (water, sewer, and storm) will be accommodated on site. Through the site plan approval process, access, consolidation, noise mitigation and urban design have also all been addressed in the final site designs.

<b>Prepared by:</b>	<b>C. Smith, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 15, 2019  
CS\

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

## Appendix A

### Appendix "(A)"

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

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

A by-law to amend By-law No. Z.-1 to  
remove holding provisions from the  
zoning of the land located at 1229 and  
1265 Wharncliffe Road South

WHEREAS. 2670040 Ontario Inc. has applied to remove the holding provisions from the zoning for the land located at 1229 and 1265 Wharncliffe Road South, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1229 and 1265 Wharncliffe Road South, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Holding Restricted Service Commercial / Restricted Service Commercial Special Provision (h-138\*RSC1/RSC2/RSC3 (16)/RSC4 (14)/RSC5 (16)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

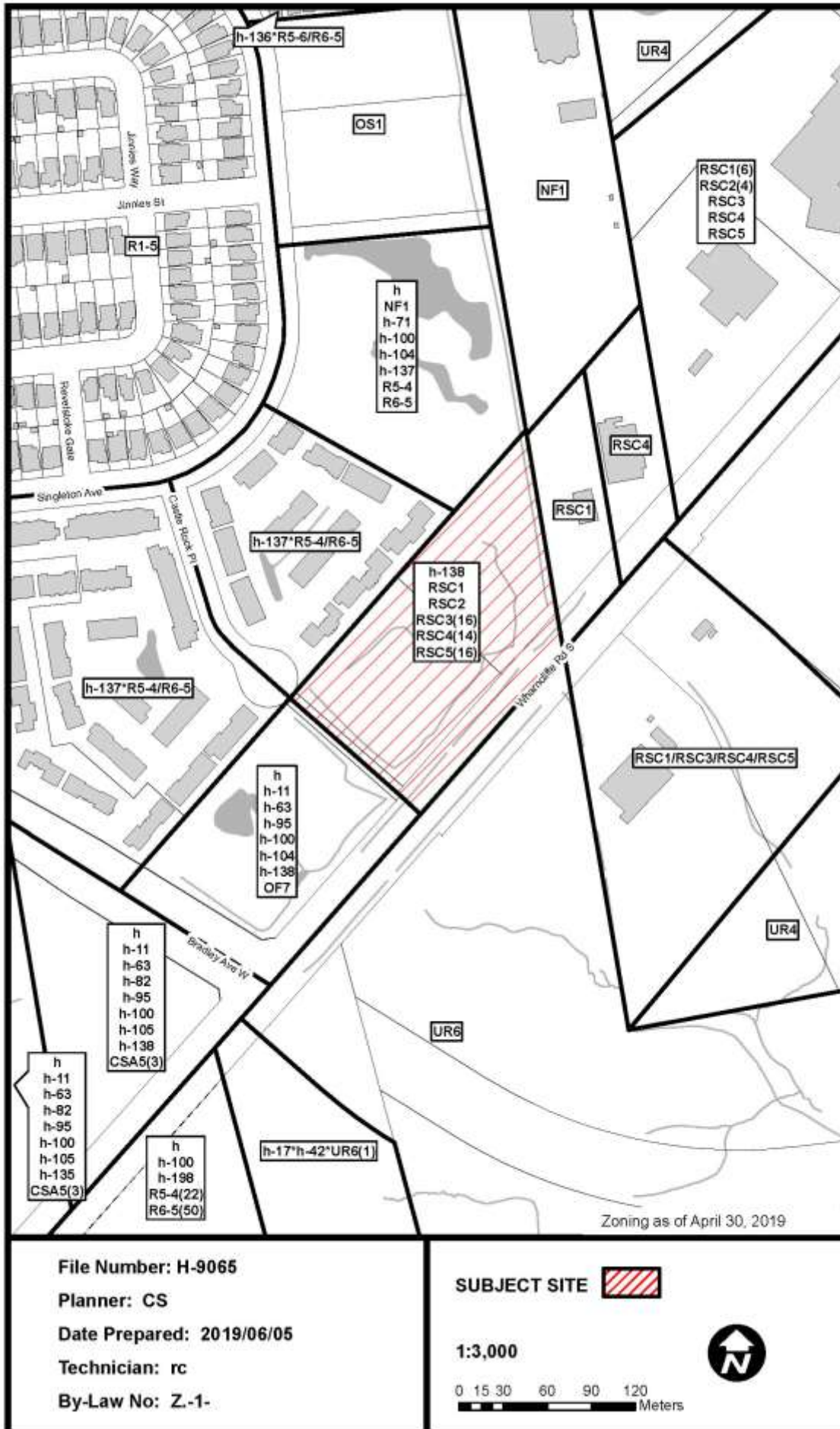
PASSED in Open Council on, July 30, 2019

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

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





## Appendix B – Public Engagement

### Community Engagement

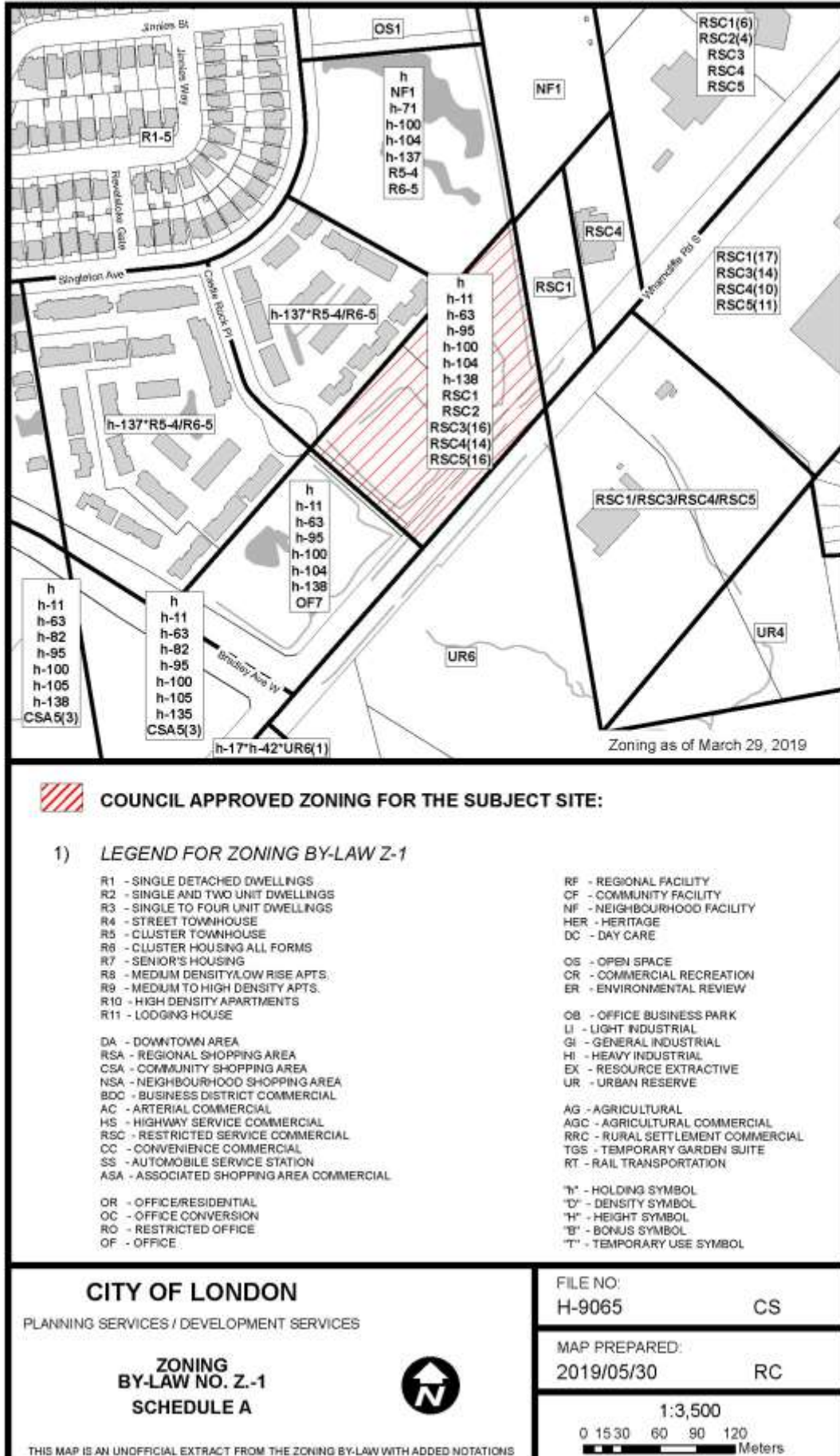
**Public liaison:** Notice of the application was published in the Londoner on June 6, 2019

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the h, h-11, h-63, h-95, h-100, and h-104 holding provisions from the lands that ensures for the orderly development of land and for the provision of adequate water service, stormwater, urban design, appropriate access, ensure no land use conflict with abutting uses and to not exceed a maximum commercial gross floor area cap a development agreement shall be entered into following site plan approval process to the satisfaction of the City. Council will consider removing the holding provisions as it applies to these lands no earlier than July 22, 2019.

**Appendix C**

**Zoning Map**



## 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: Sunningdale Golf and Country Club Ltd.  
349 and 379 Sunningdale Road West  
Removal of Holding Provisions (h and h-100)

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Sunningdale Golf and Country Club Ltd. relating to the property located at 379 Sunningdale Road West the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 349 and 379 Sunningdale Road West **FROM** a Holding Residential R9 Special Provision (h-h-53-h-100-R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-h-53-h-100-R5-3(19)/R6-5(53)) Zone and a Holding Residential R5/R6 Special Provision/ Office (h-h-53-h-100-R5-3(19)/R6-5(53)/OF1) Zone **TO** a Holding Residential R9 Special Provision (h-53-R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-53-R5-3(19)/R6-5(53)) Zone, a Holding Residential R5/R6 Special Provision/ Office (h-53-R5-3(19)/R6-5(53)/OF1) Zone, a Residential R9 Special Provision (R9-7(27)) Zone, and a Residential R5/R6 Special Provision (R5-3(19)/R6-5(53)) Zone to remove the h., h-53 and h-100 holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h. and h-100 holding symbols to permit the development of four residential blocks (Blocks 1, 2, 3 and 4), an open space block (Block 5), and office/residential block (Block 6) and to remove the h-53 holding symbol from blocks 1 and 4 as they do not have frontage onto Fanshawe Park Road West.

### Rationale of Recommended Action

1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law.
2. Through the subdivision approval process the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent and the h. and h-100 holding provisions are no longer required.
3. Blocks 1 and 4 do not have frontage onto an arterial road (Fanshawe Park Road West) and the need for noise walls is not required.

## Analysis

### 1.1 Location Map



#### Location Map

Project Title: h-9064  
Description:  
Created By: Craig Smith  
Date: 5/23/2019  
Scale: 1:4000

#### Legend

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers





## 2.0 Description of Proposal

To remove the h. and h-100 holding provisions from the lands that ensures the orderly development of land and for the provision of adequate water service and appropriate access, a development agreement shall be entered into to the satisfaction of the City. This proposal also includes the removal of the h-53 holding provision from blocks 1 and 4 as these residential blocks do not have frontage onto Fanshawe Park Road West.

## 3.0 Revelant Background

### 3.1 Planning History

On June 3, 2016 the applicant submitted an application for Draft Plan of Subdivision approval, an Official Plan Amendment and a Zoning By-law Amendment including all required reports/studies identified during pre-consultation. Staff reviewed and accepted the applications as complete on June 6, 2016.

On May 24, 2017, the City Clerk's Office received appeals to the Ontario Municipal Board (OMB), from the Applicant on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and a non-decision by Municipal Council within 120 days relating to a Zoning By-law and Official Plan Amendment applications concerning lands located at 379 Sunningdale Road.

The OMB Settlement Hearing was held on November 8, 2017. On November 15, 2017 the OMB issued its decision to approve the Official Plan, Zoning, and Subdivision Draft Plan Approval that allows the lands to be developed with ten storey apartment buildings, six storey apartment buildings, cluster residential in a vacant land condominium form, offices and park uses subject to the completion of conditions as directed by the Board (Attached Appendix A).

As per Section 51 (34) of the *Planning Act*, the draft approval lapse date is November 15, 2020.

This application is to remove the holding provisions from the subdivison. The subdivision consists of four residential blocks (Blocks 1, 2, 3 and 4), an open space block (Block 5), and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north). On March 6, 2019 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securites have been posted. Final registration for the subdivison is iminiient.

## 4.0 Key Issues and Considerations

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

The h. holding provision states that:

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

The applicant has submitted the required security to the City of London. The special provisions have been endorsed by Council. The owner has provided the necessary security and the subdivision agreement is being finalized for execution by the owner and the City

consistent with the draft plan conditions. This satisfies the requirement for removal of the “h” holding provision.

### **h-100 Holding Provision**

The (h-100) holding provision states that:

*“To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”*

The h-100 holding provision requires that a looped watermain system be constructed and a second public access is available for these lands. A looped watermain has been constructed and Callaway Drive is being extended westerly and connecting to Sunningdale Road West and Meadowlands Way is being extended north from Sunningdale Road West to Callaway Drive providing two public accesses into this subdivision. This satisfies the requirement for removal of the “h-100” holding provision.

### **h-53 Holding Provision**

The (h-53) holding provision states that:

*“To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.”*

The h-53 holding provision requires that through a development agreement that development will be street oriented and noise walls will be discouraged along Sunningdale Road West. The h-53 holding provision will be required to remain on the blocks pending the completion of the site plan approvals. It is not appropriate to remove the holding provisions at this time from these blocks. A future application will be required to remove the h-53 holding provision once site plan approval is granted and a development agreement is entered into with the City.

Blocks 1 and 4 do not front onto an arterial road (Sunningdale Park Road West) and the removal of the h-53 holding provision from these blocks is appropriate at this time.

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

## **5.0 Conclusion**

It is appropriate to remove the h. and h-100 holding provisions from the subject lands at this time as a second public road access and water looping has been provided and the required security has been submitted to the City of London and registration of the subdivision agreement is imminent. It is also appropriate to remove the h-53 holding provisions on Blocks 1 and 4 as these blocks do not front onto an arterial road (Sunningdale Park Road West) and the removal of the h-53 holding provision from these blocks is appropriate at this time.

<b>Prepared by:</b>	<b>C. Smith, MCIP RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 15, 2019

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



## Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 349 and 379 Sunningdale Road West.

WHEREAS Sunningdale Golf and Country Club Ltd. have applied to remove the holding provisions from the zoning for the lands located at 349 and 379 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 349 and 379 Sunningdale Road West, as shown on the attached map, to remove the h., h-53 and h-100 holding provisions so that the zoning of the lands as a Holding Residential R9 Special Provision (h-53\*R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-53\*R5-3(19)/R6-5(53)) Zone, a Holding Residential R5/R6 Special Provision/ Office (h-53\*R5-3(19)/R6-5(53)/OF1) Zone, a Residential R9 Special Provision (R9-7(27)) Zone, and a Residential R5/R6 Special Provision (R5-3(19)/R6-5(53)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - July 30, 2019  
Second Reading – July 30, 2019  
Third Reading - July 30, 2019



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on June 6, 2019

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the h and h-100 holding provisions from the lands that ensures for the orderly development of land and for the provision of adequate water service and appropriate access a development agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than July 22, 2019.



## 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: Forest Park (Sherwood Glen) Inc.  
7 Annadale Drive  
Removal of Holding Provision (h-5)

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Forest Park (Sherwood Glen) relating to the property located at 7 Annadale Drive, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R6 Special Provision (h-5/R6-3(8)) Zone **TO** a Residential R6 Special Provision (R6-3(8)) Zone to remove the h-5 holding provision from these lands.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h-5 provision to allow for the issuance of permits for the Vacant Land Condominium development on the rear portion of the property for 15 single detached dwelling (cluster) units.

### Rationale of Recommended Action

1. The removal of the holding provisions will allow for development in conformity with The London Plan, the 1989 Official Plan and Zoning By-law.
2. A public participation meeting was held on January 7, 2019 and Council's recommendations have been included in the executed development agreement. The h-5 holding provision is no longer required.
3. All substantive issues have been addressed through the Site Plan Approval process (SPA18-060).

## Analysis

### 1.0 Site at a Glance

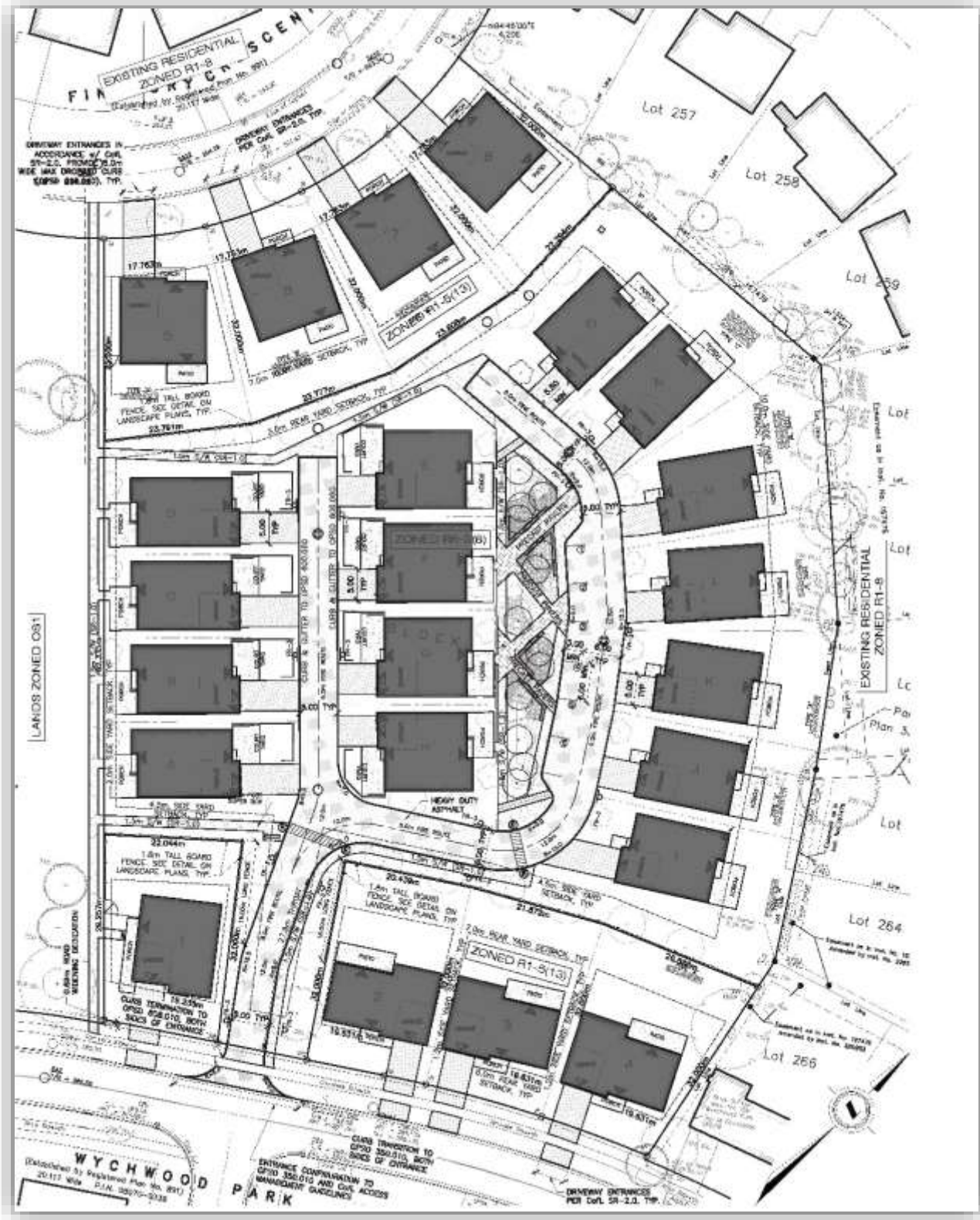
#### 1.1 Property Description

The subject site is located between Wychwood Park and Finsbury Crescent, with the portion of the site subject to public site plan review. The vacant land condo units have 14.4m of frontage on Wychwood Park to provide for a private road access to the interior of the site where 15 single detached (cluster) units are proposed. Eight single detached dwelling are proposed, through this site plan application, which front, four each, onto Finsbury Crescent and Wychwood Park and are outside the area requiring public site plan review. The remainder of the former Sherwood Forest Elementary School property is to be developed as a park and is not part of the site plan application.

Location Map



Proposed Site Plan



## **1.2 Current Planning Information**

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – h-5\*R6-3(8)

## **1.3 Site Characteristics**

- Current Land Use – Vacant former Sherwood Forest elementary school site.
- Frontage – 14.4m
- Depth – 124m
- Area – 10,566.8 m<sup>2</sup>
- Shape – Irregular

## **1.4 Surrounding Land Uses**

- North – Single Detached Dwellings
- East – Single Detached Dwellings
- South – Single Detached Dwellings
- West – Proposed park and Single Detached Dwellings

## **2.0 Description of Proposal**

This proposal is to remove the “h-5” holding provision at 7 Annadale Drive. The removal of this holding provision requires agreements be entered into following the public site plan meeting to ensure the development takes a form that is compatible with adjacent land uses.

The requested amendment will permit the Vacant Land Condominium development on the rear portion of the property for 15 single detached dwelling (cluster) units.

## **3.0 Relevant Background**

### **3.1 Planning History**

In June of 2013, the Thames Valley District School Board (TVDSB) closed the Sherwood Forest Public School. The TVDSB subsequently initiated a School Board Disposition Process (as required under the Education Act, Ontario Regulation 444/98). Municipal Council, at its session on March 18, 2014 resolved to purchase the property following the rezoning of the property for residential and park uses. The City’s conditional offer was accepted by the TVDSB on May 6, 2014.

On March 21, 2014 the City of London initiated a zoning by-law amendment for the former Sherwood Forest Public school site at 7 Annadale Drive from a Neighbourhood Facility (NF) Zone, which allowed for the school previously located on the site, to a combination of a Residential (R1 and R6) Zone variations to permit residential uses, and an Open Space (OS1) Zone to permit a neighbourhood park.

Prior to the statutory public meeting at the Planning and Environment Committee (PEC) for the zoning by-law amendment, three public meetings were held with the community to evaluate potential development approaches for the site. Meetings were held on April 10, 2014 for visioning; May 7, 2014 to evaluate potential concepts arising from the April 10 meeting; and, September 3, 2014 where a preferred land use concept was presented for final revisions. An additional meeting was held with the London Homebuilders Association where local builders outlined the minimum densities they would require to ensure any redevelopment project would be viable for the site.

The Zoning By-law (Z-8334) application was addressed at the October 7, 2014 meeting of the Planning and Environment Committee. On October 14, 2014 Council approved the rezoning of the lands. At that time an h-18 holding provision was applied to a portion of the lands requiring an archaeological assessment.



The application for the removal of the Holding Provision (H-8855) addressed the archaeological assessment requirements. The necessary archaeological assessments were completed and reviewed by the Ministry of Tourism, Culture, and Sport for compliance with the appropriate standards and guidelines and approved by the City. On January 16, 2018 council endorsed the removal of the holding provision (h-18) and enacted the current zoning.

A consent application was received April 16, 2018 (B.020/18). The request was to sever eight (8) lots for the purpose of future single detached dwellings, sever one (1) lot for the purpose of a future vacant land condominium development and to retain one (1) lot for the purpose of open space lands. On July 27, 2018 the consent was granted with conditions. On June 1, 2018, staff received a Site Plan application for 7 Annadale Drive proposing the construction of fifteen (15) single detached cluster dwelling condo units and eight (8) freehold single detached dwellings. The site plan application under review maintains the property lines established through the April of 2018 consent.

A Vacant Land Condominium application was received on July 24, 2018 (39CD-18511). The request was for a Draft Plan of Vacant Land Condominium for the fifteen (15) single detached cluster dwelling units. In addition to the dwelling units the condominium and site plan consist of landscaped areas, sidewalks, internal driveways, services, and visitor parking spaces within a common element to be maintained and managed by the Condominium Corporation. The condominium is proceeding to a decision of final approval.

A Public Site Plan and Vacant Land Condominium Meeting was held on January 7, 2019 for 7 Annadale Drive which proposed the construction of fifteen (15) single detached cluster vacant land condo units on a portion of the former Sherwood Forest Elementary School property. The Site Plan application (SPA18-060) also addressed site matters including site layout and design, landscape treatment and services. The purpose and effect of this meeting was to report to the Approval Authority any issues or concerns raised with respect to the application for Draft Plan of Vacant Land Condominium and Site Plan Approval.

Eight (8) freehold single detached dwellings on the former Elementary School property are to be constructed on freehold lots, with four dwellings on each street, fronting onto Wychwood Park and Finsbury Crescent. These dwellings are not subject to public consultation.

The remainder of the former Elementary School property is to be developed as a park and is not part of the site plan application.

### **3.2 Requested Amendment**

The applicant is now requesting the removal of the h-5 holding provision on the site for the proposed residential development. The applicant and the City of London have signed the development agreement, appropriate access arrangements associated with the site plan and condominium plan have been established and securities have been posted for the lands. As such the development of the lands is forthcoming.

### 3.3 Policy Context (see more detail in Appendix C)

#### *Planning Act*

Section 36 of the *Planning Act* gives municipalities the authority to use a holding symbol “h” in conjunction with any use designation to specify the development permissions for the property after the hold has been removed by an amendment to the Zoning By-law.

City of London 1989 Official Plan (“Official Plan”)

Policy 19.4.3 of the Official Plan identifies that the Zoning By-law may contain holding provisions in accordance with the *Planning Act*. These holding provisions may be used to ensure that necessary servicing features and municipal works are in place before development can proceed. The requirement for the “h-5” holding provision, as identified in the Zoning By-law, is that the necessary public site plan review specifying issues be completed before development can proceed on the subject site.

The London Plan and 1989 Official Plan identifies that the Zoning By-law will be amended to remove the holding symbol when Council determines that the conditions relating to the appropriate purposes as set out in the By-law have been met.

## 4.0 Key Issues and Considerations

### 4.1 Issue and Consideration # 1- “h-5” holding provision

The “h-5” holding provision states that:

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

*Permitted Interim Uses: Existing uses.”*

A public site plan meeting was held at the Planning and Environment Committee (PEC) on January 7, 2019. The only concern that was identified at the meeting included confirming the models that were shown at the meeting were single storey buildings and that the agent does not have a plan to do two storey buildings. The condominium development will be single storey dwellings and the single family lots along Finsbury Crescent and Whycwood Park can be single storey or two storey dwellings. Urban design guidelines are in place to make sure the proposed homes maintain the character of the surrounding neighbourhood. The plans have been updated to reflect design changes that will address site issues such as privacy fencing, landscaped open space and access restrictions from the laneway. The Development Agreement has been signed by the owner and is expected to be registered shortly. This satisfies the requirement for removal of the “h-5” holding provision.

**5.0 Conclusion**

A public participation meeting was held to address site plan matters and a development agreement has been executed, confirming conformity to the approved Zoning and Site Plan Control By-law. This satisfies the condition for removal of the “h-5” holding provision and will allow development to proceed in accordance with the approved zoning.

<b>Prepared by:</b>	<b>Sean Meksula, MCIP RPP</b> <b>Planner II, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG</b> <b>Managing Director, Development and Compliance</b> <b>Services and Chief Building Official</b>
<b>Note:</b> The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\H-9037 - 7 Annandale Drive (SM)\PEC\7 Annandale Drive PEC Report-H-9037 (S. Meksula).docx

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 7 Annadale Drive.

WHEREAS Forest Park (Sherwood Glen) Inc. have applied to remove the holding provision from the zoning for the lands located at 7 Annadale Drive, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 7 Annadale Drive, as shown on the attached map, to remove the h-5 holding provisions so that the zoning of the lands as a Residential R6 Special Provision (R6-3(8)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

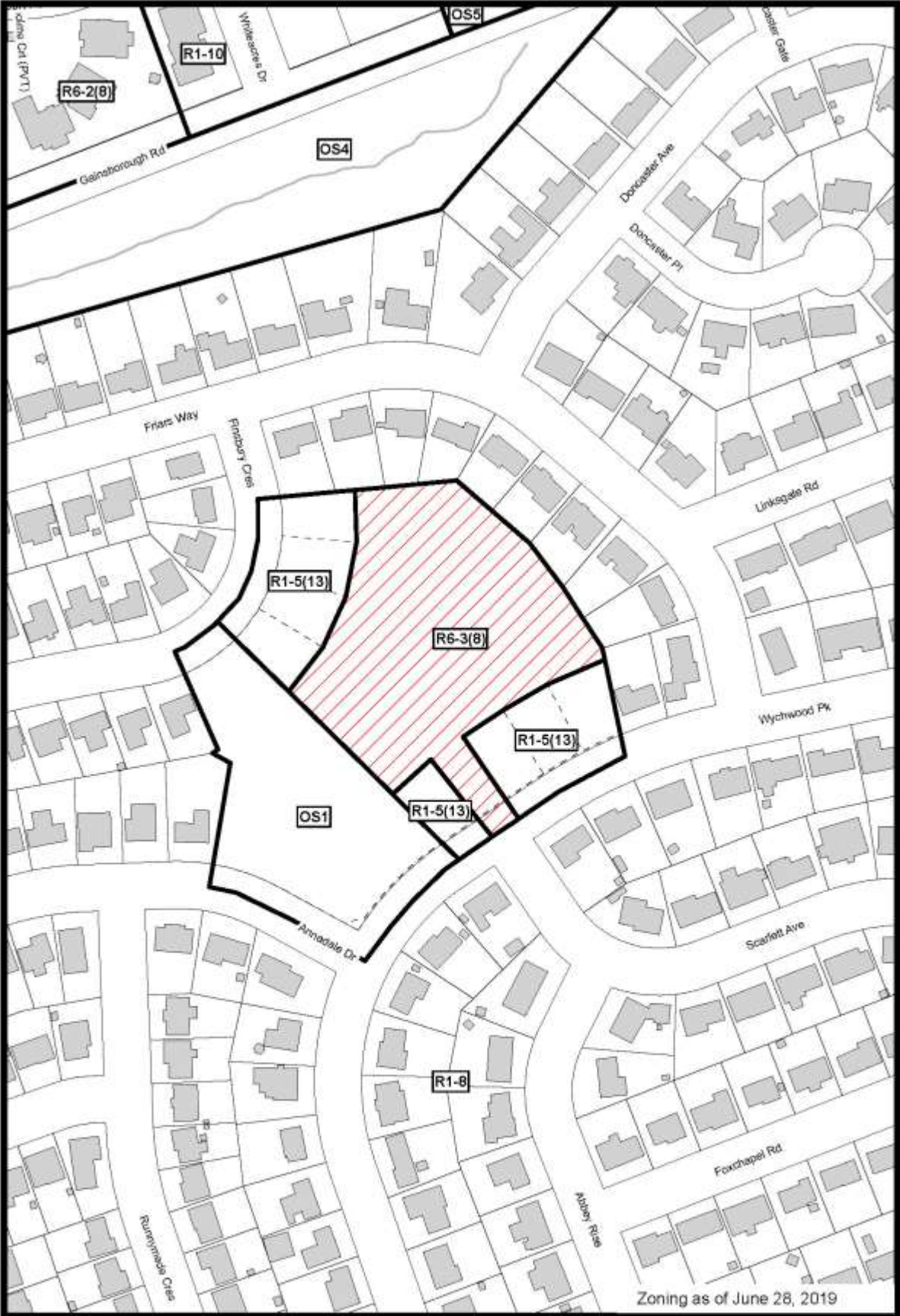
PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor


Catharine Saunders  
City Clerk

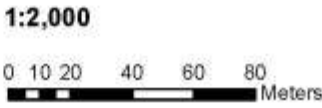
First Reading - July 30, 2019  
Second Reading – July 30, 2019  
Third Reading - July 30, 2019

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



File Number: H-9037  
Planner: SM  
Date Prepared: 2019/07/05  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On March 27, 2019, Notice of Application was sent to 3 property owners in the surrounding area (those that requested notice through the previous zoning amendment). Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 28, 2019.

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the “h-5” Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the h-5 symbol is to permit the Vacant Land Condominium development on the rear portion of the property for 15 single detached dwelling units. Under the Residential R6 Special Provision (R6-3(8)) Zone.

Council will consider removing the holding provisions as it applies to these lands no earlier than July 30, 2019.

**Appendix C – Relevant Background**

Existing Zoning Map



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

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

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

**CITY OF LONDON**  
 PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:  
 H-9037 SM

MAP PREPARED:  
 2019/07/5 rc

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 0 10 20 40 60 80 Meters

## 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:** Local Planning Appeal Tribunal Decision for Southside Group 3234, 3263, and 3274 Wonderland Road South

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the Local Planning Appeal Tribunal decision relating to the properties located at 3234, 3263, and 3274 Wonderland Road South:

- (a) This report **BE RECEIVED** for information,
- (b) The proposed by-law attached hereto as Appendix "A", which reflects the decision of the Local Planning Appeal Tribunal to approve commercial floor area on the subject lands and also implements the Urban Design policies of the Southwest Area Secondary Plan on the subject lands, **BE ENDORSED**, and **BE FORWARDED** to the Local Planning Appeal Tribunal for Approval.

## Executive Summary

### Summary of Request

This report provides a summary of the Local Planning Appeal Tribunal (LPAT) decision issued on December 24, 2018 with regard to the application by Southside Group for 3234, 3263, and 3274 Wonderland Road South and includes a recommended zoning by-law for the site to be forwarded to the LPAT for approval. City Council had considered this application on June 12, 2018 after it had been appealed by the applicant for no decision within the prescribed time period. At that meeting Council recommended to the LPAT that the application be refused.

A hearing took place in August, 2018 and a decision issued on December 24, 2018. The decision approved the requested Official Plan amendment by allowing up to 18,700m<sup>2</sup> of commercial floor area on the site, determined that a natural heritage feature on the site considered by staff to be a Significant Wildlife Habitat did not warrant protection, and approved commercial zoning on the site in principle, but directed the City and appellant to prepare a by-law to implement the urban design policies of SWAP to the satisfaction of the City based on an acceptable conceptual site plan.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommendation is to report back to Council on the decision of the LPAT and to endorse and forward the recommended zoning by-law to the LPAT for approval in accordance with the LPAT decision. This by-law conforms to the LPAT decision by permitting the approved amount of commercial floor area and implementing the vision and policies of SWAP as they relate to urban design.



## Rationale of Recommended Action

This by-law is recommended as it conforms to the decision made by the LPAT and implements the urban design policies of SWAP for development along the Wonderland Road corridor.

## Analysis

### 1. Description of the Application

A planning application was accepted on January 28, 2016 for 3234, 3263, and 3274 Wonderland Road South that included amendments to the 1989 Official Plan and the Zoning By-law No. Z.-1.

The requested Official Plan amendment was to add a specific policy area to Chapter 10 of the 1989 Official Plan to permit an additional 18,700m<sup>2</sup> of commercial floor area on the subject site beyond the 100,000m<sup>2</sup> maximum established in the Southwest Area Secondary Plan (SWAP) for portions of the WRCEC designation south of Bradley Avenue.

The requested Zoning By-law amendment proposed to change the zone on the property from an Environmental Review (ER) Zone, Urban Reserve (UR1) Zone, Urban Reserve (UR4) Zone, and Holding Light Industrial (h-17•LI1/LI7) Zone to an Associated Shopping Area Commercial (ASA1/ASA3/ASA4/ASA5/ASA8) Zone. The Environmental Review zone requires that lands remain in a natural condition until their significance is determined through the completion of environmental studies. The Urban Reserve zones permit a limited number of uses and is primarily intended to permit and regulate existing uses until the future land uses have been determined through comprehensive planning processes. The Light Industrial zone permits a range of light industrial uses. The requested Associated Shopping Area zones would permit a wide range of commercial uses.

City Council considered this application on June 12, 2018 and recommended to the Local Planning Appeal Tribunal (LPAT) that it be refused.

### 2. Description of the Site and Context

#### 2.1 Current Planning Information

- Official Plan Designation – Wonderland Road Community Enterprise Corridor
- The London Plan Place Type – Shopping Area
- Existing Zoning – an Environmental Review (ER) Zone, an Urban Reserve (UR1) Zone, Urban Reserve (UR4) Zone, and a Holding Light Industrial (h-17•LI1/LI7) Zone

#### 2.2 Site Characteristics

- Current Land Use – vacant
- Frontage – 164.28m (east portion) & 153.18m (west portion)
- Depth – 210m (east portion) & 242.5m (west portion)
- Area – 7.38ha (18.24ac)
- Shape – rectangular

#### 2.3 Surrounding Land Uses

- North – large format commercial uses
- East – open space
- South – large format commercial uses, light industrial uses
- West – open space, hydro corridor



Figure 1 – Location Map of Subject Site

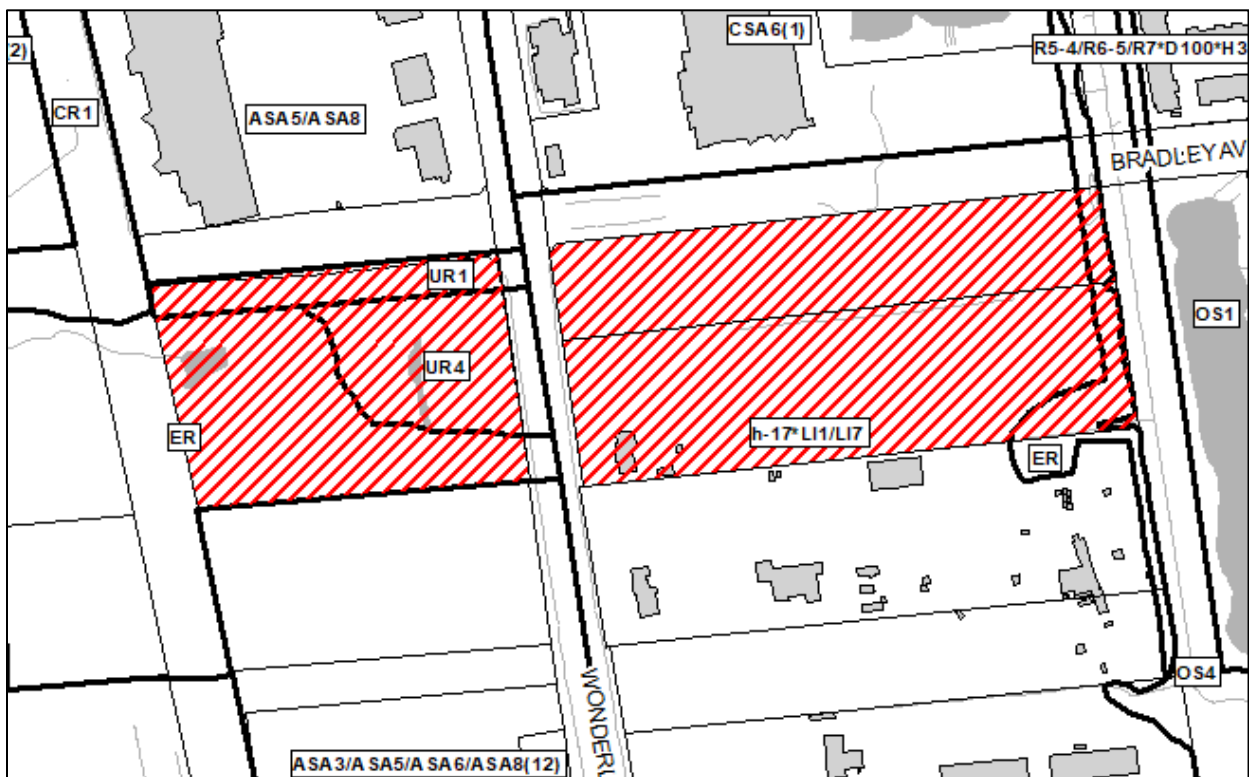


Figure 2 – Current Zoning Map of Subject Site

## 2.4 Application History

The subject lands are within the Wonderland Road Commercial Enterprise Corridor (WRCEC), which is a land use designation within the Southwest Area Secondary Plan (SWAP). A major issue in this hearing, and one that has also been raised in several other applications, is 20.5.6.1. v) a), which states that commercial development within the WRCEC shall not exceed 100,000 m<sup>2</sup>. A summary is provided below of the key events that have occurred with regard to the corridor designation and the application on the subject site.

- November 20, 2012 – Council Approved SWAP, which placed the subject lands within the Wonderland Road Community Enterprise Corridor (WRCEC) land use designation.
- April, 29 2014 – The Ontario Municipal Board approved the SWAP (OMB case PL130020).

- January 28, 2016 – The application was received from Southside Group (OZ-8590). The applicant was advised that the City would undertake a comprehensive review of commercial policies, and if the application were to be brought to Council prior to completion of a comprehensive review, there would be no policy basis to support additional commercial development on the subject lands.
- April 8, 2016 – The Ontario Municipal Board approved a settlement agreement through a separate appeal that allocated all of the remaining floor area under the 100,000m<sup>2</sup> cap on commercial development, resulting in the below allocation and eliminating the remaining commercial gross floor area to other sites, including the subject lands (PL141385/PL150327)

Existing commercial development	17,325m <sup>2</sup>
3313-3405 Wonderland R S (York Developments)	59,419m <sup>2</sup>
51 & 99 Exeter Road (Greenhills)	18,556m <sup>2</sup>
3680 Wonderland Rd S (Westbury)	4,700m <sup>2</sup>
<b>Total</b>	<b>100,000m<sup>2</sup></b>
- November, 2016 – The City received a report from Kircher Research Associates regarding the Commercial policies in SWAP and Staff prepared a report recommending several changes to the WRCEC policies, including:
  - Removing the maximum commercial floor area;
  - Reducing maximum and minimum permitted residential intensity;
  - Reducing the maximum office floor area per building; and
  - Re-formatting the policies to be structured by use, intensity, and form.
- June 13, 2017 – City Council approved three of the four recommended changes, with the exception being the removal of the commercial cap. That change was referred back to staff for further analysis (File O-8731).
- February, 2018 – The City received a report from Coriolis Consulting Corp. reviewing the impact of removing the commercial cap, staff proceeded to initiate an application and prepare a report which recommended to Council that the commercial cap be removed.
- April 3, 2018 – City Council decided to maintain the commercial cap which limits commercial development along the corridor to 100,000m<sup>2</sup> (File O-8868).
- July 19, 2017 – An appeal was filed by Southside Group regarding their site-specific amendment (OZ-8590) for failing to make a decision on the Official Plan and Zoning By-law amendments in the prescribed time period in the *Planning Act*.
- June 12, 2018 – City Council considered the application by Southside and recommended to the LPAT that both the Official Plan and Zoning By-law amendments be refused.
- August 13-24, 2018 – A hearing took place before the LPAT with regard to the application.
- December 24, 2018 – the Decision was issued by the LPAT that approved commercial zoning in principle on the subject site and directed the City to prepare a by-law implementing the urban design policies and vision of the SWAP. That by-law was required to be submitted to the LPAT within 6 months (June 24, 2019). On May 21, 2019 the LPAT extended the deadline by two months.

### 3. Summary of LPAT Decision

Throughout the review of this application and in the hearing proceedings there were three major issues under consideration – these were the commercial cap, the protection of a Significant Wildlife Habitat at the northwest corner of the site, and the application of urban design policies in the proposed development.

#### 3.1 Commercial Cap

The City's evidence with regard to the commercial cap was that the cap should only be considered through comprehensive analysis, which had been completed and presented

to Council who resolved to maintain the cap (Council decision on April 3, 2018). This decision by Council was not subject to an appeal and was not being adjudicated through this hearing. Like all site-specific amendments to the Official Plan, this application was subject to the criteria for site specific policies outlined in chapter 10 of the 1989 Official Plan. The Plan requires that one or more of the following conditions must be met to permit a specific area policy:

- i) *The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.*
- ii) *The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.*
- iii) *The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.*
- iv) *The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints (Section 10.1.1).*

The City's evidence was that the application failed to meet these criteria as the application is not consistent with the intent of the policy to limit overall commercial floor area within the WRCEC designation; it is not a unique development or land use; it is not within a unique context that requires special policy consideration, and there is no identified need to protect surrounding uses through a specific area policy.

The LPAT also heard evidence on the need or lack thereof for additional commercial floor area within the Wonderland Road corridor. Evidence from the applicant supported additional commercial floor area above the cap, while evidence provided on behalf of York Developments suggested that the existing commercial cap should be maintained.

The LPAT decision was to allow the Official Plan amendment to permit an additional 18,700m<sup>2</sup> of commercial floor area over and above the maximum of 100,000m<sup>2</sup> established in SWAP. The decision found:

*The Tribunal finds that there is an over-supply of zoning for commercial facilities versus demand, but that the Cap, as found by City Planning staff, is precluding sites in the Corridor from developing in accordance with the Corridor's planned function, that the Cap is forcing inefficient leap-frog development in the Corridor, and that the Cap is creating the unintended effect of preventing a fair, equitable and reasonable distribution of the commercial floor area within the Corridor contrary to the expressed policy in SWAP at section 20.5.16.8.*

*Thus with regard to the Cap, the Tribunal finds that the Cap is actually preventing good and orderly development from taking place and is preventing the accomplishment of the vision of the Corridor (para. 144-145).*

### **3.2 Natural Heritage**

The City's position was that an identified natural heritage feature exists on the subject site, which includes amphibian populations that Staff determined to exceed the threshold for significance. This feature is depicted as area 3a below.

The City's evidence was that because the threshold for significance is met there are Official Plan and Provincial policies that require the feature to be protected. The applicant argued that the amphibian populations did not meet this threshold.

The LPAT decision focuses on the historic process of the designation and zoning and attaches significance to the fact that an environmental feature is not shown on either the draft Land Use or Natural Heritage schedules (prior to the WREC designation being adopted), or the 1989 Official Plan Land Use and B-1 Natural Heritage Schedules. The

LPAT found that the existing Environmental Review zoning was merely a remnant from the original by-law, and that the SWAP policies and designations then superseded any potential for further environmental investigation.



Figure 3 – excerpt from Figure 8 in the applicant's Environmental Impact Study, showing the conceptual site plan overlaid on vegetation communities. Area 3a is identified as an "Anthropomorphic Dug Depression" and includes what City staff concluded to be a Significant Wildlife Habitat.

With respect to the Provincial Policy Statement, 2014 (PPS) for natural heritage features and areas, the Tribunal references the definition for Natural heritage features and areas:

**Natural heritage features and areas:** means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E, fish habitat, significant woodlands and significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

The decision found that:

*To the Tribunal this remnant pond is not a legacy from the natural landscape of the area and does not meet the definition of natural heritage features and areas which shall be protected for the long term... (para. 113)*

*The Tribunal finds that the dug pond on the Subject Lands is more akin to an infrastructure feature for an agricultural operation than the legacy of the natural landscape of an area. Accordingly, the Tribunal does not find the man-made dug pond to be a natural feature or natural area required to be protected for the long term (para. 114).*

As a result, the Significant Wildlife Habitat identified on the site by City staff will not be preserved.

### 3.3 Urban Design

The final issue is the site design and whether it conforms to the policy direction in SWAP. The City's position in the hearing was that, notwithstanding that it is not appropriate to permit site-specific increases to the commercial cap outside of a comprehensive review, if the commercial zoning were to be approved, then the implementing zoning by-law needs to include provisions to ensure that the urban design policies are reflected.

Evidence by the City included that the vision for the Wonderland Road corridor is for a mixed use, pedestrian scale streetscape with a high quality public realm. As such, buildings should be located at the street with direct access to the sidewalk. The

appellants took the position that zoning provisions are unnecessary to address urban design and the discussion about the built form should occur at the site plan application stage. The conceptual site plan that was submitted with the application is shown below. A modified site plan with only one row of parking in front of the buildings was submitted during the hearing as a possible alternative.

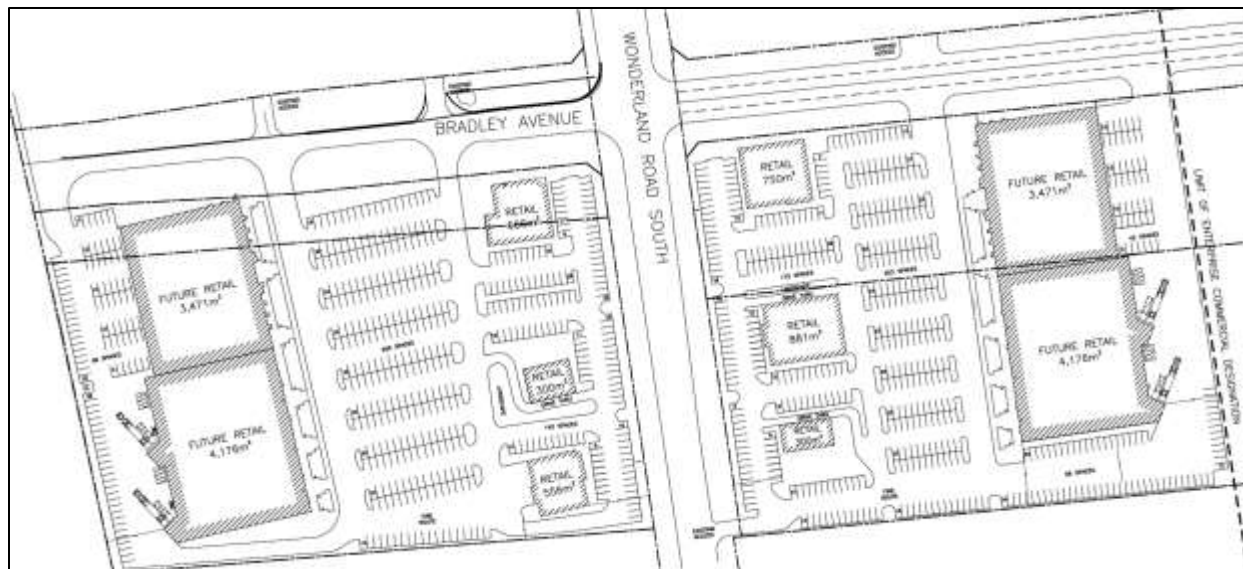


Figure 4 – Conceptual site plan submitted with the original application

The LPAT decision approved the requested commercial zoning in principle, but provided six months to prepare a zoning by-law for the site that implements the policies of SWAP with regard to urban design. The decision states:

*In these circumstances, the Tribunal will not approve the proposed draft Zoning By-law as found in Exhibit 24, Rather, the Tribunal will approve in principle only a commercial zoning for the Subject Lands and allow the applicant and the City a period of six months from the issuance date of this decision to finalize a ZBA that implements the design and vision of SWAP to the satisfaction of the City for the Subject Lands (para. 129).*

In its conclusion, the decision includes by way of summary:

*Accordingly, the Tribunal will allow the appeal of the OPA on a site-specific basis all as set out in Attachment 1 hereto. The Tribunal will approve only in principle the ZBA, and allocate a period of six months from the issuance date of this Decision for the Applicant and the City to resolve an appropriate site plan concept, which will be implemented through a ZBA implementing the urban design principles of SWAP. The revised ZBA is to be provided to the Case Coordinator for issuance by the Tribunal within the six months (para 216).*

In keeping with this decision, staff met with the appellant's representatives on May 8, 2019 to discuss potential development concepts and a draft zoning by-law to implement the urban design policies of SWAP. Consensus with respect to an appropriate site plan concept was not achieved at that time. On May 21, 2019, at the request of the Parties, the LPAT granted a 2-month extension to allow the City and appellant to continue to resolve the matter.

On June 26, 2019 the appellants submitted a modified conceptual site plan depicting a mix of large-format retail buildings constructed at the rear of the sites and smaller commercial pads located at the front of the sites on both sides of Wonderland Road South. The commercial pads located closest to the intersection of Bradley Avenue and Wonderland Road South are located immediately adjacent to both abutting streetlines with the remaining commercial pads setback from the Wonderland Road South streetline to accommodate a drive aisle and minimal parking (see Figure 5).

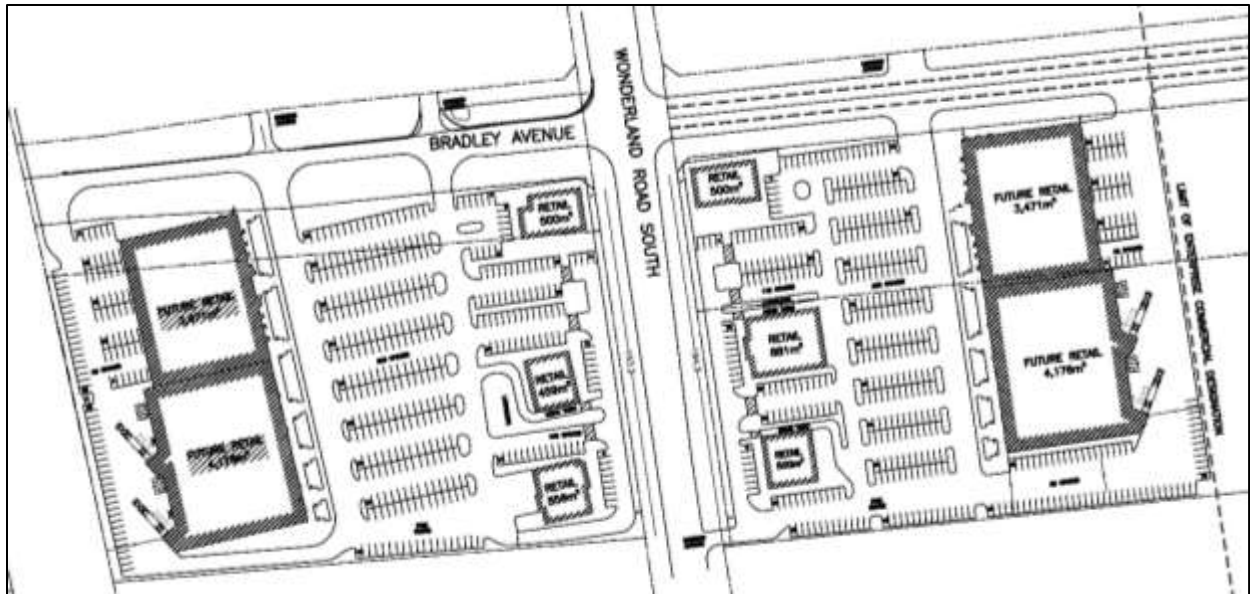


Figure 5 – Modified conceptual site plan submitted in June 2019

As a result, and to obtain direction from Council in advance of the Tribunal’s deadline, the Zoning By-law amendment in Appendix A to this report has been prepared by City staff as an instrument that would implement the urban design principles for Wonderland Road South and allow for the implementation of the above conceptual site plan.

#### 4. Urban Design Policies of SWAP

The SWAP includes a specific urban design vision for the WRCEC designation and for areas where commercial uses are permitted that includes development that achieves a “main street” character. A detailed analysis of the report to the Planning and Environment Committee was prepared by Staff for its meeting on May 28, 2018. This section provides a summary of that analysis.

Policy 20.5.6.1.vi)a) (Built Form) states that, *“Built form may be of a low to mid-rise height, however minimum height and setbacks may be established at the Zoning By-law to ensure that development will result in a strong, street-related built edge...In particular, development will be oriented to a public street.”*

Building on this policy, 20.5.6.1.vi)c) states that, *“...development shall be generally oriented to the street where possible and designed to promote a vital and safe street life and to support early provision of transit. However, where large scale stores are permitted, given that they are not conducive to a pedestrian oriented street setting, design alternatives to address this issue will be utilized. These may include locating these stores in the interior of a commercial or mixed use development block with small-scale stores and other buildings oriented to the surrounding major roads to create a strong street presence. Alternatively, the frontage of the building facing a major road could be lined with small-scale stores and/or have multiple entrances.”*

The conceptual site plan submitted by the appellant implements the above policies. The proposed building heights are consistent with the low to mid-rise vision and the building setbacks are intended to be established in the Zoning By-law amendment attached to this report. The commercial pads located adjacent to Wonderland Road South are oriented toward the public street to create a strong, street-related built edge.

The conceptual site plan also anticipates a mix of large format stores and smaller commercial pads. The large format stores are located in the interior of the commercial block and the smaller-scale commercial pads are oriented towards the surrounding major roads. In particular, placement of buildings immediately adjacent to both the Bradley Avenue and Wonderland Road South corridors creates a strong street presence at the intersection of these major roads.

The recommended Zoning By-law amendment to implement the revised conceptual site plan submitted by the appellant is consistent with Built Form policies of the Wonderland Road Community Enterprise Corridor policies.

Section 20.5.3.9 identifies the Urban Design principles for development in the entire SWAP area. These include:

- *Development should be compact, and pedestrian and transit oriented (20.5.3.9.i.a)*
- *Buildings should be located and scaled to enhance the pedestrian experience on the street by providing a sense of enclosure (20.5.3.9.iii.a)*
- *Commercial development should be in a main street format, where retail is oriented to the street to create a pedestrian shopping experience (20.5.3.9.iii.b).*
- *Commercial development at an intersection of arterial and collector roads should be oriented towards the intersection (20.5.3.9.iii.c)*

The conceptual site plan submitted by the appellant implements the above policies. In particular, the proposed development is compact, pedestrian and transit-oriented. The buildings are located and scaled to enclose the street edge. The orientation of the small-scale commercial pads toward the Wonderland Road South corridor and the pedestrian connections between the buildings facilitate the creation of a pedestrian shopping experience. And, the location of the commercial buildings immediately adjacent to the intersection of Bradley Avenue and Wonderland Road South facilitates the orientation of these buildings toward the intersection in conformity to the policies.

Section 20.5.3.9.iii) b) provides more specific direction for commercial development. This policy includes:

*Where commercial development is permitted it will be encouraged in a “main street” format where retail and service commercial uses are oriented to the street creating a pleasant, pedestrian shopping environment, whether in stand-alone stores or in the ground floor of mixed-use buildings. In these areas:*

- *the principal public entrance shall provide direct access onto the public sidewalk;*
- *the primary windows and signage shall face the street;*
- *buildings facing the street shall be encouraged to have awnings, canopies, arcades or front porches to provide weather protection;*
- *no parking, driveways, lanes or aisles shall be permitted between the buildings and public sidewalks;*
- *buildings shall have a consistent setback and parking lots abutting the street shall be limited and designed in accordance with the parking provisions in subsection g) below;*

In summarizing the above policies, the policies envision: i) the development of a “main street” corridor with street-orientation, ii) principle building entrances oriented toward the sidewalk, iii) street-oriented glazing, iv) buildings constructed immediately at the street edge, v) that buildings have a uniform setback, and vi) limited amounts of parking abutting the street.

On the whole, the revised conceptual site plan implements these policies. It depicts the creation of a “main street” corridor with street-orientation and glazing proposed where buildings front the pedestrian realm. It achieves a mix of buildings that directly abut the streets where there are no parking lots and drive aisles between the building face and the public sidewalk, and a consistent setback for the remaining buildings with limited amount of parking abutting the street.

Subsection g), referenced above, provides additional guidance for the development of off-street parking lots. These policies state that:

*Off-street parking areas shall be designed to reduce their visual impact on both the adjoining streetscape and on people using the site and/or facility by:*

- *screening of the parking lot at the public right-of-way through the use of features such as low fences, walls and landscaping...*



- *locating the parking lot, within commercial or mixed-use developments, to the side or rear of the main building and permitted no or only minimal parking in the front of the main building...*
- *...appropriate buffering shall be provided between parking areas and “back-of-building” functions such as loading/receiving areas and garbage/storage areas and adjacent land uses*
- *Provision of pedestrian walkways adjacent to stores, between building clusters, and to provide pedestrian access to transit stops, public sidewalks and adjacent developments. These walkways may need to cross parking lots to provide the required access.*

The revised conceptual site plan submitted by the applicant achieves these policies by providing only minimal parking in the front of the main building while locating the majority of parking area to the side and rear of buildings. Appropriate buffering has been provided between the parking area and back-of-building functions, and pedestrian walkways adjacent to stores, between building clusters and to public sidewalks has been achieved.

It should be noted that while the revised conceptual site plan has been shown to be consistent with the above policies, additional refinements of the conceptual site plan will be undertaken at the future site plan stage to further implement the policies. Matters such as screening, landscaping, parking area adjustments, pedestrian access to public sidewalks, parking islands, etc. that are beyond the scope of the Zoning By-law will continue to be implemented at subsequent development approval stages.

## **5. Recommended Zoning By-law**

The recommended zoning by-law is included in Appendix A to this report. The by-law was prepared as directed by the LPAT to permit the approved commercial floor area of 18,700m<sup>2</sup> on the site and also implement the urban design policies of SWAP.

### **5.1 Permitted Uses**

The permitted uses are consistent with the uses requested as part of the initial application and granted by the LPAT. The recommended site-specific zone specifies that the permitted uses will include any use permitted in the ASA3, ASA4, ASA5, and ASA8 zone variations. This is consistent with the WRCEC policy that states “*a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses may be permitted*” (20.5.6.1.ii).

### **5.2 Regulations**

An ASA8 Special Provision zone is proposed for the subject lands. This special provision includes the following site-specific regulations:

**i) Total commercial floor area (maximum) – 18,700m<sup>2</sup> for all lands zoned ASA8( )**

The first site-specific regulation implements the LPAT decision to approve the requested commercial floor area on the site.

**ii) Building setback from the Wonderland Road South lot line (maximum), for a minimum of 10% of the lot line length – 3m**

**iii) Building setback from the Bradley Avenue lot line (maximum), for a minimum of 30% of the lot line length – 3m**

This regulation is included to ensure that the development of buildings on the site include a mix of those that directly front the street edge and those that may be set back from the front lot line consistent with the policies.

By requiring that a portion of the lot frontages be comprised of buildings that are located within 3m of the front lot line will ensure that some buildings will be sited with no parking lots and drive aisles between them and the public sidewalk. This regulation will support the design goals of creating a main street character and facilitate pedestrian activity and access to retail stores and services uses that will be oriented to the street frontage.

By requiring that 10% of the lot line abutting Wonderland Road South and 30% abutting Bradley Avenue be comprised of buildings located close to the street line will allow for the remainder of the site to be developed for large format stores and smaller commercial pods in the interior of the site in conformity with the policies.

**iv) Building Orientation – Primary building façades with dominant signage and primary entrances into commercial units shall face Wonderland Road South**

This regulation addresses building orientation and character, to support an interesting and pedestrian-oriented streetscape. It is necessary that there be primary façade and public entrances oriented towards the street to encourage pedestrians to walk between stores using the internal and public sidewalks.

This regulation utilizes the existing definition for a building façade and requires that they face the public street. The definition for building façade in Zoning By-law Z.-1 reads:

*“BUILDING FAÇADE” – means the front elevation of a main building including the entire width and height of all building parts within the first 6 metres of building depth; and may include multiple building wall surfaces, and excludes stoops, sun decks, porches, verandahs, balconies, exterior steps or architectural adornments (Section 2).*

**v) Commercial Floor Area to be located within buildings having a maximum Gross Floor Area of 1,500 m<sup>2</sup> (%) (minimum) – 20%**

This regulation is intended to ensure that there be a mix of large format stores and smaller commercial pods or adjoined shops located on the site. Recognizing that the policies do allow for large format stores to be constructed on lands within this corridor, the requirement for smaller commercial pods is crucial to the creation of “...a pleasant, pedestrian shopping environment, whether in stand-alone stores or in the ground floor of mixed-use buildings”, as stated in the policies.

This regulation requires that 20% of the total gross floor area be constructed in smaller buildings with a footprint of 1,500 m<sup>2</sup> or less thereby allowing for a maximum of 80% of the total gross floor area to be comprised of larger format stores.

**vi) Setback from Wonderland Road South for buildings having a maximum Gross Floor Area of 1,500 m<sup>2</sup> (maximum) – 18 metres (59.1 feet)**

This regulation requires that the small commercial pods or adjoined shops with a gross floor area of 1,500 m<sup>2</sup> or less (as described above) are setback within 18 metres of the Wonderland Road South lot line. The intent of this regulation is to create a main street form along Wonderland Road South, where smaller-scale retail is oriented to the street to create a pedestrian shopping experience.

This regulation is consistent with the policy which states that the “*Built form may be of a low to mid-rise height, however minimum height and setbacks may be established at the Zoning By-law to ensure that development will result in a strong, street-related built edge...*”

**vii) Portion of the primary, street-facing building façade along Wonderland Road South occupied by public entrances and window openings within the first 4m (13.1 feet) of building height (minimum) – 33%**

Having a pedestrian-oriented street requires that the building façades include windows and doors, to create visual interest and ensure character that invites passersby in to shop. 33% is proposed as the minimum requirement to ensure that a substantial portion of the building façades include elements that will improve the main street experience on Wonderland Road South.

**viii) Single-loaded parking aisle is permitted between Wonderland Road South lot line and primary, street facing building façade**

This regulation is intended to create a main street form and a pedestrian-oriented streetscape by limiting the number of rows of parking permitted between the public sidewalk and the building face to one. This consistent with the policy that allows the location of the “...parking lot, within commercial or mixed-use developments, to the side or rear of the main building and permitted no or only minimal parking in the front of the

*main building...*” The siting of the buildings in proximity to Wonderland Road South and limiting the amount of laneway and parking area between the public sidewalk and building face will complement the previous regulation that requires the primary building façades and primary entrances into commercial units to face the closest public right-of-way to facilitate a positive pedestrian environment.

## 6. Conclusion

This report has provided a summary of the LPAT decision issued on December 24, 2018 with regard to the application by Southside Group for 3234, 3263, and 3274 Wonderland Road South. The decision granted the request for commercial floor area up to 18,700m<sup>2</sup> on the site, determined that the subject lands did not warrant any additional natural heritage protection, and directed the City and appellant to prepare a by-law to implement the urban design policies of SWAP based on an acceptable concept.

City staff and the Applicant have worked collaboratively to prepare a draft by-law that implements the urban design policies of SWAP based on a revised conceptual site plan submitted by the applicant, in accordance with the Tribunal’s Order. It is recommended that City Council endorse the draft by-law.

<b>Prepared by:</b>	<b>Michael Tomazincic, MCIP, RPP Manager, Current Planning, Development Services</b>
<b>Submitted by:</b>	<b>Paul Yeoman, MCIP, RPP Director, Development Services</b>
<b>Recommended by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 15, 2019

MT/mt

### Acknowledgements:

The author would like to acknowledge the contributions of Justin Adema, Jerzy Smolarek and John Fleming in the preparation of this and other reports related to this application and in review of the broader Wonderland Road Community Enterprise Corridor policies.

## Appendix A – Zoning By-law

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 3234, 3263, and 3274 Wonderland Road South.

WHEREAS Southside Group applied to rezone an area of land located at 3234, 3263, and 3274 Wonderland Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS the Local Planning Appeal Tribunal, by its Interim Order issued on December 24, 2018, in Tribunal file PL170840, approved this rezoning in principle;

AND WHEREAS the Local Planning Appeal Tribunal issued its final Order with respect to this rezoning on [Tribunal to insert date], in Tribunal file PL170840;

THEREFORE the Local Planning Appeal Tribunal enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3234, 3263, and 3274 Wonderland Road South, as shown on the attached map comprising part of Key Map No. A111, from an Environmental Review (ER) Zone, Urban Reserve (UR1) Zone, Urban Reserve (UR4) Zone, and Holding Light Industrial (h-17•LI1/LI7) Zone to an Associated Shopping Area Commercial Special Provision (ASA8(\_)) Zone.
- 2) Section Number 24.4 of the Associated Shopping Area Zone (ASA) Zone is amended by adding the following Special Provision:

ASA8(\_) 3234, 3263, and 3274 Wonderland Road South

a) Permitted Uses

- i) Permitted uses shall include all uses permitted within the ASA3, ASA4, ASA5, and ASA8 Zones.

b) Additional Regulations

- i) Total commercial floor area (maximum) 18,700 m<sup>2</sup> (201,285 sq. ft.)  
for all lands zoned ASA8(\_)
- ii) Building setback from the Wonderland Road South lot line (maximum), for a minimum of 10% of the lot line length 3 metres (9.8 feet)
- iii) Building setback from the Bradley Avenue lot line (maximum), for a minimum of 30% of the lot line length 3 metres (9.8 feet)

iv) Building Orientation	Primary building façades with dominant signage and primary entrances into commercial units shall face Wonderland Road South
v) Commercial Floor Area to be located within buildings with a maximum Gross Floor Area of 1,500 m <sup>2</sup> (%) (min)	20%
vi) Setback from Wonderland Road South for buildings with a maximum Gross Floor Area of 1,500 m <sup>2</sup> (maximum)	18 metres (59.1 feet)
vii) Portion of the primary, street-facing building façade along Wonderland Road South occupied by public entrances and window openings within the first 4 metres (13.1 feet) of building height (minimum)	33%
viii) Single-loaded parking aisle is permitted between Wonderland Road South lot line and primary, street-facing building facade	

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.

ENACTED by the Local Planning Appeal Tribunal in proceeding PL170840 on [Tribunal to insert date].



## 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:** Removal of Holding Provisions (h, h-100, h-159)  
Application By: Sifton Properties Limited  
2835 Sheffield Place

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2835 Sheffield Place, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on July 30, 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 Holding Residential R6 Special Provision (h•h-100•h-159•R6-2(11)) Zone **TO** a Residential R6 Special Provision (R6-2(11)) Zone to remove the h, h-100 and h-159 holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

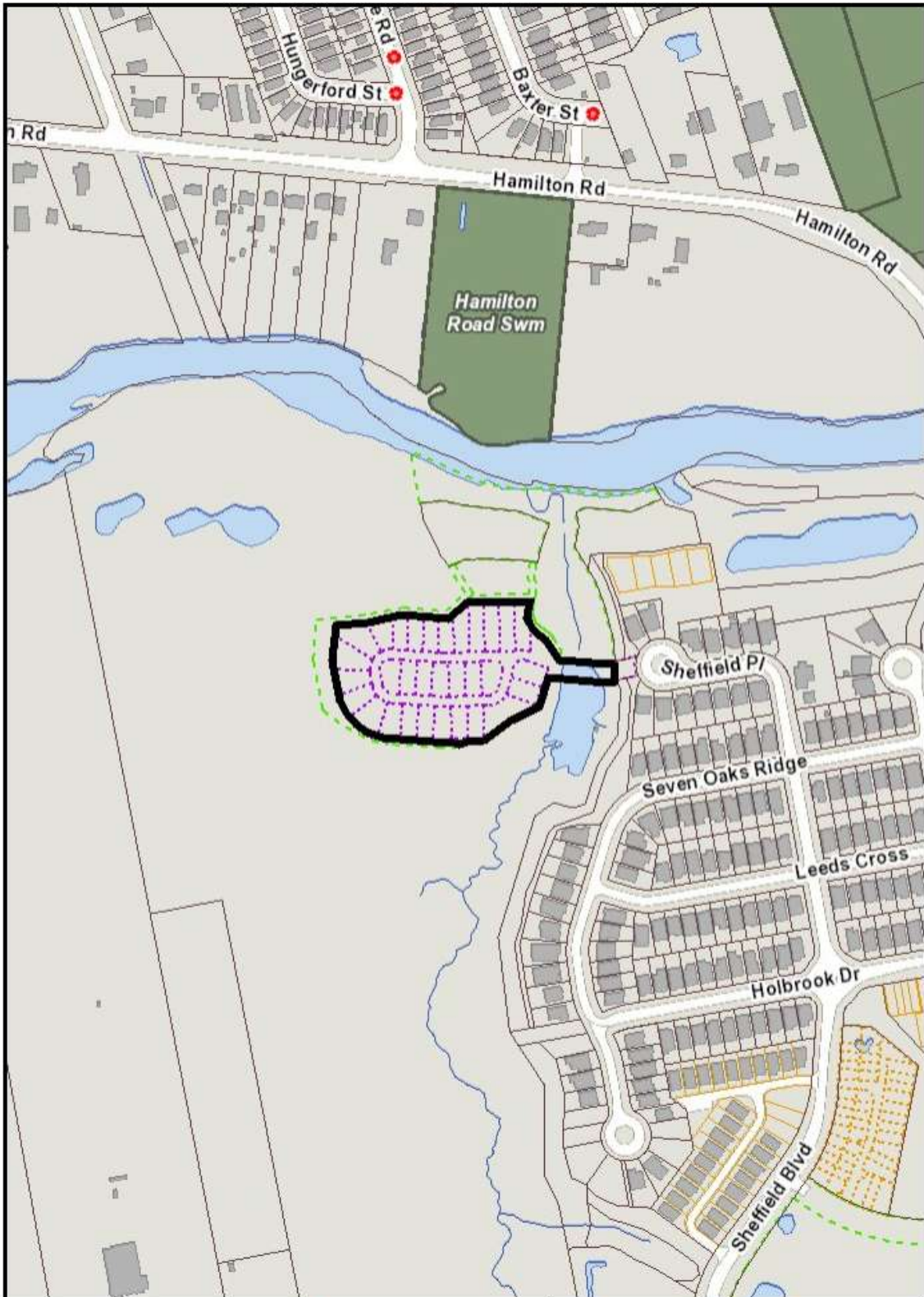
The purpose and effect of this zoning change is to remove the h, h-100 and h-159 holding symbols from the zone map to permit the development of 30 single detached cluster dwellings.







### Rationale of Recommended Action

1. The conditions for removing the holding (h, h-100 & h-159) provisions have been met and the recommended amendment will allow development of a proposed 30 unit development in compliance with the Zoning By-law.
2. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.
3. A looped watermain system has been provided to ensure adequate water service, and provision of a temporary emergency access, to the satisfaction of the City.
4. An accepted Environmental Impact Study (EIS) for the access driveway has been provided to the satisfaction of the City and the UTRCA.

**Analysis**

**1.1 Location Map**



Location Map		Legend	
Subject Property:	2835 Sheffield Place		Subject Property
Applicant:	Sifton Properties Limited		Parks
File Number:	H-8814		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	7/8/2019		Address Numbers
Scale:	1:4000		
Corporation of the City of London			







## 2.0 Description of Proposal

The purpose and effect of this zoning amendment is to remove the holding symbols to permit residential development consisting of 30 cluster single detached dwellings in the form of a vacant land condominium.

## 3.0 Relevant Background

### 3.1 Planning History

The lands which are the subject of this application represent a residential development block referred to as Block 153 within Sifton Properties Limited "Victoria on the River" (formerly Victoria Ridge) draft plan of subdivision, which was draft-approved in December of 2013.

On January 15, 2019, Municipal Council approved a rezoning of a small area (0.169 hectares) along the southerly portion of Block 153 to permit single detached cluster housing, and to rezone an equivalent area on the northerly portion of Block 153 to permit open space uses; together with minor adjustments to the block limits. This block is also the subject of applications for Draft Plan of Vacant Land Condominium and Site Plan Approval for 30 single detached cluster housing units.

Block 153 and the surrounding lands have been the subject of numerous planning and environmental studies, including the Victoria Ridge Plan of Subdivision Environmental Impact Study (AECOM 2009) and the Victoria Ridge Plan of Subdivision Environmental Impact Study Addendum (AECOM 2013). The recent zoning amendments and revisions to Block 153 were accompanied by two EIS reports. The first EIS report provided supporting documentation for the zoning by-law amendment and adjustments to the limits of the block. The second EIS report was prepared in conjunction with the Application for Site Plan Approval to address the proposed development and its access from Sheffield Place. The EIS for the access driveway works has been accepted, the site plan is currently being finalized, and a Development Agreement has recently been entered into.

## 4.0 Key Issues and Considerations

### 4.1 Have the conditions for removal of the holding (h, h-100 and h-159) provisions been met?

The purpose of the holding ("h") provision in the zoning by-law is as follows:

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

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

A Development Agreement was recently executed between Sifton Properties Limited and the City of London. Sifton Properties Limited have also posted security as required by City policy and the Development Agreement. Therefore, the condition has been met for removal of the "h" provision.

The purpose of the holding ("h-100") provision in the Zoning By-law is as follows:

**File: H-8814**

**Planner: L. Mottram**

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

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

The subdivision servicing drawings have been reviewed and accepted by the City. Sifton Properties Limited have now completed installation of services in this phase of the subdivision, including watermains and water looping. The subject block will be serviced by the existing watermain on Sheffield Place. The watermain feed extending into Sheffield Place from Sheffield Boulevard serves fifteen (15) single detached lots, five (5) cluster housing units, plus thirty (30) cluster single detached dwellings proposed for development of Block 153.

The temporary emergency access and associated works on Sheffield Boulevard at Commissioners Road East have previously been established as part of Phases 1 and 2. The Subdivision Agreement includes a provision requiring the Owner to reconstruct Sheffield Boulevard to remove the temporary emergency access and pavement marking and restore the boulevard, pathway, trees, street lights, parking bay, and associated roadworks when a second public access is provided, at the direction and satisfaction of the City Engineer.

It should be noted that Sifton Properties Limited is working with Development Services staff on future public road and pedestrian pathway connections through the lands to the east, immediately adjacent the Victoria on the River subdivision (former Gooyers/Grenier lands at 1938 and 1964 Commissioners Road East, and 1645 Hamilton Road). An application for approval of draft plan of subdivision has been received by the City and is currently in process (File No. 39T-19501/Z-9015). Therefore, conditions for removing the holding "h-100" provision in this instance have been met.

The purpose of the holding ("h-159") provision in the Zoning By-law is as follows:

*Purpose: To ensure that development will not have negative impacts on abutting natural heritage features, an Environmental Impact Study (EIS) to address the potential impacts of the access laneway will be required to the satisfaction of the City and UTRCA, prior to the removal of the "h-159" symbol.*

As noted above, these lands have been the subject of numerous planning and environmental studies which provided the basis for environmental protection and compensation measures for Block 153 and the adjacent natural heritage features. Sifton Properties Limited have begun implementing the recommended compensation measures in the form of restoration seeding and plantings of native species, creation of pits and mounds, and installation of snake hibernacula and stilted bat houses.

The following site-specific EIS Reports were also prepared and submitted in conjunction with the application for Zoning By-law Amendment and Site Plan Approval for Block 153:

- AECOM. May 24, 2017. Victoria by the River Block 153 Zoning By-law Amendment Environmental Impact Study. Prepared for Sifton Properties Limited
- AECOM. June 29, 2017. Victoria by the River Block 153 Site Plan Environmental Impact Study. Prepared for Sifton Properties Limited
- AECOM. November 9, 2018. Compensation and Restoration Plan Victoria by the River Block 153 Site Plan. Prepared for Sifton Properties Limited

The City and UTRCA have completed a comprehensive review by the EIS submissions, including impacts on abutting natural features, compensation and restoration plans, geotechnical studies and engineering design for the laneway crossing. Further detailed information has been requested and provided as part of the on-going review process. The

UTRCA indicated they are satisfied with the additional information provided, and have requested a final response table as part of their Section 28 permit process.

Special provisions are included in the Development Agreement which will ensure the recommendations of the EIS are implemented by the Owner, and that UTRCA (Section 28) approvals are obtained prior to issuance of building permits. Therefore, the condition has been met for removal of the "h-159" provision.

## 5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding ("h", "h-100" and "h-159") symbols from the zoning applied to this site.

<b>Prepared by:</b>	<b>Larry Mottram, MCIP, RPP</b> <b>Senior Planner, Development Planning</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng.</b> <b>Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

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

July 15, 2019  
GK/PY/LM/lm

**Appendix A**

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2835 Sheffield Place.

WHEREAS Sifton Properties Limited have applied to remove the holding provisions from the zoning for the lands located at 2835 Sheffield Place, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2835 Sheffield Place, as shown on the attached map, to remove the h, h-100 and h-159 holding provisions so that the zoning of the lands as a Residential R6 Special Provision (R6-2(11)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

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



File Number: H-8814  
Planner: LM  
Date Prepared: 2019/06/21  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.5 25 50 75 100  
Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on September 5, 2017.

0 replies were received

**Nature of Liaison: 2835 Sheffield Place – also known as Block 153 within Victoria on the River Draft Plan of Subdivision (File 39T-09502)** – City Council intends to consider removing the Holding (“h”, “h-100” & “h-159”) Provisions from the zoning of the subject lands. The purpose and effect is to allow development of the lands for residential uses permitted under the Residential R6 Special Provision (R6-2(11)) Zone. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The “h-100” symbol is intended to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer. Interim uses may be permitted up to 80 units maximum. The “h-159” symbol is intended to ensure that development will not have negative impacts on abutting natural heritage features, an Environmental Impact Study (EIS) to address the potential impacts of the access laneway will be required to the satisfaction of the City and UTRCA, prior to the removal of the “h-159” symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than October 17, 2017.

### Agency/Departmental Comments:

Upper Thames River Conservation Authority (UTRCA)

- See attached correspondence.





"Inspiring a Healthy Environment"



June 6, 2019

City of London - Development Services  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Vanessa Santos** (sent via e-mail)

Dear Ms. Santos:

**Re: Site Plan Application - File No. SPA17-062 – UTRCA Comments FINAL  
Applicant – Sifton Properties Limited  
2835 Sheffield Place, London, Ontario**

Further to our comments dated May 15, 2019, the Upper Thames River Conservation Authority (UTRCA) has reviewed **Victoria on the River – Phase 5 Block 153 Response to UTRCA Comments – MNR** prepared by AECOM dated May 20, 2019. We are satisfied with the provided information and request that the response table (p. 3 item 1 at top of page) be updated accordingly.

Engineering Comments pp 5-6 – Comment 2 – snow storage and the impact of salt - the UTRCA is satisfied with the email response provided by Development Engineering dated May 27, 2019 –

*We are retaining (2) snow storage areas, most of the second area was already draining into the condo road, as such, we've updated the limits of the snow storage areas on the Site Plan to match the grading plan per your request. All of the runoff from the snow storage areas are directed to the condo roads which will drain into CB's and ultimately be conveyed to the SWMF.*

Please revise the response table accordingly.

As a condition of site plan approval, please incorporate the UTRCA's comments (May 15, 2019) regarding the **Species at Risk and Wildlife Observation Protocol Victoria on the River Block 153 Site Plan** (AECOM, April, 2019) into the final version of the protocol.

A Section 28 permit has been submitted for the proposed development. The final response table can be submitted as part of our Section 28 permit process.

UTRCA Comments  
File No. SPA17-062

OTHER

The email response from Development Engineering (May 27, 2019) included **Sheet No 3 – Site Grading Plan – 2835 Sheffield Place (SPA17-062)**, dated May 27, 2019.

The legend on the plan includes shading which pertains to the east side of the ravine and –

*DENOTES EXISTING ASPHALT PATHWAY TO BE REMOVED, RE-GRADED AND REPLACED*

There is also a note on the drawing that reads –

*APPROXIMATE LIMITS OF PATHWAY REMOVAL, REGRADING AND REPLACEMENT*

The proposed pathway works are within an area regulated by the UTRCA and require a Section 28 permit. We are seeking clarification as to who will be undertaking these works. Is it the developer or the City? Please advise so that we can follow up.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY

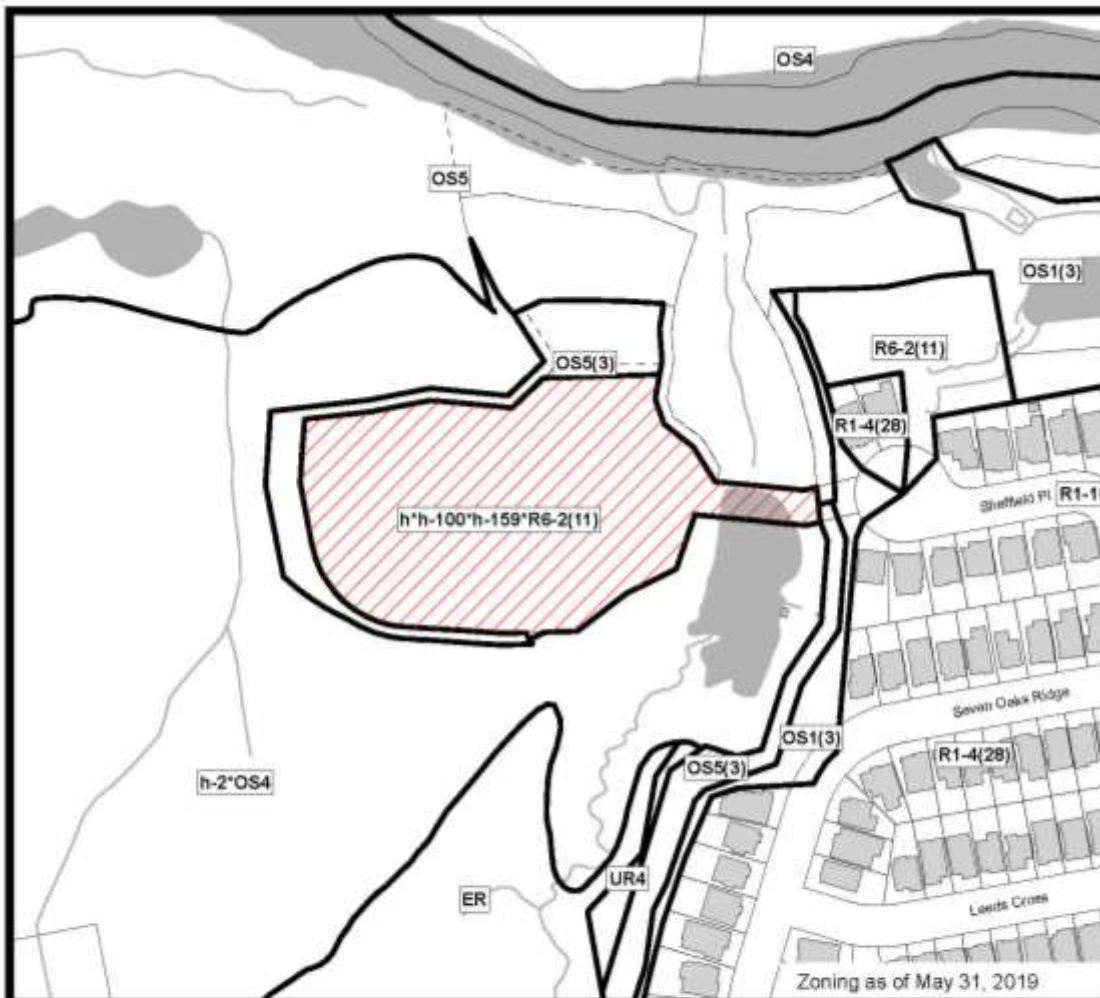


Christine Creighton  
Land Use Planner  
IS/TT/CC/cc

c.c. Sent via email -  
Applicant - Sifton Properties Limited – Maureen Zunti  
UTRCA - Brent Verscheure, Land Use Regulations Officer

**Appendix C – Relevant Background**

**Existing Zoning Map**



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:  
 H-8814 LM

MAP PREPARED:  
 2019/06/21 rc

1:2,500  
 0 12.525 50 75 100  
 Meters

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

## Report to Planning and Environment Committee

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

**From:** John M. Fleming  
Managing Director, City Planning and City Planner

**Subject:** Information Report – Proposed Regulations for Bill 108 –  
More Homes, More Choice Act, 2019

**Meeting on:** Monday, July 22, 2019

## Recommendation

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

- a) That this report **BE RECEIVED** for information;
- b) That Civic Administration **BE DIRECTED** to submit responses to the Ontario Ministry of Municipal Affairs and Housing postings before August 5, 2019.

## Executive Summary

- Bill 108 the *More Homes, More Choice Act, 2019* received Royal Assent on June 6, 2019. While some of the changes are now in effect, many of the key amendments to the Development Charges Act, the Planning Act, and the Local Planning Appeal Tribunal (L.P.A.T.) Act will come into force through Proclamation and drafting of regulations.
- The Province has thus proposed new regulations and regulation changes, including transition rules, under these Acts. The regulation changes are attached as Appendix A.
- The Ministry of Municipal Affairs and Housing and the Ministry of Attorney General has asked for public feedback on Bill 108's proposed regulations and regulation changes, with deadlines on several dates in August 2019.
- The attached report provides an overview of the proposed regulations and identifies municipal comments and concerns to be submitted to the Ministry.
- There are significant concerns with the proposed regulations relating to the relationship between the new Community Benefits Authority and the implementation of a Community Planning Permit System (CPPS). The proposed regulation would not allow community benefits charges to be collected in areas subject to a CPPS.

## 1.0 Consultation

### 1.1 Background

On June 21, 2019, the Ontario Government announced four series of public consultation processes and comment periods regarding new regulations and regulation changes, as follows:

<b>Proposals</b>	<b>Comment due date</b>
Regulations under the <i>L.P.A.T. Act</i>	August 5, 2019
Regulation and regulation changes under the <i>Planning Act</i>	August 6, 2019
Regulation changes under the <i>Development Charges Act</i>	August 21, 2019
Regulation pertaining to community benefits authority under the <i>Planning Act</i>	August 21, 2019

The amendments proposed under the L.P.A.T Act and a consultation guide are posted on Ontario's Regulatory Registry. Comments on the proposed regulations under the Development Charges Act and the Planning Act may be made through the Environmental Registry of Ontario.

## **1.2 Summary of Regulatory Themes and Concerns**

The following summary briefly describes each regulation proposed by the Province as well as staff concerns and comments. A full description of the regulations can be found in Section 2.0: Proposed Regulations and Staff Concerns.

### **Regulation for proposed changes to the Planning Act (general)**

- **Transition**  
The Province has proposed transitions regarding the changes to the appeals process. While staff have no significant concerns for these transitions, the changes themselves could likely result in an increase of appeals.
- **Community Planning Permit System (CPPS)**  
The Province has proposed a regulation to remove the appeal process for areas where the Minister has issued an order to establish a CPPS. The regulation does not fully address concerns as Bill 108 speaks to prescribed and non-prescribed municipalities.
- **Additional residential units**  
This regulation establishes criteria for additional residential units as authorized by Bill 108. It provides clarity for the City, and staff will review existing policy to ensure compliance.
- **Housekeeping regulatory changes**  
These regulatory changes create consistency in policy and provide clarity for staff.

### **Regulation for the Proposed Changes to the Development Charges Act**

- **Transition**  
The Province has provided transition period for municipalities to adopt a Community Benefits Charges by-law. The transition period provides clarity for staff.
- **Types of development subject to charges deferral**  
This regulation clarifies the types of development that would be subject to development charge deferral. Staff have concerns regarding the deferral for commercial development, as well as the assurance that deferred units intended to be used as a rented residential premises are developed as such.

- **Period of time for which the development charge freeze would be in place**  
The Province has established a development charge freeze period. Staff have no concern with this regulation.
- **Interest rate during deferral and freeze of development charges**  
The Ministry will not prescribe interest rates that municipalities may charge. This regulation does not address City concerns as there is no guidance on how municipalities should formulate interest rates.
- **Additional dwelling units**  
This regulation clarifies dwelling units that would be exempt from development charges. Staff have no concerns about the regulation.

## **Regulation for the Proposed Changes to the Community Benefits Authority**

- **Transition**  
The proposed regulation describes a transition period for collecting funds through community benefits charges. It does not address City concerns as the requirements for the creation of a community benefits strategy are not provided.
- **Reporting on community benefits**  
This regulation describes the new mandatory reporting system for community benefits charges. It provides clarity for staff as it aligns with existing reporting structures in the Planning Act.
- **Reporting on parkland**  
The proposed regulation details mandatory reporting, if a municipality continues to use parkland provisions from the current Planning Act. Staff have no concerns with the regulation as it aligns with existing reporting requirements.
- **Exemptions from Community Benefits**  
This regulation describes the type of development exempted from community benefits collection. Staff have no concerns with the regulation.
- **Community benefits formula**  
This regulation describes the community benefits formula that municipalities will use to calculate capital infrastructure costs. Staff have concerns about this regulation as it is unclear whether the formula will account for London's development context, or ensure that revenues are maintained.
- **Appraisals for community benefits**  
This regulation describes the appraisal process for determining land value for the purpose of collecting community benefits charges. Staff have concerns about the increased administrative burden resulting from the appraisal process, and the lack of an expiration date for landowners to select a third party for final appraisal.
- **Excluded services for community benefits**  
This regulation clarifies the services that will be ineligible for community benefits, and clarifies that parkland acquisition would be an eligible service in a community benefits charge. Staff have no concerns as it aligns with existing policy.
- **Community Planning Permit System (CPPS)**  
This regulation states that community benefits charges cannot be collected in areas with a CPPS. Staff are **very concerned** with this proposal. The current regulation (O. Reg. 173/16) allows a community planning permit by-law to include a condition that requires the provision of specified facilities, services and matters in exchange for a specified height or density of development. The regulation should specify that this condition may not be imposed in an area with a CPPS, rather than prohibiting the use of the CPPS.

## Regulations for proposed changes to the Local Planning Appeal Tribunal (L.P.A.T.) Act

- **Transition**

This regulation provides transition rules for appeals that have already commenced. It does not fully answer staff concerns and may create concerns with ongoing appeals, especially considering the de-novo changes.

- **Revocation of the “Planning Act Appeals” Regulation**

This regulation revokes a regulation describing procedures removed through Bill 108. Staff have no concerns about this regulation.

## Proposed Regulations and Staff Comments

### 2.0 Regulation for proposed changes to the Planning Act (general)

Staff comments are indicated in *italics* after the summary of the proposed regulation. These comments will form the basis of the City’s submission to these proposed regulations.

#### 2.1 Transition

It is proposed that changes to *Ontario Regulation 174/16: “Transitional Matters – General”* be transitioned. The transitions for the changes are summarized as follows:

- The expansion of grounds of appeal for a decision on an official plan/amendment or zoning by-law/amendment, and the new ability for the Local Planning Appeal Tribunal (L.P.A.T) to make any land use planning decision the municipality or approval authority could have made, would apply to appeals of decisions that have not yet been scheduled for a hearing by the L.P.A.T.
- The expansion of the grounds of appeal for non-decision on an official plan/amendment or zoning by-law/amendment and the ability of the Local Planning Appeal Tribunal (L.P.A.T.) to make any land use planning decision would apply to appeals that have not yet been scheduled a merits hearing before the L.P.A.T.
- The removal of appeal for non-key participants and the reduction of timelines for non-decisions would apply to official plans/amendments where the approval authority has not issued a notice of decision at the time of proclamation.
- The removal of appeals, other than by key participants, for appeals of draft plan of subdivision approval / conditions or changes to the conditions, would apply where the notice of decisions to draft approve or change conditions is given on or after the date of proclamation and where conditions are appealed other than at the time of draft approval on or after the date of proclamation.
- The shortened municipal decision timelines would apply to complete applications submitted after Royal Assent.

Certain changes to the *Planning Act* not addressed in the proposed transition regulation would apply immediately upon proclamation.

*The above transitions provide clarity for staff. While staff have no significant concerns for these transitions, the changes themselves could likely result in an increase of appeals. Staff will also need to identify the status of ongoing appeals at the time of proclamation.*

## **2.2 Community Planning Permit System (Development Permit System)**

Under Bill 108, the ability to appeal official plan policies required by regulation for the establishment of a community planning permit system under the Minister's order would be removed. Furthermore, the Province is proposing that the ability to appeal the implementing by-law also be removed.

*This regulation removes the appeal process for areas where the Minister has issued an order to establish a Community Planning Permit System. The regulation does not fully address concerns as Bill 108 speaks to prescribed and non-prescribed municipalities.*

*In additional, further regulations will need to clarify whether Inclusionary Zoning can only be implemented through an order of the Minister.*

## **2.3 Additional residential units**

Under Bill 108, municipalities would be authorized to establish additional residential units in both a detached, semi-detached, and row houses and in an ancillary building or structure. Through the regulation, an additional residential unit would be permitted regardless of owner occupancy of a primary residential unit and construction date of a primary or ancillary building.

The regulation also states that for each of additional residential unit, one parking space is to be provided, and may be provided through tandem parking. In cases where no parking spaces for a primary residential unit are required under a municipal zoning by-law, no parking spaces would be required for its additional residential unit. A municipality would be able to apply its zoning by-law parking standard if this standard is lower than a standard of parking space for additional residential units.

*This regulation establishes criteria for additional residential units as authorized by Bill 108. It provides clarity for the City, and staff will review existing policy to ensure compliance.*

## **2.4 Housekeeping regulatory changes**

Bill 108 provides for the removal of provisions in the Planning Act for second notice of subdivision applications and provisions for some non-decision appeals for official plans/amendments. The regulation therefore will remove the notice requirements for non-decision of a subdivision application and the notice requirements for non-decision appeals, which would no longer be necessary.

Additionally, Bill 108 provides for section 37 (Increased Density) to be replaced by the proposed provisions in respect of a community benefits charge. Housekeeping changes are required to remove the restrictions and prohibitions in respect of the municipal authority under section 37 (Increased Density) with inclusionary zoning.

*These regulatory changes create consistency in policy and provide clarity for staff.*

## **3.0 Regulation for proposed changes to the Development Charges Act (general)**

### **3.1 Transition**

It is proposed that the legislative provisions for community benefits charges would come into force on January 1, 2020.

An amendment to the DC Act provides a date to be prescribed in regulation that would establish a deadline for municipalities to transition to the new community benefits changes, unless the municipality will only collect parkland.

The proposed date for municipalities to transition to community benefits is January 1, 2021.



*This regulation provides a transition period for municipalities. The transition period provides clarity for staff.*

### **3.2 Types of development subject to charges deferral**

Under Bill 108, some types of development would defer payment of development charges until after occupation. This regulatory change defines each of the proposals.

The Minister proposes that the types of developments proposed for development charge deferrals be defined as follows:

- “Rental housing development” means construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes with four or more self-contained units that are intended for use as rented residential premises.
- “Non-profit housing development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes by a non-profit corporation.
- “Institutional development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
  - long-term care homes;
  - retirement homes;
  - universities and colleges;
  - memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion; and
  - hospices
- “Industrial development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
  - manufacturing, producing or processing anything;
  - research or development in connection with manufacturing, producing or processing anything;
  - storage, by a manufacturer, producer or processor, of anything used or produced in such manufacturing, production or processing if the storage is at the site where the manufacturing, production or processing takes place; or
  - retail sales by a manufacturer, producer or processor of anything produced in manufacturing, production or processing, if the retail sales are at the site where the manufacturing, production or processing takes place.
- “Commercial development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
  - office buildings as defined under subsection 12(3) in Ontario Regulation 282/98 under the Assessment Act; and
  - shopping centres as defined under subsection 11(3) in Ontario Regulation 282/98 under the Assessment Act.

*The above regulation clarifies the types of development that would be subject to development charge deferral. Staff continue to have a concern regarding the deferral for commercial development. Similarly, staff have a concern regarding the assurance that deferred units intended to be used as a rented residential premises are developed as such.*

### **3.3 Period of time for which the development charge freeze would be in place**

Under Bill 108, the amount of a development charge would be set at the time Council receives the site plan application, or zoning amendment if there is no site plan application.

The Province is proposing that development charges would be frozen until two years from the date the site plan application is approved, or two years from the date the zoning application is approved if there is no site plan.

*This regulation identifies the development charge freeze period. Staff have no concern with this regulation.*

### **3.4 Interest rate during deferral and freeze of development charges**

Bill 108 would allow municipalities to charge interest on development charges during the deferral, including during the freeze, from the date the application is received, to the date the development charge is payable.

The Province is not proposing to prescribe a maximum interest rate that may be charged.

*The above regulation states that the Ministry will not prescribe interests rates that municipalities may charge, however, it does not address City concerns as there is no guidance on how municipalities should formulate interest rates.*

### **3.5 Additional dwelling units**

Bill 108 would allow the creation of an additional dwelling unit in certain residential buildings, including ancillary structures, to be exempt from development charges.

One additional dwelling unit can currently be created in existing single-detached dwellings, semi-detached/row dwellings, without development charges, and this regulation proposes that another unit could be created within these residential buildings or ancillary structures without triggering a development charge.

It is also proposed that within other existing residential buildings, the creation of additional units comprising 1% of existing units would be exempt from development charges.

*This regulation clarifies dwelling units that would be exempt from development charges. Staff have no concerns about the regulation.*

## **4.0 Regulation for proposed changes to the Community Benefits Authority**

### **4.1 Transition**

Under Bill 108, a municipalities' ability to implement density bonusing would be removed, as would the provision of 'soft services' currently collected through the Development Charges Act. Soft services would instead be funded through a new Community Benefits fund through the *Planning Act*.

Through the proposed regulation, municipalities would have until January 1, 2021, to transition to the community benefits charges system.

The Province has not proposed any regulation regarding a community benefits charge strategy. Under new subsection 37 (9) (b), "any prescribed requirements" have not been clearly defined or proposed. Under Bill 108, municipalities would be required to establish a community benefits strategy before passing a community benefits charge by-law. In order to prepare the strategy, municipalities are required to identify certain facilities, services or matters that will be funded with community benefits charges.

*The proposed regulation describes a transition period for collecting funds through community benefits charges. It does not address City concerns, however, as the requirements for the creation of a community benefits strategy are not provided.*

## **4.2 Reporting on community benefits**

In the existing section 42 of the Planning Act, municipalities are required to prepare an annual report for the preceding year. This regulation would require municipalities to prepare a report for community benefits charges that would contain information about the community benefits such as: balances of the special account, description of services funded, details on amounts allocated, money borrowed and its purpose, and interest accrued on money borrowed.

Municipalities would be required to prepare an annual report for the preceding year that would provide information about the amounts in the community benefit special account. However, any persons or classes of persons whom the municipality would provide the reports have not been prescribed under new subsection 37 (28) through Bill 108.

*This regulation describes the new mandatory reporting system for community benefits charges. It provides clarity for staff as it aligns with existing reporting structures in the Planning Act.*

## **4.3 Reporting on parkland**

Under Bill 108, municipalities can continue to use parkland provisions from the current *Planning Act* if they do not collect community benefits charges. Municipalities with special accounts will be required to provide reports on the activities.

The Province is proposing that prescribed requirements for a report for parking provisions would be the same as for a community benefits charges report, mentioned above.

*The proposed regulation details mandatory reporting, if a municipality continues to use parkland provisions from the current Planning Act. Staff have no concerns with the regulation as it aligns with the regulation above and existing reporting requirements.*

## **4.4 Exemptions from Community Benefits**

Under Bill 108, the Province is authorized to prescribe certain types of development to be exempt from paying community benefits charges. The Province is proposing that the charges would not be imposed for several institutional developments and for non-profit housing development. Exempted developments include:

- long-term care homes
- retirement homes
- universities and colleges
- memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion
- Hospices
- Non-profit housing

Some of these uses that will be exempt from paying community benefits charges may not necessarily provide benefit to the larger public in lieu of the charge. Further exemption for community benefits charges could result in a negative financial impact (e.g. increased debt and/or deferred construction timing).

*This regulation describes the type of development exempted from community benefits collection. Staff have no concerns with the regulation.*

## **4.5 Community benefits formula**

Municipalities would be authorized to charge for community benefits at their discretion, to fund a range of capital infrastructure for community services, such as libraries, daycare facilities, and recreation facilities, needed for new development.

A proposed community benefits formula would apply to a prescribed percentage to the value of the development land, for any particular development. The used value would be the value on the day before the building issuance.

It is proposed that a range of percentages will be prescribed to take into account varying values of land. The Province is not currently providing prescribed percentages, however, the Province is seeking feedback on the determination of the range of percentages and the development of the formula. Further consultation on the formula will be held in late summer.

Further exemptions for community benefits charges through the proposed regulation changes could complicate the determination of the formula. The formula could also not be advantageous for municipalities across Ontario.

*This regulation describes the community benefits formula that municipalities will use to calculate capital infrastructure costs. Staff have concerns about this regulation as it is unclear whether the formula will account for London's development context, or ensure that revenues collected from soft service DCs, parkland dedication and density bonusing will be maintained.*

#### **4.6 Appraisals for community benefits**

Bill 108 provides that a landowner would provide a municipality with an appraisal of a proposed development site if they are of the view that the amount of a community benefits charge exceeds what is permitted by legislation. In response, the municipality can provide the owner with a land appraisal if it is of the view that the owner's appraisal is inaccurate. If the two appraisals differ by more than 5 percent, a third appraisal would be prepared. The Province proposes new time limits for appraisals between the owner and the municipality, as follows:

- The landowner would have 30 days to provide the municipality with an appraisal if they believe the amount of community benefit charges exceeds the amount legislatively permitted.
- The municipality would have 45 days to provide the owner with an appraisal if it believes the owner's appraisal is inaccurate.
- A third appraisal would be required to be provided by an appraiser selected by the owner from a municipal list of appraisers within 60 days, if the two appraisals differ by more than 5%.

The appraisal approach could take longer to resolve disputes between a landowner and a municipality than the proposed time periods.

*This regulation describes the appraisal process for determining land value for the purpose of collecting community benefits charges. Staff have concerns about the increased administrative burden resulting from the appraisal process, and the lack of an expiration date for landowners to select a third party for final appraisal.*

#### **4.7 Excluded services for community benefits**

Under Bill 108, certain facilities, services or matters would be prescribed for which community benefits charges cannot be imposed and cannot be funded from community benefits charges. The Province proposes to prescribe the facilities, services or matters as follows:

- cultural or entertainment facilities
- tourism facilities
- hospitals
- landfill sites and services
- facilities for the thermal treatment of waste
- headquarters for the general administration of municipalities and local boards

This would be consistent with the ineligible services list under the current *Development Charges Act*, except that land for parks would now be an eligible service.

*This regulation clarifies the services that will be ineligible for community benefits, and clarifies that parkland acquisition would be an eligible service in a community benefits charge. Staff have no concerns as it aligns with existing policy.*

#### **4.8 Community planning permit system**

A Community Planning Permit System (CPPS) is considered as a system which provides specified community facilities or services. Through the proposed regulation, a community benefit charge by-law would not be available in areas within a municipality where a community planning permit system is in effect.

*This regulation states that community benefits charges cannot be collected in areas with a CPPS. Staff are **very concerned** with this proposal. The current regulation (O. Reg. 173/16) allows a community planning permit by-law to include a condition that requires the provision of specified facilities, services and matters in exchange for a specified height or density of development.*

*The proposed regulation would not permit the City to collect a community benefits charge, which is a charge to collect fees related to community benefits that may be required as a result of new development, if it has community planning permit system in effect, which is a tool that may be used to combine planning processes related to development (zoning, site plan and minor variances).*

*The City is currently in the process of developing a new Zoning By-law to implement The London Plan. The proposed regulation would establish an “either/or” condition, whereby the City would not be able to collect a community benefit charge if it uses a CPPS as a means of implementing the new official plan.*

*Rather than state that a community benefits charge cannot be collected where a CPPS is implemented, the proposed regulation could clarify that a condition in a CPPS that would require the provision of specified facilities services and matters in exchange for specified height or density could not be applied where a community benefits charge would apply. The regulation should specify that this condition to require the provision of facilities services and matters may not be imposed in an area with a CPPS, rather than prohibiting the use of the CPPS.*

*This would clarify that there are not two opportunities to collect a charge relates to a community benefit through two different processes.*

### **5.0 Regulation for proposed changes to the Local Planning Appeal Tribunal (L.P.A.T) Act**

Under the amended L.P.A.T. Act through Bill 108, restrictions on oral testimony and submissions at hearings of major land use planning appeals (e.g. appeals of official plans or zoning by-laws) before the Tribunal would be removed. The Ministry of the Attorney General is proposing new regulations to the Act that would set out transition rules for these appeals and revoke the existing “Planning Act Appeals” regulation under the Act.

#### **5.1 Transition**

Through the proposed regulation in respect of transition rules, the amended L.P.A.T. Act would apply to:

- A major land use planning appeal that was commenced and continued under the former Ontario Municipal Board (O.M.B.) Act, except for the requirement to hold a case management conference.
- A major land use planning appeal that was commended under the former O.M.B. Act and continued under the existing L.P.A.T. Act, or a major land use planning

appeal that was commenced under the existing L.P.A.T. Act, except where a hearing on the merits of the appeal has been scheduled before the amendments come into force. If a hearing on the merits of the appeal has been scheduled before that day, the existing L.P.A.T. Act would continue to apply to the appeal.

- A major land use planning appeal commenced on or after the day the amendments to the Act come into force.

*This regulation provides transition rules for appeals that have already commenced. It does not fully answer staff concerns and may create concerns with ongoing appeals, especially considering the de-novo changes.*

## **5.2 Revocation of the “Planning Act Appeals” Regulation**

The existing regulation under the Act prescribes timelines, time limits and procedures for Planning Act appeals, such as limitation of examination or cross-examination of parties and witnesses in these appeals. As the regulation would be no longer relevant to the amended L.P.A.T. Act, the Province is proposing the revocation.

*This regulation revokes a regulation describing procedures removed through Bill 108. Staff have no concerns about this regulation.*

## 6.0 Conclusion

Staff will provide a submission to the Province's consultation on Bill 108 the *More Homes, More Choices Act, 2019*. The submission will identify the municipality's concerns on the proposed regulation changes and actions that the Province could address such concerns.

<b>Prepared by:</b>	<b>Joanne Lee</b> <b>Planner I, Long Range Planning and Sustainability</b>
<b>Prepared by:</b>	<b>Ben Morin</b> <b>Planner I, Long Range Planning and Sustainability</b>
<b>Submitted by:</b>	<b>Gregg Barrett, AICP</b> <b>Manager, Long Range Planning and Sustainability</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP</b> <b>Managing Director, City Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from City Planning Services	

July 15, 2019

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## Appendix A – Proposed Regulation Changes

Copy of the Consultation Documents:

- “Proposed new regulation and regulation changes under the Planning Act, including transition matters, related to Schedule 12 of Bill 108 – the More Homes, More Choice Act, 2019”
- “Proposed changes to O. Reg. 82/98 under the Development Charges Act related to Schedule 3 of Bill 108 – More Homes, More Choice Act, 2019”
- “Proposed new regulation pertaining to the community benefits authority under the Planning Act”

### A.1 Proposed new regulation and regulation changes under the Planning Act, including transition matters, related to Schedule 12 of Bill 108 – the More Homes, More Choice Act, 2019

#### 1. Transition

Proposed changes to the transition regulation (*O. Reg. 174/16: “Transitional Matters – General”*) would set out rules for planning matters in-process at the time certain components of Schedule 12 to Bill 108 are proclaimed. The proposed transition regulation changes would provide certainty regarding the processing and decision-making on planning matters.

Certain changes to the *Planning Act* through Schedule 12 to Bill 108 that are not addressed in the proposed transition regulation would apply immediately upon the coming into force of those changes.

#### Proposed content

It is proposed that the following changes which are part of Schedule 12 to Bill 108 be transitioned as follows:

- Expanding the grounds of appeal of a decision on an official plan/amendment or zoning by-law/amendment and allowing the Local Planning Appeal Tribunal to make any land use planning decision the municipality or approval authority could have made would apply to:
  - appeals of decisions that have not yet been scheduled for a hearing by the Local Planning Appeal Tribunal regarding the merits of the matter before the Tribunal
- Expanding the grounds of appeal of a lack of decision on an official plan/amendment or zoning by-law amendment and allowing the Local Planning Appeal Tribunal to make any land use planning decision the municipality or approval authority could have made would apply to:
  - appeals of the failure of an approval authority or municipality to make a decision within the legislated timeline that have not yet been scheduled for a hearing by the Local Planning Appeal Tribunal regarding the merits of the matter before the Tribunal
- The removal of appeals other than by key participants (e.g. the province, municipality, applicant) and the reduction of approval authority decision timelines for non-decisions of official plan/amendments would apply where the approval authority has not issued a notice of decision at the time the proposed changes come into force.



- The removal of appeals other than by key participants (e.g. the province, municipality, applicant, utility companies, etc.) for draft plan of subdivision approvals, conditions of draft plan of subdivision approvals or changes to those conditions would apply where:
  - the notice of the decision to draft approve or change conditions is given, or
  - conditions are appealed other than at the time of draft approval

on or after the day the proposed changes come into force (e.g., appeals made during appeal periods that begin once the proposed changes come into force)

- The reduction for decision timelines on applications for official plan amendments (120 days), zoning by-law amendments (90 days, except where concurrent with official plan amendment for some proposal) and plans of subdivision (120 days) would apply to complete applications submitted after Royal Assent.

## **2. Community Planning Permit System**

The community planning permit system is a framework that combines and replaces the individual zoning, site plan and minor variance processes in an identified area with a single application and approval process. *O. Reg. 173/16 "Community Planning Permits"* outlines the various components that make up the system, including the matters that must be included in the official plan to establish the system, the process that applies to establishing the implementing by-law and the matters that must or may be included in the by-law.

### **Proposed content**

Schedule 12 to Bill 108 includes provisions to remove the ability to appeal the official plan policies required by regulation for the establishment of a community planning permit system when the Minister issues an order to require a local municipality to adopt or establish a system. To further facilitate the implementation of the system, a change is also proposed to the community planning permit regulation that would remove the ability to appeal the implementing by-law. This change would support the streamlining of development approvals in areas where the Minister required a community planning permit system to be established.

## **3. Additional Residential Unit Requirements and Standards**

The *Planning Act* currently requires municipalities to authorize in their official plans and zoning by-laws the use of second residential units in either a detached, semi-detached, and row house or in an ancillary buildings and structures (e.g., above laneway garages or coach houses).

Schedule 12 to Bill 108 includes provisions to require municipalities to authorize in their official plans and zoning by-laws the use of an additional residential unit in both a detached, semi-detached, and row houses and in an ancillary building or structure (e.g., above laneway garages or coach houses).

### **Proposed content**

A regulation is proposed under s. 35.1(2)(b) of the *Planning Act* setting out requirements and standards to remove barriers to the establishment of additional residential units, as follows:

- One parking space for each of the additional residential units which may be provided through tandem parking
- Where a municipal zoning by-law requires no parking spaces for the primary residential unit, no parking spaces would be required for the additional residential units

- Where a municipal zoning by-law is passed that sets a parking standard lower than a standard of one parking space for each of the additional residential units, the municipal zoning by-law parking standard would prevail
- “Tandem parking” would be defined as a parking space that is only accessed by passing through another parking space from a street, lane or driveway
- An additional residential unit, where permitted in the zoning by-law, may be occupied by any person in accordance with s. 35(2) of the *Planning Act*, and, for greater clarity, regardless of whether the primary unit is occupied by the owner of the property, and
- An additional residential unit, where permitted in the zoning by-law, would be permitted without regard to the date of construction of the primary or ancillary building.

#### **4. Housekeeping regulatory changes**

a. Regulations under the *Planning Act* currently provide for requirements on how to give notice for various matters, including when a municipality is required to notify the public of subdivision applications and when it intends to establish a time frame for non-decision appeals for official plans/amendments.

##### **Proposed content**

As Schedule 12 to Bill 108 provides for the removal of provisions in the *Planning Act* for second notice of subdivision applications and provisions for some non-decision appeals for official plans/amendments, housekeeping changes are required in O. Reg. 544/06 “Plans of Subdivision” and O. Reg. 543/06 “Official Plans and Plan Amendments” to remove the redundant notice of a subdivision application and the notice requirements for non-decision appeals, which would no longer be necessary.

b. Regulations under the *Planning Act* provide for requirements to implement inclusionary zoning including restrictions and prohibitions on the authority under section 37 (Increased Density) when inclusionary zoning is authorized.

##### **Proposed content**

Schedule 12 to Bill 108 provides for section 37 (Increased Density) being replaced by the proposed provisions in respect of a community benefits charge. Housekeeping changes are required to amend O. Reg. 232/18: “*Inclusionary Zoning*” to remove the restrictions and prohibitions in respect of the municipal authority under section 37 (Increased Density) with inclusionary zoning.

<h2><b>A.2 Proposed changes to O. Reg. 82/98 under the Development Charges Act related to Schedule 3 of Bill 108 – More Homes, More Choice Act, 2019</b></h2>
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### **1. Transition**

The amendments in Schedule 12 of the *More Homes, More Choice Act, 2019* would, upon proclamation, provide transitional provisions for section 37, and section 42 under the *Planning Act*, and in Schedule 3 of the Act provide transitional provisions for development charges for discounted services (soft services) under the *Development Charges Act* to provide for the flexibility necessary for municipalities to migrate to the community benefits charge authority.

Municipalities would be able to transition to the community benefits charge authority once the legislative provisions come into force (as will be set out in proclamation). It is proposed that the legislative provisions related to community benefits charges would come into force on January 1, 2020.

An amendment to the *Development Charges Act, 1997* provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development (unless a municipality will only collect parkland).

### **Proposed content**

The Minister proposes that the specified date for municipalities to transition to community benefits is January 1, 2021.

From this date to beyond:

- Municipalities would generally no longer be able to collect development charges for discounted services

### **2. Scope of types of development subject to development charges deferral**

The province recognizes that development charges are one of the many demands on cashflow for new development. Mandating the deferral of development charge alleviates some pressure on cashflow which could increase the likelihood of riskier, cost-sensitive housing projects, such as purpose-built rentals proceeding. As such, amendments to the *Development Charges Act* made by Schedule 3 of the *More Homes, More Choice Act, 2019* would, upon proclamation, provide for the deferral of development charges for rental housing development; non-profit housing development; institutional development; industrial development; and commercial development until occupancy.

The proposed regulatory change would provide further detail concerning what constitutes rental housing; non-profit housing; institutional development; industrial development; and commercial development.

### **Proposed content**

The Minister proposes that the types of developments proposed for development charge deferrals be defined as follows:

- “Rental housing development” means construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes with four or more self-contained units that are intended for use as rented residential premises
- “Non-profit housing development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for residential purposes by a non-profit corporation.
- “Institutional development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
  - long-term care homes;
  - retirement homes;
  - universities and colleges;
  - memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion; and
  - hospices

- “Industrial development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
  - manufacturing, producing or processing anything,
  - research or development in connection with manufacturing, producing or processing anything,
  - storage, by a manufacturer, producer or processor, of anything used or produced in such manufacturing, production or processing if the storage is at the site where the manufacturing, production or processing takes place, or
  - retail sales by a manufacturer, producer or processor of anything produced in manufacturing, production or processing, if the retail sales are at the site where the manufacturing, production or processing takes place.
- “Commercial development” means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure for:
  - office buildings as defined under subsection 12(3) in *Ontario Regulation 282/98* under the *Assessment Act*; and
  - shopping centres as defined under subsection 11(3) in *Ontario Regulation 282/98* under the *Assessment Act*.

### **3. Period of time for which the development charge freeze would be in place**

In order to provide greater certainty of costs, amendments to the *Development Charges Act* made by Schedule 3 to the *More Homes, More Choice Act, 2019* would, upon proclamation, provide that the amount of a development charge would be set at the time council receives the site plan application for a development; or if a site plan is not submitted, at the time council receives the application for a zoning amendment (the status quo would apply for developments requiring neither of these applications).

The proposed regulatory change would establish the period in which the development charge rate freeze will be in place.

#### **Proposed content**

In order to encourage development to move to the building permit stage so that housing can get to market faster and provide greater certainty of costs, the Minister is proposing that the development charge would be frozen until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.

### **4. Interest rate during deferral and freeze of development charges**

Amendments to the *Development Charges Act* in Schedule 3 to the *More Homes, More Choice Act, 2019* would, upon proclamation, provide for municipalities to charge interest on development charges payable during the deferral. It also provides for municipalities to charge interest during the development charge ‘freeze’ from the date the applicable application is received, to the date the development charge is payable. In both cases, the interest cannot be charged at a rate above a prescribed maximum rate.

#### **Proposed content**

The Minister is not proposing to prescribe a maximum interest rate that may be charged on development charge amounts that are deferred or on development charges that are frozen.

## 5. Additional dwelling units

In order to reduce development costs and increase housing supply the *Development Charges Act* as amended by Schedule 3 to the *More Homes, More Choice Act, 2019* would, upon proclamation, provide that:

- the creation of additional dwelling in prescribed classes of residential buildings and ancillary structures does not trigger a development charge; and
- the creation of a second dwelling unit in prescribed classes of new residential buildings, including ancillary structures, is exempt from development charges.

### Proposed content

The existing *O. Reg. 82/98* prescribes existing single detached dwellings, semi-detached/row dwellings and other residential buildings as buildings in which additional residential units can be created without triggering a development charge and rules related to the maximum number of additional units and other restrictions. It is proposed that this regulation be amended so that units could also be created within ancillary structures to these existing dwellings without triggering a development charge (subject to the same rules/restrictions).

It is also proposed that one additional unit in a new single detached dwelling; semi-detached dwelling; and row dwelling, including in a structure ancillary to one of these dwellings, would be exempt from development charges.

It is also proposed that within other existing residential buildings, the creation of additional units comprising 1% of existing units would be exempt from development charges.

## A.3 Proposed new regulation pertaining to the community benefits authority under the Planning Act

### 1. Transition

The amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019* provide transitional provisions for section 37, and section 42 under the *Planning Act*, and development charges for discounted services (soft services) under the *Development Charges Act* to provide the flexibility necessary for municipalities to migrate to the community benefits charge authority.

An amendment to the *Development Charges Act, 1997* provides for a date to be prescribed in regulation that would effectively establish a deadline as to when municipalities must transition to the community benefits authority if they wish to collect for the capital costs of community benefits from new development. Beyond the date prescribed in regulation:

- Municipalities would generally no longer be able to collect development charges for discounted services
- Municipalities would generally no longer be able to pass by-laws to collect funds under section 37 of the *Planning Act*

### Proposed content

It is proposed that the specified date for municipalities to transition to community benefits is January 1, 2021.

### 2. Reporting on community benefits

The amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019* provide for municipalities that pass a community benefits by-law to provide

the reports and information that may be prescribed in the regulation to persons prescribed in regulation

### **Proposed content**

In order to ensure that community benefit charges are collected and spent on community benefits in a transparent manner, and for greater accountability, the Minister is proposing to prescribe reporting requirements that are similar to existing reporting requirements for development charges and parkland under section 42 of the *Planning Act*.

Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the community benefits charge special account, such as:

- Opening and closing balances of the special account
- A description of the services funded through the special account
- Details on amounts allocated during the year
- The amount of any money borrowed from the special account, and the purpose for which it was borrowed
- The amount of interest accrued on money borrowed

### **3. Reporting on parkland**

The amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019* provide that municipalities may continue using the current basic parkland provisions of the *Planning Act* if they are not collecting community benefits charges. Municipalities with parkland special accounts will be required to provide the reports and information that may be prescribed in the regulation to persons prescribed in regulation.

### **Proposed content**

In order to ensure that cash-in-lieu of parkland is collected and used in a transparent manner, the Minister is proposing to prescribe reporting requirements for parkland.

Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the special account, such as:

- Opening and closing balances of the special account
- A description of land and machinery acquired with funds from the special account
- Details on amounts allocated during the year
- The amount of any money borrowed from the special account, and the purpose for which it was borrowed
- The amount of interest accrued on money borrowed

### **4. Exemptions from community benefits**

To help reduce the costs to build certain types of development that are in high demand, amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019* provides for the Minister to prescribe such types of development or redevelopment in respect of which a community benefits charge cannot be imposed.

## **Proposed content**

The Minister is proposing that the following types of developments be exempt from charges for community benefits under the *Planning Act*:

- Long-term care homes
- Retirement homes
- Universities and colleges
- Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion
- Hospices
- Non-profit housing

## **5. Community benefits formula**

The amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019*, provide the authority for municipalities to charge for community benefits at their discretion, to fund a range of capital infrastructure for community services needed because of new development.

This capital infrastructure for community services could include libraries, parkland, daycare facilities, and recreation facilities.

For any particular development, the community benefits charge payable could not exceed the amount determined by a formula involving the application of a prescribed percentage to the value of the development land. The value of land that is used is the value on the day before the building permit is issued to account for the necessary zoning to accommodate the development.

## **Proposed content**

It is proposed that a range of percentages will be prescribed to take into account varying values of land.

In determining the prescribed percentages, there are two goals.

- Firstly, to ensure that municipal revenues historically collected from development charges for “soft services”, parkland dedication including the alternative rate, and density bonusing are maintained.
- Secondly, to make costs of development more predictable.

This Ministry is not providing prescribed percentages at this time. However, the Ministry would welcome feedback related to the determination of these percentages. There will be further consultation on the proposed formula in late summer.

## **6. Appraisals for community benefits**

The authority to charge for community benefits under the *Planning Act* would enable municipalities, at their discretion, to fund a range of capital infrastructure for community services needed because of new development.

For any particular development, the community benefits charge payable could not exceed an amount determined by a formula involving the application of a prescribed percentage to the value of the development land on the day before the building permit is issued.

The amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019* provide for the owner of land proposing to develop a site, to provide the municipality with an appraisal of the site they are of the view that the community benefits charge exceeds what is legislatively permitted. Similarly, a municipality can also provide the owner of land with an appraisal if it is of the view that the owner of the land's appraisal is inaccurate. If both appraisals differ by more than 5 percent, a third appraisal is prepared.

### **Proposed content**

The Minister is proposing the following:

- If the owner of land is of the view that the amount of a community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land.
- If the municipality disputes the value of the land in the appraisal provided by the owner, the municipality has 45 days to provide the owner with an appraisal of the value of the land.
- If the municipality's appraisal differs by more than 5 percent from appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser's appraisal must be provided within 60 days.

### **7. Excluded services for community benefits**

Amendments to the *Planning Act* in Schedule 12 of the *More Homes, More Choice Act, 2019* provide that community benefits charges cannot be imposed for facilities, services or matters associated with services eligible for collection under the *Development Charges Act, 1997*. It also provides for the province to prescribe facilities, services or matters in respect of which community benefit charges cannot be imposed.

### **Proposed content**

The Minister is proposing to prescribe that the following facilities, services or matters be excluded from community benefits:

- Cultural or entertainment facilities
- Tourism facilities
- Hospitals
- Landfill sites and services
- Facilities for the thermal treatment of waste
- Headquarters for the general administration of municipalities and local boards

This would be consistent with the ineligible services list currently found under the *Development Charges Act*.

### **8. Community planning permit system**

The community planning permit system is a framework that combines and replaces the individual zoning, site plan and minor variance processes in an identified area with a single application and approval process. *O. Reg. 173/16 "Community Planning Permits"* outlines the various components that make up the system, including the matters that must be included in the official plan to establish the system, the process that applies to establishing the implementing by-law and the matters that must or may be included in the by-law.



## **Proposed content**

Amendments to the *Planning Act* in the *More Homes, More Choice Act, 2019* establish a new authority for municipalities to levy charges for community benefits to make requirements in this regard more predictable. As the community planning permit system also allows conditions requiring the provision of specified community facilities or services, it is proposed that a community benefits charge by-law would not be available for use in areas within a municipality where a community planning permit system is in effect.

## 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:** Appeal of Committee of Adjustment Decision on Minor  
Variance Application A.040/19  
585 Colborne Street

**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, in response to the letter of appeal to the Local Planning Appeal Tribunal, dated May 27, 2019, and submitted by Elliott Pityn relating to the minor variance application concerning 585 Colborne Street, the Local Planning Appeal Tribunal **BE ADVISED** that:

- a) The Municipal Council supports the decision of the Committee of Adjustment to refuse the minor variance; and
- b) The City Solicitor and Managing Director, Development and Compliance Services and Chief Building Official **BE DIRECTED** to provide legal and planning representation at the Local Planning Appeal Tribunal Hearing to support the decision of the Committee of Adjustment.

## Background

The Secretary of the Committee of Adjustment circulated notice of application on April 12, 2019 for permission to:

***Add a fourth unit to a converted dwelling with the following variances:***

1. To permit a lot area of 240m<sup>2</sup> (2583.3ft<sup>2</sup>), whereas 720m<sup>2</sup> (7750.0ft<sup>2</sup>) is the minimum required.
2. To maintain two parking spaces, whereas three parking spaces are required.

Development Services Staff provided comment on this request at the May 6, 2019 meeting of the Committee of Adjustment. Development Services did not support the requested minor variances to add a fourth unit to a converted dwelling (attached Appendix A). The Committee of Adjustment refused the requested variances.

On May 27, 2019, Elliott Pityn, acting on behalf of Kimberly Pityn, the owner of 585 Colborne Street, submitted a letter of appeal to the Local Planning Appeal Tribunal opposing the Committee of Adjustment's decision refusing the variances (attached Appendix B).

The appellant did not outline the reason for the appeal in the letter of appeal.

One member of the public attended the Committee of Adjustment meeting and made a statement raising concerns with respect to the scope and nature of work proposed.

The hearing date for this appeal has not yet been scheduled (PL190234). Development Services maintains its position that the application does not meet the four (4) tests under the Planning Act. Staff is requesting direction from the Planning and Environment Committee and Council to provide legal and planning representation to support the decision of the Committee of Adjustment.

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

July 15, 2019  
MS/ms

CC: Aynsley Anderson, Solicitor II, City Solicitor's Office

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\11- July 22\Draft 585 Colborne Street A.040-19 MS 1of1.docx

**Appendix A:**  
**Development Services Recommendation**

A.040/19  
M.Sundercock

<b>FROM:</b>	<b>DEVELOPMENT SERVICES</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: KIMBERLY PITYN</b> <b>585 COLBORNE STREET</b> <b>PUBLIC PARTICIPATION MEETING ON MAY 6, 2019 @ 3:20 PM</b>

**PURPOSE OF APPLICATION**

To add a fourth unit to a converted dwelling.

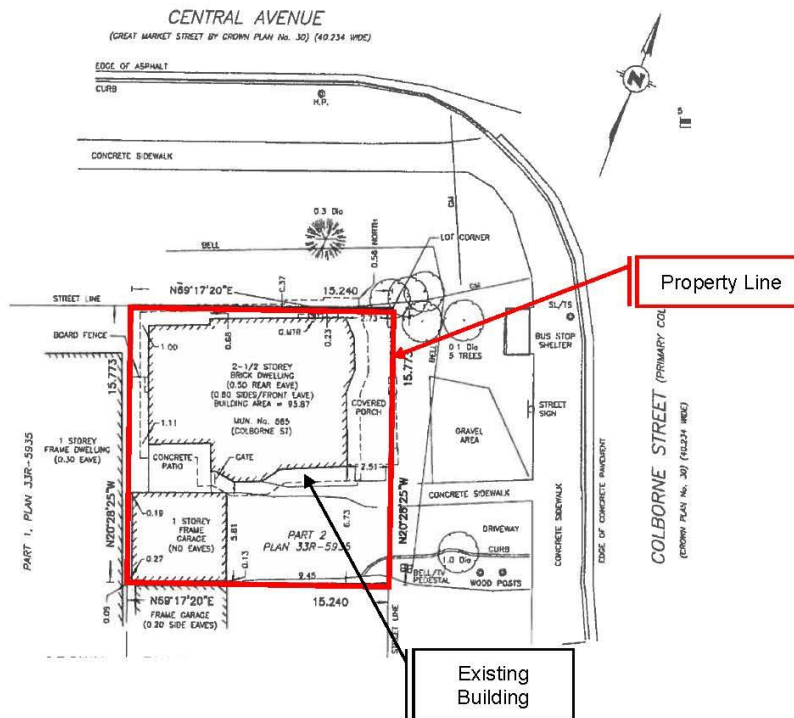
**VARIANCES REQUESTED:**

1. To permit a lot area of 240m<sup>2</sup> (2583.3ft<sup>2</sup>), whereas 720m<sup>2</sup> (7750.0ft<sup>2</sup>) is the minimum required.
2. To maintain two parking spaces, whereas three parking spaces are required.



**INTRODUCTION**

The applicant is proposing to convert an existing three-unit converted dwelling to a four-unit dwelling without expanding the footprint, and is requesting two variances to facilitate the change in use. They are requesting variances for reduced lot area and reduced parking.



**EVALUATIVE FRAMEWORK**

In order for this application to be acceptable as a minor variance under the provisions of Section 45(1) of the Planning Act, the following requirements must be met:

- 1) Is the general intent and purpose of the Official Plan maintained?
- 2) Is the general intent and purpose of the Zoning By-law maintained?
- 3) Is the variance minor in nature? and
- 4) Is the variance desirable for the appropriate development or use of the land, building or structure?

**ANALYSIS**

The subject lands are located at the intersection of two Neighbourhood Connector streets (Colborne Street and Central Avenue) within the Neighbourhoods Place Type in The London Plan, and are designated Low Density Residential in the 1989 Official Plan and are within the Near-Campus Neighbourhood as well as the West Woodfield Heritage Conservation District.

Residential Intensification policies are located in Section 3.2.3 of the 1989 Official Plan and are also in The London Plan (though are still under appeal). The proposed residential units are defined as Residential Intensification in that it is "the conversion or expansion of existing residential buildings to create new residential units or accommodation." Development which is considered to be residential intensification is subject to a site plan process to address matters such as parking, landscaping, and other matters which may impact the use and privacy of abutting properties.

The lands are also located within a Near-Campus Neighbourhood and as such are subject to additional policies regarding residential intensification. Policy 3.5.19.12 provides a series of criteria when evaluating minor variance applications in Near Campus Neighbourhoods, in determining the appropriateness of the variance and in the consideration of the intent and purpose

of the Official Plan. The following criteria will be considered for minor variance applications in Near Campus Neighbourhoods:

- i) the requested variance(s) shall not undermine the intent of the Zoning Bylaw where Council has applied a zone that established additional regulations in the neighbourhood; *Additional regulations have not been established through a special provision zone in this area, however, the regulations of the R3-2 Zone regarding lot area are intended to prevent the inappropriate intensification of properties in existing neighbourhoods. The requested variances for reduced lot area and parking are indicative of a proposal which is too intense for the subject lands and undermines the intent of the Zoning By-law.*
- ii) the requested variance(s) shall not lead to inappropriate forms of intensification, as characterized in Policy 3.5.19.5 of this Plan; *The subject lands are located in both the Low Density Residential Designation and the Neighbourhoods Place Type. The proposed development represents a residential intensity that is too great for the structure type proposed and on a lot which is inadequately sized that is unable to reasonably accommodate the density and intensity of the proposed use. The reduction in parking and lot area may continue an ad-hoc and incremental trend towards Residential Intensification in the neighbourhood.*
- iii) the requested variance(s) shall not be supported to approve an increase in Residential Intensity where the proposed new development, expanded development, or modified development can be accommodated through a reconfiguration of the development proposal; *There are no proposed exterior changes to the existing building, though the requested variance for reduced parking may be accommodated through a reconfiguration of the development proposal.*
- iv) where a street, block, or neighbourhood has already absorbed substantial Residential Intensification in the Low Density Residential designation, a minor variance to accommodate a proposed consent to sever shall not be supported; *There is no consent to sever associated with this minor variance application.*
- v) site-specific minor variance applications to accommodate an increase in Residential Intensity on lands that are not unique within their context and do not have any special attributes which would warrant a site-specific minor variance shall not be supported; *The requested variances are not unique in within their context and do not have any special attributes which would warrant a site-specific minor variance.*
- vi) minor variances to permit front yard parking shall not be supported where the proposed new development, expanded development, or modification to an existing development eliminates existing parking that is in a location which conforms to the Zoning By-law. *There is no request to permit front yard parking as part of this application.*

The London Plan also contains policies regarding cultural heritage, including facilitating intensification in urban neighbourhoods where it is deemed to be appropriate and in a form that fits well in the existing neighbourhood.

The Woodfield Neighbourhood Specific Area policies in the 1989 Official Plan state that this area is intended to remain predominantly low density in scale, and to retain existing buildings to maintain the character of the streetscape, and to conserve cultural heritage resources. The specific area policies for this neighbourhood limit residential development to a maximum density of 100 units per hectare. The applicant is proposing a density of 166 units per hectare.

Based on the foregoing, the proposed conversion of the existing building is inconsistent with the intent and purpose of The London Plan and the 1989 Official Plan.

The subject lands are zoned Residential R3-2, which provides for and regulates low density residential development in the form of single, semi, duplex, triplex, fourplex, and converted dwellings, subject to minimum requirements for lot area, lot frontage, setbacks, and landscaped open space etc.

The R3-2 Zone requires a minimum lot area of 180m<sup>2</sup> per unit, or a lot area as indicated by the zone, whichever is greater. The applicant is requesting a lot area of approximately 240m<sup>2</sup>, whereas 720m<sup>2</sup> is the minimum required for four units. Additional lot area is required as the

intensity of the lands increases, and the intent of the regulation is to ensure that adequate areas for parking and landscaped open space are provided.

The applicant is also requesting a variance for reduced parking. While the City-wide parking standards require one space per residential unit, two parking spaces are existing and were previously recognized for the three-unit dwelling. The addition of a fourth unit therefore increases the requirement to three spaces. While the applicant may be able to accommodate the required parking spaces with a reconfiguration of the development, this could result in an excessive proportion of the site devoted to parking and loss of landscaped open space that may impact the character of the Colborne Street streetscape. It is noted that the subject site is located on a transit route and residents have access to transit services which may reduce the need for vehicular parking on the lands.

Based on the foregoing, Development Services is of the opinion that the variances do not conform to the policies or their intent in the 1989 Official Plan or The London Plan. The variances are also inconsistent with the intent and purpose of the Zoning By-law and are not minor in nature. Substantial impacts may result from the variances. While intensification of the lands along Richmond Street is desirable, the variances requested would facilitate a development which may continue an incremental trend towards Residential Intensification in the Woodfield Neighbourhood. Development Services also recognizes that the variances may be a matter of local consideration.

#### **SUMMARY**

In the opinion of Development Services the proposed minor variances are not minor in nature or desirable for the lands. The variances are not consistent with The London Plan, the 1989 Official Plan, or the Zoning By-law. Staff recognize that the variances may be a matter of local consideration.

#### **NOTES**

- A building permit is required for the conversion of the building.
- A maximum of three bedrooms per unit is permitted.
- Depending on the scope of work proposed, a Heritage Alteration Permit may be required if there are any visible exterior alterations to the building.
- Any new or relocation of the existing hydro service will be at the expense of the owner.
- The granting of minor variance(s) or permissions does not preclude the responsibility of the applicant or landowner from obtaining other approvals which may be required, by any level of government, and agencies thereof, including, but not limited to, the Tree Protection By-law.

#### **REFERENCE DOCUMENTS**

Ontario. Ministry of Municipal Affairs and Housing. Planning Act, R.S.O. 1990, as amended.

Ontario. Ministry of Municipal Affairs and Housing. Provincial Policy Statement, May 1, 2014.

City of London. Official Plan, June 19, 1989, as amended.

City of London. Zoning By-law No. Z.-1, July 1, 1993, as amended.

City of London. The London Plan – Council Adopted, June 2016.

**Appendix B:**  
**Committee of Adjustment Decision**



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

**City of London**

Note: The last day for appealing this decision is at **4:30 on** .

**DECISION:**

THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF LONDON WITH REASONS  
REGARDING APPLICATION FOR MINOR VARIANCE  
THE PLANNING ACT R.S.O. 1990, Section 45(8) & (10)

---

**REGARDING AN APPLICATION BY:** Pityn Kimberley Ann - A.040/19

**ADDRESS:** 585 Colborne Street

**PURPOSE OF APPLICATION:** To add a fourth unit to a converted dwelling.

**VARIANCE(S) REQUESTED:**

1. To permit a lot area of 240m<sup>2</sup> (2583.3ft<sup>2</sup>), whereas 720m<sup>2</sup> (7750.0ft<sup>2</sup>) is the minimum required.
2. To maintain two parking spaces, whereas three parking spaces are required.

---

WE, the undersigned, in making the Decision regarding this Application, have considered whether or not the Variance requested was minor and desirable for the appropriate development and use of the land, and that the general intent and purpose of Zoning By-Law Z-1 and the Official Plan will be maintained, or in the case of a change, in a use of property which is lawfully non-conforming under the By-Law as to whether or not this Application has met the requirements of Section 45(2) of *The Planning Act* R.S.O. 1990.

**CONCUR** in the following Decision and Reasons for the Decision made on Monday May 06, 2019.

**DECISION:**

GRANTED

DENIED

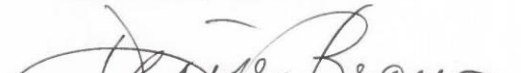
APPROVED WITH CONDITIONS

**For Reasons and Conditions see Schedule "A" on reverse.**

  
\_\_\_\_\_  
John Fyfe-Millar, Chair

  
\_\_\_\_\_  
Steve Polhill, Vice Chair

  
\_\_\_\_\_  
Daniela Schmidt

  
\_\_\_\_\_  
Denise Brown

  
\_\_\_\_\_  
Cheryl Miller

**CERTIFICATION**

THE PLANNING ACT, R.S.O 1990, SECTION 45(10)

---



I, **AIKLING LAVERTY**, Secretary-Treasurer of the Committee of Adjustment for the City of London, County of Middlesex, certify that the above is a true copy of the Decision of the Committee with respect to the Application recorded therein.

  
\_\_\_\_\_  
**AIKLING LAVERTY**  
Secretary-Treasurer

**City of London**  
Schedule 'A'

Minor Variance Application No. A.040/19

**Reasons for Decision:**

- The requested minor variance meets the general intent and purpose of the Zoning By-Law;
- The requested minor variance meets the general intent and purpose of the Official Plan;
- The requested minor variance is not minor in nature; and
- The requested minor variance is not desirable for the appropriate developments of use of the land, building or structure.

Subject to the following condition(s):

**NOTES:**

- A building permit is required for the conversion of the building.
  - A maximum of three bedrooms per unit is permitted.
  - Depending on the scope of work proposed, a Heritage Alteration Permit may be required if there are any visible exterior alterations to the building.
  - Any new or relocation of the existing hydro service will be at the expense of the owner.
  - The granting of minor variance(s) or permissions does not preclude the responsibility of the applicant or landowner from obtaining other approvals which may be required, by any level of government, and agencies thereof, including, but not limited to, the Tree Protection By-law.
-



London  
CANADA

## 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:** June 11, 2019

**RE: Monthly Report for May 2019**

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

### **Permit Issuance**

By the end of May, 1,846 permits had been issued with a construction value of \$651.8 million, representing 1,037 new dwelling units. Compared to last year, this represents a 0.7% increase in the number of permits, a 39.7% increase in the construction value and a 12.1% decrease in the number of dwelling units.

To the end of May, the number of single and semi-detached dwellings issued was 253, which was a 21% decrease over last year.

At the end of May, there were 663 applications in process, representing approximately \$597 million in construction value and an additional 1,049 dwelling units, compared with 559 applications having a construction value of \$431 million and an additional 746 dwelling units for the same period last year.

The rate of incoming applications for the month of May averaged out to 22.3 applications a day for a total of 491 in 22 working days. There were 85 permit applications to build 85 new single detached dwellings, 18 townhouse applications to build 59 units, of which 6 were cluster single dwelling units.

There were 532 permits issued in May totalling \$117.1 million including 331 new dwelling units.

### **Inspections**

#### **BUILDING**

*Building Inspectors* received 2,220 inspection requests and conducted 3,114 building related inspections. An additional 17 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 257 inspections were conducted this month per inspector.

Based on the 2,220 requested inspections for the month, 97% were achieved within the provincially mandated 48 hour time allowance.

#### **CODE COMPLIANCE**

*Building Inspectors* received 661 inspection requests and conducted 958 building related inspections. An additional 159 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 5 inspectors, an average of 203 inspections were conducted this month per inspector.

Based on the 661 requested inspections for the month, 97% were achieved within the provincially mandated 48 hour time allowance.

## **PLUMBING**

*Plumbing Inspectors* received 877 inspection requests and conducted 1,201 plumbing related inspections. An additional 2 inspection was completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 200 inspections were conducted this month per inspector.

Based on the 877 requested inspections for the month, 100% 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 May 2019

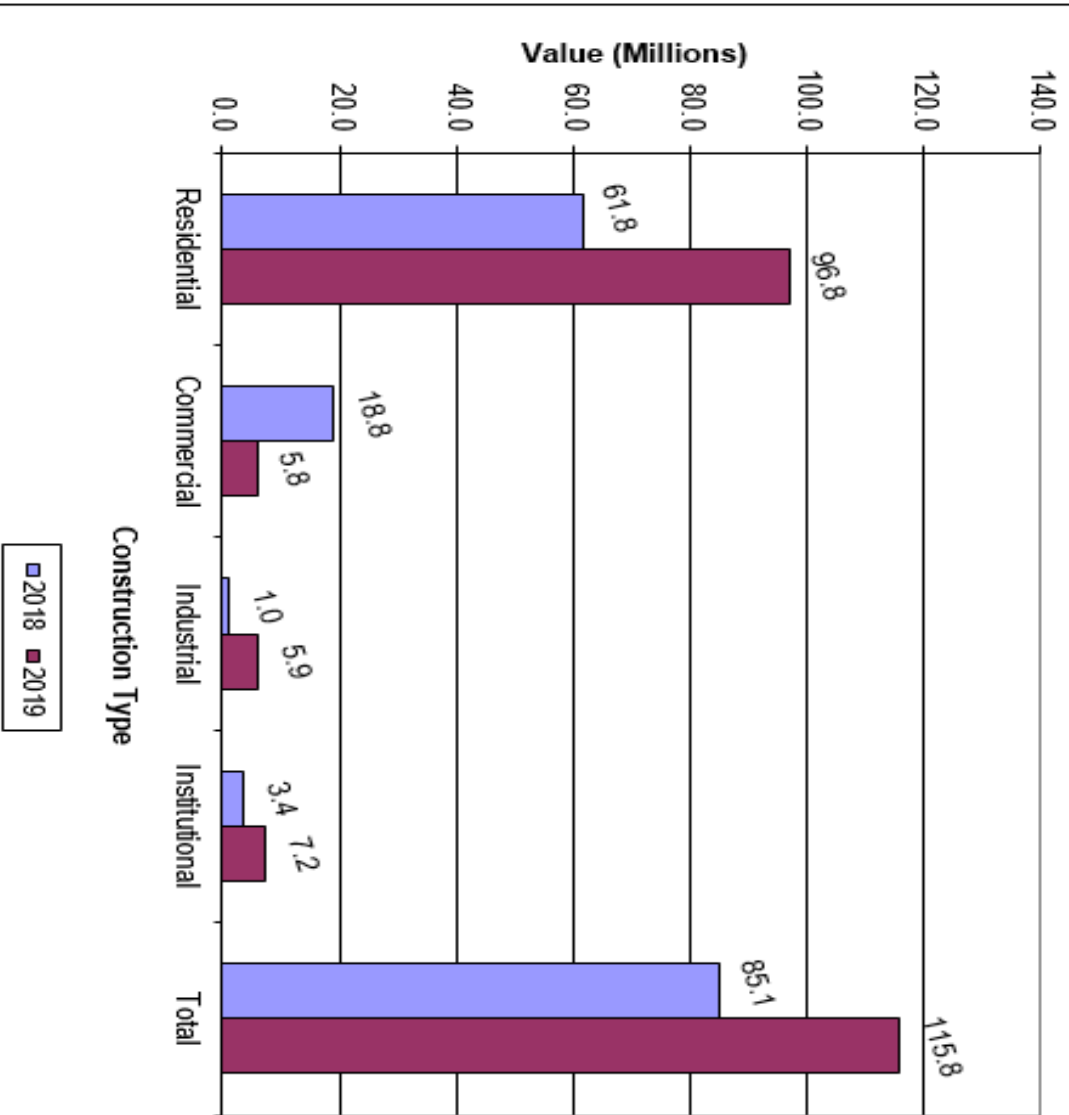
CLASSIFICATION	May 2019		to the end of May 2019		May 2018		to the end of May 2018						
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF PERMITS	CONSTRUCTION VALUE					
SINGLE DETACHED DWELLINGS	72	30,866,751	72	0	253	104,734,241	253	0					
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0					
TOWNHOUSES	15	12,867,700	62	74	74	64,181,090	307	35					
DUPLEX, TRIPLEX, QUAD, APT BLDG	3	46,523,390	183	12	12	89,711,152	437	1					
RES-ALTER & ADDITIONS	232	6,554,386	14	743	743	24,362,225	40	246					
COMMERCIAL -ERECT	0	0	0	4	4	2,689,680	0	5					
COMMERCIAL - ADDITION	3	412,000	0	5	5	3,212,000	0	3					
COMMERCIAL - OTHER	48	5,413,200	0	241	241	23,458,570	0	53					
INDUSTRIAL - ERECT	1	680,000	0	4	4	301,130,000	0	0					
INDUSTRIAL - ADDITION	2	5,084,000	0	5	5	5,249,000	0	0					
INDUSTRIAL - OTHER	4	159,600	0	35	35	3,731,500	0	7					
INSTITUTIONAL - ERECT	0	0	0	0	0	0	0	0					
INSTITUTIONAL - ADDITION	1	126,000	0	1	1	126,000	0	0					
INSTITUTIONAL - OTHER	15	7,113,500	0	48	48	11,847,410	0	32					
AGRICULTURE	2	600,000	0	4	4	15,610,000	0	0					
SWIMMING POOL FENCES	32	656,800	0	71	71	1,624,533	0	30					
ADMINISTRATIVE	8	35,500	0	44	44	133,800	0	9					
DEMOLITION	7	0	2	36	36	0	19	19					
SIGNS/CANOPY - CITY PROPERTY	5	0	0	17	17	0	0	3					
SIGNS/CANOPY - PRIVATE PROPERTY	82	0	0	249	249	0	0	38					
<b>TOTALS</b>	<b>532</b>	<b>117,092,827</b>	<b>331</b>	<b>1,846</b>	<b>1,846</b>	<b>651,801,201</b>	<b>1,037</b>	<b>542</b>	<b>85,735,848</b>	<b>220</b>	<b>1,832</b>	<b>466,294,050</b>	<b>1,180</b>

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.

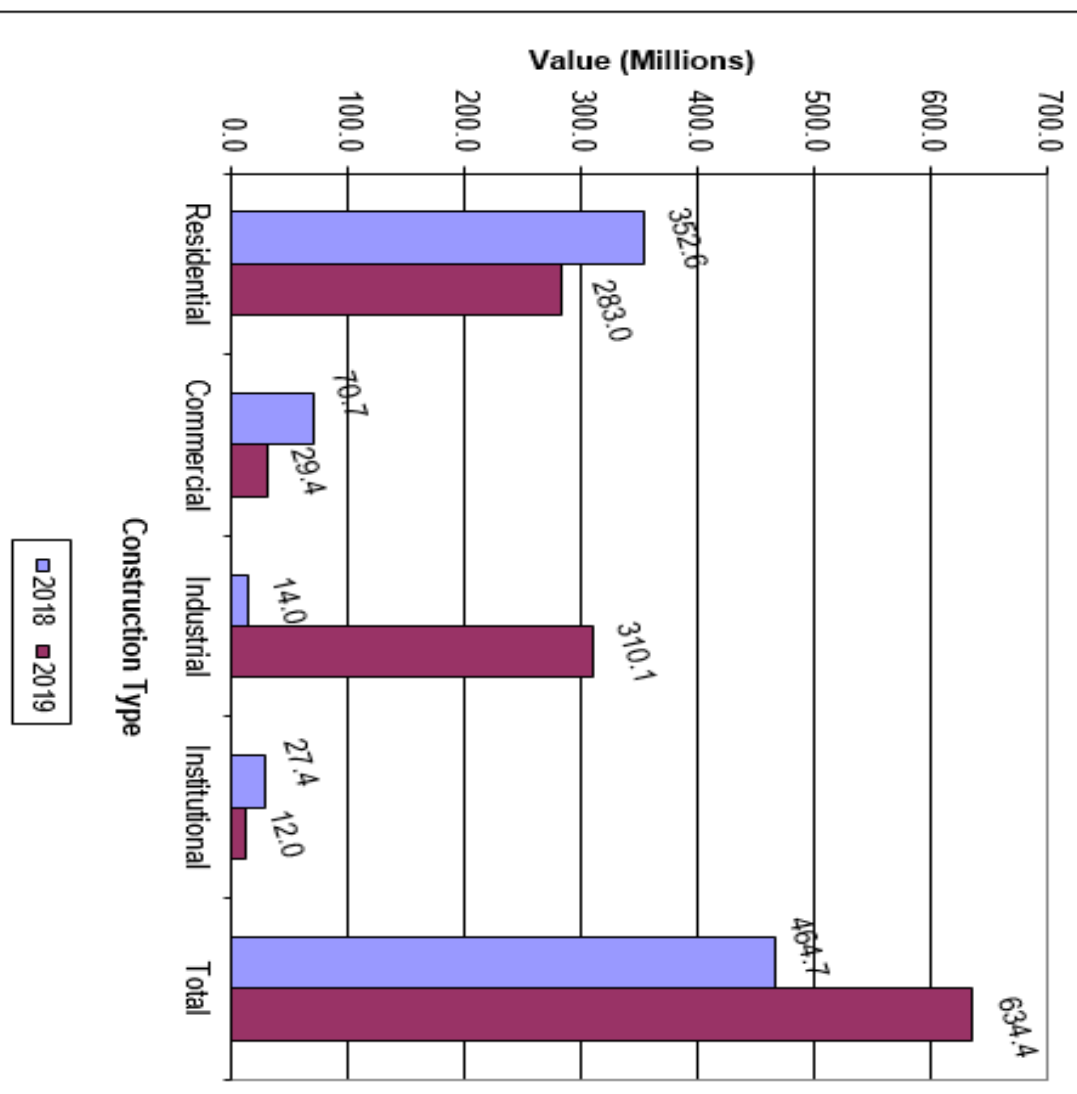
2) Mobile Signs are no longer reported.

3) Construction Values have been rounded up.

### Construction Value of Building Permits May



### Construction Value of Building Permits January to May



**City of London - Building Division  
Principal Permits Issued From May 01, 2019 to May 31, 2019**

<b>Owner</b>	<b>Project Location</b>	<b>Proposed Work</b>	<b>No. Of Units</b>	<b>Constr Value</b>
Rembrandt Homes Rembrandt Homes	1061 Eagletrace Dr 27	Erect-Townhouse - Cluster Sdd-Erect New Sdd, 1storey, 2 Car Garage, 4 Bedrooms, F	1	342,400
Rembrandt Homes Rembrandt Homes	1061 Eagletrace Dr 29	Erect-Townhouse - Cluster Sdd-Erect New Sdd, 1storey, 2 Car Garage, 4 Bedrooms, F	1	528,000
Rembrandt Homes Rembrandt Homes	1061 Eagletrace Dr 31	Erect-Townhouse - Cluster Sdd-Erect New Sdd, 2 Storey, 2 Car Garage, 4 Bedrooms, F	1	480,000
Rembrandt Homes Rembrandt Homes	1061 Eagletrace Dr 33	Erect-Townhouse - Cluster Sdd-Erect New Sdd, 2 Storey, 2 Car Garage, 4 Bedrooms, F	1	487,600
2447695 Ontario Inc 2447695 Ontario Inc	109 Fanshawe Park Rd E	Alter-Retail Store-Alter For Pet Valu Store In Unit 13. Note: Partial	0	130,000
M.F. Arnsby Property Management Ltd. M.F. Arnsby	1104 Jalna Blvd	Alter-Apartment Building-Balcony Repairs And New Guardrails	0	245,000
Property Management Ltd.				
The Board Of Western Ontario The Board Of	1151 Richmond St	Alter-University-Institutional - Alter Eatery Area In Spencer Engin	0	460,000
Governors The University Of Western Ontario				
Graystone Homes Ltd. Graystone Custom Homes Ltd.	1170 Riverbend Rd 1	Erect-Townhouse - Cluster Sdd-Erect New Build, 1 Storey, 2 Car Garage, 4 Bedroom	1	438,800
Hyde Park Square Inc	1195 Hyde Park Rd	Alter-Dental Offices-Alter - Cm Dental Office - Tenant Fit-Up For New O	0	184,800
	1231 Patann Dr	Add-Duplex-Add - Addition Of Building Attached To Rear Of Exs	1	159,000
Bluestone Properties Inc.	130 Dufferin Ave	Add-Offices-Alter - Cm Offices - Upgrade For Vestibule *Sprin	0	200,000
Suncor Energy Inc	1380 Wellington Rd	Alter-Service Stations-Cm - Replae Existing Canopy Top This Permit Doesn	0	200,000
2155110 Ontario Inc	140 Fullarton St	Alter-Offices-Comm- Alter Mackenzie Lake Law Offices On 17th Flo	0	906,000
Stefan Soumalias Summit Properties	148 Fullarton St	Alter-Offices-Alter - Cm Tailbot Centre - Office Renovations Of T	0	900,000
North Point (London) Inc	1696 Fiddlehead Pl	Erect-Apartment Building-Erect 4 Storey Apartment Building, Frr/Fpo, Founda	43	12,777,390
Sherwood Forest Square Ltd Sherwood Forest Square	170 Sherwood Forest Sq E	Erect-Apartment Building-Erect- New 4 Storey Apartment - Building "E" - 27	27	8,262,000
Ltd.				
Ironstone Company Inc. Ironstone Building Company	177 Edgevalley Rd	Install-Townhouse - Condo-Install Site Services	0	1,000,000
Inc.				
Sifton Properties Limited Properties Limited Sifton	1961 Shore Rd	Erect-Apartment Building-Erect 8 Storey Seniors Apartment Building With 113	113	25,484,000
Properties Limited				
Sukh Sandhu 2585013 Ontario Inc	1970 Hyde Park Rd 4	Alter-Restaurant <= 30 People-Red Swan Take-Out. Tenant Fit-Up. No Seating. All	0	162,000
Gerry Vanderhoek Greater London International Airport	1980 Otter Pl	Erect-Aircraft Hangers-Id - Erect Hanger No Inspections To Be Completed	0	680,000
Authority				
Sifton Properties Limited Properties Limited Sifton	2020 Logans Run H	Erect-Townhouse - Rental -Erect New Townhouse Building H. 6 Units, Dpn#S 53	6	879,600
Properties Limited				
Sifton Properties Limited Properties Limited Sifton	2020 Logans Run I	Erect-Townhouse - Condo-Erect New Townhouse Block I, 8 Units, 2 Storey, 1	8	1,360,800
Properties Limited				
Sifton Properties Limited Properties Limited Sifton	2020 Logans Run J	Erect-Townhouse - Rental -Erect New Townhouse Building J. 6 Units, Dpn#S 25	6	879,600
Properties Limited				
Sifton Properties Limited Properties Limited Sifton	2020 Logans Run K	Erect-Townhouse - Condo-Erect New Townhouse Block K, 6 Units, 2 Storey, 1	6	1,024,800
Properties Limited				
Sifton Properties Limited Properties Limited Sifton	2020 Logans Run L	Erect-Townhouse - Rental -Erect New Townhouse Building L. 6 Units, Dpn#S 1,	6	879,600
Properties Limited				
Sifton Properties Limited Properties Limited Sifton	2020 Logans Run M	Erect-Townhouse - Rental -Erect New Townhouse Building M. 6 Units, Dpn#S 2,	6	1,024,800
Properties Limited				
Auburn Inc. Auburn Developments Inc.	2491 Tokala Trail D	Erect-Townhouse - Condo-Erect Townhouse Block D, 2 Storey, 3 Bedrooms, 1 C	6	1,800,000
St Joseph's Health Care London St Joseph's Health	268 Grosvenor St	Alter-Hospitals-Inst - Alt Fluoroscopy Suite In Room C0-255 Frr/F	0	260,000
Care London				
Greengate Village Ltd Greengate Village Ltd	2700 Asima Dr	Erect-Townhouse - Condo-Erect Block 57, Units: 2698, 2702, 2706, 2710.	4	875,000
Dr. Oetker Canada Ltd.	3100 Nova Crt	Add-Food Processing Plant-Id - Addition To Dr Oetker	0	5,000,000
Calloway Real Estate Investment Trust Inc	330 Clarke Rd	Alter-Shopping Centre-Cm - Interior Alter To Create Self Checkout Area A	0	131,000

Permits\_Issued\_Greater\_100000\_Construction value

**City of London - Building Division  
Principal Permits Issued From May 01, 2019 to May 31, 2019**

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
London Centre London Health Sciences Centre	339 Windemere Rd	Alter-Hospitals-Is - Alt Operating Rooms On Level 2 Frt/Fpo	0	2,200,000
London Centre London Health Sciences Centre	339 Windemere Rd	Alter-Hospitals-Is - Alter Diagnostic Imaging Suites On Level 1 A	0	1,500,000
London Dairy Farms Ltd. London Dairy Farms Ltd.	3700 Old Victoria Rd	Add-Poultry Barn-Add Manure Storage	0	550,000
Thames Valley District School Board Thames Valley District School Board	43 Shaftesbury Ave	Install-Schools Elementary, Kindergarten-Is - Install Catchbasin And Storm Piping	0	150,000
Joel Mclean 2013798 Ontario Inc	44 Bathurst St N/S	Install-Site Services-Install Storm Sewer (Parking Lot)	0	300,000
Riocan Holdings Inc C/O Rio Can Management Inc	4465 Wellington Rd S	Alter-Gymnasia-Cm - Interior Alter To Expand Fitness Studio	0	275,000
772866 Ontario Limited C/O Larlyn Property Mgmt	530 Oxford St W	Alter-Retail Store-Alter - Cm - Value Village - Tenant Fit-Up To Inc	0	1,132,600
Cedar Hollow Developments Limited	600 Guinness Way E	Erect-Townhouse - Condo-Erect Rt, Block E, 3 Units, Dpns 24, 26, 28. Two	3	589,300
Cedar Hollow Developments Limited	600 Guinness Way I	Erect-Townhouse - Condo-Erect Rt, 6 Unit Townhouse - Block I - 2 Storey,	6	1,277,400
Homestead Holdings Ltd. Homestead Land Holdings Ltd.	690 Wonderland Rd N	Add-Garage For Apartment Building-Alter - Ra - Parking Garage Repairs ***Open Permi	0	230,000
Thames Valley District School Board Thames Valley District School Board	695 Chiddington Ave	Alter-Schools Elementary, Kindergarten-Is - Air Handler And Ductwork Alteration	0	498,000
London Centre London Health Sciences Centre	800 Commissioners Rd E	Alter-Hospitals-Is- Interior Alter To Diagnostic Imaging Rooms C1-	0	1,800,000
London Board Of Education School Board	84 Bow St	Add-Schools Elementary, Kindergarten-Is - Addition And Interior Remos	0	126,000
<b>Total Permits</b>	<b>44</b>	<b>Units</b>	<b>246</b>	<b>Value 78,770,490</b>

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

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

**Owner**

*Commercial permits regardless of construction value.*

## 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:** Foxhollow North Kent Developments Inc.  
2650 Buroak Drive  
Removal of Holding Provisions (h, h-54, h-71, h-95 and h-100)

## Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Foxhollow North Kent Developments Inc. relating to the property located at 2650 Buroak Drive, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on April 23, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the Zoning of 2650 Buroak Drive **FROM** a Holding Residential R6 (h.\*h-54\*h-71\*h-95\*h-100\*R6-5)) Zone **TO** a Residential R6 (R6-5) Zone to remove the h., h-54, h-71, h-95 and h-100 holding provisions.

## Executive Summary

### Summary of Request

To remove the h, h-54, h-71, h-95 and h-100 holding provisions from 2650 Buroak Drive for the consideration of building permits to construct a 57 unit cluster townhouse development.

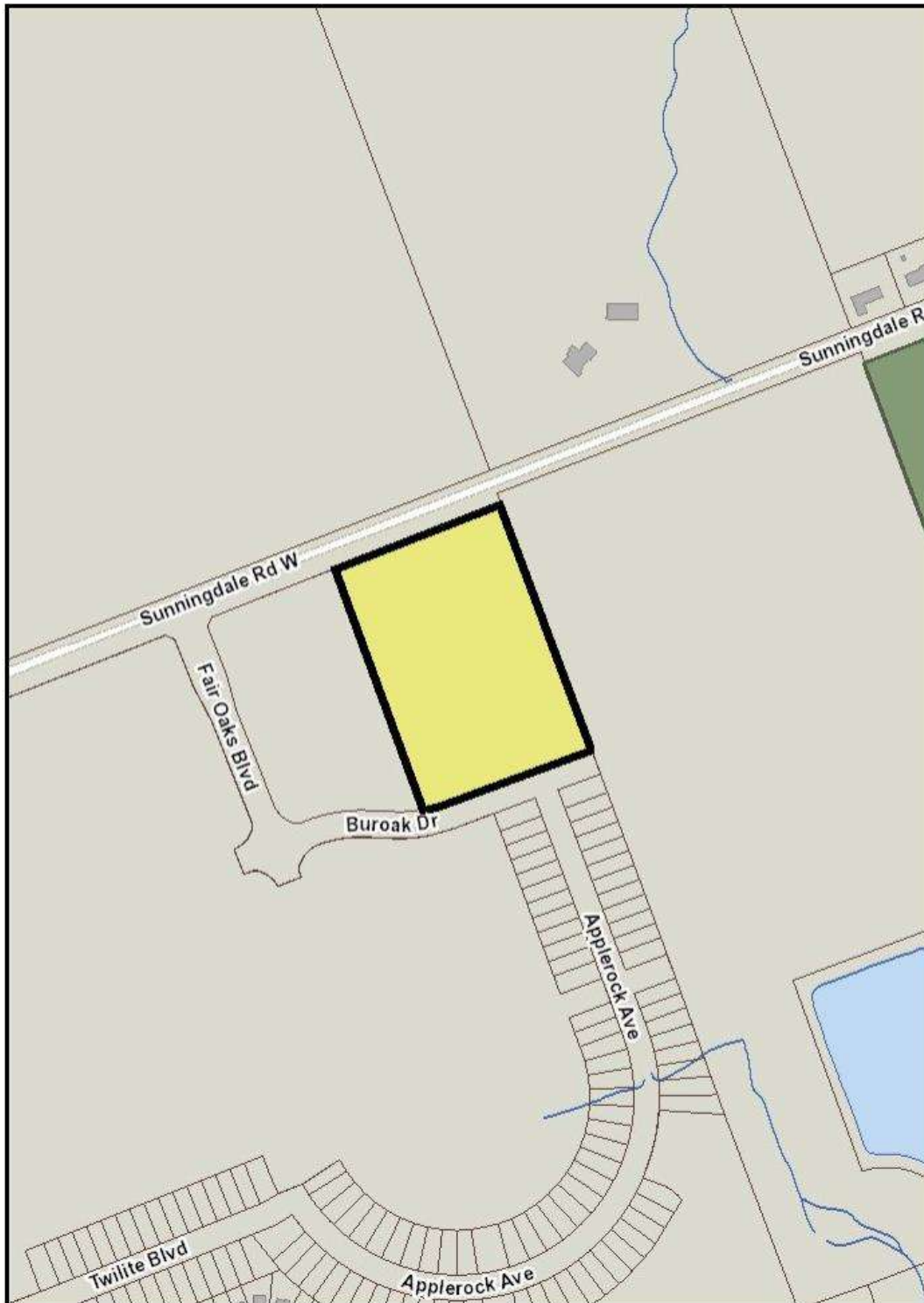
### Rationale of Recommended Action

1. The conditions for removing the holding (h, h-54, h-71, h-95 and h-100) provisions have been met and the recommended amendment will allow development of a proposed 57 unit cluster townhouse development in compliance with the Zoning By-law.
2. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.
3. As part of the Site Plan Approval process (SPA18-035), noise attenuation measures have been accepted, the site layout provides building orientation through a window street design, the plans and building elevations were reviewed for compliance with the Foxhollow Community Plan Design Guidelines and servicing and access arrangements have been accepted. The plans and building elevations have also been accepted and included in the approved Site Plan and Development Agreement.



# Analysis

## Location Map



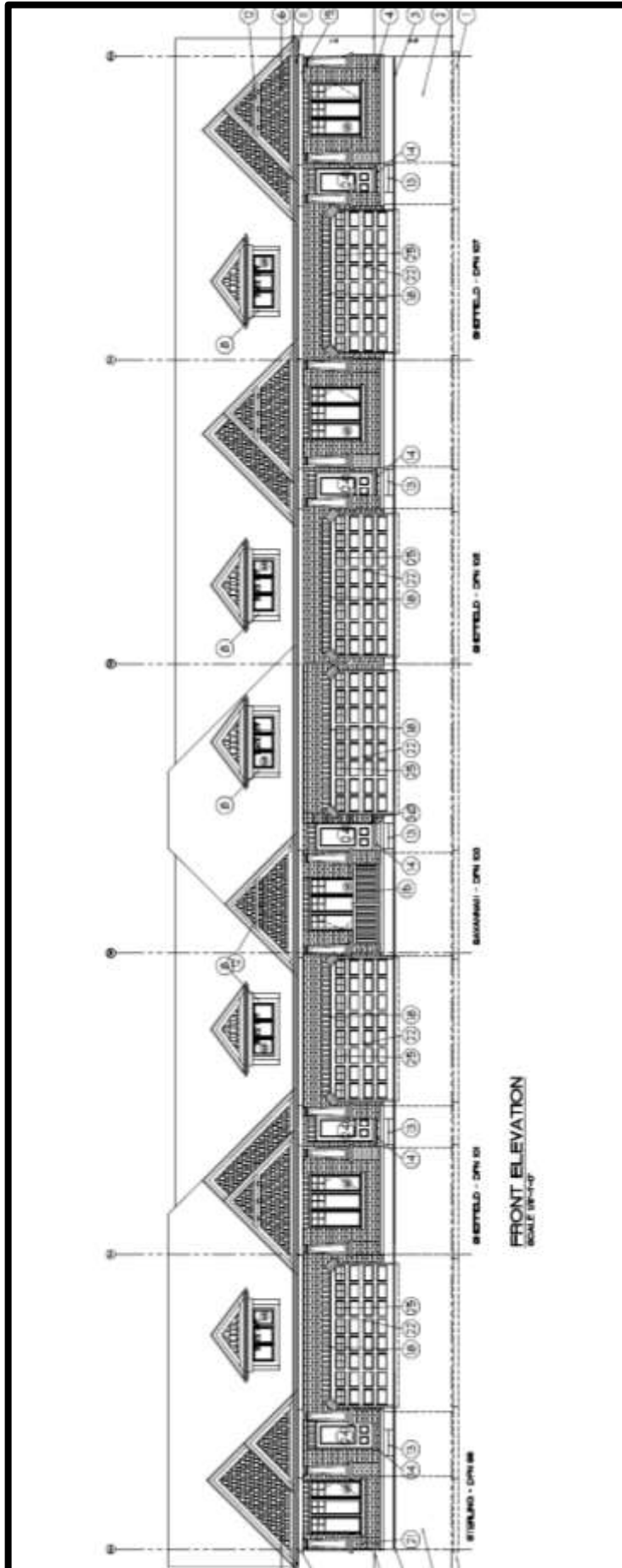
Location Map		Legend	
Subject Property:	2250 Buroak Drive Bldg A		Subject Property
Applicant:	AUBURN DEVELOPMENTS INC.		Parks
File Number:	H-8950		Assessment Parcels
Created By:	Craig Smith		Buildings
Date:	2/22/2019		Address Numbers
Scale:	1:4000		
Corporation of the City of London			

## 2.0 Description of Proposal

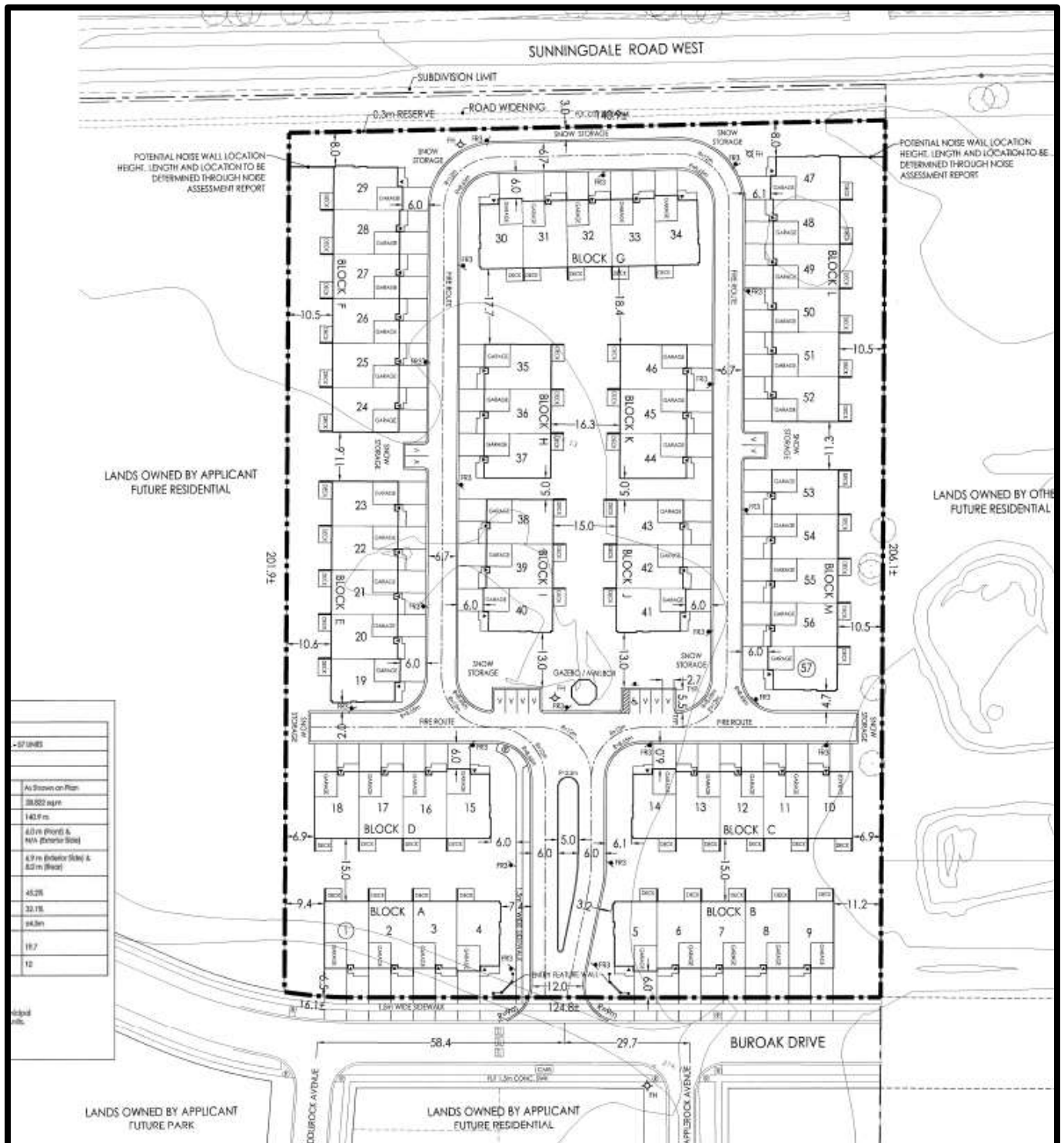
### 2.1 Development Proposal

The removal of the holding provision will allow 57 unit townhouses units to be developed on the site.

#### Proposed Elevations



**Proposed Site Plan**



**3.0 Key Issues and Considerations**

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

Site Plan Approval (SPA18-035) and the execution of a development agreement to construct a 57 unit townhouse development is imminent. The applicant has provided the required security with the City.

**h. Holding Provision**

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

*agreement or subdivision agreement is executed by the applicant and the City prior to development.*

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

#### **h-54 Holding Provision**

*h-54 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 applicant submitted a noise study, Road Traffic Noise Feasibility Study, HGC Engineering dated June 16, 2017 as part of the complete site plan approval application. The accepted noise mitigation measures (noise barriers and warning clauses) are included in the approved site plans and development agreement satisfying the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

#### **h-71 Holding Provision**

*h-71 Purpose: To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol.*

A window street has been provided along Sunningdale Road West. The utilization of the window street provides for a row of townhouses to orientate the front facades towards Sunningdale Road West. The development agreement will be executed implementing the accepted plan. It is appropriate to remove this holding provision at this time

#### **h-95 Holding Provision**

*h-95 Purpose: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues.*

The proposed plans and elevations are consistent with the Foxhollow Community Plan design guidelines and have been reviewed and accepted by Development Services. The development agreement will be executed implementing the accepted plan. It is appropriate to remove this holding provision at this time

#### **h-100 Holding Provision**

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

The site is serviced by Buroak Drive which has connections to Sunningdale Road West and the subdivisions to the east and south. There is a looped watermain system to service this development. As a result it is appropriate to remove the h-100 holding provision at this time.

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

## 5.0 Conclusion

It is appropriate to remove the h, h-54, h-71, h-95 and h-100 holding provisions from the Residential R6 (R6-5) Zone at this time. Removal of the holding provisions will allow for the consideration of building permits to permit the construction of a 57 unit townhouse development.

<b>Prepared by:</b>	<b>Craig Smith, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 15, 2019  
CS\mf

## Appendix A

### Appendix "(A)"

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

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

A by-law to amend By-law No. Z.-1 to  
remove holding provisions from the  
zoning of the land located at 2650 Buroak  
Drive.

WHEREAS Foxhollow North Kent Developments Inc. has applied to remove the holding provisions from the zoning for the land located at 2650 Buroak Drive, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2650 Buroak Drive, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R6 (R6-5) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on, July 30, 2019

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

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



File Number: H-8950  
Planner: CS  
Date Prepared: 2019/02/22  
Technician: rc  
By-Law No: Z.-1-

## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on September 6, 2018

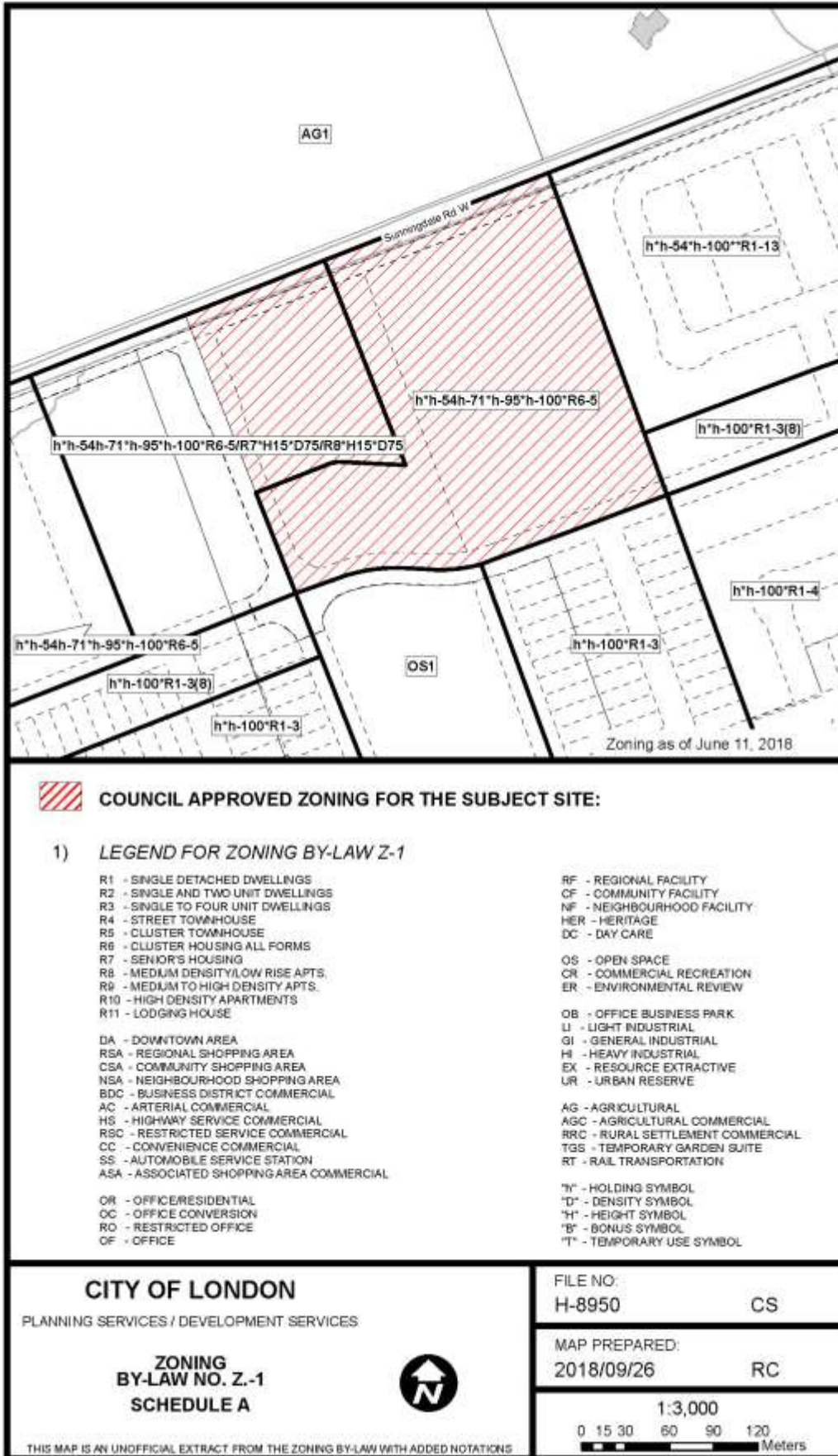
0 replies were received

**Nature of Liaison:** - City Council intends to consider removing the h.\*h-54\*h-71\*h-95 and h-100 holding provisions from the lands which requires for the provision of all municipal services, two or more public access, discouragement of noise walls, street orientation, and implement urban design concepts established through the Zoning By-law Amendment an agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than October 9, 2018.



# Appendix C

## Zoning Map



## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee  
**From:** Cathy Saunders, City Clerk  
**Subject:** Request for Council Resolution, under section 45(1.4) of the *Planning Act, 1990* – 660 Sunningdale Road East  
**Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the City Clerk, the report dated July 22, 2019 and entitled “Request for Council Resolution, under section 45(1.4) of the *Planning Act, 1990* – 660 Sunningdale Road East” **BE RECEIVED** for information.

## Background

This report is submitted in response to a request from Clawson Group Inc., on behalf of their client Extra Realty Limited, to obtain approval from the Municipal Council to submit a Minor Variance application with respect to the property known as 660 Sunningdale Road East in the City of London.

Section 45(1.3) of the *Planning Act, 1990* states:

“Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the by-law in respect to the land, building or structure before the second anniversary of the day on which the by-law was amended.”

Section 45(1.4) of the *Planning Act, 1990* states:

“Subsection (1.3) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made with respect of a specific application, a class of application or in respect of such applications generally.”

The Municipal Council at its meeting held on June 25, 2019 resolved:

“That M. Clawson, Clawson Group Inc. BE GRANTED delegation status at the June 22, 2019 Planning and Environment Committee meeting relating the application by Extra Realty Limited, with respect to the property located at 660 Sunningdale Road East. (2019-D13)”

In accordance with the above-noted sections of the *Planning Act, 1990*, Extra Realty Limited is requesting authorization from Municipal Council to submit a Minor Variance application with respect to the property known as 660 Sunningdale Road East.

To assist Municipal Council in consideration of the request, the balance of this report provides background information with respect to the previous *Planning Act* applications and zoning by-law information pertaining to the subject property.

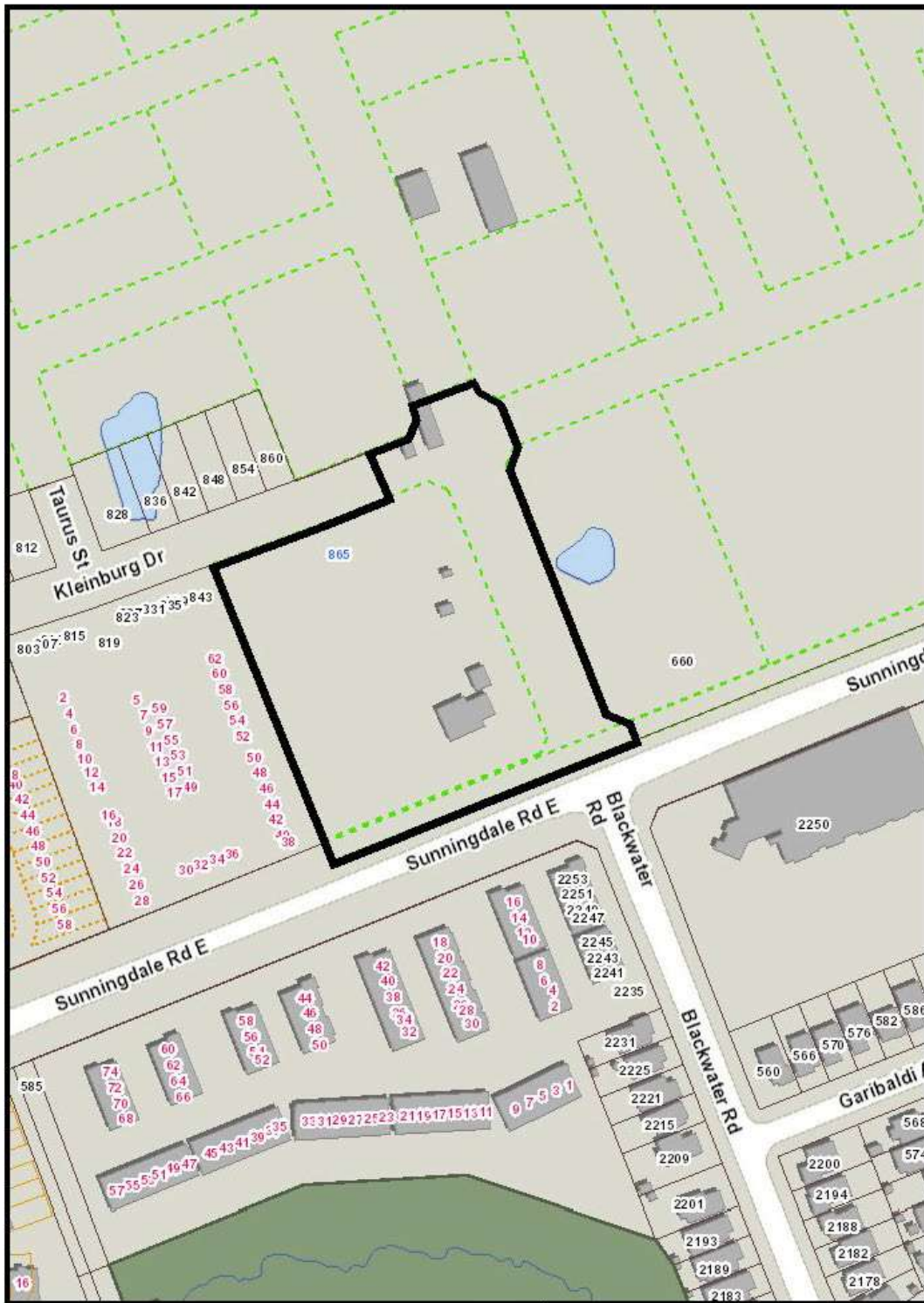
**Property History**

The request for delegation to speak to the subject matter is attached as Appendix “A” to this report. The request is to seek a resolution from Municipal Council to approve the submission of a Minor Variance Application to provide for the development of the subject property with the following relief from Zoning By-law requirements:

- to permit 3 less commercial parking spaces than required;
- to allow tandem parking spaces to be considered in the overall number of required parking spaces;
- to permit an increase in the proposed building height to 20 metres; and,
- to permit a reduced interior side yard setback of 7.0 metres.

If Municipal Council resolves that the applicant is permitted to submit an application to the Committee of Adjustment for a Minor Variance, the merits of the proposed application would be evaluated for consideration by the Committee of Adjustment.

Location Map



Location Map

Project Title: 39T-09501  
 Description: Location Map  
 Created By: Rob Carnegie  
 Date: 6/26/2019  
 Scale: 1:2000

Legend

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



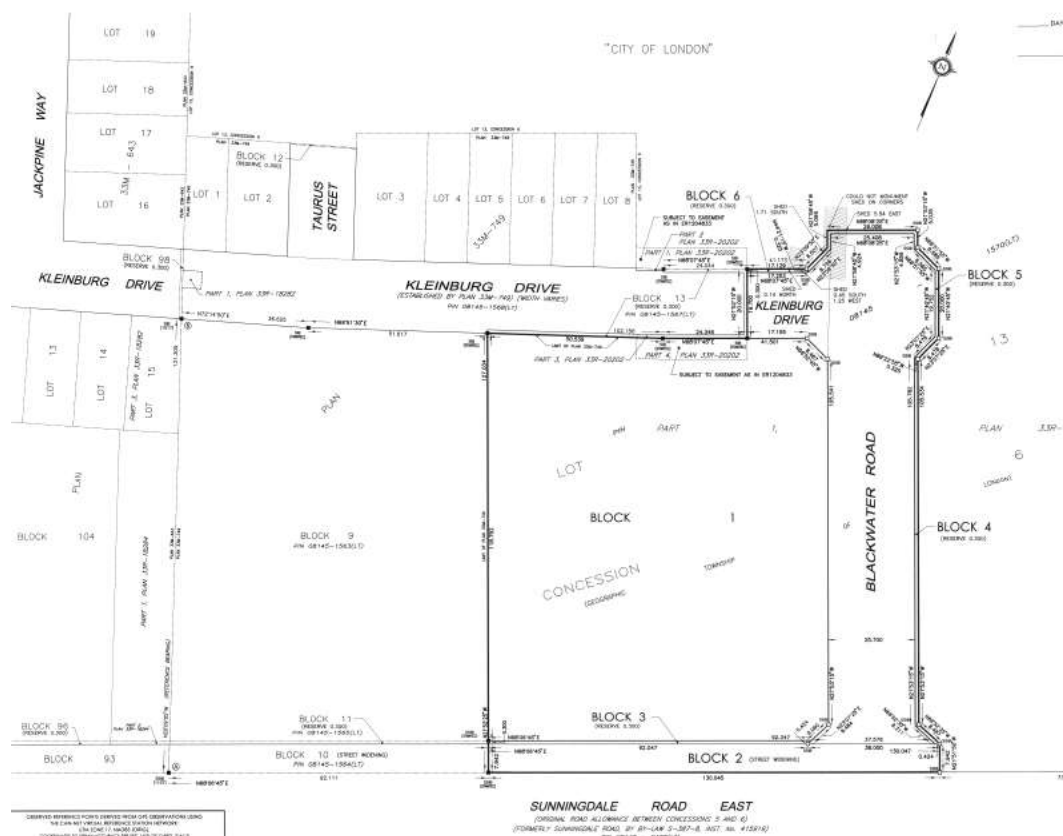


## Delegation Request C. Saunders

Draft plan approval was granted on February 21, 2018 by the Approval Authority. Phase 1 of the Applewood Subdivision was registered on August 17, 2018 as 33M-749. It consisted of eight (8) single detached lots, one (1) multi-family residential block, all served by the extension of Kleinburg Drive.

The subject site of this delegation/exemption request forms all of Phase 1B, which consists of Block 46, being a commercial/mixed use block, served by the extension of Blackwater Road, and received final approval by the Approval Authority on June 13, 2019, and was subsequently registered as 33M-764.

### Phase 1B (33M-764)



The proposed commercial Block (Blocks 46) is intended to provide for commercial uses geared towards the larger neighbourhood/area needs. The applicant requested an overall height of 18m through this application for both Blocks 46 and 47 to facilitate mixed use, multi-level development. The special provisions that were added to the commercial sites were all encompassed in the approved zoning to ensure that the future development creates a strong street wall and is pedestrian oriented.

### Planning History

The overall draft plan of subdivision (39T-09501) consists of a 42 hectare parcel of land located at the northwest corner of Adelaide Street North and Sunningdale Road East. It is located at the northerly limit of the City and borders with the Township of Middlesex Centre. The property slopes generally from north to south with a rolling terrain. The site currently contains a 4 hectare woodlot (designated as Environmentally Significant Area), a small Provincially Significant Wetland, and existing buildings including a single detached dwelling (located towards the south end of the property, adjacent to the extension of Blackwater Road), and two brick barns which have been designated under the provision of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, (currently under appeal).

There are currently three road connections that exist surrounding the property – Blackwater Road to the south, and Superior Drive and Kleinberg Drive from the west.

As noted above, Phase 1B of draft plan 39T-09501 received final approval by the Approval Authority on June 13, 2019 and was registered as 33M-764. Phase 1B includes Block 46, which is the subject of this report.

On May 15, 2019, Clawson Group Inc. submitted an application for Site Plan Consultation (SPC19-060) for Block 46 of draft plan 39T-09501. The Site Plan Group reviewed the application and provided a Record of Consultation on June 12, 2019. The Record identified that relief to the approved zoning for the subject property was required to facilitate development in the manner / form being proposed. On May 27, 2019, Mike Clawson of the Clawson Group Inc. submitted a letter to the Chair and Members of the Planning and Environment Committee, requesting delegation status at an upcoming meeting of the Committee.

### **Pertinent Matters from the Municipal Council Direction granting Approval**

The subject site located at 660 Sunningdale Road East (Block 46, 39T-09501), is zoned holding Business District Commercial Special Provision/Temporary (h•h-100•h-173•BDC2(9)\*H18/T-76). The special provisions approved by the Municipal Council are included below:

#### **BDC2 (9)**

##### **(a) Prohibited Uses**

- i) Dwelling Units on the ground floor

##### **(b) Regulations**

- i) Front & Exterior Side Yard Setback  
(Minimum) 2 metres (6.6 feet)  
(Maximum) 4 metres (13.1 feet)
- ii) Gross Leasable Floor Area  
(Maximum) 3000 m<sup>2</sup> (32,292 ft<sup>2</sup>)
- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.
- iv) Notwithstanding the provisions of Section 2 “LOT LINE, FRONT”, the frontage for this lot will be deemed to be along the primary collector.

#### **T-76**

Lands located at 660 Sunningdale Road East, the existing single detached dwelling structure, as it exists at the date of the passing of this by-law, located on Block 46 in draft approved plan 39T-09501, as shown on Key Map No. A102, may be used for any of the uses permitted within the BDC2 Zone, for a temporary period not exceeding three (3) years from

The following holding provisions have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement;
- (h-100) -to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available;

- (h-173) - to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

The existing BDC2 (9) Zone for Block 46 (west side of Blackwater Road), limits the gross floor area to 3000 m<sup>2</sup> (approx. 32,000 sq.ft.). This limit is provided for through the existing Official Plan and is anticipated to implement the smaller scale commercial needs for the local neighbourhood. The zoned height of 18 metres for Block 46 is meant to encourage additional mixed use buildings at this location and across the street as a gateway entry point into the subdivision

The BDC2 Zone, provides for a wide range of commercial and office type uses. The approved zoning prohibit residential uses on the ground floor for Block 46 as well as Block 47 (across the street to the east). The intent of the Main Street place type/designation is to provide larger scale commercial uses to serve the immediate area and the broader public, and to provide commercial uses within true mixed-use buildings. This is supported by the maximum zoned height of 18m and the restriction of residential uses on the ground floor, with minimal commercial uses. To this end, staff added a restriction to prohibit any residential uses on the ground floor of any BDC Zone variation within this development. The lotting of these Blocks do not create viable opportunities for residential uses on the ground floor of a mixed-use building and is not consistent with the intent and overall vision of this development. The regulations in the BDC Zone restrict residential units to above the first floor for any mixed use building within this development. This ensures that there are no “loopholes” in the zoning to permit forms of residential uses that are not compatible with development objectives for this subdivision. Encouraging mixed use buildings is a key intent of the new Main Street policies of The London Plan.

### **3.0 Policy Context**

#### **3.1 Planning Act**

The *Planning Act* provides the basis for the establishment of a Committee Adjustment to evaluate requests for relief from regulations of a Zoning By-law.

#### **Powers of Committee**

*45 (1) The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained. R.S.O. 1990, c. P.13, s. 45 (1); 2006, c. 23, s. 18 (1); 2009, c. 33, Schedule 21, s. 10 (11).*

On July 1, 2016, Bill 73 came into effect and implemented a number of legislative changes to the *Planning Act*. As part of Bill 73, Section 45 of the *Planning Act* was amended (45 (1.3)) by putting in place a two-year moratorium for minor variance applications within two years of the date of passing of a zoning by-law amendment. The intent of the changes to the *Planning Act* were to give greater control to municipalities to prevent the reversal of zoning provisions that council determined to be important through the by-law amendment processes. It was also recognized that there may be instances where material changes to development proposals are necessary and that minor relief from regulations are required to permit the development. To address this, provisions were further included in the *Planning Act* (45 (1.4)) to allow, by council resolution, the opportunity to submit an application for a Minor Variance.



**Two-year period, no application for minor variance**

*45 (1.3) Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended. 2015, c. 26, s. 29 (2).*

**Exception**

*45 (1.4) Subsection (1.3) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. 2015, c. 26, s. 29 (2).*

The applicant has made a request of Municipal Council by way of the Planning and Environment Committee in accordance with Section 45 (1.4), to permit such a resolution to be passed.

It should be noted that minor variances are deliberated by the Committee of Adjustment and that public notice to neighbouring properties would be provided should the application be permitted to be made.

**4.0 Conclusion**

Should the Municipal Council resolve to allow the applicant to submit a Minor Variance application to provide relief from the required parking spaces, building height and interior side yard setback, staff will present recommendations to the Committee of Adjustment with regard to the planning merits of the application.

<b>SUBMITTED BY:</b>	<b>CATHY SAUNDERS CITY CLERK</b>
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**APPENDIX A**

Chair and Members  
Planning and Environment Committee

Re: Request for Delegation Status for Clawson Group Inc. for the property located at 660 Sunningdale Road East, London, On.

Council adopted the site specific amending by-law No. Z.-1 on July 1, 1993. I am requesting delegation status at the Planning and Environment Committee meeting to be held on June 4, 2019 to request that the Civic Administration accept the application relating to the property located at 660 Sunningdale Road East, London, On.

The purpose of the Minor Variance application is to allow a reduction in commercial parking spaces by 3 total spaces, to allow the provided tandem parking spaces to be included in the overall provided parking space calculations, to increase the building height to 20.0m, and a reduction of the interior side yard requirement to 7.0m.

The reasons that we believe the application should be accepted by the Civic Administration are:

Reduction in Commercial parking spaces included within the site by 3 spaces:

On-street parking spaces are provided along Blackwater Rd in accordance with the street scape design of the community, which will provide short term parking that can be utilized for the Commercial spaces.

Tandem Parking Spaces included in provided parking space calculations:

These parking spaces can be utilized by residents who own more than one vehicle, as allowed with townhouse communities.

Increase of Building Height Maximum from 18.0m to 20.0m:

The additional height is to accommodate for comfortable ceiling heights within the Commercial spaces on the Ground Floor, along with added design flexibility allowing for an exceptionally stunning building within the city of London.

Reduction of Interior Side Yard minimum from 9.8m to 7.0m total:

A reduction of the interior side yard will achieve the desired massing along the surrounding streetscapes, maintaining the orientation and overall building design while accommodating the under-building parking.

Sincerely,



Michael Clawson  
Clawson Group Inc.

# London Advisory Committee on Heritage

## Report

7th Meeting of the London Advisory Committee on Heritage  
July 10, 2019  
Committee Rooms #1 and #2

Attendance                   PRESENT: D. Dudek (Chair), S. Bergman, M. Bloxam, J. Dent, L. Fischer, S. Gibson, T. Jenkins, J. Manness, J. Monk, E. Rath, M. Rice, S. Spindler, K. Waud and M. Whalley and J. Bunn (Secretary)

ALSO PRESENT: L. Dent, K. Gonyou, L. Jones and M. Schulthess

The meeting was called to order at 5:30 PM.

### 1. Call to Order

#### 1.1 Orientation

That it BE NOTED that the London Advisory Committee on Heritage heard a verbal presentation from M. Schulthess, Deputy City Clerk, with respect to an Advisory Committee orientation.

#### 1.2 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

#### 1.3 Election of Chair and Vice Chair for the term ending November 30, 2019

That it BE NOTED that the London Advisory Committee on Heritage elected D. Dudek and M. Whalley as Chair and Vice Chair, respectively, for the term ending November 30, 2019.

### 2. Scheduled Items

#### 2.1 Heritage Alteration Permit Application by Kristine Strybosch at 117 Wilson Avenue - Blackfriars/Petersville 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 seeking retroactive approval for previously completed alterations to the property located at 117 Wilson Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE APPROVED with the following terms and conditions:

- the existing gable cladding be painted;
- the existing glass lite of the existing front door be replaced with a plain glass lite as proposed in Appendix C, as appended to the staff report dated July 10, 2019, and the door be painted; and,
- the existing porch be constructed of wood, with a wooden guard/railing with top and bottom rail and wooden square spindles set between, as per the drawings in Appendix C, as appended to the staff report dated July 10, 2019, and all exposed wood be painted;

it being noted that the attached presentations from K. Gonyou, Heritage Planner, K. Strybosch and W. Pol, with respect to this matter, were received.

2.2 Request for Designation under Part IV of the Ontario Heritage Act by Kilworth United Church (2442 Oxford Street West)

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for designation of the heritage listed property at 2442 Oxford Street West (Kilworth United Church), 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 D of this report; and,
- b) should no appeals be received to Municipal Council's notice of intention to designate, a by-law to designate the property at 2442 Oxford Street West to be of cultural heritage value or interest for the reasons outlined in Appendix D 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 Municipal Council's notice of intention 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. Gonyou, Heritage Planner and the attached photographs submitted by B. Moyer, with respect to this matter, were received.

2.3 Demolition Request for Heritage Listed Property at 567 King Street by J E. and K.A. O'Neil

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property at 567 King Street, the following actions be taken:

- a) the property owner BE REQUESTED to salvage any elements or artifacts from the building appropriate for reuse;
- b) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the building on this property; and,
- c) the property at 567 King Street BE REMOVED from the Register;

it being noted that the attached presentation from K. Gonyou, Heritage Planner, as well as a verbal delegation from J. O'Neil, with respect to this matter, were received.

2.4 Heritage Alteration Permit Application by N. Carter at 10 Napier Street - Blackfriars/Petersville Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to construct an addition and alterations to the existing building located at 10 Napier Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the drawings included in Appendix C, as appended to the staff report dated July 10, 2019 with the following terms and conditions:

- all exposed wood and the doors be painted;
- the Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,

· the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, was received.

2.5 Notice of Planning Application - Intent to Revise the Wording for the Existing H-18 Holding Provision

That it BE NOTED that the Notice of Planning Application, dated May 14, 2019, from C. Parker, Senior Planner, with respect to the intent to revise the wording for the existing H-18 Holding Provision, as well as a verbal delegation from C. Parker, were received.

**3. Consent**

3.1 6th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 6th Report of the London Advisory Committee on Heritage, from its meeting held on May 8, 2019, was received.

3.2 Municipal Council Resolution - 6th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on May 21, 2019, with respect to the 6th Report of the London Advisory Committee on Heritage, was received.

3.3 Public Meeting Notice - Official Plan Amendment - Draft Victoria Park Secondary Plan

That it BE NOTED that the Public Meeting Notice, dated May 31, 2019, from M. Knieriem, Planner II, with respect to an Official Plan Amendment related to the Draft Victoria Park Secondary Plan, was received.

3.4 Notice of Planning Application - Zoning By-law Amendment - 1600-1658 Hyde Park Road and 1069 Gainsborough Road

That it BE NOTED that the Notice of Planning Application, dated May 30, 2019, from C. Smith, Senior Planner, with respect to a Zoning By-law Amendment related to the properties located at 1600-1658 Hyde Park Road and 1069 Gainsborough Road, was received.

3.5 Register of Cultural Heritage Resources

That it BE NOTED that the staff report dated July 10, 2019, as well as the attached presentation from K. Gonyou, Heritage Planner, with respect to the Register of Cultural Heritage Resources, were received.

3.6 City of London Long Term Water Storage Municipal Class Environmental Assessment - Notice of Project Completion

That it BE NOTED that the Notice of Project Completion, from P. Lupton, City of London and J. Haasen, AECOM Canada, with respect to the City of London Long Term Water Storage Municipal Class Environmental Assessment, was received.

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

##### 4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from its meeting held on June 26, 2019, was received.

##### 4.2 Archaeology Sub-Committee Report

That the following actions be taken with respect to the Archaeology Sub-Committee Report, as appended to the agenda:

a) the attached, above-noted Archaeology Sub-Committee Report BE FORWARDED to the Civic Administration as part of the review of the wording of the H-18 Holding Provision; and,

b) the Civic Administration BE REQUESTED to circulate the revised H-18 Holding Provision to the London Advisory Committee on Heritage at a future meeting for review.

#### 5. Items for Discussion

##### 5.1 Heritage Places 2.0

That the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the Heritage Places 2.0 document, as appended to the agenda;

it being noted that the LACH recommends that the above-noted document be reviewed every five years;

it being further noted that the attached presentation from L. Dent, Heritage Planner, with respect to this matter, was received.

##### 5.2 Heritage Alteration Permit Application by St. Stephen's House at 25 Blackfriars Street - Blackfriars/Petersville Heritage Conservation District

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to alter the porch of the building located at 25 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the proposed alteration drawings in Appendix C, as appended to the staff report dated July 10, 2019, with the following terms and conditions:

- no decorative brackets be installed;
- the existing dentil details be restored;
- turned, painted wood spindles be spaced no greater than 3" apart on centre;
- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, was received.

##### 5.3 Heritage Alteration Permit Application by E. Snihurowych at 783 Hellmuth Avenue - Bishop Hellmuth Heritage Conservation District

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the application under

Section 42 of the Ontario Heritage Act seeking retroactive approval to alter the porch of the building located at 783 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, BE PERMITTED; it being noted that the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, was received.

5.4 Mayor's New Year's Honour List

That it BE NOTED that the communication dated July 2, 2019, from C. Saunders, City Clerk, with respect to the 2020 Mayor's New Years Honour List Call for Nominations, was received.

5.5 Heritage Planners' Report

That it BE NOTED that the attached submission from K. Gonyou and L. Dent, Heritage Planners, with respect to various updates and events, was received.

**6. Adjournment**

The meeting adjourned at 8:37 PM.





 

## Heritage Alteration Permit 117 Wilson Avenue, Blackfriars/Petersville Heritage Conservation District

London Advisory Committee on Heritage  
Wednesday July 10, 2019

[london.ca](http://london.ca)

 **117 Wilson Avenue**





- Blackfriars/Petersville Heritage Conservation District
- Designated on May 15, 2015
- Contributing Resource
- Unapproved alterations in Summer 2018
- Complaint
- HAP application received on June 18, 2019
- Decision required by September 16, 2019

 **Prior to Alterations**



Property at 117 Wilson Avenue in June 2016 (courtesy Google).

 **During Alterations**



07/12/2018



**During Alterations**



**Unapproved Alterations**

**Blackfriars/Petersville HCD Plan**

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

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

**Blackfriars/Petersville HCD Plan**

- Policy 7.4.1.e: Alterations that have the potential to impact heritage attributes of a protected heritage resource shall not be permitted.
- Policy 7.4.1.i: Major alterations to the exterior façade of a contributing resource shall not be permitted. Such alteration should only be considered where the intent is to conserve the contributing resource.
- Policy 7.4.1.j: Additions or alterations to contributing resources should be sympathetic, subordinate, distinguishable, and contextual in relation to the existing resource and its context, as well as the heritage attributes and cultural heritage value of the Blackfriars/Petersville Heritage Conservation District.




 **HAP Required**


Table 1, Section 8, *Blackfriars/Petersville HCD Plan*:

- Shutter removal or addition
- Door replacement, different material, size, or design
- Porch/verandah replacement, different material, size, and design
- Removal/installation of cladding/siding, different material, colour


 **HAP Application**

- Re-clad the exterior of the building, with the existing vinyl board and batten siding and existing faux "cedar shake" vinyl siding in the gables
- Remove the former shutters
- Replace the front door
- Construct a front porch


 **Exterior Re-Cladding**




Existing vinyl board and batten abutting former brick or brick like cladding (chimney shown)




Existing vinyl faux cedar shingle style cladding in the gable


 **Shutters**




Former shutters affixed adjacent to the front window




No shutters on the existing exterior


 **Front Door**




Former front door




Existing front door





Recommended front door, plain glass lite

 **Porch**




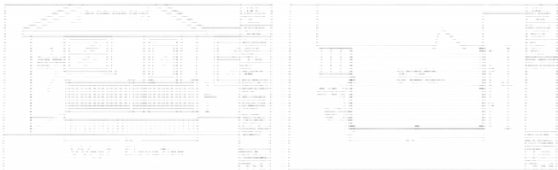
Former front porch

 **Porch**

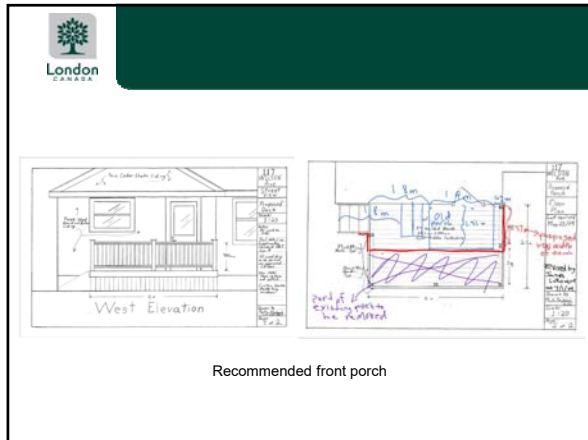


Existing front porch

 **Porch**



Proposed front porch



## Ontario Heritage Act

Section 42(4): Within 90 days after the notice of receipt is served on the applicant under subsection (3) or within such longer period as is agreed upon by the applicant and the council, the council may give the applicant,

- the permit applied for;
- notice that the council is refusing the application for the permit; or
- the permit applied for, with terms and conditions attached. 2005, c. 6, s. 32 (3).

## 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* seeking retroactive approval for previously completed alterations to the property located at 117 Wilson Avenue, within the Blackfriars/Petersville Heritage Conservation District, **BE APPROVED** with the following terms and conditions:

- The existing gable cladding be painted;
- The existing glass lite of the existing front door be replaced with a plain glass lite as proposed, per Appendix C, and the door be painted; and,
- The existing porch be reduced in size, per the drawings in Appendix C, projecting a maximum width of 1.37m from the façade of the building and across the façade of the building a maximum length of 4.0m plus the required stairs with matching guard/railing, constructed of wood, with a wooden guard/railing with top and bottom rail and wooden square spindles set between, per the drawings in Appendix C, and all exposed wood be painted.





Heritage Alteration Permit Application  
117 Wilson Avenue

- a) Retain the existing colour of the gable cladding
- b) Retain the existing frosted door lite and colour
- c) Retain the existing exposed wooden stairs and railing
- c.4) Retain the existing porch 2.5 m deep by 4.0 m long



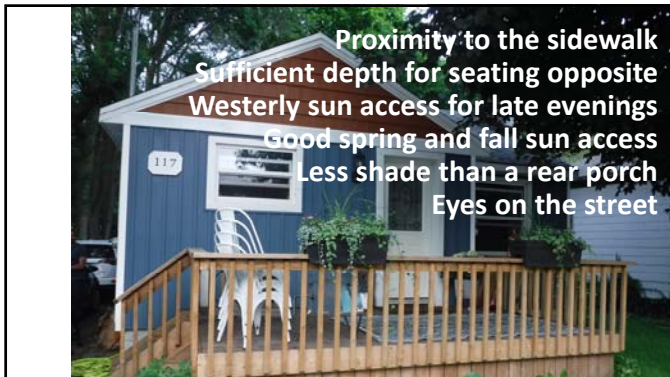
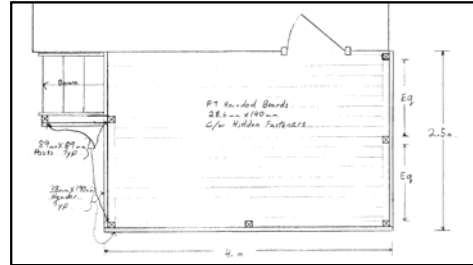
HCD Plan 7.4.1 Policies

- Minor addition of a porch is a positive impact on the Blackfriars/Petersville Heritage Conservation District
- It is sympathetic and contextual in relation to the existing resources
- Supports the cultural heritage value of porches in the District

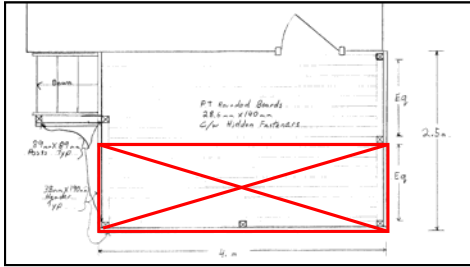
Ms. Kristine Strybosch HAP applicant  
 117 Wilson Avenue - Recommendation

- a) Paint the existing gable cladding – **AGREE**
- b) Replace the door lite with plain glass and paint the door – **AGREE**
- c) Wooden stairs and railing with top and bottom rail and square spindles between and painted – **AGREE**
- c.4) Reduce the porch depth to 1.37 m ( 4.5 feet) - **OPPOSED**

Requested porch:  
 Depth 2.5 m (8.2 ft); Length 4.0 m (13.1 ft)  
 Area: 10 m<sup>2</sup>( 107 ft<sup>2</sup>)



**City Recommendation:**  
 Depth 1.37 m (8.2 ft); Length 4.0 m (13.1 ft)  
 Area: 5.48 m<sup>2</sup> ( 58.9 ft<sup>2</sup>) reduction of 48.1 ft<sup>2</sup>



**Our Front Entrance Before**

- Not Functional
- Uncomfortable
- Concrete stoop
- Dangerous
- Crumbling
- Not Inviting



**Our Front Entrance After**

- Supports Heritage Values
- Welcoming
- Safe
- Inviting
- Functional
- Attractive
- Comfortable
- An artistic expression as built by the owners
- Promotes a sense of being a "safe and friendly neighbourhood"



Provincial Policy Statement 2014

*1.7 d) "encouraging a sense of place, by promoting well-designed built form.. And by conserving features that help define character,..."*



London Plan

Cultural Heritage 554. *Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.*

Place Types Neighbourhoods 918: *Through the review of all planning and development applications, neighbourhoods will be designed to create and enhance a strong neighbourhood character, sense of place and identity.*

10.0 Architectural design guidelines

- To manage change and preserve the existing unique architectural character... Tangible and intangible characteristics valued by the residents
- Tangible: physical aspects to convey ideas, emotions tell stories
- Intangible: experiences, emotions and ideas created by built elements
- Example: ubiquitous front porch and intimate relation to the public sidewalk and adjacent porches.
- Sense of a friendly safe neighbourhood

Large Porches  
in the Area  
\*All are  
contributing  
resources

21. Albion St.



100  
Albion St



### Architectural Design Guidelines: 10.2.5 Porches

- Porches are additions to the basic house
- A place to see from and to be seen in
- Social interaction is possible and encouraged
- Early porches were modest
- As owners became more affluent porches grew larger

57 Albion St



10  
Blackfriars St



120 Wilson  
Ave.



Community  
Support

We collected **over**  
a **100 signatures**  
from our  
neighbours,  
demonstrating  
their support for  
our changes!

LACH Committee request for  
117 Wilson Avenue

Clauses a) and b) no change

Delete the phrase in clause c):

~~c) The existing porch be reduced in size, per the drawings in Appendix C, projecting a maximum width of 1.37m from the façade of the building and across the façade of the building a maximum length of 4.0m plus~~

Retain the remainder of clause c)

Thank you.  
Questions?








## Request for Designation 2442 Oxford Street West Kilworth United Church

London Advisory Committee on Heritage  
Wednesday July 10, 2019

london.ca




## 2442 Oxford Street West




- Kilworth Village
- Former Delaware Township
- Annexed 1993
- Surrounded by Komoka Provincial Park
- Listed on the Register

Property location of 2442 Oxford Street West




## Kilworth United Church



- Built 1850-1851
- Methodist Episcopal Church
- Stone sanctuary
- Gothic Revival (1876 windows)
- Stone vestibule (1939)

Kilworth United Church prior to 1939. Source: Delaware Women's Institute, *Tweedsmuir History* Vol. 1, c.1947-1971 (Middlesex Centre Archives), B44.




## Ontario Regulation 9/06

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 whether it is of cultural heritage value or interest:

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.

## Cultural Heritage Evaluation Report



**Kilworth Heritage Evaluation Report**

Project No.	Martin Collins
Date	2017-12-01, revised 2018-01-14
Municipal Address	2441 Oakleaf St W London, ON N6L 6K1
Executive Name	Kilworth United Church
Date of Construction	1870-1875
Designated Organ	Kilworth Episcopal Methodist Church
Legal Description	Lot 47 and part Lot 17, RCP 239, designated as Part 1, 4, 5, 6, 10B
Map	1184, Ontario Township
File #	1001100100000

Approved by: [Signature]

City of London Planning Dept. - 241, South St. W. (1st)  
 Council on Environmental Cultural Heritage Value in Motion

Physical Design Value	15	25
Historical/Associative Value	10	25
Contextual Value	10	25


A property can be designated under Section 21 of the Toronto City Act if it is within one or more of the above criteria. Ontario Heritage Act (Regulation 610)

- Martha Sellens, graduate student
- Historical research
- Evaluation using O. Reg. 9/06 criteria
- Presented to Kilworth United Church
- Comments and revisions

## Cultural Heritage Value

- Physical or Design Values
  - Rare, early modest vernacular stone church with Gothic Revival stylistic elements
- Historical or Associative Values
  - Methodism and the United Church
  - Pioneer families
  - Kilworth
- Contextual Values
  - Defining, maintaining, and supporting the character of Kilworth
  - Landmark


## Comparative Analysis








Heritage listed and designated properties in and near Kilworth

- Under-represented area in heritage listed and designated properties
- Second oldest church building in the City of London
- Rare stone building
- High degree of integrity

## Heritage Attributes




1. Front, north, and west walls of the building, vestibule and sanctuary
2. Location of the building on the property
3. Stone construction of the building including granite field stones and limestone
4. Stained glass windows including eight pointed arch windows in the Sanctuary (three on east wall, three on west wall, two on north wall), and one pointed lancet on the north side above the main door
5. Simple gable roof with bell and belfry

**London**

## Consultation



- Review by experts
- Two meetings with Kilworth United Church
- Letter of support
- Designation of stone church building

**London**

## 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 designation of the heritage listed property at 2442 Oxford Street West (Kilworth United Church), 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 D of this report; and,
- b) Should no appeals be received to Municipal Council's notice of intention to designate, a by-law to designate the property at 2442 Oxford Street West to be of cultural heritage value or interest for the reasons outlined in Appendix D 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 Municipal Council's notice of intention to designate be received, the City Clerk will refer the appeal to the Conservation Review Board.

**London**

## Acknowledgments

- Martha Sellens, graduate of Public History Program, Western University
- Beth Moyer, Kilworth historian and member of Kilworth United Church
- Linda Kaiser, Delaware Township historian and Director of Middlesex Centre Archives
- Kilworth United Church





MILWORTH

METHODIST

CHURCH









## Demolition Request for Heritage Listed Property 567 King Street

London Advisory Committee on Heritage  
Wednesday July 10, 2019  
london.ca

 **567 King Street**




 **567 King Street**



- Built c.1880-1881
- First owned and occupied by Joseph Sanders, plasterer
- Buff brick
- Two-storey
- Three-bay
- Shallow hipped roof
- Italianate

 **Demolition Request**


- Heritage listed property
- Demolition Request received June 4, 2019
- 60-day review timeline per Section 27(3), *Ontario Heritage Act*
- Timeline expires on August 3, 2019
- Site visit on June 24, 2019
- Notice sent to property owners within 120m and published in *The Londoner*
- Public participation meeting at the Planning & Environment Committee on July 22, 2019



## Ontario Regulation 9/06


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 whether it is of cultural heritage value or interest:

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.




## Physical or Design Values

Is a rare, unique, representative or early example of a style, type, expression, material, or construction method	The property at 567 King Street has been identified as reflecting elements of the Italianate architectural style in its buff brick construction, vertical emphasis in window and door openings, and shallow hipped roof.  The property at 567 King Street is not a rare, unique, or early example of a style, type, expression, material, or construction method. The Italianate architectural style was popular in London in the 1870s and 1880s, with many comparable examples, including those of an earlier date (see Appendix D). Attributed to the number of comparison properties, the subject property cannot be considered rare or unique from a City-wide or area/neighbourhood perspective. As there are many stronger examples of the style, type, expression, material, and construction method which retain a higher degree of integrity in their demonstration or articulation of the Italianate architectural style, the subject property at 567 King Street is not considered to be representative.
Displays a high degree of craftsmanship or artistic merit	The property at 567 King Street does not display a high degree of craftsmanship or artistic merit.
Demonstrates a high degree of technical or scientific achievement	The property at 567 King Street is not known to demonstrate technical or scientific achievement.




## Historical or Associative Values

Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	Historical research undertaken for the property at 567 King Street has not identified any direct associations with a theme, event, belief, person, activity, organization, or institution that are significant to a community.
Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	The property at 567 King Street is not believed to yield or have the potential to yield information that contributes to an understanding of a community or a culture in a significant way.
Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	Historical research undertaken for the property at 567 King Street did not attribute the building's construction to an architect, artist, builder, designer, or theorist.




## Contextual Values


Is important in defining, maintaining, or supporting the character of an area	The property at 567 King Street contributes to the character of the area, however not in a significant manner. The subject property has a relationship to the adjacent property at 575 King Street, as any adjacent property would (similar setback, similar height; different scale, material, and massing); the relationship is not significant between the two built structures. The character of the area has been previously affected by demolitions resulting in the amount of surface parking lots in the vicinity, as well as the change in uses from predominantly residential to commercial or institutional which may or may not retain the residential form of buildings. The subject property does not sufficiently represent the character of the area to warrant its retention of a relic of the area's past or changing character.
Is physically, functionally, visually, or historically linked to its surroundings	The property at 567 King Street is not physically, functionally, visually, or historically linked to its surroundings in a significant manner.
Is a landmark	The property at 567 King Street is not believed to be a landmark in the community.

 **Comparative Analysis**

- Two-storey, buff brick, three-bay, hipped roof, Italianate residential buildings
- 44 examples
- Integrity as a representative example of the Italianate architectural style



469 King Street



23 Peter Street

 **Recommendation Options**

1. Recommend designation pursuant to Part IV, *Ontario Heritage Act* to prevent demolition
2. Recommend that the property be removed from the Register, allowing the demolition to proceed

Not possible to include terms and conditions on a demolition request for a heritage listed property

 **Recommendation**

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property at 567 King Street, that the following actions **BE TAKEN**:

- a) The property owner **BE REQUESTED** to salvage any elements or artifacts from the building appropriate for reuse;
- b) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the building on this property; and,
- c) The property at 567 King Street **BE REMOVED** from the Register.








## Heritage Alteration Permit 10 Napier Street Blackfriars/Petersville Heritage Conservation District

London Advisory Committee on Heritage  
Wednesday July 10, 2019

london.ca




## 10 Napier Street



- Blackfriars/Petersville Heritage Conservation District
- Designated on May 15, 2019
- Contributing Resource
- HAP application received on June 17, 2019
- Decision required by September 15, 2019



## Contributing Resource

## *Blackfriars/Petersville HCD Plan*

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

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



## Blackfriars/Petersville HCD Plan

- Policy 7.4.1.e: Alterations that have the potential to impact heritage attributes of a protected heritage resource shall not be permitted.
- Policy 7.4.1.i: Major alterations to the exterior façade of a contributing resource shall not be permitted. Such alteration should only be considered where the intent is to conserve the contributing resource.
- Policy 7.4.1.j: Additions or alterations to contributing resources should be sympathetic, subordinate, distinguishable, and contextual in relation to the existing resource and its context, as well as the heritage attributes and cultural heritage value of the Blackfriars/Petersville Heritage Conservation District.



## Design Considerations

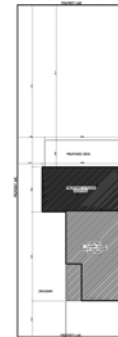


## HAP Application

- Addition to the rear of the existing house, approximately 20'6" by 36'5" and two-storeys in height and matching the foundation height of the existing building (no basement), clad in fiber cement board ("Hardie Board") in a horizontal clapboard pattern with end boards, a shallow hipped roof with asphalt shingles, and single or double hung vinyl windows with fiber cement board trim;
- Second storey addition to the existing one-storey building; and,
- Exterior alterations, including:
  - Remove the existing stucco cladding and cladding the existing building in fiber cement board ("Hardie Board") in a horizontal clapboard pattern with end boards to match the proposed addition;
  - New single or double hung vinyl windows with fiber cement board trim;
  - Replacement of the existing wood railing/guard and steps for the porch with new wood railings/guard in a traditional style, with trimmed square posts and square spindles at the front/side porch and side entry;
  - New asphalt shingles with aluminum soffit, fascia, and eaves;
  - Retained front door with the doorway trimmed in fiber cement board, with the side door to match the existing door; and,
- Retaining the existing driveway.



## Proposed Site Plan





# Proposed Elevations







## Register of Cultural Heritage Resources

London Advisory Committee on Heritage  
Wednesday July 10, 2019

london.ca



## Inventory of Heritage Resources


## Ontario Heritage Act


- Section 27(1.1): The clerk of a municipality shall keep a register of property situated in the municipality that is of cultural heritage value or interest. 2005, c. 6, s. 15.
- Section 27(1.2): In addition to the property listed in the register under subsection (1.1), the register may include property that has not been designated under this Part but that the council of the municipality believes to be of cultural heritage value or interest and shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property. 2005, c. 6, s. 15.



## Inventory as Register



 **Listings and Designations**





**Since 2006:**

- 3,096 heritage listed and designated properties
- 5 Heritage Conservation Districts
- 1 Cultural Heritage Landscape

 **Recent Updates**

- September 12, 2018. Report to the London Advisory Committee on Heritage. **“Removal of Properties from the Register.”** (Housekeeping Report).
- January 21, 2019. Report to the Planning & Environment Committee. **“Priority Levels on the Register (Inventory of Heritage Resources).”**


 **Register**



Page 28 of 122

 **Next Steps**

- No action or decision of Municipal Council is required; Register records previous decisions regarding the cultural heritage status of properties
- Additions or removals from the Register were out of scope of this update
- Add Register to the City’s website
- Distribute printed copies of the Register (upon request)



**REGISTER OF  
CULTURAL  
HERITAGE  
RESOURCES**

<https://www.london.ca/About-London/heritage/Pages/Register.aspx>

## LACH Archaeology Sub-Committee

**Meeting Date:** N/A

**Attendees (via email):** Kyle Gonyou, Krista Gowan, Tara Jenkins, Darryl Dann, John Moody, Josh Dent, Sarah Gibson

### **Agenda Items/Comments and Recommendations:**

#### **1. To clarify the language of the h-18 Holding Provision to current archaeology standards.**

##### **a) Initial draft revised wording of h-18 Holding Provision:**

*The proponent shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.*

*All archaeological assessment reports, in both hard copy format and as a PDF, will be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry.*

*Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.*

*No soil disturbance arising from demolition, construction, grading, or any other activity, shall take place on the subject property prior to the City of London receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.*

##### **b) Recommended revised wording of the h-18 Holding Provision by Archaeological Sub-Committee (June 2019):**

The proponent shall retain a professional archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4) (Provincial Policy Statement, Section 2.6.2). Any archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists (MTCS), the Ontario Heritage Act, the Planning Act, and/or the Provincial Policy Statement, and shall complete required engagement with First Nations.

All archaeological assessment reports, in both hard copy format and as a PDF, will be submitted to the City of London once MTCS has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.

No soil disturbance arising from demolition, construction, grading, or any other activity, shall take place on the subject property prior to the City of London receiving the MTCS compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.

**Commented [u1]:** Do we need to identify non-technical review here as well?


**Commented [TJ2R1]:** Could make it "reporting requirements" – would cover non-tech and tech




## Heritage Places 2.0 – A Description of Potential Heritage Conservation Districts in the City of London


London Advisory Committee on Heritage  
Wednesday – July 10, 2019

london.ca



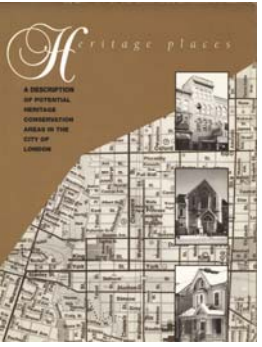

## Background + Follow-Up

- **2018** – heritage community input and update to original *Heritage Places* (1993)
  - preparation of draft *Heritage Places 2.0: A Description of Potential Heritage Conservation Areas in the City of London*
- November 12, 2018 – PEC
  - PPM public participation meeting
  - proposed by-law and draft guideline document **BE RECEIVED**
  - comments received from PPM **BE CONSIDERED**
  - draft *Heritage Places 2.0* **BE CIRCULATED** for feedback
  - final guideline document to be brought before a future meeting of PEC for adoption as a Guideline Document to The London Plan
- **2019** – feedback and revisions to *Heritage Places 2.0* (draft (2018))
  - scheduled for August 12, 2019 PEC, adoption of by-law
  - policy 1721\_4 of *The London Plan* be deleted and replaced with the revised policies attached to this report




## Overview

- 1993 — OP guideline document
- primary reference to identify candidate areas for potential HCDs
- (14) areas originally identified
  - not originally prioritized
  - amended, expanded, consolidated, re-prioritized: (ex. Downtown, SoHo, Riverforks as part of Stanley-Becher, Ridout Restoration)
- (10) areas have since been designated as HCDs

## Council Direction

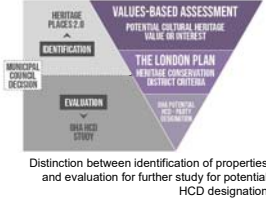
- At its meeting on January 17, 2017, Municipal Council directed Civic Administration to review the prioritized list of potential heritage conservation districts in the City, as well as update the current *Heritage Places* guideline document.
- Adoption of an updated *Heritage Places* guideline document requires an amendment to the City's Official Plan, *The London Plan*.

 **Approach – ‘Reset’ of Heritage Places**


- March 2018 – Letourneau Heritage Consulting Inc. (LHC)

Objectives:


- Review Policy Context – Update background component of Heritage Places to reflect the 2014-PPS, OHA and *The London Plan*
- Consult with Heritage Community
- Develop criteria for identification and prioritization of areas in the for potential HCD designation
- Prepare a prioritized list for further study and consideration as potential HCDs
- Prepare characterization studies of areas identified




Distinction between identification of properties and evaluation for further study for potential HCD designation

 **Heritage Community Input**

- Invite input from nearly (50) members of London's heritage community
  - Identification of candidate areas for consideration as potential HCDs in London, along with what factors should be considered in the prioritization process
- Representatives from :
  - ACO London; Downtown London; HLF; the LACH; London Heritage Council; London Planners Council, Middlesex Historical Society; Urban League and neighbourhood associations
- Three (3) roundtable discussions and informal interviews
  - One (1) roundtable – during June meeting of the LACH
  - Opportunity to provide input via email or phone
- Over thirty (30) participated in the consultation process

 **Identification of Areas**

- Values-Based Assessment derived from:
  - 1) *Ontario Heritage Act – Ontario Regulation 9/06*
  - 2) *The London Plan*
  - 3) *Ontario Heritage Tool Kit and The Standards and Guidelines for the Conservation of Historic Places in Canada*
- Values used to identify candidate areas
  - Historical/Associative Values
  - Physical/Design Values
  - Contextual Values
  - Other values include:
    - Spiritual Values
    - Educational and Scientific Values
    - Natural Values
    - Archaeological Values
    - Social Values

 **Prioritization Criteria**

- Prioritization criteria derived from review of other municipalities' practices, previous staff reports and consultation with the members of the heritage community
- Prioritization criteria:
  1. Results of **values-based assessment** of candidate area
  2. **Potential for change** within candidate area
  3. **Community preparedness** or readiness/willingness to initiate and engage in an HCD Study process
  4. **Appropriateness** of HCD designation as **planning tool**
  5. **Other factors** such as previous Municipal Council direction, recognition of City planning priorities and implications of planned future initiatives.

## Candidate Areas

01 North Talbot	02 SoHo (South of Horton)	03 The Smoke Stack District	04 Stanley-Becher-River forks	05 Old East Village-Dundas Street
06 Piccadilly	07 Old South II	08 Old North	09 Orchard Park Sherwood Forest	10 Lambeth
11 Hamilton Road	12 Braemar Crescent	13 Hall's Mills	14 Pond Mills	

## Candidate Areas – Locations

**HERITAGE PLACES 2.0 CANDIDATE AREAS**

- 01. NORTH TALBOT
- 02. SOHO (SOUTH OF HORTON)
- 03. THE SMOKE STACK DISTRICT
- 04. STANLEY-BECHER-RIVER FORKS
- 05. OLD EAST VILLAGE-DUNDAS STREET
- 06. PICCADILLY
- 07. OLD SOUTH II
- 08. OLD NORTH
- 09. ORCHARD PARK SHERWOOD FOREST
- 10. LAMBETH
- 11. HAMILTON ROAD
- 12. BRAEMAR CRESCENT
- 13. HALL'S MILLS
- 14. POND MILLS

## Considerations


- Outcome not an evaluation or recommendation of areas for designation
- Identification and recognition that areas have potential heritage significance which merits further study
- Prioritization not a measure or reflection of perceived cultural heritage value or interest or significance of area
- Areas not being recommended for designation, but may be recommended for further evaluation by Council decision to undertake HCD Study under OHA
- The identification and further prioritization of candidate areas will help to manage community expectations and staff resources by providing clarity in scheduling of future work and transparency and fairness to the nomination process.





## Heritage Alteration Permit 25 Blackfriars Street Blackfriars/Petersville Heritage Conservation District


London Advisory Committee on Heritage  
Wednesday July 10, 2019  
london.ca

 **25 Blackfriars Street**




- Blackfriars/Petersville Heritage Conservation District
- Designated on May 15, 2019
- Contributing Resource
- HAP application received on May 7, 2019
- Decision required by August 5, 2019

 **Prior to Alterations**




 **During Alterations**




 **Blackfriars/Petersville  
HCD Plan**

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

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

 **Blackfriars/Petersville  
HCD Plan**

- Policy 7.4.1.e: Alterations that have the potential to impact heritage attributes of a protected heritage resource shall not be permitted.
- Policy 7.4.1.i: Major alterations to the exterior façade of a contributing resource shall not be permitted. Such alteration should only be considered where the intent is to conserve the contributing resource.
- Policy 7.4.1.j: Additions or alterations to contributing resources should be sympathetic, subordinate, distinguishable, and contextual in relation to the existing resource and its context, as well as the heritage attributes and cultural heritage value of the Blackfriars/Petersville Heritage Conservation District.

 **Blackfriars/Petersville  
HCD Plan**

**Section 11.2.9**

- Do not remove or cover original porches or porch details, except for the purpose of quality restoration. Prior to executing any repairs or restoration, photograph the existing conditions and research to determine whether the existing is original or an appropriate model for restoration
- When restoring a porch that is either intact or completely demolished, some research should be undertaken to determine the original design which may have been much different from its current condition and decide whether to restore the original
- Fiberglass and plastic versions of decorative trims should be avoided. Poor interpretation of the scale or design of applied decoration detracts from the visual appearance and architectural coherence of porches and verandahs

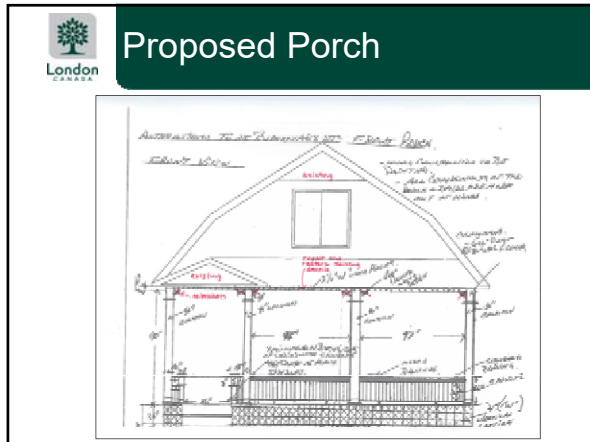
 **Style Comparisons**



4 Cherry Street

7 Cherry Street

8 Cherry Street



**Ontario Heritage Act**

Section 42(4): Within 90 days after the notice of receipt is served on the applicant under subsection (3) or within such longer period as is agreed upon by the applicant and the council, the council may give the applicant,

- the permit applied for;
- notice that the council is refusing the application for the permit; or
- the permit applied for, with terms and conditions attached. 2005, c. 6, s. 32 (3).

**Recommendation**

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the porch of the building located at 25 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** as submitted in the proposed alteration drawings attached hereto as Appendix C with the following terms and conditions:

- No decorative brackets be installed;
- The existing dentil details be restored;
- Turned, painted wood spindles be spaced no greater than 3" apart on centre;
- All exposed wood be painted; and
- Display the Heritage Alteration Permit in a location visible from the street until the work is completed.





 

## Heritage Alteration Permit 783 Hellmuth Avenue Bishop Hellmuth Heritage Conservation District

London Advisory Committee on Heritage  
Wednesday July 10, 2019

[london.ca](http://london.ca)


 **783 Hellmuth Avenue**




- Bishop Hellmuth Heritage Conservation District
- Designated on February 7, 2003
- HAP application received on May 15, 2019
- Decision required by August 13, 2019

 **Prior to Alterations**



 **During Alterations**





**Bishop Hellmuth  
HCD Plan**

**For porches:**

- Posts should be carefully selected and designed to suit the architectural style of the building. The four typical post styles are:
  - Solid round turned wood;
  - Solid square wood with applied ornament;
  - Built-up square box columns;
  - Turned hollow columns; and,
  - Handrails and newel posts should match the post style.

**For screen doors:**

- The traditional and appropriate style is a wood frame door with interchangeable storm and screen inserts. This allows for a design that mirrors the proportions and hardware of the principle door. Paint colour can also be applied to match the house.

**Ontario Heritage Act**

Section 42(4): Within 90 days after the notice of receipt is served on the applicant under subsection (3) or within such longer period as is agreed upon by the applicant and the council, the council may 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. 2005, c. 6, s. 32 (3).

**Recommendation**

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval to alter the porch of the building located at 783 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, **BE PERMITTED**.



## Heritage Planners' Report to LACH: July 10, 2019

1. Heritage Alteration Permits processed under Delegated Authority By-law:
  - a) 54 Palace Street (East Woodfield HCD): screen door
  - b) 722 Elias Street (Old East HCD): siding replacement
  - c) 332 Richmond Street (Downtown HCD): façade alteration
  - d) 513 Talbot Street (Part IV): signage
  - e) 435 Ridout Street North (Part IV and Downtown HCD): windows and door
  - f) 36 Oxford Street West (B/P HCD): rear addition and alterations
  - g) 161 Duchess Avenue (WV-OS HCD): side addition, porch alterations
  - h) 124 Dundas Street (Downtown HCD): amendment to HAP for addition
  - i) 14 Cummings Avenue (B/P HCD): porch replacement
  - j) 656 Queens Avenue (Old East HCD): porch replacement
  - k) 864-872 Dundas Street (Part IV): signage
  - l) 117 York Street (Downtown HCD): signage
  - m) 465 Ontario Street (Old East HCD): window replacement, porch alterations (2)
  - n) 525 Ontario Street (Old East HCD): porch alterations
  - o) 80 Askin Street (WV-OS HCD): garage addition
  - p) 71 York Street (Downtown HCD): awning and signage
  - q) 362 Commissioners Road West (Part IV): side/rear porch alteration
  - r) 67 Beaconsfield Avenue (WV-OS HCD): porch alteration
2. Insurance and Heritage Properties
3. Amendments to the *Ontario Heritage Act* – Bill 108, *More Homes, More Choices Act*:  
<https://ero.ontario.ca/notice/019-0021>
4. Municipal Council's Refusal to Repeal the Heritage Designating By-law for 429 William Street (By-law No. L.S.P.-3227-417) – **appeal withdrawn**
5. Municipal Council's Notice of Intent to Designate the property at 3303 Westdel Boune – **appeal to Conservation Review Board**
6. Demolition Request for Heritage Designated Property at 123 Queens Avenue, Downtown Heritage Conservation District – PEC July 22, 2019
7. Heritage Planner position update – Krista Gowan
8. Heritage Planning Orientation to the LACH – Wednesday August 14, 2019

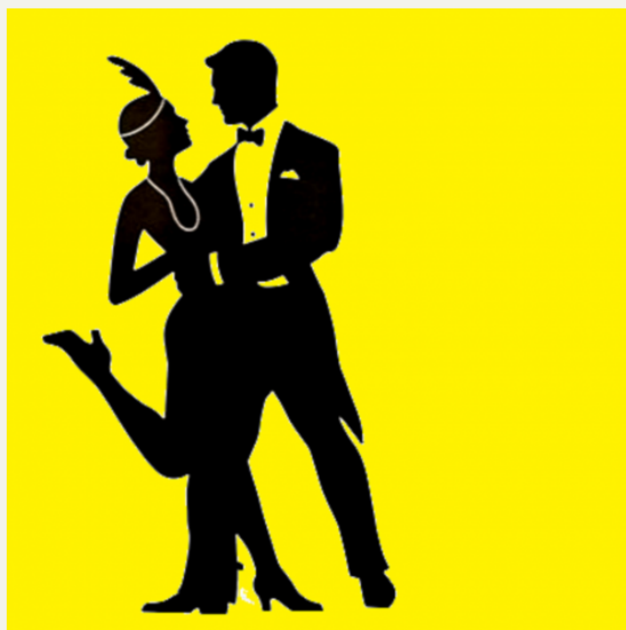
### Upcoming Heritage Events

- City of Neighbours 2019 on Saturday July 13, 2019 – various events throughout the City
- Old East Village Block Party on Saturday July 13, 2019, 1:00-4:00pm on Dufferin Avenue between Ontario Street and English Street

- Lemon-Yellow Part at Eldon House (481 Ridout Street North) on Saturday July 20, 2019. More information: [www.eldonhouse.ca/events](http://www.eldonhouse.ca/events)
- Museum London walking tours, weekends. More information: [www.museumlondon.ca/walkingtours](http://www.museumlondon.ca/walkingtours)
- Architectural Conservancy Ontario (provincial) – seeking awards nominations (due July 31, 2019). More information: [www.arconserv.ca](http://www.arconserv.ca)
- Summer tea at Eldon House, on now until August 25, 2019, 1:00-3:00pm. More information: [www.eldonhouse.ca/events](http://www.eldonhouse.ca/events)
- Midsummer Music at Elsie Perrin Williams Estate (101 Windermere Road) on Sunday August 18, 2019 at 2:30pm. More information: [www.heritagelondonfoundation.ca/events/concert-on-the-lawn](http://www.heritagelondonfoundation.ca/events/concert-on-the-lawn)
- Doors Open London on September 14 and 15, 2019. More information: [www.londonheritage.ca/doorsopenlondon](http://www.londonheritage.ca/doorsopenlondon)



HOME ABOUT EVENTS TOURS EXHIBITIONS RENTALS ACCOUNT CONTACT



## LEMON-YELLOW PARTY

**\$40.00** INCL. HST

**SATURDAY, JULY 20, 7:00 TO 10:00 P.M.**

Registration Required | [Registration Policy](#)

This Harris family theme party tradition is being brought back from the 1920's and everything is lemon-yellow including drinks, food and costume! Guests are invited to dress the part while they sip cocktails, taste hors d'oeuvres and dance to jazz and ragtime music on the beautiful lawns of Eldon House for this fundraiser event. This event will have a cash bar. Registration is required.

*Guests are encouraged to wear 1920's dress and enter a competition for Best Costume. There will be a silent auction and other fundraising activities available. Featuring a 1920's band called "Hot Sauce".*



## 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:** 1635 Richmond (London) Corporation  
1631-1649 Richmond Street

**Public Participation Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1635 Richmond (London) Corporation relating to the property located at 1631-1649 Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the Official Plan **BY AMENDING** policies 3.5.25 and 3.5.26 of the Specific Policies for Residential Areas;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, **BY AMENDING** the Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and Residential R9 Special Provision (R9-7(23)) Zone;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019, to amend The London Plan **BY AMENDING** specific policies 823\_ and 825\_ of the Transit Village Place Type;

**IT BEING NOTED THAT** the amendments will come into full force and effect concurrently with Map 1 and Map 7 of The London Plan.

## Executive Summary

### Summary of Request

The requested amendment will permit the development of a 7-storey, 291 unit apartment building. The requested amendment will also remove existing permissions for townhouse dwellings.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a 7-storey, 291 unit apartment building with 196 parking spaces. The recommended action will further remove existing permissions for townhouse dwellings.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2014;
2. The recommended amendment conforms to the in-force policies of The London Plan;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan;
4. The recommended amendment conforms to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is located on the west side of Richmond Street. Surrounding land uses include a mixed-use office/residential building to the north, CF Masonville Place to the east, low rise residential to the south, and low rise residential to the west. The site is currently undeveloped, however construction of a 6-storey apartment building is underway.



Figure 1: Subject site (northerly view from Richmond Street)



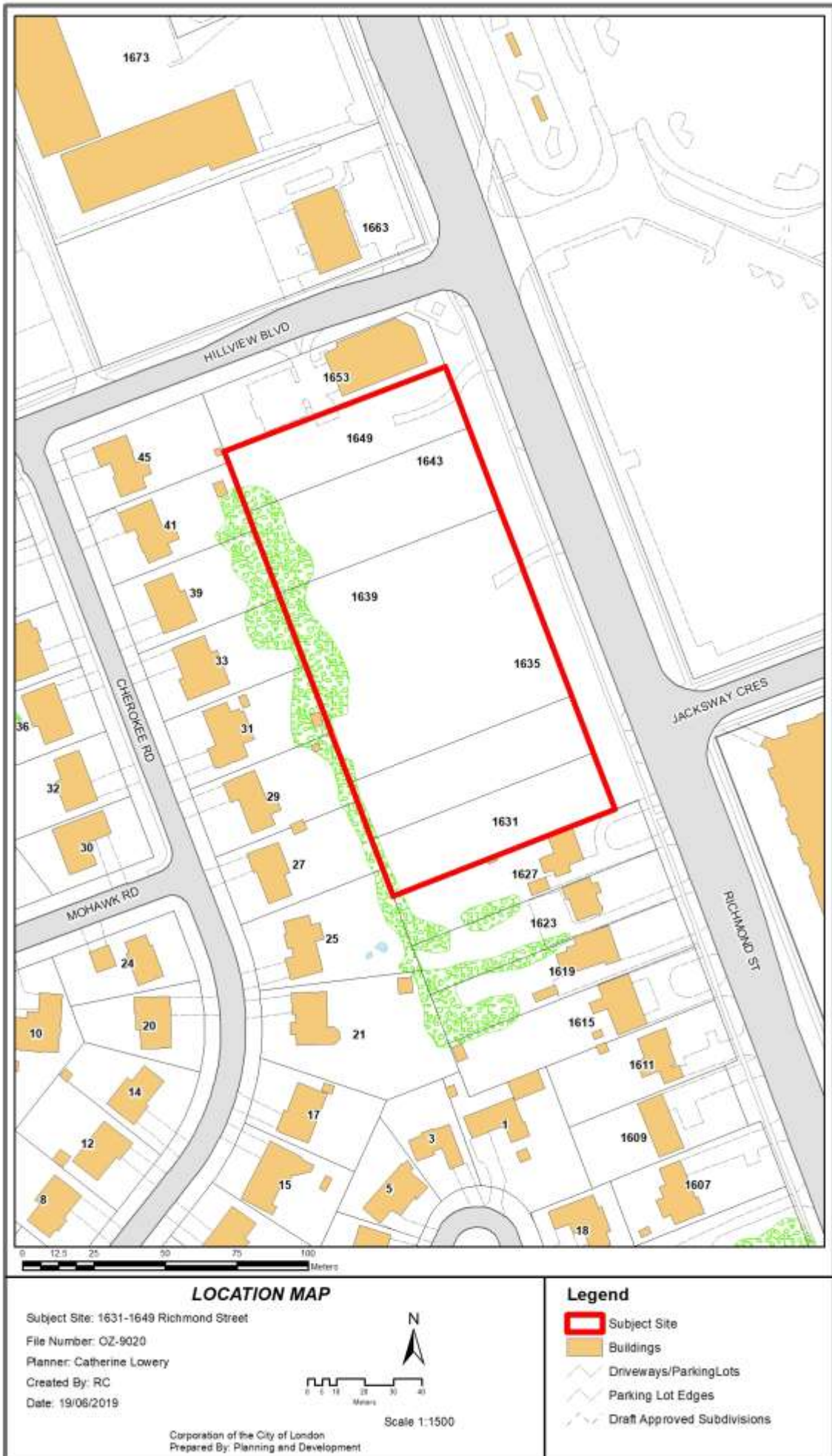
Figure 2: Subject site (southerly view from Richmond Street)

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

- Official Plan Designation – Multi-Family, Medium Density Residential; also subject to site specific policies
- The London Plan Place Type – Transit Village Place Type; also subject to site specific policies

- Existing Zoning – Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and a Residential R9 Special Provision (R9-7(23)) Zone

### 1.3 Location Map



#### 1.4 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 166 metres (410 feet)
- Depth – 93 metres (230 feet)
- Area – 1.52 hectares (3.81 acres)
- Shape – Rectangular

#### 1.5 Surrounding Land Uses

- North – Mixed-Use (Office/Residential)
- East – CF Masonville Place
- South – Low Rise Residential
- West – Low Rise Residential

#### 1.6 Intensification

- The requested development proposes 291 residential units;
- The proposed units represent intensification within the Built-area Boundary;
- The proposed units would be constructed within the Primary Transit Area.

## 2.0 Description of Proposal

### 2.1 Development Proposal

The applicant is proposing two 7-storey apartment buildings with a total of 291 units and 196 parking spaces. Removal of previously approved townhouse dwellings is also proposed.

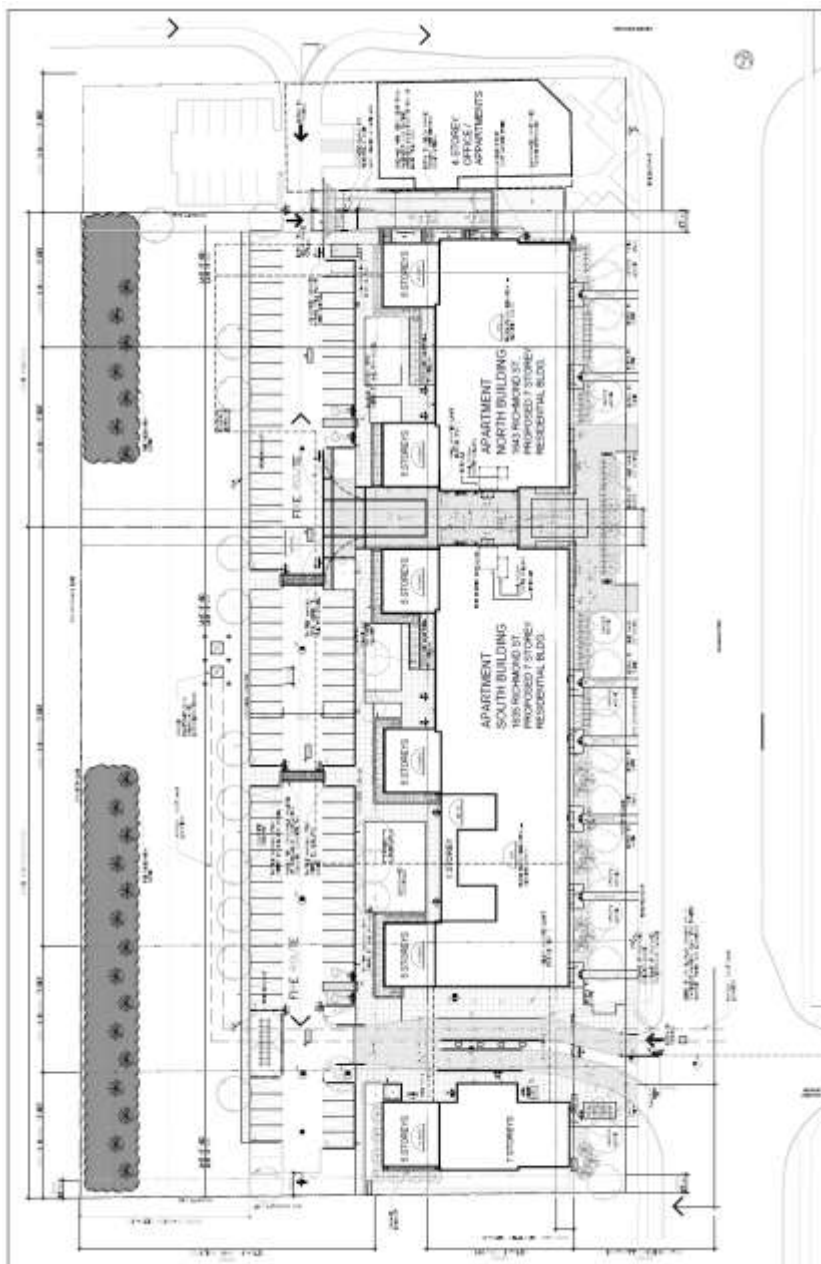


Figure 3: Conceptual site plan



Figure 4: Conceptual rendering (front view from Richmond Street)



Figure 5: Conceptual rendering (back view)

### 3.0 Relevant Background

#### 3.1 Planning History

In April of 2004, an application for a Zoning By-law amendment was received for the lands at 1639 Richmond Street requesting that the subject property be rezoned to permit cluster townhouse and stacked townhouse uses (Z-6670). Recognizing the merit in considering the development of this portion of the Richmond Street corridor/Masonville Node in a more comprehensive manner, City Staff were subsequently directed to initiate a Zoning By-law amendment application for the remainder of the lands along the corridor comprising 1607-1653 Richmond Street (Z-6673).

As a result of the City initiated re-zoning process in 2004, Council amended the Zoning By-law to permit the development of cluster dwellings in the form of single detached, semi-detached, and townhouses for the lands between 1607-1653 Richmond Street. This Zoning By-law included an “h-5” holding provision requiring that a public site plan review be conducted and the applicant enter into a development agreement with the municipality prior to its removal.

In September of 2009, the property owner submitted an application to remove the “h-5” holding provision for the lands at 1639 Richmond Street in order to facilitate a proposed cluster townhouse development and a public site plan review was conducted at a meeting of the Planning Committee (H-7705). Site Plan Staff recommended that the proposed site plan, landscape plan, building elevations and development agreement be approved.

Notwithstanding the recommendation of Site Plan Staff, this application was referred back to Staff in order to address community concerns. In December of 2009, the property owner appealed the application for site plan approval to the Ontario Municipal Board (OMB) on the basis that the municipality failed to make a decision on approval of the application within the 30-day prescribed time period. In January of 2010, the property owner also appealed the request to remove the holding provision to the OMB on the basis of the municipality's non-decision. In September of 2010, the OMB issued a decision indicating that it was satisfied that the proposed development was consistent with the Official Plan and Zoning By-law and approved the site plan and ordered that the holding provision be lifted. Municipal Council subsequently lifted the "h-5" holding provision at 1639 Richmond Street in November of 2010.

On March 7, 2011, in light of continuing community concerns regarding the approved site plan and cluster townhouse development proposed for 1639 Richmond Street, the Built and Natural Environment Committee (BNEC) received a letter from the ward councillor requesting that a City-initiated zoning amendment be undertaken for these lands to consider a form and intensity of development that:

- Is supportive of infill;
- Is respectful of the character of the corridor and the neighbourhood to the west;
- Allows for an appropriate density of use (recognizing the propensity for 5 bedrooms per unit within residential development at this location);
- Manages and mitigates impacts on the rear yards of development to the west;
- Manages and consolidates access to avoid impact on Richmond Street; and,
- Provides for a built form and urban design that enhances the Richmond Street corridor and Masonville node.

On March 21, 2011, Municipal Council resolved:

*That, in response to a communication dated February 18, 2011 from Councillor M. Brown requesting a City-initiated rezoning of the properties located on the western portion of the Richmond Street corridor between Shavian Boulevard and Hillview Boulevard, the Civic Administration **BE REQUESTED** to report back at a future meeting of the Built and Natural Environment Committee with respect to a zoning amendment for these lands, excluding 1639 Richmond Street, that considers the form and intensity of development that is in keeping with that which is desired by the community.*

In response to this Council resolution, Planning Staff undertook a series of consultation sessions with representatives of the Old Masonville Community, the owner of 1639 Richmond Street, Civic Administration, and the Ward Councillor. The result of these collaborative consultation efforts was a new vision for the lands encompassing 1607-1653 Richmond Street which adds residential intensity along the Richmond Street corridor and Masonville node while increasing the setbacks from the existing single detached dwellings to the south and west, reducing the number of bedrooms per dwelling unit, and appealing to a wide mix of residents.

On October 17, 2011 Planning Staff reported back to the Built and Natural Environment Committee indicating that Civic Administration had initiated an application for Official Plan and Zoning By-law amendments for these lands (OZ-7965), consistent with the March 21, 2011 Council resolution, and, additionally, were preparing a Master Plan to be considered for adoption as a Guideline Document to the Official Plan. At this time, Civic Administration were also directed to have a traffic impact assessment prepared to assist with area transportation policies and development conditions, to identify the costs associated with storm sewer capacity improvements required to accommodate the proposed development between Hillview and Shavian Boulevards, and to identify sources of financing to undertake these works in 2012.

On January 10, 2012, Council resolved to introduce a series of by-laws to amend the Official Plan and Zoning By-law. The proposed amendments were intended to facilitate development that is consistent with the concept prepared collaboratively by the range of

stakeholders during the 2011 planning process. Further to Council's general support for the proposed amendments, it was resolved that:

*Three readings of the by-laws enacting the Official Plan and Zoning By-law amendments, as recommended in clauses (a) to (h) above, **BE WITHELD** until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street, following a public site plan review and a development agreement entered into with the City of London, which is consistent with the site plan drawings and elevation drawings attached hereto as Appendix "I";*

The above clause withheld three readings of the enacting by-laws in order to provide assurance to the City and the Community that the development of 1631, 1635 and 1639 Richmond Street would proceed in a manner consistent with the concept prepared collaboratively among stakeholders. Planning Staff had preferred the use of a holding provision on all of the properties, however the owner of 1639 Richmond Street expressed concern with the use of the holding provision on his lands. The recommendation to withhold three readings of the enacting by-laws until site plan approval was obtained for the apartment proposal was viewed by Staff as a suitable compromise.

In October of 2013, Planning Staff received correspondence from the owner of 1631, 1635, and 1639 Richmond Street expressing his on-going commitment to undertake construction of the proposed development concept created in collaboration with the community, but also expressing a concern about the cost and uncertainty of undertaking a site plan approval process which will culminate in the introduction of the three readings of the by-laws which may then subsequently be appealed to the Ontario Municipal Board. As an alternative, the property owner requested that the City revise the previous amendments such that his lands be rezoned to facilitate the proposed development concept with holding provisions, consistent with the approach favoured by Planning Staff in 2011. The intended result was to be that: the property owner would achieve certainty with regard to his land use permissions prior to him initiating the Site Plan approval process; the community would obtain safeguards in the form of holding provisions which would require that the proposed development concept be approved prior to the removal of the holding provision; and, the City would also benefit by knowing that any investment made in the form of stormwater infrastructure improvements would be adequately sized to accommodate a certain form of development.

As a result of the property owner's request and Staff's previous support for the use of holding provisions on the properties including 1631, 1635 and 1639 Richmond Street, Planning Staff prepared a report to the Planning and Environment Committee seeking direction to initiate new applications which would provide for a form of development that is consistent with the concept plan developed through the 2011 planning process but include the use of holding provisions to secure certainty in the final design of future development.

On November 19, 2013, Municipal Council resolved that on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the lands on the West Side of Richmond Street, between Hillview Boulevard and Shavian Boulevard:

- (a) Civic Administration **BE DIRECTED** to process an amended Zoning By-law amendment application and to re-initiate discussions with the community regarding the implementation of the proposed development concept for the lands located at 1631, 1635 and 1639 Richmond Street, as appended to the staff report dated November 12, 2013 as Appendix "A"; it being noted that Appendix "A" was developed collaboratively with the property owner (Mr. Farid Metwaly), staff and members of the community and provided the basis for the previously proposed amendments; it being further noted that on January 10, 2012, the Municipal Council resolved to withhold three readings of the enacting by-laws for the previously initiated Official Plan and Zoning By-law amendments until such time as the owner of 1631, 1635 and 1639 Richmond Street obtains site plan approval for these lands to ensure that development proceeds in accordance with the proposed development concept; it also being noted that the Civic Administration has*

*previously initiated an application for Official Plan and Zoning by-law amendments for these lands at the direction of the Municipal Council and prepared a Master Plan to be considered for adoption as a Guideline Document to the Official Plan.*

On January 21, 2014, revised Official Plan and Zoning By-law amendments were presented to the Planning and Environment Committee to allow for adoption of the previously considered approvals with holding provisions to provide further assurances as to the ultimate form of development. On January 28, 2014, Municipal Council adopted the recommended Official Plan and Zoning By-law amendments which resulted in the re-designation of the subject lands to “Multi-Family, Medium Density Residential”, the adoption of special Official Plan policies to Section 3.5 – Policies for Specific Residential Areas of the Official Plan, the adoption of the *Richmond Street Old-Masonville Master Plan and Urban Design Guidelines* as a guideline document to the Official Plan and the rezoning of the subject properties to allow for the development of multiple attached dwellings such as row houses or cluster houses, low-rise apartment buildings, small scale nursing homes, rest homes, and homes for the aged with a convenience commercial component. Holding provisions were also applied to ensure development occurs in accordance with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*.

On February 27, 2014, appeals were submitted by McKenzie Lake Lawyers LLP on behalf of Richmond Medical Centre Inc. (owner of 1653 Richmond Street), and Circelli Law on behalf of Anthony Circelli (owner of 1609 Richmond Street), in opposition to Municipal Council’s decision to approve the Official Plan and Zoning By-law amendments. On October 20, 2014, Mr. Circelli withdrew his appeal leaving Richmond Medical Centre Inc. as the sole appellant. At the time of appeal, Richmond Medical Centre Inc. had also submitted an application to the City for a site specific Official Plan and Zoning By-law amendment to allow for the development of a small-scale medical/dental office at 1653 Richmond Street (OZ-8310), which was adopted by Municipal Council on October 14, 2014. Following approval of this Official Plan and Zoning By-law Amendment, the parties came to an agreement and the Ontario Municipal Board allowed the appeal of Richmond Medical Centre Inc. on February 4, 2015.

On May 19, 2015, a public participation meeting was held related to Site Plan Control application SP-15011562. On September 15, 2015, Municipal Council removed the holding provisions (H-8519) and on December 22, 2015, conditional Site Plan Control Approval was granted for two six-storey apartment buildings and 18 townhouse dwellings (220 units total). This approved development concept is currently under construction.

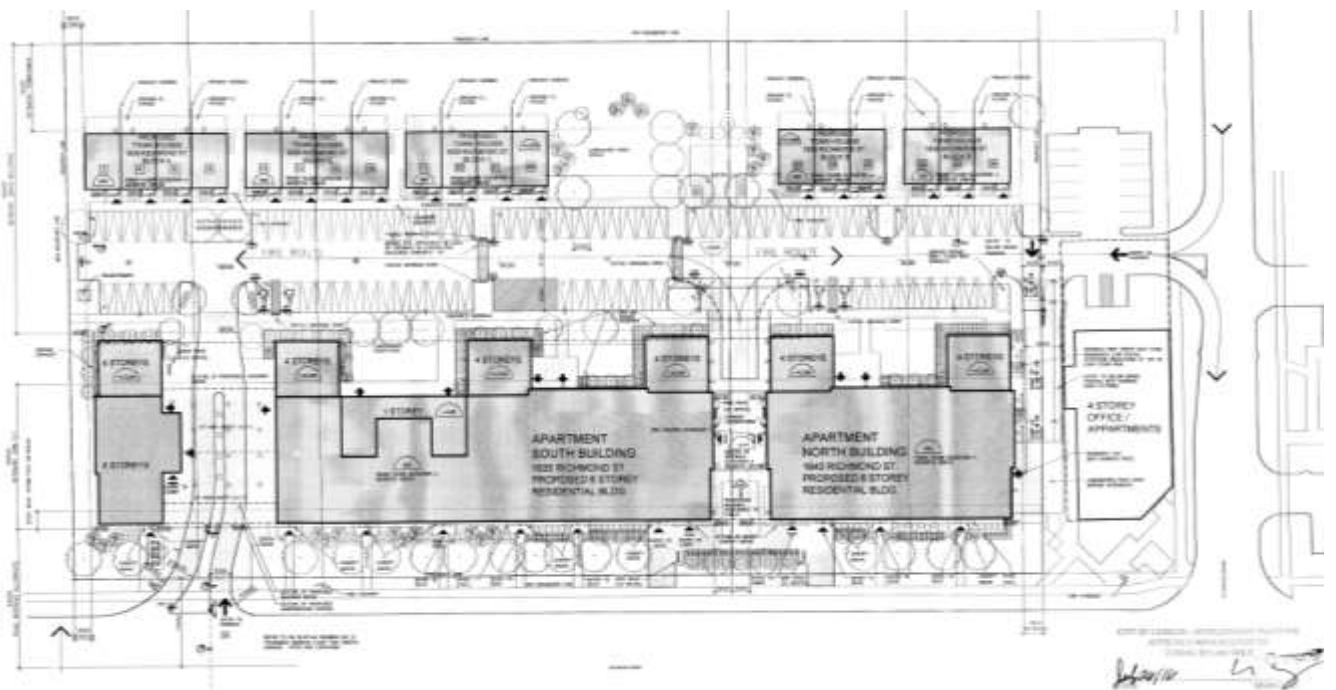


Figure 6: Approved site plan (SP-15011562)

### 3.2 Requested Amendment

The applicant is requesting to rezone the subject lands to amend the existing



Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and Residential R9 Special Provision (R9-7(23)) Zone. Amended special provisions would permit an increased maximum building height of 22 metres, (whereas a maximum of 20 metres is permitted), a reduced minimum parking supply of 196 spaces (whereas 205 spaces are required), and remove special provisions related to cluster townhouses. An additional special provision requiring a minimum 28 metre setback from the rear property line to the surface parking is also recommended.

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

Two written responses were received from neighbouring property owners, which will be addressed later in this report. One response expressed support for the requested amendment, while the other identified concerns related to the additional height. Two phone calls were received; one requesting clarification and one expressing concerns regarding traffic.

Prior to submission of the complete application, the applicant hosted a community information meeting to present the proposed changes to the approved development concept. This meeting was held on April 18, 2018.

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

#### ***The Provincial Policy Statement, 2014***

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS.

Section 1.1 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 directs cities to make sufficient land available to accommodate this range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Planning authorities are also directed to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4). Further, a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (1.6.7.4).

#### ***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 in the Transit Village Place Type of The London Plan on a Rapid Transit Boulevard, as identified on \*Map 1 – Place Types and \*Map 3 – Street Classifications. The site is also subject to Specific Policy Areas 9 and 10 for the Transit Village Place Type pertaining to the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street, as identified on \*Map 7 – Specific Policy Areas.

#### ***1989 Official Plan***

The subject site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan. The site is also subject to specific policies pertaining to 1643, 1649, and 1653 Richmond Street and the Richmond Street-Old Masonville area, which are verbatim to those of The London Plan.

## 4.0 Key Issues and Considerations

### 4.1 Issue and Consideration # 1: Use, Intensity, and Form

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

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 (including, affordable housing and housing for older persons), employment and institutional uses to meet long-term needs. It promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas to be the main focus of growth and their vitality and regeneration shall be promoted (1.1.3). 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 surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

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). It encourages 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 (1.4.3).

The recommended amendment will facilitate a transit-oriented development within an established settlement area with an appropriate level of infrastructure and public service facilities available. The proposed 7-storey apartment buildings contribute to a mix of housing types, support active transportation, and provide choice and diversity in housing options. No new roads or infrastructure are required to service the site, therefore the development makes efficient use of existing services. As such, the recommended amendment is consistent with the policies of the PPS.

#### *The London Plan*

The Transit Villages identified in The London Plan are located in existing built-up areas. However, all of these locations have opportunities for significant infill, redevelopment, and an overall more efficient use of the land. A more compact, efficient built form is essential to support our transit system and create an environment that places the pedestrian and transit user first (809\_). Permitted uses within this place type include a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses (811\_1). Normally, buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys (\*813\_1).

The site is subject to specific policies for the Transit Village Place Type pertaining to the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood (821\_).

The specific policies pertaining to this site establish a number of policies to achieve a

transit-oriented, pedestrian-friendly design. Key principles include: increased setbacks from the low density residential areas to the west of the subject lands, requiring a mix of bedroom counts of 1, 2, and 3 bedroom units, implementing a mix of at-grade and underground parking to provide greater opportunity for landscaped open space (822\_1-5). Further, apartment buildings shall be oriented toward the Richmond Street Corridor with front yard depths from apartment buildings to Richmond Street minimized and decreased building heights from east to west (822\_6-8).

A number of considerations have been given to the design of the proposed development to satisfy these principles. The buildings have been oriented toward Richmond Street with a 50 metre rear yard setback providing separation from the existing low density residential properties to the west. As well, both at-grade and underground parking has been provided, along with a 28 metre setback separating the at-grade parking lot from the properties to the west. The existing zoning restricts the number of bedrooms to three per unit and as no change to this regulation has been requested, the bedroom cap will be maintained. The buildings have been oriented such that they front Richmond Street with minimized front yard setbacks. The building height steps down to 5-storeys on the westerly side of the building, providing a transition towards the low density residential properties to the west.

Notwithstanding the general policies of the Transit Village Place Type, the specific policies for the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street apply a maximum density of 200 units per hectare and a maximum building height of 6-storeys for apartment buildings. The applicant is proposing to remove the townhouse dwellings previously approved for this site in return for the seventh storey on the apartment buildings, resulting in a combined density of approximately 188.76 units per hectare. However, the addition of the seventh storey exceeds the maximum building height of 6-storeys permitted by the specific policies, resulting in the need for an amendment to The London Plan.

The proposed development is consistent with the previously approved development concept, which is currently under construction on the subject site. Staff is satisfied that removal of the previously proposed townhouse dwellings and the addition of a seventh storey is appropriate for this site and further, conforms to the general policies of the Transit Village Place Type and the specific policies for the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street. As such, staff is satisfied the recommended amendment is in conformity with The London Plan.

#### *1989 Official Plan*

In the Multi-Family, Medium Density Residential designation the primary permitted uses 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 (3.3.1). Height and density limitations in the Multi-Family, Medium Density Residential designation are normally 4-storeys and 75 units per hectare (3.3.3.i) and 3.3.3.ii)). However, the site is also subject to specific policies applicable to the west side of Richmond Street and the Richmond Street-Old Masonville area, which establish site specific height and density permissions for this site as well as various design objectives and criteria consistent with that of The London Plan.

The specific policies pertaining to 1643, 1649, and 1653 Richmond Street and the Richmond Street-Old Masonville Area are verbatim to those in The London Plan, as they have been perpetuated in the specific policies for the Transit Village Place Type. As such, staff is satisfied the recommended amendment is in conformity with the 1989 Official Plan.

#### *Richmond Street – Old Masonville Master Plan and Urban Design Guidelines*

The initial 6-storey apartment development and townhouse proposal has received Site Plan Approval and is currently under construction. Through the Site Plan process, the proposed development was reviewed under the *Richmond Street – Old Masonville*

*Master Plan and Urban Design Guidelines* to ensure the design was in accordance with the adopted guidelines. The site and building design at that time were considered to be in accordance with the following relevant principles:

- Orient buildings along Richmond Street so that Richmond Street façades have multiple visible front entrances to provide an active pedestrian environment.
- Create a defined street wall along Richmond Street by providing building frontage along no less than 75 percent of the eastern property line of the subject lands to support the visual and spatial continuity of the streetscape.
- Provide multiple pedestrian connections into the interior of the subject lands from Richmond Street.
- Provide private rear yard amenity space for the westerly townhouses toward the western property line so that this private rear yard amenity space for the townhouses abuts the private rear yard amenity space of the existing dwellings along Cherokee Road.
- Provide visual interest at the terminus of the driveway directly across from Jacksway Crescent through building location and architectural detail and/or landscape features to provide a visually attractive sightline into the subject lands.
- Design building façades to express a defined base proportionally, approximately one third of the height of the building, a middle, and a top to contribute to a human-scaled measured pedestrian environment, conceal roof top mechanical equipment, and provide a visually interesting skyline.
- Break up building massing by employing recesses and projections that are prominent enough to provide visual interest and assist in providing solar protection.
- Use high quality building materials, such as masonry, that are compatible within the context of the existing streetscape.
- Balance the proportion of façade cladding to ensure that there is a minimum of 50 percent glazing on apartment frontages facing Richmond Street and apartment frontages facing Hillview Boulevard.
- Outdoor living spaces of individual living units should be provided in the form of fully- or partially-recessed balconies, consistent with the built form of the multi-storey residential buildings in the neighbourhood, to maximize the privacy of the spaces from the public realm. Where outdoor living spaces cannot be provided, a Juliet balcony should be provided.
- Building corners that are highly visible from the public realm should have a high degree of architectural detail. The built corner at the intersection of Hillview Boulevard and Richmond Street as well as the built corners at the entry to the site across from Jacksway Crescent at Richmond Street require special architectural attention. Other building corners that are visible from the public realm should also be addressed through additional architectural details.
- Clearly define the first storey of buildings by employing overhead weather protection and using contrasting materials and/or colours to provide a human-scaled environment along Richmond Street and Hillview Boulevard.
- Provide a sensitive transition to the existing structures abutting the subject lands by gradually decreasing the building height from north to south and from east to west within the subject lands.
- Design the westerly townhouses to be compatible in massing and architectural

style with the single detached dwellings along Cherokee Road, particularly in providing pitched roofs and exterior masonry cladding.

- Provide for residents outdoor common amenity spaces, which are located and designed to maximize potential use.
- Use landscaping to clearly delineate outdoor public and private space and improve pedestrian wayfinding.
- Screen the western and southern property lines with a continuous combination of fencing and dense landscaping to maximize privacy between abutting outdoor uses.
- Preserve existing mature tree coverage within the required rear yard and side yard setbacks along the western and southern perimeters of the subject lands.
- Provide tree cover within the site and along the Richmond Street to provide shade for pedestrians and generally reduce solar gain.

As part of the complete Official Plan and Zoning By-law Amendment application, the applicant provided an Urban Design Brief addressing the necessary design considerations under the 1989 Official Plan, The London Plan, and the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*. The amended development proposal is generally consistent with the approved 6-storey development concept, with the exception of the seventh storey and removal of townhouse dwellings. As such, staff is satisfied the recommended amendment and revised building design to include an additional storey is in accordance with the principles of the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*.

Urban Design staff have reviewed the conceptual site plan, conceptual renderings, and Urban Design Brief submitted in support of the application and offered the following comment:

*As the building is now proposed to be 7 storeys in height, provide a set back above the fifth or sixth storey in order to provide for a more human scale along the Richmond Street corridor. Alternatively, provide for alternate design (change in material and/or fenestration) on the top two floors of the building in order to break up the massing.*

It is noted that refinement of the building design, including use of materials, will be addressed through a future Site Plan process.

#### **4.2 Issue and Consideration # 2: Parking and Traffic**

As part of the requested amendment, the applicant is seeking a parking reduction to permit a total of 196 spaces, whereas 205 spaces are required. A minor variance was approved in 2017 (A.159/17) to permit 148 parking spaces for the 220 units proposed at that time (0.67 spaces per unit). 57 additional parking spaces at a rate of 0.8 spaces per unit are required for the 71 new units proposed through this application. Given the site's location within a Transit Village and proximity to existing transit services (including a transit hub at CF Masonville Place), staff is satisfied the requested reduction of nine spaces is minor and appropriate. The requested parking reduction contributes to a transit-oriented and pedestrian-friendly development that is intended for this area of the city.

Through the circulation of this application, the Old Masonville Ratepayers Association requested the 28 metre setback from the rear property line to the surface parking lot, as shown on the conceptual site plan in Figure 3, be formalized through the zoning. The intent of this additional regulation is to give added comfort to the community that the landscaped open space buffer between the proposed development and neighbouring residential properties will be maintained in a manner that is consistent with the Design Guidelines and Special Policies. Staff and the applicant are agreeable to this suggestion

and as such, an additional special provision is recommended requiring a minimum 28 metre setback from the surface parking lot to the rear property line.

One member of the public expressed concerns regarding traffic congestion as a result of the development, as well as vehicles stopping on Richmond Street in front of the proposed buildings. A Traffic Impact Assessment was undertaken through the review of the previous development proposal for the site, which concluded that traffic impacts would be minimal. As well, the site has been designed such that egress would be restricted to right turns only in order to alleviate congestion on Richmond Street and Hillview Boulevard. A left turning lane has been constructed on Hillview Boulevard giving access to the subject site and the mixed-use building at 1653 Richmond Street. Access to surface parking at the rear of the site for pick-up and drop-off would be provided via the internal private driveway, avoiding the need for vehicles to stop along Richmond Street.

More information and detail is available in the appendices of this report.

## **5.0 Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement and conforms to the relevant in-force policies of The London Plan, including but not limited to the Transit Village Place Type, and the in-force policies of the 1989 Official Plan. Further, the recommended amendment is in accordance with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*, and will facilitate transit-oriented, pedestrian-friendly development that is appropriate for the site and contributes to a mix of housing types.

<b>Prepared by:</b>	<b>Catherine Lowery, MCIP, RPP</b> <b>Planner II, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG</b> <b>Managing Director, Development and Compliance</b> <b>Services and Chief building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

June 18, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

Y:\Shared\implemen\DEVELOPMENT APPS\ (Insert Source)

## 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 1631-  
1649 Richmond Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 20, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend a policy in Sections 3.5.25 and 3.5.26 of the Official Plan for the City of London to permit a maximum height of 7-storeys for apartment buildings and to remove townhouse permissions.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1631-1649 Richmond Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and is in conformity with the 1989 Official Plan. The recommended amendment will facilitate the development of a residential apartment building which is compatible with the surrounding land uses.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 3.5.25 of the Official Plan for the City of London is repealed in its entirety and replaced with the following:

The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a Zoning By-law amendment application which meets the general intensification criteria outlined in Section 3.2.3 and the Urban Design Principles outlined in Section 11 of the Official Plan as well as the following site-specific policies:

- a) For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area



of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.

- b) Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum density of 200 units per hectare shall be permitted, subject to the regulations of the Zoning By-law. A maximum height of up to 6-storeys shall be permitted for 1653 Richmond Street and a maximum height of up to 7-storeys shall be permitted for 1643 and 1649 Richmond Street, subject to the regulations of the Zoning By-law.
- c) The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. The properties at 1607-1639 Richmond Street will be developed for residential uses and include convenience commercial uses at 1631 and 1635 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this special policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.
- d) Applications for Zoning By-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this Section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be consistent with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
- e) Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - i) Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.
  - ii) The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade

parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space requirements specified in the Zoning By-law.

- iii) Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
- iv) Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
- v) Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.

2. Section 3.5.26 of the Official Plan for the City of London is repealed in its entirety and replaced with the following:

The Richmond Street-Old Masonville area is located on the west side of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood. Future development of these lands shall be consistent with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines which have been adopted pursuant to Section 19.2 of the Official Plan.

- i) In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:
  - Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.
  - Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.
  - Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.

- Mitigation of impacts onto the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above-grade height of basements through the use of zoning regulations.
  - Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/or landscaped open space coverage regulations.
  - Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.
  - Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
  - Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.
  - Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.
  - Limiting the number of townhouse dwellings to four per block to break up the visual massing.
  - Require the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.
- ii) In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:
- a) For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law. Mutual

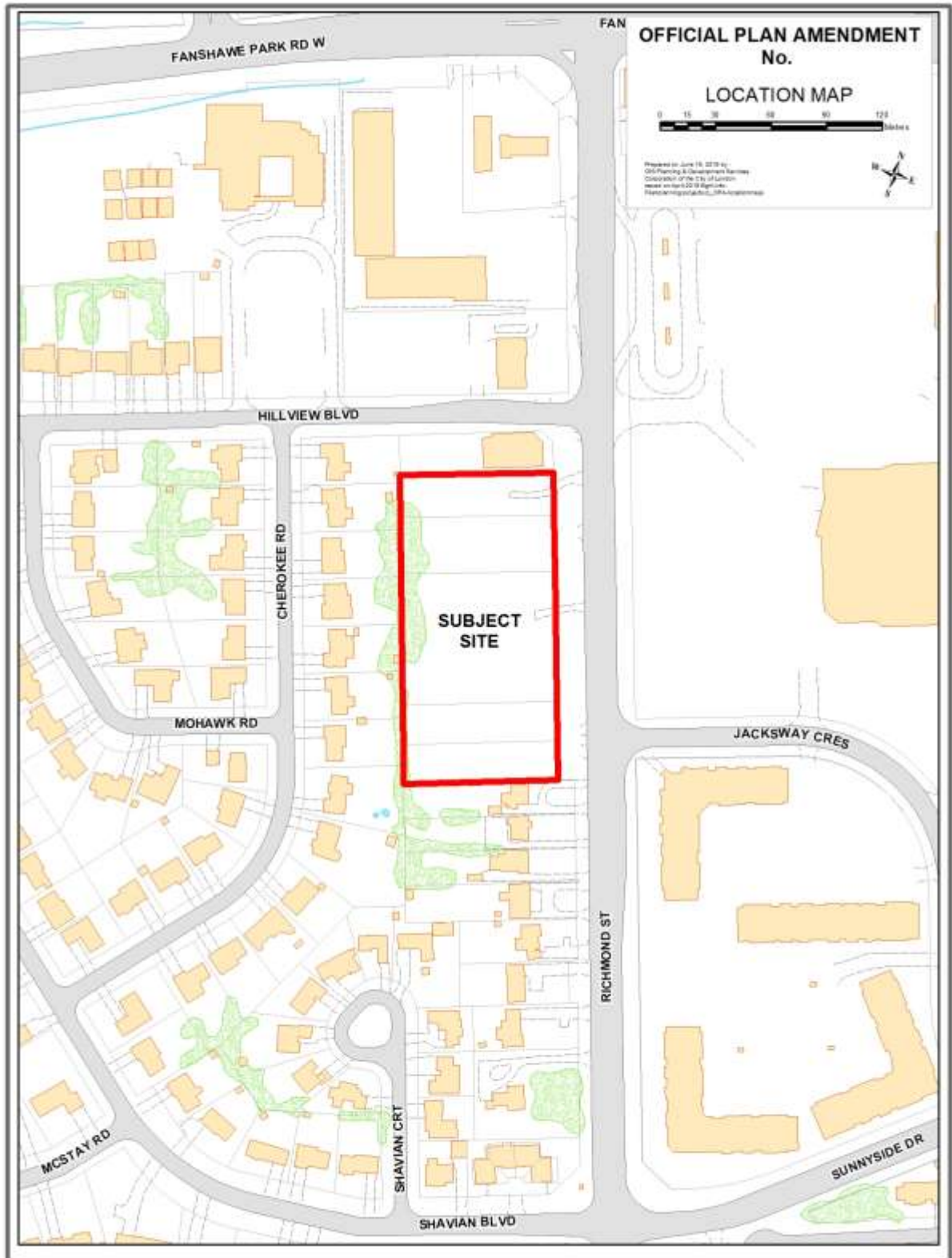
access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this Special Policy.

- b) For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.
- c) For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a “stand-alone” commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwelling to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 200 units per hectare and a maximum height of 7-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

Mutual access to Richmond Street shall be provided opposite Jacksway Crescent for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.

- d) For the lands located at 1643 and 1649, the permitted uses shall include apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum density of 200 units per hectare shall be permitted, subject to the regulations of the Zoning By-law. A maximum height of up to 6-storeys shall be permitted for 1653 Richmond Street and a maximum height of up to 7-storeys shall be permitted for 1643 and 1649 Richmond Street, subject to the regulations of the Zoning By-law.

Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.



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 1631-  
1649 Richmond Street.

WHEREAS 1635 Richmond (London) Corporation has applied to rezone an area of land located at 1631-1649 Richmond Street, 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:

2) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by repealing and replacing the following subsections:

R9-7(20) 1631, 1635, and 1639 Richmond Street

a) Permitted Uses

- i) Apartment buildings
- ii) Senior citizens apartment buildings
- iii) Continuum-of-care facilities

b) Regulations

- i) Lot Frontage (Minimum) 70.0 metres (229.6 feet)
- ii) Lot Area (Minimum) 0.60 hectares (1.4 acres)
- iii) Front Yard Depth road (maximum) 3.0 metres (9.8 feet) from the ultimate allowance
- iv) Interior Side Yard Depth (Minimum) 3.0 metres (9.8 feet)
- v) Lot Coverage (Maximum) 45%
- vi) Density (Maximum) 200 units per hectare (80 units per acre)
- vii) Bedrooms per dwelling unit (Maximum) 3
- viii) Parking Standard (Minimum) 0.67 parking spaces per dwelling unit
- viii) No part of any required front yard, required side yard, or required rear yard shall be used for any purpose other than landscaped open space except where a common internal driveway connects to abutting properties located in a required side yard or provides vehicular access to Richmond Street located in the required front yard.
- ix) Height (first 25.0 metres of lot depth) (Maximum) 22.0 metres (72.2 feet)
- x) Height (beyond the first 25.0 metres of lot depth) (Maximum) 15.0 metres (49.2 feet)
- xi) Setback from Rear Property Line 50.0 metres (164.0 feet)

- xii) (Minimum)  
Surface Parking Area                      28 metres (91.9 feet)  
Setback from Rear Property  
Line (Minimum)

R9-7(23) 1643, 1649, and 1653 Richmond Street

a) Regulations for 1643 and 1649 Richmond Street

- i) Permitted Uses:  
Apartment Buildings
- ii) Frontage                                      50 metres (165 feet)  
(Minimum)
- iii) Lot Area                                      0.4 hectares (1 acre)  
(Minimum)
- iv) Interior Yard Depth                      3 metres (10 feet)  
(Minimum)
- v) No part of any required front yard, required side yard, or required rear yard shall be used for any purpose other than landscaped open space except where a common internal driveway connects to abutting properties located in a required side yard, or where access to an underground parking garage is necessary in a required side yard.
- vi) Height                                        22.0 metres (72.2 feet)  
(first 25.0 metres of lot depth)  
(Maximum)
- vii) Height                                        15.0 metres (49.2 feet)  
(beyond the first 25.0 metres  
of lot depth) (Maximum)
- viii) Setback from Rear Property        50.0 metres (164 feet)  
Line (Minimum)
- ix) Surface Parking Area                      28 metres (91.9 feet)  
Setback from Rear Property  
Line (Minimum)

b) Regulations for 1653 Richmond Street:

- i) Permitted uses:  
Apartment Buildings  
Medical/Dental Offices on ground floor of an apartment building
- ii) Frontage                                      20 metres (66 feet)  
(Minimum)
- iii) Lot Area                                      0.16 hectares (0.4 acres)  
(Minimum)
- iv) Interior Yard Depth                      3 metres (10 feet)  
(Minimum)
- v) Exterior Yard Depth                        0.0 metres (0.0 feet)  
(Minimum)
- vi) No part of any required front yard, required side yard, or required rear yard shall be used for any purpose other than landscaped open space except where a common internal driveway connects to abutting properties located in a required interior side yard, where access to an underground parking garage is necessary in a required interior side yard, where a common driveway provides vehicular access to Hillview Boulevard in the required exterior side yard, or where a vestibule structure is required to provide secondary entrance to an underground parking structure in accordance with the Ontario Building Code in the required rear yard.

Additional regulations for Apartment Buildings:

- i) Height                                        20.0 metres (65.5 feet)  
(first 25.0 metres of lot depth)



- ii) (Maximum)  
Height 17 metres (56 feet)  
(beyond the first 25.0 metres of lot depth)
- iii) (Maximum)  
Setback from Rear Property 50.0 metres (164 feet)  
Line (Minimum)

Additional regulations for Medical/Dental Offices:

- i) Gross Floor Area 430 sq. metres (4,630 sq. feet)  
(Maximum)
  - ii) Parking 1 space/15 sq. metres GFA
- c) Regulations applicable to and measured based on R9-7(23) Zone Boundaries:
- i) Density 200 units per hectare (80 units per  
(Maximum) acre)
  - ii) Lot Coverage 45%  
(Maximum)
  - iii) Front Yard Depth 3 metres (10 feet)  
(Maximum)
  - iv) Bedrooms per Dwelling Unit 3  
(Maximum)
  - v) Rear Yard Depth 15 metres (49 feet)
  - vi) Parking for Residential Uses 0.67 spaces/unit

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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 20, 2019  
Third Reading – July 30, 2019

## Appendix C

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

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 1631-  
1649 Richmond Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend a policy in Sections 823\_ and 825\_ of The London Plan for the City of London to permit a maximum height of 7-storeys for apartment buildings and to remove townhouse permissions.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1631-1649 Richmond Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and is in conformity with the in-force policies of The London Plan. The recommended amendment will facilitate the development of a residential apartment building which is compatible with the surrounding land uses.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

*The London Plan* is hereby amended as follows:

1. Specific policy 823\_ for the Transit Village Place Type of The London Plan for the City of London is repealed in its entirety and replaced with the following:

823\_ In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:

1. For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law.
2. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this specific policy.
3. For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies,

a maximum net density of 150 units per hectare shall be permitted and a maximum height of four storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

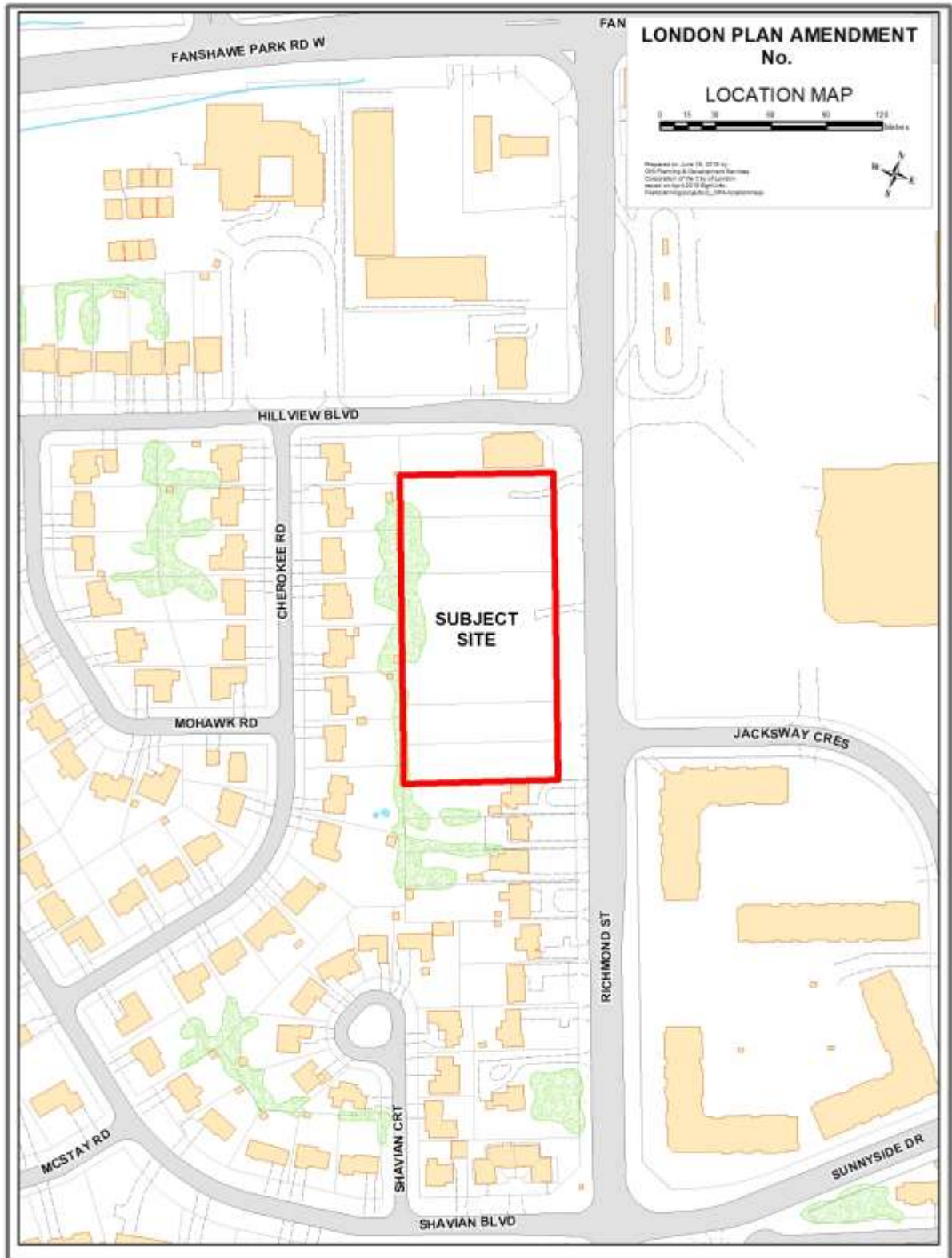
4. For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a “stand-alone” commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 200 units per hectare and a maximum height of seven storeys shall be permitted for the apartment building, subject to the regulations of the *Zoning By-law*.
2. Specific policy 825\_ for the Transit Village Place Type of The London Plan for the City of London is repealed in its entirety and replaced with the following:

825\_ The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian-oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a zoning by-law amendment application which meets the Intensification policies in the Our City part, and City Design chapter of this Plan, as well as the following site specific policies:

1. For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.

2. Notwithstanding the height and density maximums identified in the general Transit Village Place Type policies, a maximum density of 200 units per hectare shall be permitted, subject to the regulations of the *Zoning By-law*. A maximum height of up to six storeys shall be permitted for 1653 Richmond Street and a maximum height of up to seven storeys shall be permitted for 1643 and 1649 Richmond Street, subject to the regulations of the *Zoning By-law*.
3. The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this specific policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.
4. Applications for zoning by-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be in accordance with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
5. Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - a. Minimum setback distances from low density residential properties to the west shall be specified in the *Zoning By-law* in order to provide for significant buffering opportunities.
  - b. The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space requirements specified in the *Zoning By-law*.
  - c. Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
  - d. Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.

- e. Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.





## Appendix D – Public Engagement

### Community Engagement

**Public liaison:** On February 6, 2019, Notice of Application was sent to 275 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 7, 2019. A “Planning Application” sign was also posted on the site.

3 replies were received.

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit two 7-storey apartment buildings with a total of 291 units. Possible amendment to Policies 3.5.25 and 3.5.26 in the 1989 Official Plan and Policies 823\_ and 825\_ in The London Plan to permit a building height of 7-storeys and to remove policies related to townhouse dwellings. Possible change to Zoning By-law Z.-1 FROM a Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and a Residential R9 Special Provision (R9-7(23)) Zone TO a Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and a Residential R9 Special Provision (R9-7(23)) Zone. Amended special provisions would permit an increased maximum building height of 22 metres, whereas a maximum of 20 metres is permitted, a reduced minimum parking supply of 196 spaces, whereas 205 spaces are required, and remove special provisions related to cluster townhouses. The existing range of permitted uses would continue to apply to the site. All other existing special provisions would continue to apply to the site.

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

**Concern for:**

*Increased Height:*

A concern for the requested increased height and the request to amend the Zoning By-law after already receiving approval for development.

*Parking Setback from Rear Lot Line:*

Request that a minimum 28 metre setback from the rear lot line to the parking area (as shown on the conceptual site plan) be written into the Zoning By-law to ensure it is maintained.

*Traffic Congestion and Layby Traffic:*

Concerns that vehicles will stop along Richmond Street in front of the proposed buildings, blocking traffic and causing congestion. Also concerned that there will be traffic impacts and congestion as a result of this development.

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

Telephone	Written
Bill Davis 25 Cherokee Road London, ON N6G 2N7	Anthony Circelli 1609 Richmond Street London, ON N6G 2M9
Myrna McDermid 29 Cherokee Road London, ON N6G 2N7	Bill Davis 25 Cherokee Road London, ON N6G 2N7

From:  
Sent: Friday, February 15, 2019 2:39 PM  
To: Lowery, Catherine <clowery@london.ca>  
Cc: Morgan, Josh <joshmorgan@london.ca>  
Subject: 1631-1649 Richmond Street

Dear Catherine,

I have copied Mr. Josh Morgan on this email.

I am the home owner at 1609 Richmond Street. I have been opposed to this development since I moved into the area in late 2012.

I was against the development when it was brought for 6 stories. Now the developer wish to increase the height to 22 M, and add an additional story, making it 7 stories. This is something that I cannot agree with, and will oppose this Amendment.

Thank you for your time.

Anthony

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**From:** Bill Davis  
**Sent:** Saturday, February 23, 2019 11:04 AM  
**To:** Lowery, Catherine <clowery@london.ca>  
**Cc:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** Re: OZ-9019 - 1631-1649 Richmond Street

Hi Catherine,

Just responding with our comments on the OP amendment. As you may be aware the developer did host an open house to share the 7 story plan/elimination of the townhouse concept last spring. We were generally supportive of that plan. The new proposal provides a few more details, particularly around the parking design including the numbers. We are in support of this proposal. The only issue that is not clear, is that under the current zoning there was to be a 15m setback at the rear (west side), and 50 m to the 6 story building. That 50m is still referenced in the re zoning. What we are not seeing is any reference to the 15m. And given that the townhomes have been removed (to enable the building to be increased to 7 stories and the number of units increased), it would be our position that the 15 m setback, be increased to 28 m, and embedded in the official zoning. This is to protect against someone trying to come in down the road and putting buildings at the rear of the property. Note the 28m is the current setback shown in the plan to the rear of the parking.

Thanks  
Bill Davis, President OMRA

### **Agency/Departmental Comments**

#### February 13, 2019: Transportation

Please find below Transportations comments:

- Change the inbound radius on the access opposite Jacksway Crescent to 9.0m.

#### February 19, 2019: Water Engineering

Water servicing can be achieved from the 400mm PVC watermain under the west side of Richmond Street. Specific comments may be provided at the time of development application.

#### February 19, 2019: UTRCA

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 subject lands have been reviewed to determine whether or not it falls within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at: [http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

#### **RECOMMENDATION**

The UTRCA has no objections to this application.

##### March 6, 2019: 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.

##### March 18, 2019: Engineering

No Comments.

##### March 27, 2019: Urban Design

I have reviewed the submitted site plans and elevations for the rezoning application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, and guidelines:

- As the building is now proposed to be 7 storeys in height, provide a set back above the fifth or sixth storey in order to provide for a more human scale along the Richmond Street corridor. Alternatively, provide for alternate design (change in material and/or fenestration) on the top two floors of the building in order to break up the massing.

## **Appendix E – Policy Context**

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

### Provincial Policy Statement, 2014

1.1.1 Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a. densities and a mix of land uses which:
  1. efficiently use land and resources;
  2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
  4. support *active transportation*;
  5. are *transit-supportive*, where transit is planned, exists or may be developed; and

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

- b. permitting and facilitating:
  1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
  2. all forms of *residential intensification*, including second units, and *redevelopment* in accordance with policy 1.1.3.3;
- c. directing 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;
- d. promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed; and
- e. establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

### The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

807\_ Second only to the Downtown in terms of the mix of uses and intensity of development that is permitted, Transit Villages are major mixed-use destinations with centrally located rapid transit stations. These stations will form focal points to the Transit Village neighbourhood. Transit Villages are connected by rapid transit corridors to the Downtown and allow opportunities for access to this rapid transit from all directions.

808\_ They are intended to support the rapid transit system, by providing a higher density of people living, working, and shopping in close proximity to high-quality transit service. Through pedestrian oriented and cycling-supported development and design, Transit Villages support a healthy lifestyle and encourage the use of the City's transit system to reduce overall traffic congestion within the city.

809\_ The Transit Villages identified in this Plan are located in existing built-up areas. However, all of these locations have opportunities for significant infill, redevelopment, and an overall more efficient use of the land. A more compact, efficient built form is essential to support our transit system and create an environment that places the pedestrian and transit user first.

810\_ We will realize our vision for Transit Villages by implementing the following in all the planning we do and the public works we undertake:

2. Plan for intense, mixed-use development around transit stations within Transit Villages. This may involve significant restructuring and redevelopment of existing, often single use commercial complexes at these locations.
3. Transition height and intensity between transit stations and surrounding neighbourhoods.
4. Require transit-oriented development forms.
8. Support the provision of a choice of dwelling types with varying locations, size, affordability, tenure, design, and accessibility, so that a broad range of housing requirements are satisfied, including those for families.

811\_ The following uses may be permitted within the Transit Village Place Type:

1. A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses may be permitted in the Transit Village Place Type.

\*813\_ The following intensity policies apply within the Transit Village Place Type:

1. Buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys in height. Type 2 Bonus Zoning beyond this limit, up to 22 storeys, may be permitted in conformity with the Our Tools policies of this Plan.
2. Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this place type is fully utilized, and promoting mixed-use forms of development.
3. Permitted building heights will step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types.

814\_ The following form policies apply within the Transit Village Place Type:

2. High-quality architectural design will be encouraged within Transit Villages.
3. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation.
4. Convenient pedestrian access to transit stations will be a primary design principle within Transit Villages.
9. Massing and architecture within the Transit Village should provide for articulated façades and rooflines, accented main entry points, and generous use of glazing and other façade treatments along sidewalk areas such as weather protection features to support a quality pedestrian environment.
11. Surface parking areas should be located in the rear and interior sideyard. Underground parking and structured parking integrated within the building design is encouraged.
12. Shared car and bicycle parking facilities and carshare/bikeshare programs will be encouraged within Transit Villages. Public changerooms and bicycle facilities will be encouraged.

821\_ The Richmond Street-Old Masonville area is located on the west side of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience

needs of the future residents and immediate neighbourhood. Future development of these lands shall be in accordance with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines.

822\_ In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:

1. Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.
2. Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.
3. Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.
4. Mitigation of impacts on the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above grade height of basements through the use of zoning regulations.
5. Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/ or landscaped open space coverage regulations.
6. Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.
7. Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
8. Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.
9. Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.
10. Limiting the number of townhouse dwellings to four per block to break up the visual massing.
11. Requiring the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.

823\_ In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:

1. For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law.
2. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this specific policy.
3. For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four storeys shall be

permitted for the apartment building, subject to the regulations of the Zoning By-law.

4. For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings, cluster townhouses, and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a "stand-alone" commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 200 units per hectare and a maximum height of six storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

824\_ Mutual access to Richmond Street shall be provided opposite Jacksway Crescent for the benefit of all the subject properties identified in this specific policy. The construction of belowgrade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space coverage requirements specified in the Zoning By-law.

825\_ The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian-oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a zoning by-law amendment application which meets the Intensification policies in the Our City part, and City Design chapter of this Plan, as well as the following site specific policies:

1. For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include cluster townhouses and apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/ dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.
2. Notwithstanding the general Transit Village Place Type policies, a maximum density of 200 units per hectare and a maximum height of up to six storeys shall be permitted subject to the regulations of the Zoning By-law.
3. The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified

in this specific policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.

4. Applications for zoning by-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be in accordance with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
5. Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - a. Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.
  - b. The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space requirements specified in the Zoning By-law.
  - c. The maximum height of townhouse dwellings and restrictions regarding the above-grade height of basements shall be implemented through the zoning provisions to ensure the visual impacts on adjacent low density properties to the west are minimized.
  - d. Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
  - e. Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
  - f. Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.
  - g. The number of townhouse dwellings shall be limited to four per block to break up the visual massing.

### The 1989 OP

#### 3.5.25 1643, 1649 and 1653 Richmond Street

The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a Zoning By-law amendment application which meets the general intensification criteria outlined in Section 3.2.3 and the Urban Design Principles outlined in Section 11 of the Official Plan as well as the following site-specific policies:

- a) For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include cluster townhouses and apartment buildings, and non-residential



uses shall be directed to lands to the north. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.

- b) Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum density of 200 units per hectare and a maximum height of up to 6-storeys shall be permitted for subject to the regulations of the Zoning By-law.
- c) The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. The properties at 1607-1639 Richmond Street will be developed for residential uses and include convenience commercial uses at 1631 and 1635 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this special policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.
- d) Applications for Zoning By-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this Section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be consistent with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
- e) Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - i) Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.
  - ii) The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space requirements specified in the Zoning By-law.
  - iii) The maximum height of townhouse dwellings and restrictions regarding the above-grade height of basements shall be implemented through the zoning provisions to ensure the visual impacts on adjacent low density properties to the west are minimized.
  - iv) Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
  - v) Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
  - vi) Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.
  - vi) The number of townhouse dwellings shall be limited to four per block to break up the visual massing.

### 3.5.26 Richmond Street-Old Masonville

The Richmond Street-Old Masonville area is located on the west side of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood. Future development of these lands shall be consistent with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines which have been adopted pursuant to Section 19.2 of the Official Plan.

- i) In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:
  - Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.
  - Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.
  - Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.
  - Mitigation of impacts onto the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above-grade height of basements through the use of zoning regulations.
  - Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/or landscaped open space coverage regulations.
  - Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.
  - Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
  - Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.
  - Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.
  - Limiting the number of townhouse dwellings to four per block to break up the visual massing.
  - Require the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.
- ii) In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:
  - a) For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density

residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this Special Policy.

- b) For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.
- c) For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings, cluster townhouses, and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a "stand-alone" commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwelling to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 200 units per hectare and a maximum height of six-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

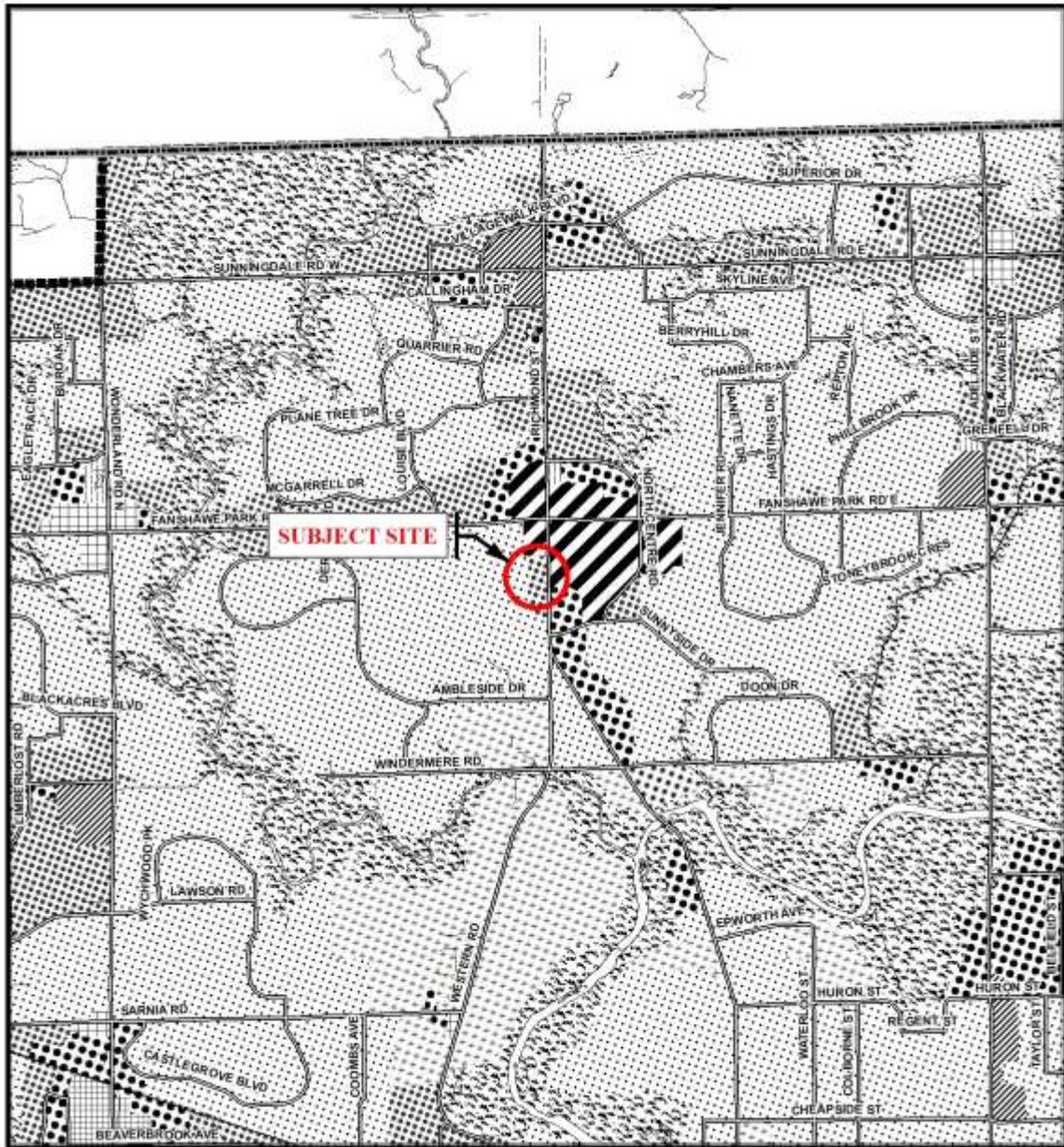
Mutual access to Richmond Street shall be provided opposite Jacksway Crescent for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.

- d) For the lands located at 1643, 1649, and 1653 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwelling to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 200 units per hectare and a maximum height of up to six-storeys shall be permitted for the apartment building subject to the regulations of the Zoning By-law.

Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.

**Appendix F – Relevant Background**

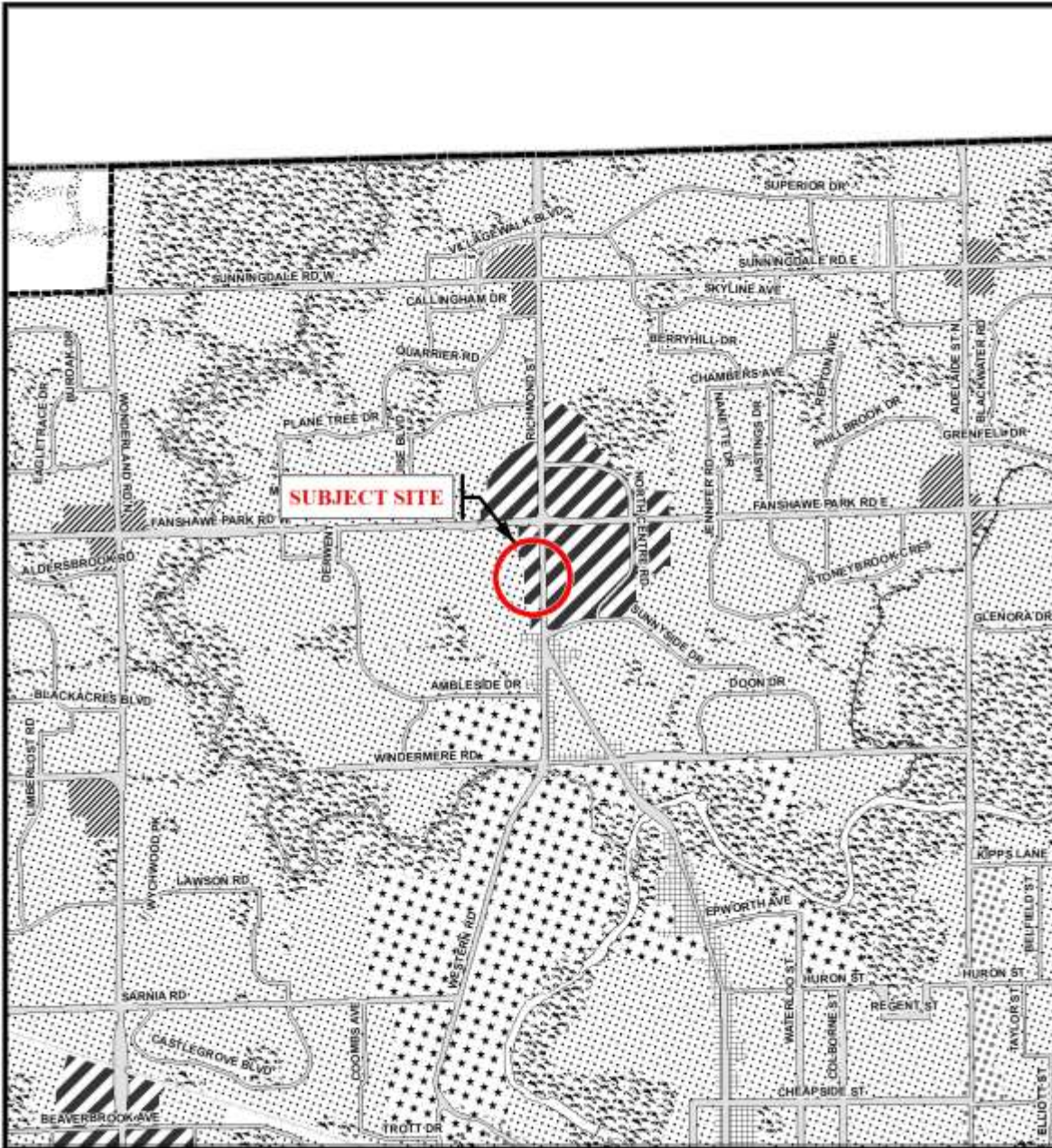
**Additional Maps**



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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9020</p> <p>PLANNER: CL</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/06/19</p>
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**Legend**

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

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

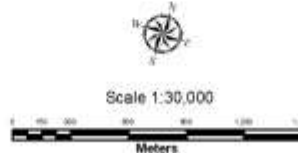
*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**CITY OF LONDON**

Planning Services /  
 Development Services

**LONDON PLAN MAP 1  
 - PLACE TYPES -**

PREPARED BY: Planning Services



**File Number:** OZ-9043

**Planner:** CL

**Technician:** RC

**Date:** June 19, 2019



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

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

- |   |  |
|---|--|
| <p>R1 - SINGLE DETACHED DWELLINGS<br/>                 R2 - SINGLE AND TWO UNIT DWELLINGS<br/>                 R3 - SINGLE TO FOUR UNIT DWELLINGS<br/>                 R4 - STREET TOWNHOUSE<br/>                 R5 - CLUSTER TOWNHOUSE<br/>                 R6 - CLUSTER HOUSING ALL FORMS<br/>                 R7 - SENIOR'S HOUSING<br/>                 R8 - MEDIUM DENSITY/LOW RISE APTS.<br/>                 R9 - MEDIUM TO HIGH DENSITY APTS.<br/>                 R10 - HIGH DENSITY APARTMENTS<br/>                 R11 - LODGING HOUSE</p> <p>DA - DOWNTOWN AREA<br/>                 RSA - REGIONAL SHOPPING AREA<br/>                 CSA - COMMUNITY SHOPPING AREA<br/>                 NSA - NEIGHBOURHOOD SHOPPING AREA<br/>                 BDC - BUSINESS DISTRICT COMMERCIAL<br/>                 AC - ARTERIAL COMMERCIAL<br/>                 HS - HIGHWAY SERVICE COMMERCIAL<br/>                 RSC - RESTRICTED SERVICE COMMERCIAL<br/>                 CC - CONVENIENCE COMMERCIAL<br/>                 SS - AUTOMOBILE SERVICE STATION<br/>                 ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</p> <p>OR - OFFICE/RESIDENTIAL<br/>                 OC - OFFICE CONVERSION<br/>                 RO - RESTRICTED OFFICE<br/>                 OF - OFFICE</p> | <p>RF - REGIONAL FACILITY<br/>                 CF - COMMUNITY FACILITY<br/>                 NF - NEIGHBOURHOOD FACILITY<br/>                 HER - HERITAGE<br/>                 DC - DAY CARE</p> <p>OS - OPEN SPACE<br/>                 CR - COMMERCIAL RECREATION<br/>                 ER - ENVIRONMENTAL REVIEW</p> <p>OB - OFFICE BUSINESS PARK<br/>                 LI - LIGHT INDUSTRIAL<br/>                 GI - GENERAL INDUSTRIAL<br/>                 HI - HEAVY INDUSTRIAL<br/>                 EX - RESOURCE EXTRACTIVE<br/>                 UR - URBAN RESERVE</p> <p>AG - AGRICULTURAL<br/>                 AGC - AGRICULTURAL COMMERCIAL<br/>                 RRC - RURAL SETTLEMENT COMMERCIAL<br/>                 TGS - TEMPORARY GARDEN SUITE<br/>                 RT - RAIL TRANSPORTATION</p> <p>"H" - HOLDING SYMBOL<br/>                 "D" - DENSITY SYMBOL<br/>                 "H" - HEIGHT SYMBOL<br/>                 "B" - BONUS SYMBOL<br/>                 "T" - TEMPORARY USE SYMBOL</p> |
|---|--|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:  
 OZ-9020 MC

MAP PREPARED:  
 2019/06/19 rc

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

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

**Additional Reports**

September 27, 2004 Report to Planning Committee – 1607-1653 Richmond Street (Z-6670/Z-6673)

October 18, 2004 Report to Planning Committee – 1607-1653 Richmond Street (Z-6670/Z-6673)

November 16, 2009 Report to Planning Committee – Public Site Plan Review (S.P. No. 06-032378) – 1639 Richmond Street

March 1, 2010 Report to Planning Committee – Ontario Municipal Board Appeals – 1639 Richmond Street

October 17, 2011 Report to Built and Natural Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street (OZ-7965)

December 12, 2011 Report to Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street (OZ-7965)

December 12, 2011 Report to Planning and Environment Committee – Storm Sewer to Accommodate Intensification on Richmond Street

August 22, 2012 Report to Planning and Environment Committee – Storm Outlet Reconstruction and Upgrade Works to Accommodate 1631, 1635, and 1639 Richmond Street Development and Residential Intensification on Richmond Street

November 12, 2013 Report to the Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1627, 1631, 1635, 1639, 1649, 1653 Richmond Street (OZ-7965)

January 21, 2014 Report to the Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1627, 1631, 1635, 1639, 1649, 1653 Richmond Street (OZ-7965)

April 29, 2014 Report to the Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1627, 1631, 1635, 1639, 1649, 1653 Richmond Street (OZ-7965)

October 7, 2014 Report to the Planning and Environment Committee – 1643, 1649, 1653 Richmond (OZ-8310)

May 19, 2015 Report to the Planning and Environment Committee – 1631, 1635, 1639, 1643 and 1649 Richmond Street Site Plan Public Participation Meeting (SP15-011562)

September 8, 2015 Report to the Planning and Environment Committee – 1631, 1635, 1643, 1649, 1653 Richmond (H-8519)

August 13, 2018 Report to the Planning and Environment Committee – 1631 to 1649 Richmond Street

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.3 PUBLIC PARTICIPATION MEETING – Application – 1631-1649 Richmond Street (OZ-9019)

- *(Councillor A. Hopkins enquiring about, with this amendment, what the changes in units are to the previous application.);* Ms. C. Lowery, Planner II, indicating that the previous development proposal proposed to 220 units; this proposal requests, she believes, 291 units.
- Harry Froussios, Zelinka Priamo Limited, on behalf of 1635 Richmond (London) Corporation – discussing the amendments before the Planning and Environment Committee; advising that in attendance this afternoon is also Mr. Brian McMullen who represents the applicant; wanting to thank staff for their efforts in bringing forward this recommendation and for working with us throughout this process; thanking the members of the Old Masonville Ratepayers Association who have been involved since the onset of this process and have provided very valuable comments and overall support for the amendments that are before the Planning and Environment Committee this afternoon; stating that, in their opinion, the proposed amendments will allow for a more efficient and appropriate development that provides increased separation and sufficient and generous amounts of open space between the proposed development and their neighbors to the west; advising that their client has already received permits for the construction and commenced construction for the six story apartment buildings on the site; noting that as for the current approved zoning for the property; approval of these amendments will require minor site plan amendment to show the increased height of the buildings and to add more parking supply to the property; hoping that there will be a quick process so that construction can continue on; expressing support of the staff recommendation.



## 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:** 1635 Richmond (London) Corporation  
1631-1649 Richmond Street

**Public Participation Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1635 Richmond (London) Corporation relating to the property located at 1631-1649 Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the Official Plan **BY AMENDING** policies 3.5.25 and 3.5.26 of the Specific Policies for Residential Areas;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, **BY AMENDING** the Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and Residential R9 Special Provision (R9-7(23)) Zone;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019, to amend The London Plan **BY AMENDING** specific policies 823\_ and 825\_ of the Transit Village Place Type;

**IT BEING NOTED THAT** the amendments will come into full force and effect concurrently with Map 1 and Map 7 of The London Plan.

## Executive Summary

### Summary of Request

The requested amendment will permit the development of a 7-storey, 291 unit apartment building. The requested amendment will also remove existing permissions for townhouse dwellings.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a 7-storey, 291 unit apartment building with 196 parking spaces. The recommended action will further remove existing permissions for townhouse dwellings.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2014;
2. The recommended amendment conforms to the in-force policies of The London Plan;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan;
4. The recommended amendment conforms to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is located on the west side of Richmond Street. Surrounding land uses include a mixed-use office/residential building to the north, CF Masonville Place to the east, low rise residential to the south, and low rise residential to the west. The site is currently undeveloped, however construction of a 6-storey apartment building is underway.



Figure 1: Subject site (northerly view from Richmond Street)



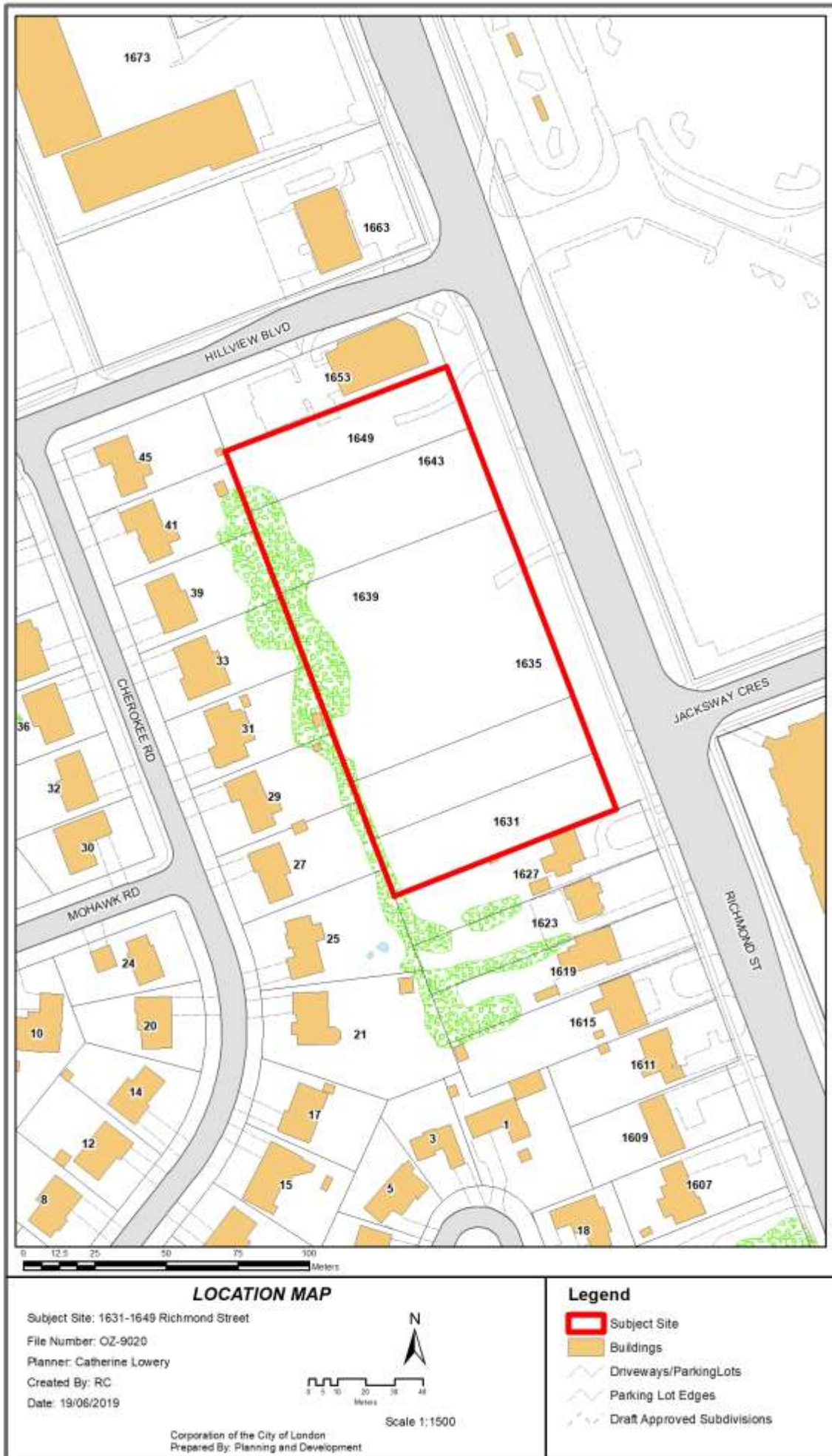
Figure 2: Subject site (southerly view from Richmond Street)

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

- Official Plan Designation – Multi-Family, Medium Density Residential; also subject to site specific policies
- The London Plan Place Type – Transit Village Place Type; also subject to site specific policies

- Existing Zoning – Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and a Residential R9 Special Provision (R9-7(23)) Zone

### 1.3 Location Map



#### 1.4 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 166 metres (410 feet)
- Depth – 93 metres (230 feet)
- Area – 1.52 hectares (3.81 acres)
- Shape – Rectangular

#### 1.5 Surrounding Land Uses

- North – Mixed-Use (Office/Residential)
- East – CF Masonville Place
- South – Low Rise Residential
- West – Low Rise Residential

#### 1.6 Intensification

- The requested development proposes 291 residential units;
- The proposed units represent intensification within the Built-area Boundary;
- The proposed units would be constructed within the Primary Transit Area.

## 2.0 Description of Proposal

### 2.1 Development Proposal

The applicant is proposing two 7-storey apartment buildings with a total of 291 units and 196 parking spaces. Removal of previously approved townhouse dwellings is also proposed.

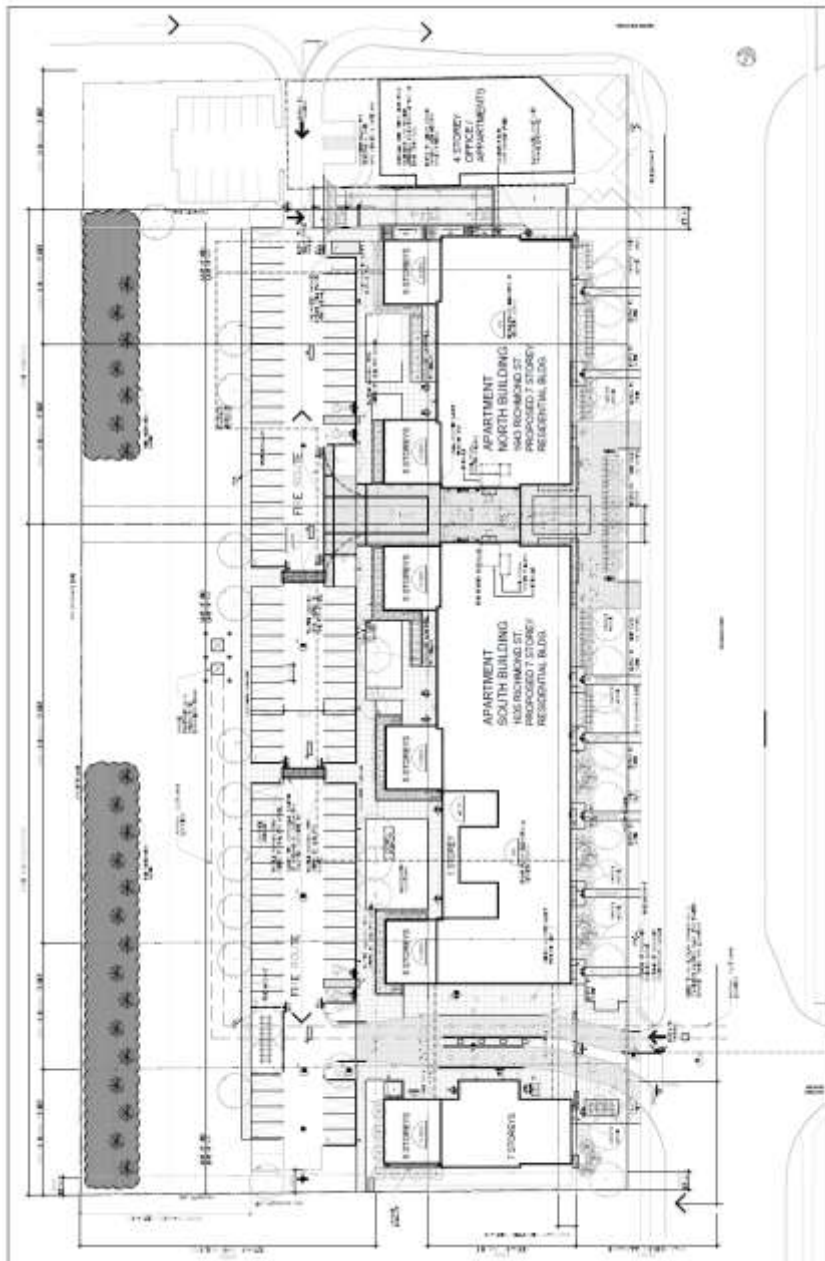


Figure 3: Conceptual site plan



Figure 4: Conceptual rendering (front view from Richmond Street)



Figure 5: Conceptual rendering (back view)

### 3.0 Relevant Background

#### 3.1 Planning History

In April of 2004, an application for a Zoning By-law amendment was received for the lands at 1639 Richmond Street requesting that the subject property be rezoned to permit cluster townhouse and stacked townhouse uses (Z-6670). Recognizing the merit in considering the development of this portion of the Richmond Street corridor/Masonville Node in a more comprehensive manner, City Staff were subsequently directed to initiate a Zoning By-law amendment application for the remainder of the lands along the corridor comprising 1607-1653 Richmond Street (Z-6673).

As a result of the City initiated re-zoning process in 2004, Council amended the Zoning By-law to permit the development of cluster dwellings in the form of single detached, semi-detached, and townhouses for the lands between 1607-1653 Richmond Street. This Zoning By-law included an “h-5” holding provision requiring that a public site plan review be conducted and the applicant enter into a development agreement with the municipality prior to its removal.

In September of 2009, the property owner submitted an application to remove the “h-5” holding provision for the lands at 1639 Richmond Street in order to facilitate a proposed cluster townhouse development and a public site plan review was conducted at a meeting of the Planning Committee (H-7705). Site Plan Staff recommended that the proposed site plan, landscape plan, building elevations and development agreement be approved.

Notwithstanding the recommendation of Site Plan Staff, this application was referred back to Staff in order to address community concerns. In December of 2009, the property owner appealed the application for site plan approval to the Ontario Municipal Board (OMB) on the basis that the municipality failed to make a decision on approval of the application within the 30-day prescribed time period. In January of 2010, the property owner also appealed the request to remove the holding provision to the OMB on the basis of the municipality's non-decision. In September of 2010, the OMB issued a decision indicating that it was satisfied that the proposed development was consistent with the Official Plan and Zoning By-law and approved the site plan and ordered that the holding provision be lifted. Municipal Council subsequently lifted the "h-5" holding provision at 1639 Richmond Street in November of 2010.

On March 7, 2011, in light of continuing community concerns regarding the approved site plan and cluster townhouse development proposed for 1639 Richmond Street, the Built and Natural Environment Committee (BNEC) received a letter from the ward councillor requesting that a City-initiated zoning amendment be undertaken for these lands to consider a form and intensity of development that:

- Is supportive of infill;
- Is respectful of the character of the corridor and the neighbourhood to the west;
- Allows for an appropriate density of use (recognizing the propensity for 5 bedrooms per unit within residential development at this location);
- Manages and mitigates impacts on the rear yards of development to the west;
- Manages and consolidates access to avoid impact on Richmond Street; and,
- Provides for a built form and urban design that enhances the Richmond Street corridor and Masonville node.

On March 21, 2011, Municipal Council resolved:

*That, in response to a communication dated February 18, 2011 from Councillor M. Brown requesting a City-initiated rezoning of the properties located on the western portion of the Richmond Street corridor between Shavian Boulevard and Hillview Boulevard, the Civic Administration **BE REQUESTED** to report back at a future meeting of the Built and Natural Environment Committee with respect to a zoning amendment for these lands, excluding 1639 Richmond Street, that considers the form and intensity of development that is in keeping with that which is desired by the community.*

In response to this Council resolution, Planning Staff undertook a series of consultation sessions with representatives of the Old Masonville Community, the owner of 1639 Richmond Street, Civic Administration, and the Ward Councillor. The result of these collaborative consultation efforts was a new vision for the lands encompassing 1607-1653 Richmond Street which adds residential intensity along the Richmond Street corridor and Masonville node while increasing the setbacks from the existing single detached dwellings to the south and west, reducing the number of bedrooms per dwelling unit, and appealing to a wide mix of residents.

On October 17, 2011 Planning Staff reported back to the Built and Natural Environment Committee indicating that Civic Administration had initiated an application for Official Plan and Zoning By-law amendments for these lands (OZ-7965), consistent with the March 21, 2011 Council resolution, and, additionally, were preparing a Master Plan to be considered for adoption as a Guideline Document to the Official Plan. At this time, Civic Administration were also directed to have a traffic impact assessment prepared to assist with area transportation policies and development conditions, to identify the costs associated with storm sewer capacity improvements required to accommodate the proposed development between Hillview and Shavian Boulevards, and to identify sources of financing to undertake these works in 2012.

On January 10, 2012, Council resolved to introduce a series of by-laws to amend the Official Plan and Zoning By-law. The proposed amendments were intended to facilitate development that is consistent with the concept prepared collaboratively by the range of

stakeholders during the 2011 planning process. Further to Council's general support for the proposed amendments, it was resolved that:

*Three readings of the by-laws enacting the Official Plan and Zoning By-law amendments, as recommended in clauses (a) to (h) above, **BE WITHELD** until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street, following a public site plan review and a development agreement entered into with the City of London, which is consistent with the site plan drawings and elevation drawings attached hereto as Appendix "I";*

The above clause withheld three readings of the enacting by-laws in order to provide assurance to the City and the Community that the development of 1631, 1635 and 1639 Richmond Street would proceed in a manner consistent with the concept prepared collaboratively among stakeholders. Planning Staff had preferred the use of a holding provision on all of the properties, however the owner of 1639 Richmond Street expressed concern with the use of the holding provision on his lands. The recommendation to withhold three readings of the enacting by-laws until site plan approval was obtained for the apartment proposal was viewed by Staff as a suitable compromise.

In October of 2013, Planning Staff received correspondence from the owner of 1631, 1635, and 1639 Richmond Street expressing his on-going commitment to undertake construction of the proposed development concept created in collaboration with the community, but also expressing a concern about the cost and uncertainty of undertaking a site plan approval process which will culminate in the introduction of the three readings of the by-laws which may then subsequently be appealed to the Ontario Municipal Board. As an alternative, the property owner requested that the City revise the previous amendments such that his lands be rezoned to facilitate the proposed development concept with holding provisions, consistent with the approach favoured by Planning Staff in 2011. The intended result was to be that: the property owner would achieve certainty with regard to his land use permissions prior to him initiating the Site Plan approval process; the community would obtain safeguards in the form of holding provisions which would require that the proposed development concept be approved prior to the removal of the holding provision; and, the City would also benefit by knowing that any investment made in the form of stormwater infrastructure improvements would be adequately sized to accommodate a certain form of development.

As a result of the property owner's request and Staff's previous support for the use of holding provisions on the properties including 1631, 1635 and 1639 Richmond Street, Planning Staff prepared a report to the Planning and Environment Committee seeking direction to initiate new applications which would provide for a form of development that is consistent with the concept plan developed through the 2011 planning process but include the use of holding provisions to secure certainty in the final design of future development.

On November 19, 2013, Municipal Council resolved that on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the lands on the West Side of Richmond Street, between Hillview Boulevard and Shavian Boulevard:

- (a) Civic Administration **BE DIRECTED** to process an amended Zoning By-law amendment application and to re-initiate discussions with the community regarding the implementation of the proposed development concept for the lands located at 1631, 1635 and 1639 Richmond Street, as appended to the staff report dated November 12, 2013 as Appendix "A"; it being noted that Appendix "A" was developed collaboratively with the property owner (Mr. Farid Metwaly), staff and members of the community and provided the basis for the previously proposed amendments; it being further noted that on January 10, 2012, the Municipal Council resolved to withhold three readings of the enacting by-laws for the previously initiated Official Plan and Zoning By-law amendments until such time as the owner of 1631, 1635 and 1639 Richmond Street obtains site plan approval for these lands to ensure that development proceeds in accordance with the proposed development concept; it also being noted that the Civic Administration has*

*previously initiated an application for Official Plan and Zoning by-law amendments for these lands at the direction of the Municipal Council and prepared a Master Plan to be considered for adoption as a Guideline Document to the Official Plan.*

On January 21, 2014, revised Official Plan and Zoning By-law amendments were presented to the Planning and Environment Committee to allow for adoption of the previously considered approvals with holding provisions to provide further assurances as to the ultimate form of development. On January 28, 2014, Municipal Council adopted the recommended Official Plan and Zoning By-law amendments which resulted in the re-designation of the subject lands to “Multi-Family, Medium Density Residential”, the adoption of special Official Plan policies to Section 3.5 – Policies for Specific Residential Areas of the Official Plan, the adoption of the *Richmond Street Old-Masonville Master Plan and Urban Design Guidelines* as a guideline document to the Official Plan and the rezoning of the subject properties to allow for the development of multiple attached dwellings such as row houses or cluster houses, low-rise apartment buildings, small scale nursing homes, rest homes, and homes for the aged with a convenience commercial component. Holding provisions were also applied to ensure development occurs in accordance with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*.

On February 27, 2014, appeals were submitted by McKenzie Lake Lawyers LLP on behalf of Richmond Medical Centre Inc. (owner of 1653 Richmond Street), and Circelli Law on behalf of Anthony Circelli (owner of 1609 Richmond Street), in opposition to Municipal Council’s decision to approve the Official Plan and Zoning By-law amendments. On October 20, 2014, Mr. Circelli withdrew his appeal leaving Richmond Medical Centre Inc. as the sole appellant. At the time of appeal, Richmond Medical Centre Inc. had also submitted an application to the City for a site specific Official Plan and Zoning By-law amendment to allow for the development of a small-scale medical/dental office at 1653 Richmond Street (OZ-8310), which was adopted by Municipal Council on October 14, 2014. Following approval of this Official Plan and Zoning By-law Amendment, the parties came to an agreement and the Ontario Municipal Board allowed the appeal of Richmond Medical Centre Inc. on February 4, 2015.

On May 19, 2015, a public participation meeting was held related to Site Plan Control application SP-15011562. On September 15, 2015, Municipal Council removed the holding provisions (H-8519) and on December 22, 2015, conditional Site Plan Control Approval was granted for two six-storey apartment buildings and 18 townhouse dwellings (220 units total). This approved development concept is currently under construction.

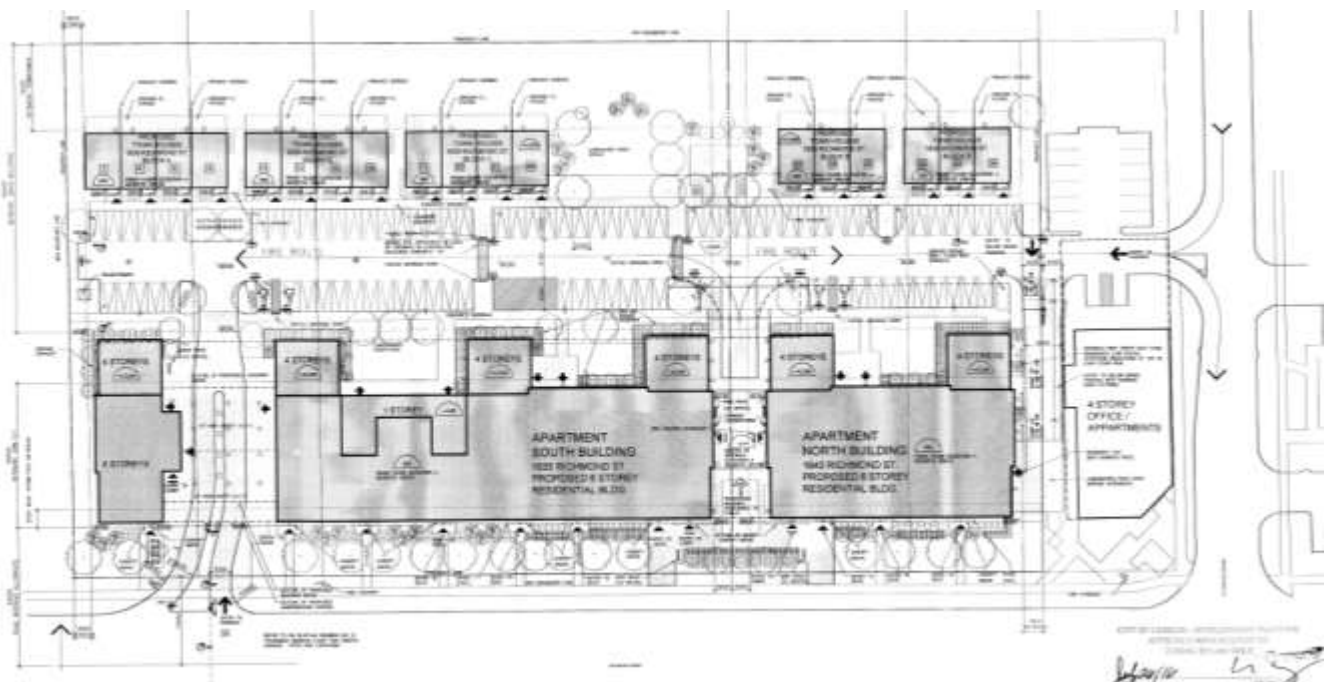


Figure 6: Approved site plan (SP-15011562)

### 3.2 Requested Amendment

The applicant is requesting to rezone the subject lands to amend the existing



Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and Residential R9 Special Provision (R9-7(23)) Zone. Amended special provisions would permit an increased maximum building height of 22 metres, (whereas a maximum of 20 metres is permitted), a reduced minimum parking supply of 196 spaces (whereas 205 spaces are required), and remove special provisions related to cluster townhouses. An additional special provision requiring a minimum 28 metre setback from the rear property line to the surface parking is also recommended.

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

Two written responses were received from neighbouring property owners, which will be addressed later in this report. One response expressed support for the requested amendment, while the other identified concerns related to the additional height. Two phone calls were received; one requesting clarification and one expressing concerns regarding traffic.

Prior to submission of the complete application, the applicant hosted a community information meeting to present the proposed changes to the approved development concept. This meeting was held on April 18, 2018.

### **3.4 Policy Context (see more detail in Appendix D)**

#### ***The Provincial Policy Statement, 2014***

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS.

Section 1.1 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 directs cities to make sufficient land available to accommodate this range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Planning authorities are also directed to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4). Further, a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (1.6.7.4).

#### ***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 in the Transit Village Place Type of The London Plan on a Rapid Transit Boulevard, as identified on \*Map 1 – Place Types and \*Map 3 – Street Classifications. The site is also subject to Specific Policy Areas 9 and 10 for the Transit Village Place Type pertaining to the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street, as identified on \*Map 7 – Specific Policy Areas.

#### ***1989 Official Plan***

The subject site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan. The site is also subject to specific policies pertaining to 1643, 1649, and 1653 Richmond Street and the Richmond Street-Old Masonville area, which are verbatim to those of The London Plan.

## 4.0 Key Issues and Considerations

### 4.1 Issue and Consideration # 1: Use, Intensity, and Form

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

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 (including, affordable housing and housing for older persons), employment and institutional uses to meet long-term needs. It promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas to be the main focus of growth and their vitality and regeneration shall be promoted (1.1.3). 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 surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

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). It encourages 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 (1.4.3).

The recommended amendment will facilitate a transit-oriented development within an established settlement area with an appropriate level of infrastructure and public service facilities available. The proposed 7-storey apartment buildings contribute to a mix of housing types, support active transportation, and provide choice and diversity in housing options. No new roads or infrastructure are required to service the site, therefore the development makes efficient use of existing services. As such, the recommended amendment is consistent with the policies of the PPS.

#### *The London Plan*

The Transit Villages identified in The London Plan are located in existing built-up areas. However, all of these locations have opportunities for significant infill, redevelopment, and an overall more efficient use of the land. A more compact, efficient built form is essential to support our transit system and create an environment that places the pedestrian and transit user first (809\_). Permitted uses within this place type include a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses (811\_1). Normally, buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys (\*813\_1).

The site is subject to specific policies for the Transit Village Place Type pertaining to the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood (821\_).

The specific policies pertaining to this site establish a number of policies to achieve a

transit-oriented, pedestrian-friendly design. Key principles include: increased setbacks from the low density residential areas to the west of the subject lands, requiring a mix of bedroom counts of 1, 2, and 3 bedroom units, implementing a mix of at-grade and underground parking to provide greater opportunity for landscaped open space (822\_1-5). Further, apartment buildings shall be oriented toward the Richmond Street Corridor with front yard depths from apartment buildings to Richmond Street minimized and decreased building heights from east to west (822\_6-8).

A number of considerations have been given to the design of the proposed development to satisfy these principles. The buildings have been oriented toward Richmond Street with a 50 metre rear yard setback providing separation from the existing low density residential properties to the west. As well, both at-grade and underground parking has been provided, along with a 28 metre setback separating the at-grade parking lot from the properties to the west. The existing zoning restricts the number of bedrooms to three per unit and as no change to this regulation has been requested, the bedroom cap will be maintained. The buildings have been oriented such that they front Richmond Street with minimized front yard setbacks. The building height steps down to 5-storeys on the westerly side of the building, providing a transition towards the low density residential properties to the west.

Notwithstanding the general policies of the Transit Village Place Type, the specific policies for the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street apply a maximum density of 200 units per hectare and a maximum building height of 6-storeys for apartment buildings. The applicant is proposing to remove the townhouse dwellings previously approved for this site in return for the seventh storey on the apartment buildings, resulting in a combined density of approximately 188.76 units per hectare. However, the addition of the seventh storey exceeds the maximum building height of 6-storeys permitted by the specific policies, resulting in the need for an amendment to The London Plan.

The proposed development is consistent with the previously approved development concept, which is currently under construction on the subject site. Staff is satisfied that removal of the previously proposed townhouse dwellings and the addition of a seventh storey is appropriate for this site and further, conforms to the general policies of the Transit Village Place Type and the specific policies for the Richmond Street-Old Masonville Area and 1643, 1649, and 1653 Richmond Street. As such, staff is satisfied the recommended amendment is in conformity with The London Plan.

#### *1989 Official Plan*

In the Multi-Family, Medium Density Residential designation the primary permitted uses 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 (3.3.1). Height and density limitations in the Multi-Family, Medium Density Residential designation are normally 4-storeys and 75 units per hectare (3.3.3.i) and 3.3.3.ii)). However, the site is also subject to specific policies applicable to the west side of Richmond Street and the Richmond Street-Old Masonville area, which establish site specific height and density permissions for this site as well as various design objectives and criteria consistent with that of The London Plan.

The specific policies pertaining to 1643, 1649, and 1653 Richmond Street and the Richmond Street-Old Masonville Area are verbatim to those in The London Plan, as they have been perpetuated in the specific policies for the Transit Village Place Type. As such, staff is satisfied the recommended amendment is in conformity with the 1989 Official Plan.

#### *Richmond Street – Old Masonville Master Plan and Urban Design Guidelines*

The initial 6-storey apartment development and townhouse proposal has received Site Plan Approval and is currently under construction. Through the Site Plan process, the proposed development was reviewed under the *Richmond Street – Old Masonville*

*Master Plan and Urban Design Guidelines* to ensure the design was in accordance with the adopted guidelines. The site and building design at that time were considered to be in accordance with the following relevant principles:

- Orient buildings along Richmond Street so that Richmond Street façades have multiple visible front entrances to provide an active pedestrian environment.
- Create a defined street wall along Richmond Street by providing building frontage along no less than 75 percent of the eastern property line of the subject lands to support the visual and spatial continuity of the streetscape.
- Provide multiple pedestrian connections into the interior of the subject lands from Richmond Street.
- Provide private rear yard amenity space for the westerly townhouses toward the western property line so that this private rear yard amenity space for the townhouses abuts the private rear yard amenity space of the existing dwellings along Cherokee Road.
- Provide visual interest at the terminus of the driveway directly across from Jacksway Crescent through building location and architectural detail and/or landscape features to provide a visually attractive sightline into the subject lands.
- Design building façades to express a defined base proportionally, approximately one third of the height of the building, a middle, and a top to contribute to a human-scaled measured pedestrian environment, conceal roof top mechanical equipment, and provide a visually interesting skyline.
- Break up building massing by employing recesses and projections that are prominent enough to provide visual interest and assist in providing solar protection.
- Use high quality building materials, such as masonry, that are compatible within the context of the existing streetscape.
- Balance the proportion of façade cladding to ensure that there is a minimum of 50 percent glazing on apartment frontages facing Richmond Street and apartment frontages facing Hillview Boulevard.
- Outdoor living spaces of individual living units should be provided in the form of fully- or partially-recessed balconies, consistent with the built form of the multi-storey residential buildings in the neighbourhood, to maximize the privacy of the spaces from the public realm. Where outdoor living spaces cannot be provided, a Juliet balcony should be provided.
- Building corners that are highly visible from the public realm should have a high degree of architectural detail. The built corner at the intersection of Hillview Boulevard and Richmond Street as well as the built corners at the entry to the site across from Jacksway Crescent at Richmond Street require special architectural attention. Other building corners that are visible from the public realm should also be addressed through additional architectural details.
- Clearly define the first storey of buildings by employing overhead weather protection and using contrasting materials and/or colours to provide a human-scaled environment along Richmond Street and Hillview Boulevard.
- Provide a sensitive transition to the existing structures abutting the subject lands by gradually decreasing the building height from north to south and from east to west within the subject lands.
- Design the westerly townhouses to be compatible in massing and architectural

style with the single detached dwellings along Cherokee Road, particularly in providing pitched roofs and exterior masonry cladding.

- Provide for residents outdoor common amenity spaces, which are located and designed to maximize potential use.
- Use landscaping to clearly delineate outdoor public and private space and improve pedestrian wayfinding.
- Screen the western and southern property lines with a continuous combination of fencing and dense landscaping to maximize privacy between abutting outdoor uses.
- Preserve existing mature tree coverage within the required rear yard and side yard setbacks along the western and southern perimeters of the subject lands.
- Provide tree cover within the site and along the Richmond Street to provide shade for pedestrians and generally reduce solar gain.

As part of the complete Official Plan and Zoning By-law Amendment application, the applicant provided an Urban Design Brief addressing the necessary design considerations under the 1989 Official Plan, The London Plan, and the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*. The amended development proposal is generally consistent with the approved 6-storey development concept, with the exception of the seventh storey and removal of townhouse dwellings. As such, staff is satisfied the recommended amendment and revised building design to include an additional storey is in accordance with the principles of the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*.

Urban Design staff have reviewed the conceptual site plan, conceptual renderings, and Urban Design Brief submitted in support of the application and offered the following comment:

*As the building is now proposed to be 7 storeys in height, provide a set back above the fifth or sixth storey in order to provide for a more human scale along the Richmond Street corridor. Alternatively, provide for alternate design (change in material and/or fenestration) on the top two floors of the building in order to break up the massing.*

It is noted that refinement of the building design, including use of materials, will be addressed through a future Site Plan process.

#### **4.2 Issue and Consideration # 2: Parking and Traffic**

As part of the requested amendment, the applicant is seeking a parking reduction to permit a total of 196 spaces, whereas 205 spaces are required. A minor variance was approved in 2017 (A.159/17) to permit 148 parking spaces for the 220 units proposed at that time (0.67 spaces per unit). 57 additional parking spaces at a rate of 0.8 spaces per unit are required for the 71 new units proposed through this application. Given the site's location within a Transit Village and proximity to existing transit services (including a transit hub at CF Masonville Place), staff is satisfied the requested reduction of nine spaces is minor and appropriate. The requested parking reduction contributes to a transit-oriented and pedestrian-friendly development that is intended for this area of the city.

Through the circulation of this application, the Old Masonville Ratepayers Association requested the 28 metre setback from the rear property line to the surface parking lot, as shown on the conceptual site plan in Figure 3, be formalized through the zoning. The intent of this additional regulation is to give added comfort to the community that the landscaped open space buffer between the proposed development and neighbouring residential properties will be maintained in a manner that is consistent with the Design Guidelines and Special Policies. Staff and the applicant are agreeable to this suggestion

and as such, an additional special provision is recommended requiring a minimum 28 metre setback from the surface parking lot to the rear property line.

One member of the public expressed concerns regarding traffic congestion as a result of the development, as well as vehicles stopping on Richmond Street in front of the proposed buildings. A Traffic Impact Assessment was undertaken through the review of the previous development proposal for the site, which concluded that traffic impacts would be minimal. As well, the site has been designed such that egress would be restricted to right turns only in order to alleviate congestion on Richmond Street and Hillview Boulevard. A left turning lane has been constructed on Hillview Boulevard giving access to the subject site and the mixed-use building at 1653 Richmond Street. Access to surface parking at the rear of the site for pick-up and drop-off would be provided via the internal private driveway, avoiding the need for vehicles to stop along Richmond Street.

More information and detail is available in the appendices of this report.

## **5.0 Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement and conforms to the relevant in-force policies of The London Plan, including but not limited to the Transit Village Place Type, and the in-force policies of the 1989 Official Plan. Further, the recommended amendment is in accordance with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*, and will facilitate transit-oriented, pedestrian-friendly development that is appropriate for the site and contributes to a mix of housing types.

<b>Prepared by:</b>	<b>Catherine Lowery, MCIP, RPP</b> <b>Planner II, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG</b> <b>Managing Director, Development and Compliance</b> <b>Services and Chief building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

June 18, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

Y:\Shared\implemen\DEVELOPMENT APPS\ (Insert Source)

## 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 1631-  
1649 Richmond Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend a policy in Sections 3.5.25 and 3.5.26 of the Official Plan for the City of London to permit a maximum height of 7-storeys for apartment buildings and to remove townhouse permissions.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1631-1649 Richmond Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and is in conformity with the 1989 Official Plan. The recommended amendment will facilitate the development of a residential apartment building which is compatible with the surrounding land uses.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 3.5.25 of the Official Plan for the City of London is repealed in its entirety and replaced with the following:

The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a Zoning By-law amendment application which meets the general intensification criteria outlined in Section 3.2.3 and the Urban Design Principles outlined in Section 11 of the Official Plan as well as the following site-specific policies:

- a) For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area



of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.

- b) Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum density of 200 units per hectare shall be permitted, subject to the regulations of the Zoning By-law. A maximum height of up to 6-storeys shall be permitted for 1653 Richmond Street and a maximum height of up to 7-storeys shall be permitted for 1643 and 1649 Richmond Street, subject to the regulations of the Zoning By-law.
- c) The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. The properties at 1607-1639 Richmond Street will be developed for residential uses and include convenience commercial uses at 1631 and 1635 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this special policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.
- d) Applications for Zoning By-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this Section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be consistent with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
- e) Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - i) Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.
  - ii) The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade

parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space requirements specified in the Zoning By-law.

- iii) Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
- iv) Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
- v) Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.

2. Section 3.5.26 of the Official Plan for the City of London is repealed in its entirety and replaced with the following:

The Richmond Street-Old Masonville area is located on the west side of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood. Future development of these lands shall be consistent with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines which have been adopted pursuant to Section 19.2 of the Official Plan.

- i) In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:
  - Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.
  - Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.
  - Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.

- Mitigation of impacts onto the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above-grade height of basements through the use of zoning regulations.
- Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/or landscaped open space coverage regulations.
- Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.
- Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
- Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.
- Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.
- Limiting the number of townhouse dwellings to four per block to break up the visual massing.
- Require the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.

ii) In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:

- a) For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law. Mutual

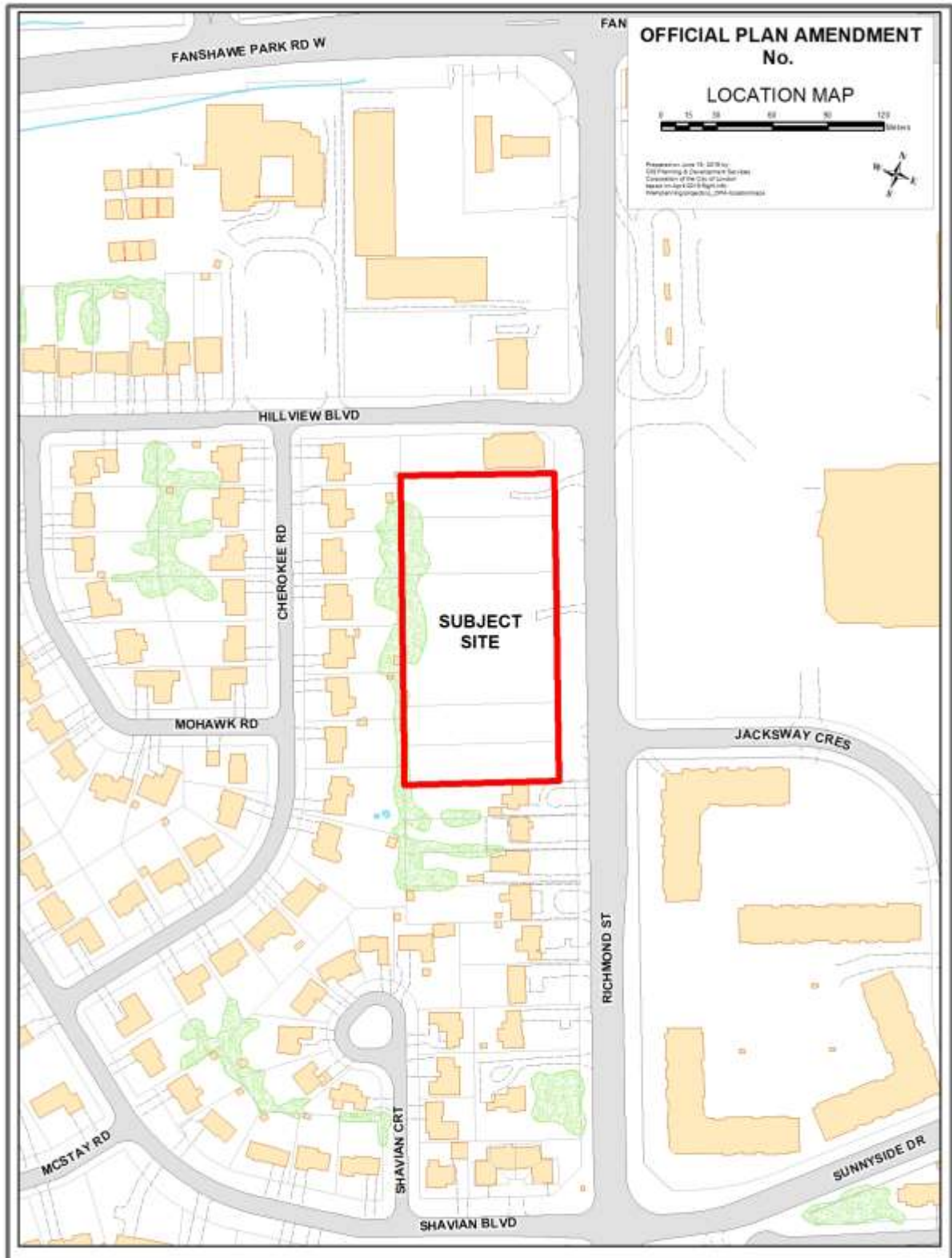
access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this Special Policy.

- b) For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.
- c) For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a “stand-alone” commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwelling to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 200 units per hectare and a maximum height of 7-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

Mutual access to Richmond Street shall be provided opposite Jacksway Crescent for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.

- d) For the lands located at 1643 and 1649, the permitted uses shall include apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum density of 200 units per hectare shall be permitted, subject to the regulations of the Zoning By-law. A maximum height of up to 6-storeys shall be permitted for 1653 Richmond Street and a maximum height of up to 7-storeys shall be permitted for 1643 and 1649 Richmond Street, subject to the regulations of the Zoning By-law.

Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.



## 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 1631-  
1649 Richmond Street.

WHEREAS 1635 Richmond (London) Corporation has applied to rezone an area of land located at 1631-1649 Richmond Street, 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) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by repealing and replacing the following subsections:

R9-7(20) 1631, 1635, and 1639 Richmond Street

a) Permitted Uses

- i) Apartment buildings
- ii) Senior citizens apartment buildings
- iii) Continuum-of-care facilities

b) Regulations

- i) Lot Frontage (Minimum) 70.0 metres (229.6 feet)
- ii) Lot Area (Minimum) 0.60 hectares (1.4 acres)
- iii) Front Yard Depth road (maximum) 3.0 metres (9.8 feet) from the ultimate allowance
- iv) Interior Side Yard Depth (Minimum) 3.0 metres (9.8 feet)
- v) Lot Coverage (Maximum) 45%
- vi) Density (Maximum) 200 units per hectare (80 units per acre)
- vii) Bedrooms per dwelling unit (Maximum) 3
- viii) Parking Standard (Minimum) 0.67 parking spaces per dwelling unit
- ix) Height (first 25.0 metres of lot depth) (Maximum) 22.0 metres (72.2 feet)
- x) Height (beyond the first 25.0 metres of lot depth) (Maximum) 15.0 metres (49.2 feet)
- xi) Setback from Rear 50.0 metres (164.0 feet)





- (first 25.0 metres of lot depth)  
(Maximum)
- ii) Height 17 metres (56 feet)  
(beyond the first 25.0 metres of lot depth)  
(Maximum)
- iii) Setback from Rear Property Line (Minimum) 50.0 metres (164 feet)

Additional regulations for Medical/Dental Offices:

- i) Gross Floor Area (Maximum) 430 sq. metres (4,630 sq. feet)
  - ii) Parking 1 space/15 sq. metres GFA
- c) Regulations applicable to and measured based on R9-7(23) Zone Boundaries:
- i) Density (Maximum) 200 units per hectare (80 units per acre)
  - ii) Lot Coverage (Maximum) 45%
  - iii) Front Yard Depth (Maximum) 3 metres (10 feet)
  - iv) Bedrooms per Dwelling Unit (Maximum) 3
  - v) Rear Yard Depth 15 metres (49 feet)
  - vi) Parking for Residential Uses 0.67 spaces/unit

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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk



## Appendix C

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

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 1631-  
1649 Richmond Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend a policy in Sections 823\_ and 825\_ of The London Plan for the City of London to permit a maximum height of 7-storeys for apartment buildings and to remove townhouse permissions.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1631-1649 Richmond Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and is in conformity with the in-force policies of The London Plan. The recommended amendment will facilitate the development of a residential apartment building which is compatible with the surrounding land uses.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

*The London Plan* is hereby amended as follows:

1. Specific policy 823\_ for the Transit Village Place Type of The London Plan for the City of London is repealed in its entirety and replaced with the following:

823\_ In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:

1. For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law.
2. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this specific policy.
3. For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies,

a maximum net density of 150 units per hectare shall be permitted and a maximum height of four storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

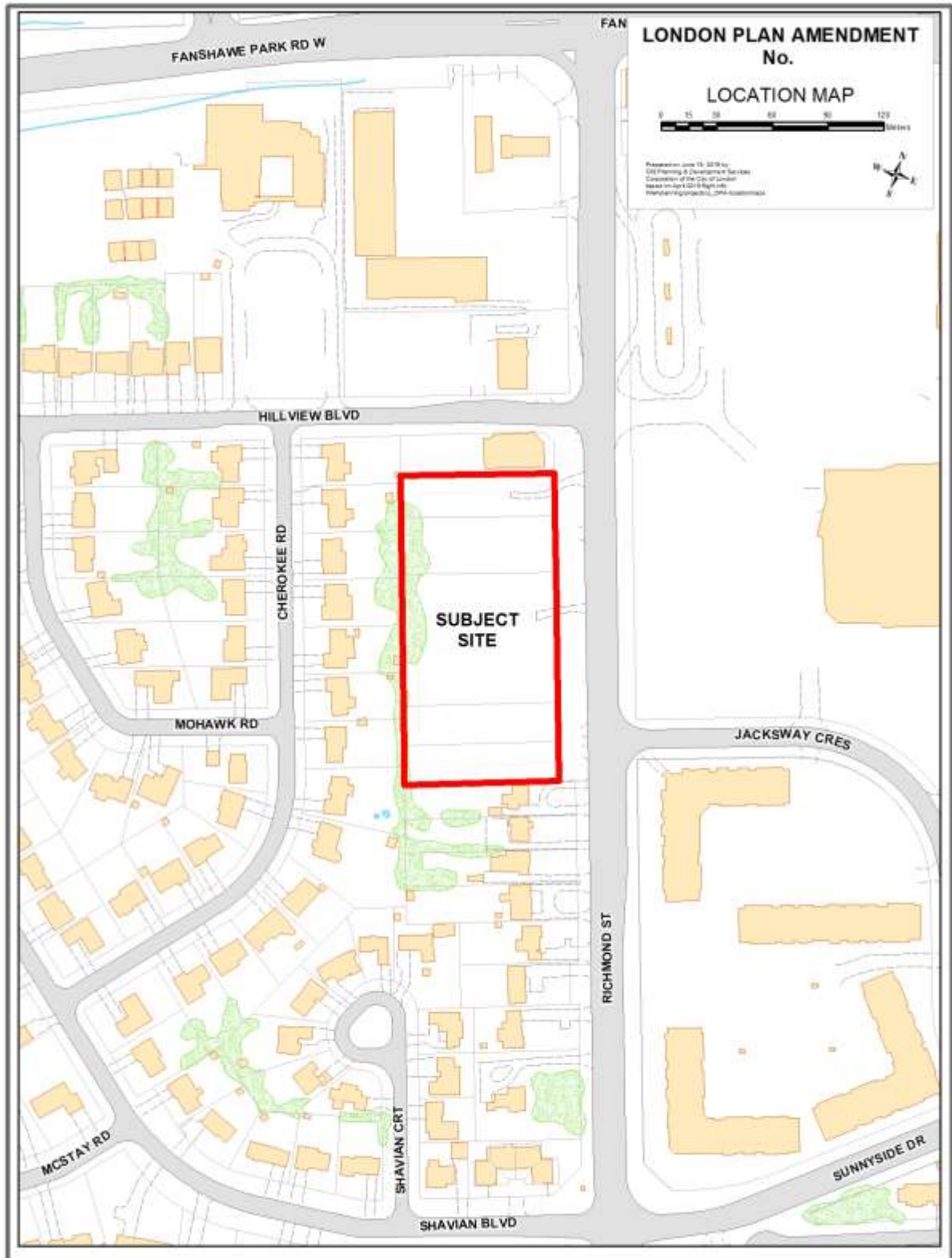
4. For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a “stand-alone” commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 200 units per hectare and a maximum height of seven storeys shall be permitted for the apartment building, subject to the regulations of the *Zoning By-law*.
2. Specific policy 825\_ for the Transit Village Place Type of The London Plan for the City of London is repealed in its entirety and replaced with the following:

825\_ The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian-oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a zoning by-law amendment application which meets the Intensification policies in the Our City part, and City Design chapter of this Plan, as well as the following site specific policies:

1. For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.

2. Notwithstanding the height and density maximums identified in the general Transit Village Place Type policies, a maximum density of 200 units per hectare shall be permitted, subject to the regulations of the *Zoning By-law*. A maximum height of up to six storeys shall be permitted for 1653 Richmond Street and a maximum height of up to seven storeys shall be permitted for 1643 and 1649 Richmond Street, subject to the regulations of the *Zoning By-law*.
3. The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this specific policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.
4. Applications for zoning by-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be in accordance with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
5. Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - a. Minimum setback distances from low density residential properties to the west shall be specified in the *Zoning By-law* in order to provide for significant buffering opportunities.
  - b. The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space requirements specified in the *Zoning By-law*.
  - c. Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
  - d. Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.

- e. Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.





## Appendix D – Public Engagement

### Community Engagement

**Public liaison:** On February 6, 2019, Notice of Application was sent to 275 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 7, 2019. A “Planning Application” sign was also posted on the site.

4 replies were received.

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit two 7-storey apartment buildings with a total of 291 units. Possible amendment to Policies 3.5.25 and 3.5.26 in the 1989 Official Plan and Policies 823\_ and 825\_ in The London Plan to permit a building height of 7-storeys and to remove policies related to townhouse dwellings. Possible change to Zoning By-law Z.-1 FROM a Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and a Residential R9 Special Provision (R9-7(23)) Zone TO a Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(20)/CC4(3)) Zone and a Residential R9 Special Provision (R9-7(23)) Zone. Amended special provisions would permit an increased maximum building height of 22 metres, whereas a maximum of 20 metres is permitted, a reduced minimum parking supply of 196 spaces, whereas 205 spaces are required, and remove special provisions related to cluster townhouses. The existing range of permitted uses would continue to apply to the site. All other existing special provisions would continue to apply to the site.

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

**Concern for:**

*Increased Height:*

A concern for the requested increased height and the request to amend the Zoning By-law after already receiving approval for development.

*Parking Setback from Rear Lot Line:*

Request that a minimum 28 metre setback from the rear lot line to the parking area (as shown on the conceptual site plan) be written into the Zoning By-law to ensure it is maintained.

*Traffic Congestion and Layby Traffic:*

Concerns that vehicles will stop along Richmond Street in front of the proposed buildings, blocking traffic and causing congestion. Also concerned that there will be traffic impacts and congestion as a result of this development.

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

Telephone	Written
Bill Davis 25 Cherokee Road London, ON N6G 2N7	Anthony Circelli 1609 Richmond Street London, ON N6G 2M9
Myrna McDermid 29 Cherokee Road London, ON N6G 2N7	Bill Davis 25 Cherokee Road London, ON N6G 2N7

From:  
Sent: Friday, February 15, 2019 2:39 PM  
To: Lowery, Catherine <clowery@london.ca>  
Cc: Morgan, Josh <joshmorgan@london.ca>  
Subject: 1631-1649 Richmond Street

Dear Catherine,

I have copied Mr. Josh Morgan on this email.

I am the home owner at 1609 Richmond Street. I have been opposed to this development since I moved into the area in late 2012.

I was against the development when it was brought for 6 stories. Now the developer wish to increase the height to 22 M, and add an additional story, making it 7 stories. This is something that I cannot agree with, and will oppose this Amendment.

Thank you for your time.

Anthony

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**From:** Bill Davis  
**Sent:** Saturday, February 23, 2019 11:04 AM  
**To:** Lowery, Catherine <clowery@london.ca>  
**Cc:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** Re: OZ-9019 - 1631-1649 Richmond Street

Hi Catherine,

Just responding with our comments on the OP amendment. As you may be aware the developer did host an open house to share the 7 story plan/elimination of the townhouse concept last spring. We were generally supportive of that plan. The new proposal provides a few more details, particularly around the parking design including the numbers. We are in support of this proposal. The only issue that is not clear, is that under the current zoning there was to be a 15m setback at the rear (west side), and 50 m to the 6 story building. That 50m is still referenced in the re zoning. What we are not seeing is any reference to the 15m. And given that the townhomes have been removed (to enable the building to be increased to 7 stories and the number of units increased), it would be our position that the 15 m setback, be increased to 28 m, and embedded in the official zoning. This is to protect against someone trying to come in down the road and putting buildings at the rear of the property. Note the 28m is the current setback shown in the plan to the rear of the parking.

Thanks  
Bill Davis, President OMRA

### **Agency/Departmental Comments**

#### February 13, 2019: Transportation

Please find below Transportations comments:

- Change the inbound radius on the access opposite Jacksway Crescent to 9.0m.

#### February 19, 2019: Water Engineering

Water servicing can be achieved from the 400mm PVC watermain under the west side of Richmond Street. Specific comments may be provided at the time of development application.

#### February 19, 2019: UTRCA

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 subject lands have been reviewed to determine whether or not it falls within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at: [http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

#### **RECOMMENDATION**

The UTRCA has no objections to this application.

##### March 6, 2019: 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.

##### March 18, 2019: Engineering

No Comments.

##### March 27, 2019: Urban Design

I have reviewed the submitted site plans and elevations for the rezoning application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, and guidelines:

- As the building is now proposed to be 7 storeys in height, provide a set back above the fifth or sixth storey in order to provide for a more human scale along the Richmond Street corridor. Alternatively, provide for alternate design (change in material and/or fenestration) on the top two floors of the building in order to break up the massing.

## **Appendix E – Policy Context**

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

### Provincial Policy Statement, 2014

1.1.1 Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a. densities and a mix of land uses which:
  1. efficiently use land and resources;
  2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
  4. support *active transportation*;
  5. are *transit-supportive*, where transit is planned, exists or may be developed; and

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

- b. permitting and facilitating:
  1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
  2. all forms of *residential intensification*, including second units, and *redevelopment* in accordance with policy 1.1.3.3;
- c. directing 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;
- d. promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed; and
- e. establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

### The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

807\_ Second only to the Downtown in terms of the mix of uses and intensity of development that is permitted, Transit Villages are major mixed-use destinations with centrally located rapid transit stations. These stations will form focal points to the Transit Village neighbourhood. Transit Villages are connected by rapid transit corridors to the Downtown and allow opportunities for access to this rapid transit from all directions.

808\_ They are intended to support the rapid transit system, by providing a higher density of people living, working, and shopping in close proximity to high-quality transit service. Through pedestrian oriented and cycling-supported development and design, Transit Villages support a healthy lifestyle and encourage the use of the City's transit system to reduce overall traffic congestion within the city.

809\_ The Transit Villages identified in this Plan are located in existing built-up areas. However, all of these locations have opportunities for significant infill, redevelopment, and an overall more efficient use of the land. A more compact, efficient built form is essential to support our transit system and create an environment that places the pedestrian and transit user first.

810\_ We will realize our vision for Transit Villages by implementing the following in all the planning we do and the public works we undertake:

2. Plan for intense, mixed-use development around transit stations within Transit Villages. This may involve significant restructuring and redevelopment of existing, often single use commercial complexes at these locations.
3. Transition height and intensity between transit stations and surrounding neighbourhoods.
4. Require transit-oriented development forms.
8. Support the provision of a choice of dwelling types with varying locations, size, affordability, tenure, design, and accessibility, so that a broad range of housing requirements are satisfied, including those for families.

811\_ The following uses may be permitted within the Transit Village Place Type:

1. A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses may be permitted in the Transit Village Place Type.

\*813\_ The following intensity policies apply within the Transit Village Place Type:

1. Buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys in height. Type 2 Bonus Zoning beyond this limit, up to 22 storeys, may be permitted in conformity with the Our Tools policies of this Plan.
2. Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this place type is fully utilized, and promoting mixed-use forms of development.
3. Permitted building heights will step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types.

814\_ The following form policies apply within the Transit Village Place Type:

2. High-quality architectural design will be encouraged within Transit Villages.
3. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation.
4. Convenient pedestrian access to transit stations will be a primary design principle within Transit Villages.
9. Massing and architecture within the Transit Village should provide for articulated façades and rooflines, accented main entry points, and generous use of glazing and other façade treatments along sidewalk areas such as weather protection features to support a quality pedestrian environment.
11. Surface parking areas should be located in the rear and interior sideyard. Underground parking and structured parking integrated within the building design is encouraged.
12. Shared car and bicycle parking facilities and carshare/bikeshare programs will be encouraged within Transit Villages. Public changerooms and bicycle facilities will be encouraged.

821\_ The Richmond Street-Old Masonville area is located on the west side of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience

needs of the future residents and immediate neighbourhood. Future development of these lands shall be in accordance with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines.

822\_ In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:

1. Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.
2. Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.
3. Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.
4. Mitigation of impacts on the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above grade height of basements through the use of zoning regulations.
5. Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/ or landscaped open space coverage regulations.
6. Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.
7. Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
8. Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.
9. Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.
10. Limiting the number of townhouse dwellings to four per block to break up the visual massing.
11. Requiring the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.

823\_ In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:

1. For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law.
2. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this specific policy.
3. For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four storeys shall be

permitted for the apartment building, subject to the regulations of the Zoning By-law.

4. For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings, cluster townhouses, and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a "stand-alone" commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 200 units per hectare and a maximum height of six storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

824\_ Mutual access to Richmond Street shall be provided opposite Jacksway Crescent for the benefit of all the subject properties identified in this specific policy. The construction of belowgrade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space coverage requirements specified in the Zoning By-law.

825\_ The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian-oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a zoning by-law amendment application which meets the Intensification policies in the Our City part, and City Design chapter of this Plan, as well as the following site specific policies:

1. For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include cluster townhouses and apartment buildings. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/ dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.
2. Notwithstanding the general Transit Village Place Type policies, a maximum density of 200 units per hectare and a maximum height of up to six storeys shall be permitted subject to the regulations of the Zoning By-law.
3. The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified

in this specific policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.

4. Applications for zoning by-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be in accordance with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
5. Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - a. Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.
  - b. The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space requirements specified in the Zoning By-law.
  - c. The maximum height of townhouse dwellings and restrictions regarding the above-grade height of basements shall be implemented through the zoning provisions to ensure the visual impacts on adjacent low density properties to the west are minimized.
  - d. Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
  - e. Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
  - f. Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.
  - g. The number of townhouse dwellings shall be limited to four per block to break up the visual massing.

### The 1989 OP

#### 3.5.25 1643, 1649 and 1653 Richmond Street

The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a Zoning By-law amendment application which meets the general intensification criteria outlined in Section 3.2.3 and the Urban Design Principles outlined in Section 11 of the Official Plan as well as the following site-specific policies:

- a) For the lands located at 1643 and 1649 Richmond Street, the permitted uses shall include cluster townhouses and apartment buildings, and non-residential



uses shall be directed to lands to the north. For the lands located at 1653 Richmond Street, the permitted uses shall include apartment buildings and small-scale medical/dental offices up to a maximum gross floor area of 430m<sup>2</sup> within the ground floor of an apartment building. For the lands located at 1643, 1649 and 1653 Richmond Street, the location of apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west.

- b) Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum density of 200 units per hectare and a maximum height of up to 6-storeys shall be permitted for subject to the regulations of the Zoning By-law.
- c) The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. The properties at 1607-1639 Richmond Street will be developed for residential uses and include convenience commercial uses at 1631 and 1635 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this special policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.
- d) Applications for Zoning By-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this Section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be consistent with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.
- e) Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:
  - i) Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.
  - ii) The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space requirements specified in the Zoning By-law.
  - iii) The maximum height of townhouse dwellings and restrictions regarding the above-grade height of basements shall be implemented through the zoning provisions to ensure the visual impacts on adjacent low density properties to the west are minimized.
  - iv) Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.
  - v) Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized. vi) Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.
  - vi) The number of townhouse dwellings shall be limited to four per block to break up the visual massing.

### 3.5.26 Richmond Street-Old Masonville

The Richmond Street-Old Masonville area is located on the west side of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood. Future development of these lands shall be consistent with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines which have been adopted pursuant to Section 19.2 of the Official Plan.

- i) In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:
  - Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.
  - Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.
  - Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.
  - Mitigation of impacts onto the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above-grade height of basements through the use of zoning regulations.
  - Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649 and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/or landscaped open space coverage regulations.
  - Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.
  - Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.
  - Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.
  - Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.
  - Limiting the number of townhouse dwellings to four per block to break up the visual massing.
  - Require the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.
- ii) In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:
  - a) For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density

residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this Special Policy.

- b) For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.
- c) For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings, cluster townhouses, and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a "stand-alone" commercial structure. The exact range of permitted convenience commercial uses shall be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwelling to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 200 units per hectare and a maximum height of six-storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

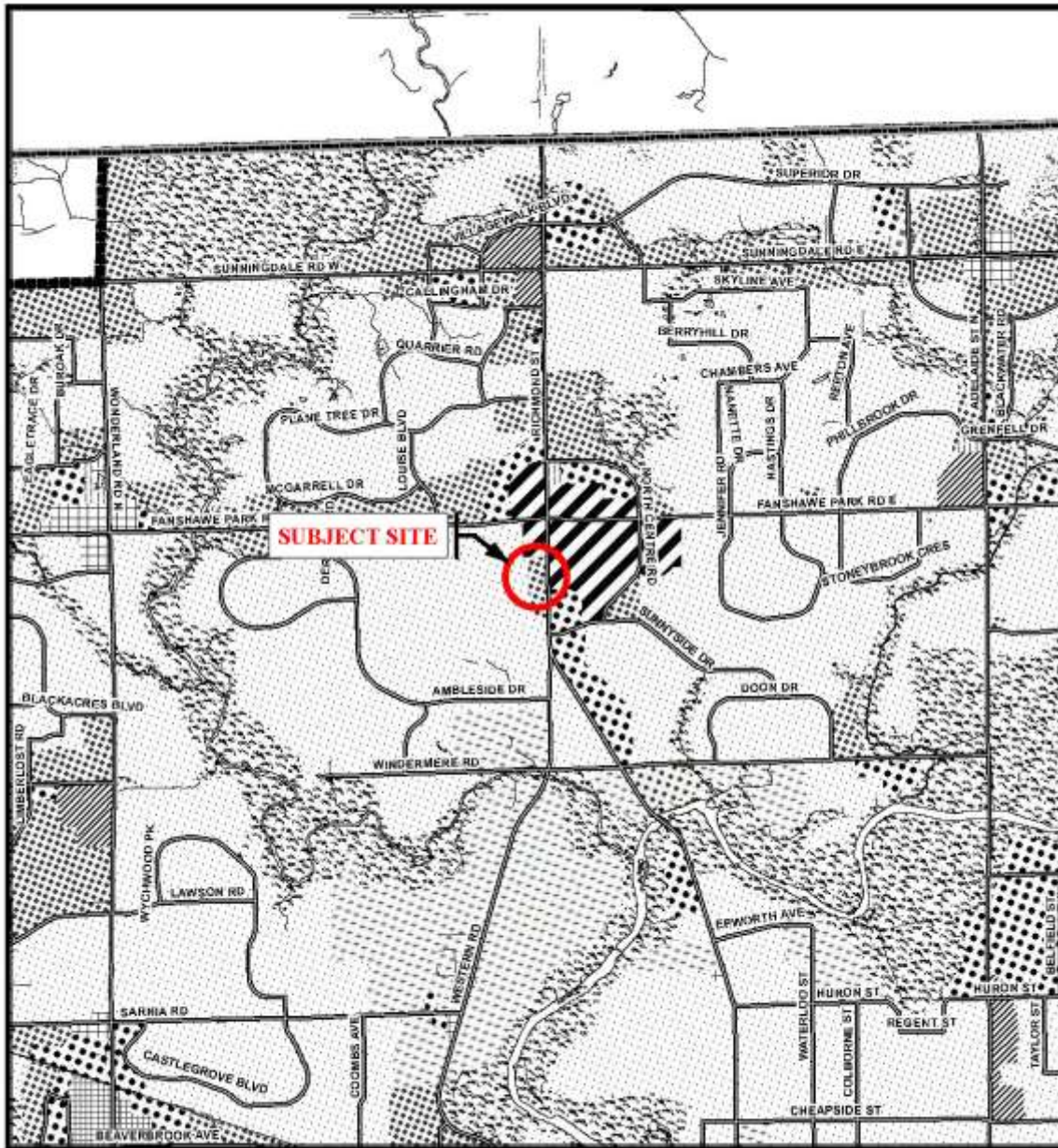
Mutual access to Richmond Street shall be provided opposite Jacksway Crescent for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.

- d) For the lands located at 1643, 1649, and 1653 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwelling to the west. Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a maximum net density of 200 units per hectare and a maximum height of up to six-storeys shall be permitted for the apartment building subject to the regulations of the Zoning By-law.

Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all the subject properties identified in this Special Policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the minimum lot coverage and landscaped open space coverage requirements.

**Appendix F – Relevant Background**

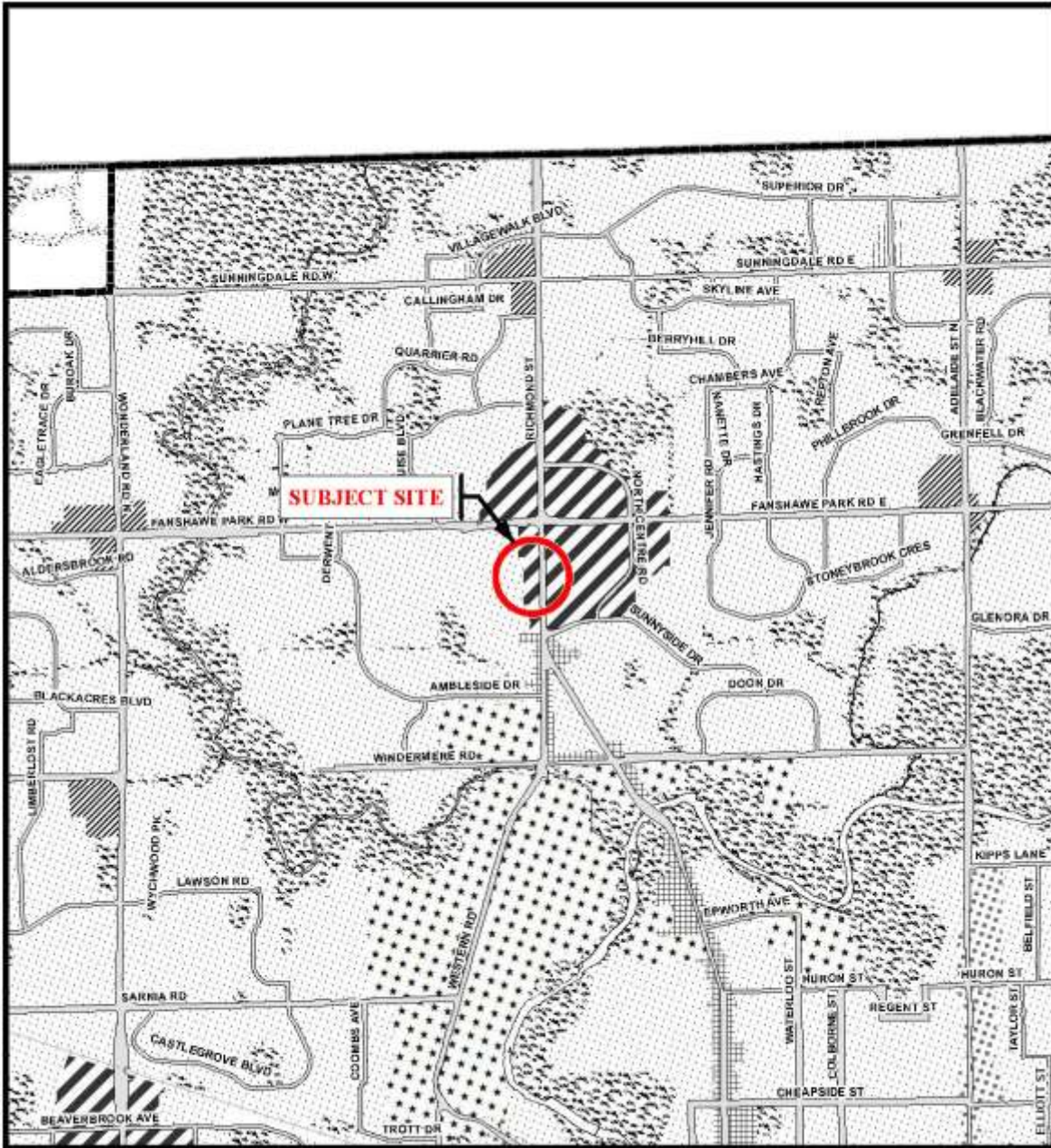
**Additional Maps**



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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>		FILE NUMBER: OZ-9019
		PLANNER: CL
		TECHNICIAN: RC
		DATE: 2019/06/19



**Legend**

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

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

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

**CITY OF LONDON**  
 Planning Services /  
 Development Services

**LONDON PLAN MAP 1**  
**- PLACE TYPES -**

PREPARED BY: Planning Services



**File Number:** OZ-9019

**Planner:** CL

**Technician:** RC

**Date:** June 19, 2019



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:  
 OZ-9019                      **CL**

MAP PREPARED:  
 2019/06/19                      rc

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

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

**Additional Reports**

September 27, 2004 Report to Planning Committee – 1607-1653 Richmond Street (Z-6670/Z-6673)

October 18, 2004 Report to Planning Committee – 1607-1653 Richmond Street (Z-6670/Z-6673)

November 16, 2009 Report to Planning Committee – Public Site Plan Review (S.P. No. 06-032378) – 1639 Richmond Street

March 1, 2010 Report to Planning Committee – Ontario Municipal Board Appeals – 1639 Richmond Street

October 17, 2011 Report to Built and Natural Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street (OZ-7965)

December 12, 2011 Report to Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street (OZ-7965)

December 12, 2011 Report to Planning and Environment Committee – Storm Sewer to Accommodate Intensification on Richmond Street

August 22, 2012 Report to Planning and Environment Committee – Storm Outlet Reconstruction and Upgrade Works to Accommodate 1631, 1635, and 1639 Richmond Street Development and Residential Intensification on Richmond Street

November 12, 2013 Report to the Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1627, 1631, 1635, 1639, 1649, 1653 Richmond Street (OZ-7965)

January 21, 2014 Report to the Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1627, 1631, 1635, 1639, 1649, 1653 Richmond Street (OZ-7965)

April 29, 2014 Report to the Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1627, 1631, 1635, 1639, 1649, 1653 Richmond Street (OZ-7965)

October 7, 2014 Report to the Planning and Environment Committee – 1643, 1649, 1653 Richmond (OZ-8310)

May 19, 2015 Report to the Planning and Environment Committee – 1631, 1635, 1639, 1643 and 1649 Richmond Street Site Plan Public Participation Meeting (SP15-011562)

September 8, 2015 Report to the Planning and Environment Committee – 1631, 1635, 1643, 1649, 1653 Richmond (H-8519)

August 13, 2018 Report to the Planning and Environment Committee – 1631 to 1649 Richmond Street

## Report to Planning and Environment Committee

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

**From:** John M. Fleming  
Managing Director, City Planning and City Planner

**Subject:** Demolition Request for Heritage Listed Property at 567 King Street by J. E. & K. A. O'Neil

**Public Participation Meeting on: Monday July 22, 2019**

## Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property at 567 King Street, that the following actions **BE TAKEN**:

- a) The property owner **BE REQUESTED** to salvage any elements or artifacts from the building appropriate for reuse;
- b) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the building on this property; and,
- c) The property at 567 King Street **BE REMOVED** from the Register.

## Executive Summary

### Summary of Request

A demolition request for the heritage listed property located at 567 King Street was received on June 4, 2019. Municipal Council must make a decision on this demolition request before August 3, 2019 or the request is deemed consented.

### Purpose and the Effect of Recommended Action

The purpose of the recommended action is to remove the property at 567 King Street from the Register, pursuant to Section 27(3) of the *Ontario Heritage Act*, with the effect of allowing the demolition of the building on the property to proceed.

### Rationale of Recommended Action

Staff completed an evaluation of the property at 567 King Street using the criteria of Ontario Regulation 9/06 and found that the property does not demonstrate significant cultural heritage value and does not merit designation under the *Ontario Heritage Act*.

## Analysis

### 1.0 Background

#### 1.1 Property Location

The property at 567 King Street is located on the south side of King Street between William Street and Adelaide Street North (Appendix A). The subject property is surrounded to the north, west, and south by surface parking lots where residential buildings were once located. The residential property to the east at 575 King Street is also a heritage listed property.

#### 1.2 Cultural Heritage Status

The property at 567 King Street has been included on the *Inventory of Heritage Resources* in 1987. In 2007, the *Inventory of Heritage Resources* was adopted in its entirety as the Register pursuant to Section 27(3) of the *Ontario Heritage Act* by Municipal Council. The property at 567 King Street is a potential cultural heritage resource.

#### 1.3 Description

The property at 567 King Street includes a two-storey, buff brick, three-bay, residential type structure (Appendix B). The building demonstrates some elements of the Italianate



style, which is articulated through its shallow hipped roof, vertically-oriented window and doorway openings.

The property has been the subject of previous alterations, including the paving of the front yard for parking, rear additions, replacement of the original windows, removal of the original door, alteration of the sidelights of the doorway, removal of the front porch, and alterations or cladding at the eaves, including alterations that affected paired brackets. Some of these alterations can be attributed to the conversion of the residential building to suit a commercial use.

#### **1.4 Property History**

The property at 567 King Street is located just outside of the original town plot surveyed for London in 1826 by Mahlon Burwell as the beginnings of this property's Euro-Canadian history. It was located in the lands immediately to the east of the original town plot boundary (originally bounded by the Thames River, North Street [Queens Avenue]/the Kent farm, and Wellington Street), which were granted by the Crown to the Anglican Church as part of the Glebe Lands belonging to St. Paul's Church (Figure 2, Appendix C). The 1840 Annexation of the Town of London increased the Town's boundaries to Adelaide Street North and Huron Street which included the subject property. In 1855, the City of London was established (Figure 3, Appendix C).

By the 1870s-1880s, lots previously surveyed during the real estate boom of the 1850s were being constructed upon. The building located on the subject property at 567 King Street was constructed in approximately 1880-1881, and is shown on the *1881, revised 1888 Fire Insurance Plan* (Figure 4, Appendix C). The building is shown as a brick structure, two storeys in height. Notation indicates a porch was formerly located across the building's façade. Historical research undertaken for the subject property did not identify or attribute the construction of the building to a particular architect or builder.

As recorded by the City Directory, the first occupant of the property at 567 King Street was Jacob Sanders. Jacob Sanders was a plasterer and information with the City Directory (1881-1882) indicates he was a freeholder, meaning he owned the property. His family, specifically his wife, Mary, remained at the property until at least 1916. By 1919 and into the 1930s, the property was owned by Malcom Hugh McAlpine, a manager/buyer at the Silverwoods Market. He later sold produce at the Covent Garden Market. In 1935 and into the 1950s, the property was owned by Emily Boudrage, who appears to have taken boarders. By 1955, the property was converted to a veterinarian clinic, which it operated under the ownership of at least three different veterinarians until 2019. The property was acquired by the current owner on May 24, 2019.

#### **1.5 Italianate Architectural Style**

The Italianate architectural style was a popular architectural style in London in the 1870s and 1880s. It emphasized traditional Georgian architectural principles, including balance and square shapes, but richer in ornamentation sometimes including details like quoins or paired brackets. John Blumenson, in *Ontario Architecture* (1990), attributes the Ontario vernacular version of the Italianate architectural style to a "synthetic eclecticism" that was introduced by *The Canadian Farm Journal* in 1865 (Blumenson 1990, 58). Combinations of architectural details were easily added or removed from standard types, lending applicability to rural or urban locales. "It satisfies the desire to be modern or up-to-date with Italianate features, but not lavishly so" (Blumenson 1990, 59).

## **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 pursuant to Section 27(3) of the *Ontario Heritage Act*.

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), however the final decision rests with Municipal Council until otherwise proclaimed.

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

### **2.2.1 Ontario Regulation 9/06**

The criteria of Ontario Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are reinforced by Policy 573\_ of *The London Plan*. 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*.

### 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.

### 2.4 Register

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 567 King Street is considered to have potential cultural heritage value or interest as a heritage listed property.

The Register (*Inventory of Heritage Resources*) states that further research is required to determine the cultural heritage value or interest of heritage listed properties.

## 3.0 Demolition Request

Written notice of intent to demolish the existing building located at 567 King Street was received on June 4, 2019. The letter of intent to demolish noted the existing condition of the building as the motivation for its demolition and cited plans to return the site to green space comparable to the space at the southeast corner of William Street and King Street (545 King Street, demolished in about 2001 following consultation with the LACH and owned by the same property owner).

Municipal Council must respond to a notice of intent 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 building located at 567 King Street expires on August 3, 2019.

Staff undertook a site visit of the property on June 24, 2019.

### Consultation

Pursuant to Council Policy for the demolition of heritage listed properties, notification of the demolition request was sent to 18 properties within 120m of the subject property on July 3, 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 July 4, 2019. At the time of writing no replies have been received regarding this demolition request.

## 4.0 Cultural Heritage Evaluation

### 4.1 Comparative Analysis

As a popular architectural style, London is fortunate to have many examples of the Italianate style. Within Appendix D, forty-four examples of the Italianate architectural style (as identified on the Register) are depicted. This includes heritage designated properties as well as heritage listed properties. Through their depictions, there are many examples of well conserved two-storey, buff brick, three-bay, hipped roof, Italianate architectural style residential buildings in London. There may be other examples of this type of building not yet recorded on the Register.

The property at 469 King Street is the geographic closest comparison property to the subject property. The property at 469 King Street is also a two-storey, buff brick, three-bay, hipped roof, Italianate architectural style residential building (see Appendix D, Image 19). Compared to the subject property, the property at 469 King Street demonstrates more elements or attributes of the Italianate style: segmented arched wood windows, original door with arched lights and transom, paired brackets, porch with slender colonettes. The property at 469 King Street has stronger integrity as a representative example of the Italianate architectural style than the property at 567 King Street.

The evaluation of the subject property was considered in the context of these comparisons, particularly in the evaluation of the subject property's physical or design values.

### 4.2 Evaluation

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: physical or design values, historical or associative values, or contextual values.

Table 1: Evaluation of the subject property at 567 King Street using the criteria of Ontario Regulation 9/06.

Criteria for Determining Cultural Heritage Value or Interest		
	Criteria	Evaluation
The property has design value or physical value because it,	Is a rare, unique, representative or early example of a style, type, expression, material, or construction method	<ul style="list-style-type: none"> <li>The property at 567 King Street has been identified as reflecting elements of the Italianate architectural style in its buff brick construction, vertical emphasis in window and door openings, and shallow hipped roof.</li> </ul> <p>The property at 567 King Street is not a rare, unique, or early example of a style, type, expression, material, or construction method. The Italianate architectural style</p>

<b>Criteria for Determining Cultural Heritage Value or Interest</b>		
		<p>was popular in London in the 1870s and 1880s, with many comparable examples, including those of an earlier date (see Appendix D). Attributed to the number of comparison properties, the subject property cannot be considered rare or unique from a City-wide or area/neighbourhood perspective. As there are many stronger examples of the style, type, expression, material, and construction method which retain a higher degree of integrity in their demonstration or articulation of the Italianate architectural style, the subject property at 567 King Street is not considered to be representative.</p>
	Displays a high degree of craftsmanship or artistic merit	<ul style="list-style-type: none"> <li>• The property at 567 King Street does not display a high degree of craftsmanship or artistic merit.</li> </ul>
	Demonstrates a high degree of technical or scientific achievement	<ul style="list-style-type: none"> <li>• The property at 567 King Street is not known to demonstrate technical or scientific achievement.</li> </ul>
The property has historical value or associative value because it,	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	<ul style="list-style-type: none"> <li>• Historical research undertaken for the property at 567 King Street has not identified any direct associations with a theme, event, belief, person, activity, organization, or institution that are significant to a community.</li> </ul>
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	<ul style="list-style-type: none"> <li>• The property at 567 King Street is not believed to yield or have the potential to yield information that contributes to an understanding of a community or a culture in a significant way.</li> </ul>
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	<ul style="list-style-type: none"> <li>• Historical research undertaken for the property at 567 King Street did not attribute the building's construction to an architect, artist, builder, designer, or theorist.</li> </ul>
The property has contextual value because it,	Is important in defining, maintaining, or supporting the character of an area	<ul style="list-style-type: none"> <li>• The property at 567 King Street contributes to the character of the area, however not in a significant manner. The subject property has a relationship to the adjacent property at 575 King Street, as any adjacent property would (similar setback, similar height; different scale, material, and massing); the relationship is not significant between the two built structures. The character of the area has been previously affected by demolitions resulting in the amount of surface parking lots in the vicinity, as well as the change in uses from predominantly residential to commercial or institutional which may or may not retain the residential form of buildings. The subject property does not sufficiently represent the character of the</li> </ul>

Criteria for Determining Cultural Heritage Value or Interest		
		area to warrant its retention of a relic of the area's past or changing character.
	Is physically, functionally, visually, or historically linked to its surroundings	<ul style="list-style-type: none"> <li>• The property at 567 King Street is not physically, functionally, visually, or historically linked to its surroundings in a significant manner.</li> </ul>
	Is a landmark	<ul style="list-style-type: none"> <li>• The property at 567 King Street is not believed to be a landmark in the community.</li> </ul>

### 4.3 Integrity

The potential cultural heritage value of subject property at 567 King Street has been negatively affected by previous alterations. Elements of the property that could have demonstrated or articulated the Italianate architectural style in the subject property have been removed or affected by previous alterations.

While integrity is not a measure of originality of a potential cultural heritage resource, integrity is concerned with the ability of a resource to convey its cultural heritage values. For the property at 567 King Street, previous alterations have affected the resource to the extent where it doesn't sufficiently demonstrate its potential cultural heritage values, as a representative example of the Italianate architectural style, to warrant designation under the *Ontario Heritage Act*.

### 4.4 Summary

The subject property did not meet any of the criteria of Ontario Regulation 9/06, and therefore does not warrant designation under the *Ontario Heritage Act*. There are better rare, unique, representative or early examples of the Italianate architectural style with stronger integrity in London, some of which are designated pursuant to the *Ontario Heritage Act*.

## 5.0 Conclusion

The subject property at 567 King Street has been included on the City of London's Register pursuant to Section 27(3) of the *Ontario Heritage Act* since 2007. A demolition request was received for the heritage listed property and staff completed an evaluation using the criteria of Ontario Regulation 9/06. The evaluation found that the property is not significant and does not merit designation under the *Ontario Heritage Act*.

In conformity to policy 568\_ of *The London Plan*, the property owner is encouraged to salvage any elements or artifacts from the building appropriate for reuse. Given the number of other examples of this type of resource with a high degree of integrity, no further documentation of the subject property is recommended.

<b>Prepared by:</b>	<b>Kyle Gonyou, CAHP Heritage Planner</b>
<b>Submitted by:</b>	<b>Gregg Barrett, AICP Manager, Long Range Planning and Sustainability</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from City Planning.	

July 15, 2019  
KG/

Appendix A Property Location  
Appendix B Images

**Sources**

Blumenson, J. *Ontario Architecture: A Guide to Style and Building Terms 1784 to the Present*. 1990.  
City Directory. Various years.  
Fire Insurance Plans. 1881, revised 1888; 1892, revised 1907; 1912, revised 1915; 1912, revised 1922. Courtesy Western Archives.

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# Appendix A – Location



Figure 1: Property location of 567 King Street.



**Appendix B – Images**



*Image 1: Property at 567 King Street, seen from the north side of King Street.*



*Image 2: Showing the north (main) and east façades of the building at 567 King Street. The adjacent property at 575 King Street (red brick) is shown on the left.*



*Image 3: Showing the west façade of the building at 567 King Street, seen from the adjacent parking lot. Note the additions to the rear of the original building.*

Appendix C – Historic Research

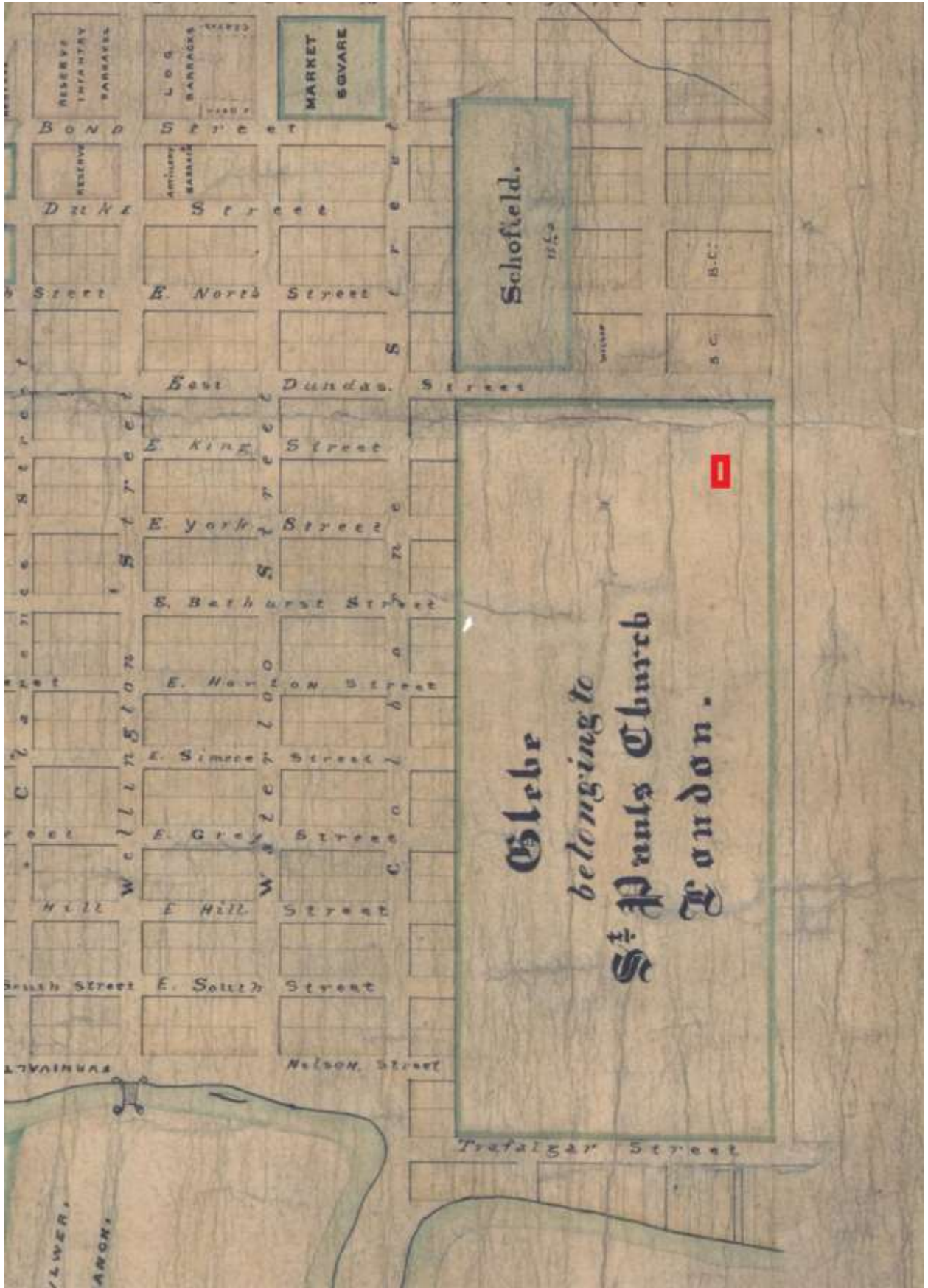


Figure 2: Extract from the Map of London West by William Robinson (1840). The approximate location of the subject property, 567 King Street, is shown in red. Note the property is located within the plot of land marked, "Glebe belonging to St. Paul's Church, London."

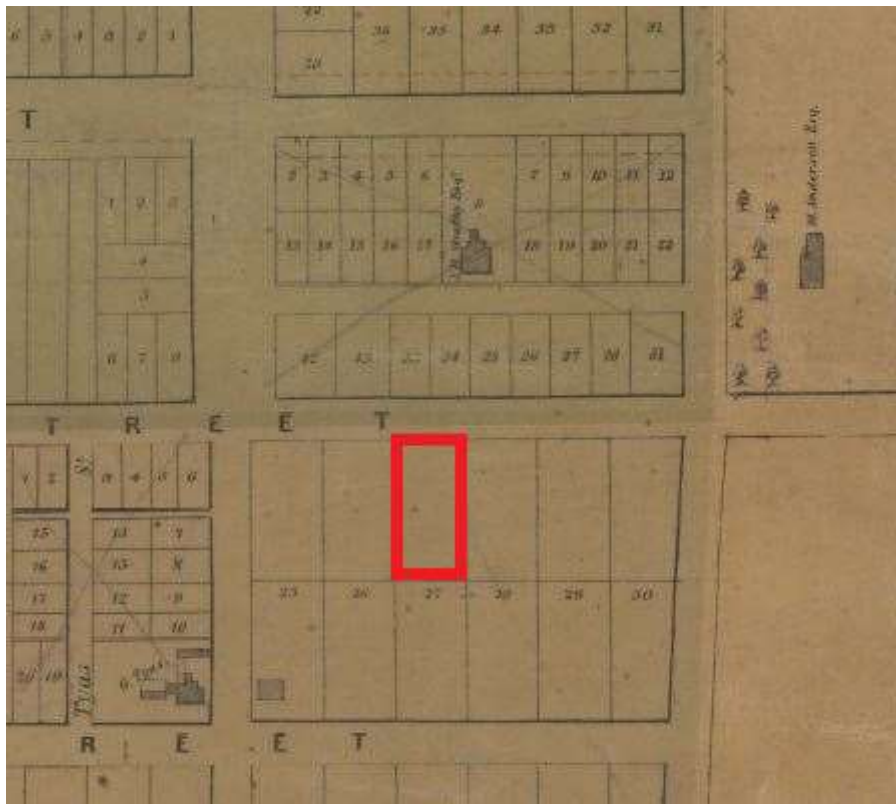


Figure 3: Detail of the 1855 Map of the City of London, Canada West by Samuel Peters, with the north half of Lot 27 on the south side of King Street highlighted in red (subject property). To the east (left) of the subject property is Adelaide Street North, then located outside of the City limits so no details are shown.

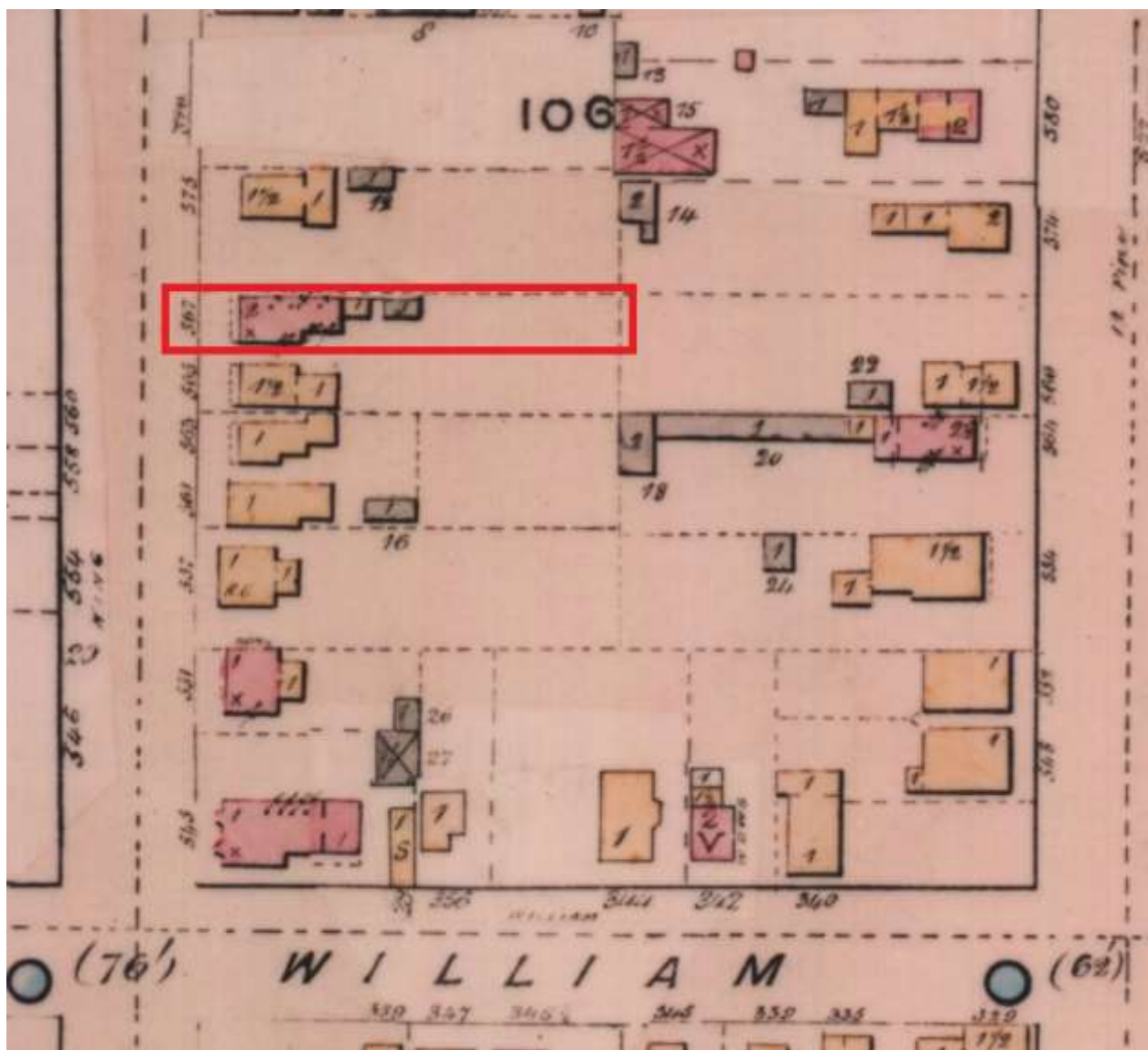


Figure 4: Extract from the 1881, revised 1888 Fire Insurance Plan, annotated to identify the property at 567 King Street (in red). Courtesy Western Archives.

## Appendix D – Comparative Analysis

Table 2: Comparison of other two-storey, buff brick, three-bay, shallow hipped roof, Italianate residential structures in London included on the Register of Cultural Heritage Resources.



Image 4: 220 Burwell Street (1870), heritage listed property (June 2014, courtesy Google).



Image 5: 185 Central Avenue (1881), heritage listed property.



Image 6: 268 Clarence Street (c.1885), heritage listed property (July 2016, courtesy Google).



Image 7: 482 Colborne Street (1884), West Woodfield Heritage Conservation District (October 2018, courtesy Google).



Image 8: 64 Duchess Avenue (c.1882), Wortley Village-Old South Heritage Conservation District (October 7, 2016). Note: London Doorway.



Image 9: 485 Dufferin Avenue (c.1881), East Woodfield Heritage Conservation District (July 2009, courtesy Google).



*Image 10: 500 Dufferin Avenue (c.1874), individual heritage designated property (February 16, 2018).*



*Image 11: 517 Dufferin Avenue (c.1881), East Woodfield Heritage Conservation District (April 13, 2017).*



*Image 12: 521 Dufferin Avenue (1881), East Woodfield Heritage Conservation District (August 25, 2016). Note: London Doorway.*



*Image 13: 112 Elmwood Avenue East (1888), Wortley Village-Old South Heritage Conservation District (August 2017, courtesy Google).*



*Image 14: 495 Emery Street East (1890), heritage listed property (June 2014, courtesy Google).*



*Image 15: 485 English Street (1886), Old East Heritage Conservation District*



*Image 16: 108 Forward Avenue (1870), heritage listed property (April 2015, courtesy Google).*



*Image 17: 230 Grey Street (c.1887), heritage listed property (April 2015, courtesy Google).*



*Image 18: 254 Hill Street (p. 1868), heritage listed property (November 23, 2017).*



*Image 19: 469 King Street (1872), heritage listed property (April 13, 2017). Note: this is the geographically closest comparison property to the subject property at 567 King Street.*



*Image 20: 11 Leslie Street (1881), Blackfriars/Petersville Heritage Conservation District (February 5, 2016). Note: London Doorway.*



*Image 21: 18 Palace Street (c.1870), East Woodfield Heritage Conservation District (June 2014, courtesy Google).*



*Image 22: 25 Palace Street (1899), East Woodfield Heritage Conservation District (June 2014, courtesy Google).*



*Image 23: 23 Peter Street (1877), individual heritage designated property (October 22, 2015).*



*Image 24: 77 Price Street (1885), individual heritage designated property (February 25, 2015).*



*Image 25: 368 Princess Avenue (1876), West Woodfield Heritage Conservation District (August 25, 2016). Note: London Doorway.*



*Image 26: 370 Princess Avenue (1900), West Woodfield Heritage Conservation District (July 2016, courtesy Google).*



*Image 27: 525 Princess Avenue (1885), East Woodfield Heritage Conservation District (February 22, 2019). Note: London Doorway.*



*Image 28: 20 Prospect Avenue (1881), East Woodfield Heritage Conservation District (July 2018, courtesy Google).*



*Image 29: 24 Prospect Avenue (c. 1886), East Woodfield Heritage Conservation District (August 25, 2016).*



*Image 30: 789 Queens Avenue (1880), Old East Heritage Conservation District.*



*Image 31: 824 Queens Avenue (c. 1894), Old East Heritage Conservation District.*



*Image 32: 160 Sydenham Street (c. 1872), heritage listed property (2016).*



*Image 33: 175 Sydenham Street (c. 1875), heritage listed property (2016).*





*Image 34: 611 Talbot Street (1868), heritage listed property. Note: London Doorway.*



*Image 35: 638 Talbot Street (1877), heritage listed property.*



*Image 36: 640 Talbot Street (c.1874), heritage listed property.*



*Image 37: 469 Waterloo Street (c.1885), West Woodfield Heritage Conservation District (May 14, 2019).*



*Image 38: 544 Waterloo Street (c.1880), West Woodfield Heritage Conservation District (October 2018, courtesy Google).*



*Image 39: 546 Waterloo Street (c.1880), West Woodfield Heritage Conservation District (October 2018, courtesy Google).*



*Image 40: 745 Waterloo Street (c.1884), heritage listed property (October 16, 2018).*



*Image 41: 154 Wellington Street (1877), heritage listed property (July 2018, courtesy Google).*



*Image 42: 225 Whamcliffe Road North (c.1893), Blackfriars/Petersville Heritage Conservation District (October 2010, courtesy Google).*



*Image 43: 480 William Street (c.1875), East Woodfield Heritage Conservation District (September 25, 2018).*



*Image 44: 385 Wortley Road (1892), heritage listed property (April 4, 2019).*

## 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: Grosvenor Development Corporation  
Part of 124 St. James Street**

**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Grosvenor Development Corporation relating to the property located at 124 St. James Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the 1989 Official Plan by changing the policies of Section 3.5.3 ii) – St. George/Grosvenor Neighbourhood – Multi-family, Medium Density Residential, to permit the use of a portion of 124 St. James Street contiguous with 112 St. James Street, having an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, for high density residential uses only in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend The London Plan by changing policy 1022\_ – St. George/Grosvenor Neighbourhood – Medium Density Residential, to permit the use of a portion of 124 St. James Street that is contiguous with 112 St. James Street, having an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, for a high-rise, high density apartment building, only in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1, in conformity with the 1989 Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R8 (R8-4) Zone, **TO** a Residential R9 (R9-7-H45) Zone.

## Executive Summary

### Summary of Request

The applicant requested an amendment to the 1989 Official Plan to change the designation of part of 124 St. James Street from Multi-family, Medium Density Residential to Multi-family High Density Residential. The intent was to facilitate the future severance of a portion of 124 St. James and its consolidation with 112 St. James Street for the purpose of constructing a 13 storey, 122 unit apartment building with an associated underground parking structure. The proposed building is to be located entirely on the neighbouring lands at 112 St. James Street. The addition of part of 124 St. James Street to the larger neighbouring lands is to facilitate the direct alignment of the proposed private driveway servicing the apartment building with the terminus of Talbot Street where it meets St. James Street, and to increase the permitted number of units from 112 units to 122 units based on a density calculated on a larger parcel of land.

Upon further discussion with City Staff, the applicant agreed to a change to the text of the specific policies for the St. George/Grosvenor area instead of a mapping change from the Multi-family, Medium Density Residential designation to the Multi-family, High Density Residential designation.

The applicant did not request a change to The London Plan stating that there was a site-specific appeal on the subject lands and that The London Plan did not apply. In order to provide transparency for policy interpretation and to ensure continuity of any Council decision regarding these lands once the appeal has been dealt with and The London Plan is in force and effect, City staff also gave notice for both the 1989 Official Plan and The London Plan of a possible change to the area specific policies for the St. George/Grosvenor Neighbourhood to permit the requested use.

The applicant also requested an amendment to Zoning By-law Z.-1 to change the zoning from a Residential R8 (R8-4) Zone to a Residential R9 (R9-7-H45) Zone to match the existing zoning at 112 St. James Street.

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

The purpose and effect of the recommended amendments to the 1989 Official Plan and The London Plan is to allow for the use of part of 124 St. James Street for high density residential uses only in conjunction with the development of a high rise apartment building on lands at 112 St. James Street within the St. George/Grosvenor Neighbourhood.

The recommended zoning will not permit a standalone apartment building on that part of 124 St. James Street that is the subject of this application, because it will not meet the zone regulations of the Residential R9 (R9-7-H45) Zone on its own. When these lands are consolidated with and developed in conjunction with 112 St. James Street, a 122 unit apartment building will be permitted.

### **Rationale of Recommended Action**

1. The recommended Official Plan and Zoning By-law amendments are consistent with the Provincial Policy Statement, 2014.
2. The recommended 1989 Official Plan amendment will provide policies to facilitate the addition of the subject lands to a property that is already zoned for high density residential development, providing for the direct alignment of the private driveway servicing the development with the terminus of Talbot Street where it meets St. James Street, supporting Official Plan policies and City standards for the alignment of access locations on development sites. The marginal increase in the number of units to be accommodated as part of the proposed development at 112 St. James Street will not cause a cumulative impact on the ability to develop the site or on the surrounding neighbourhood. The amendment conforms to the general intent of the Official Plan.
3. The recommended amendment to The London Plan will provide policies to facilitate the addition of the subject lands to a property that is already zoned for high density residential development, providing for the direct alignment of the private driveway servicing the development with the terminus of Talbot Street where it meets St. James Street, supporting City standards for the alignment of access locations on development sites. The marginal increase in the number of units to be accommodated as part of the proposed development at 112 St. James Street will not cause a cumulative impact on the ability to develop the site or on the surrounding neighbourhood. The amendment conforms to the general intent of the in-force policies of The London Plan.
4. The recommended amendment to Zoning By-law Z.-1 will conform to the 1989 Official Plan and The London Plan as recommended to be amended and provide for seamless development of the site with an appropriate access location and safe traffic control.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site has an approximate area of 574 square metres located on the north side of St. James Street directly north of the terminus of the Talbot Street road allowance where it meets St. James Street. It is part of a larger landholding known as 124 St. James Street which extends along the entire frontage from Talbot Street to St. George Street. The subject site is currently vacant with a variety of existing mature trees. The balance of the property provides one of several private driveways and related parking that service the existing apartment buildings to the north and east.

To the immediate west of the subject site is 112 St. James Street, which is proposed to be developed in conjunction with the subject site for a 13 storey, 122 unit apartment building. Gibbons Park and the Thames River lie beyond 112 St. James Street to the west. Four apartment buildings (1 Grosvenor Street – 13 storeys; 9 Grosvenor Street – 7 storeys; and 291 and 295 St George Street – 4 storeys each) lie to the north and northeast. Lands east of St George Street include single detached dwellings, converted duplexes, a day care facility and a low-rise apartment building. To the south of the site there is an established residential area development in the form of single family dwellings, some of which have been converted to duplexes.

Talbot Street and St. James Street are both classified as Neighbourhood Connector streets in The London Plan, and as Secondary Collector roads in the 1989 Official Plan.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R8 (R8-4) Zone

#### 1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approximately 12.9 metres (42.3 feet)
- Area – approximately 574.1 square metres (6,180 square feet)
- Shape – rectangular

#### 1.4 Surrounding Land Uses

- North – apartment buildings
- East – balance of lands (vacant except driveways and parking) single detached dwellings, converted duplexes, day care and apartment building
- South – single detached dwellings, converted dwellings
- West – related development site, Gibbon's Park, Thames River

#### 1.5 Intensification (identify proposed number of units)

- The lands are within the Primary Transit Area
- The requested action will allow 10 residential units in addition to 112 units already permitted by the existing zoning at 112 St. James Street.

#### 1.6 Appeal to the Local Planning Appeals Tribunal

- The subject site is the subject of an unresolved appeal to The London Plan on the basis of loss of previous development rights for the larger abutting landholdings including 1 & 9 Grosvenor Street; 291, 295 and 301 St. George Street, and 124 St. James Street.

1.6 Location Map

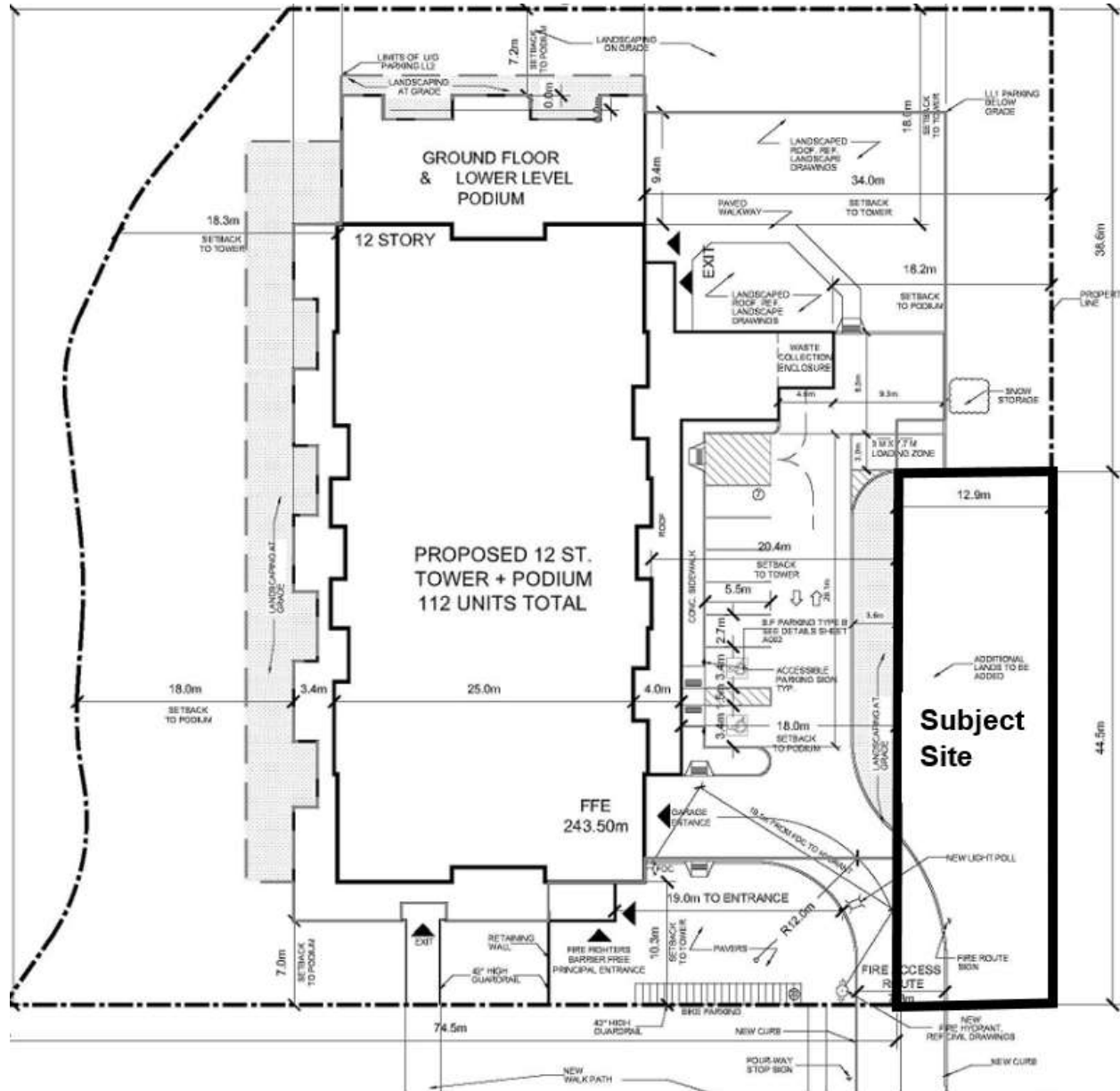


## 2.0 Description of Proposal

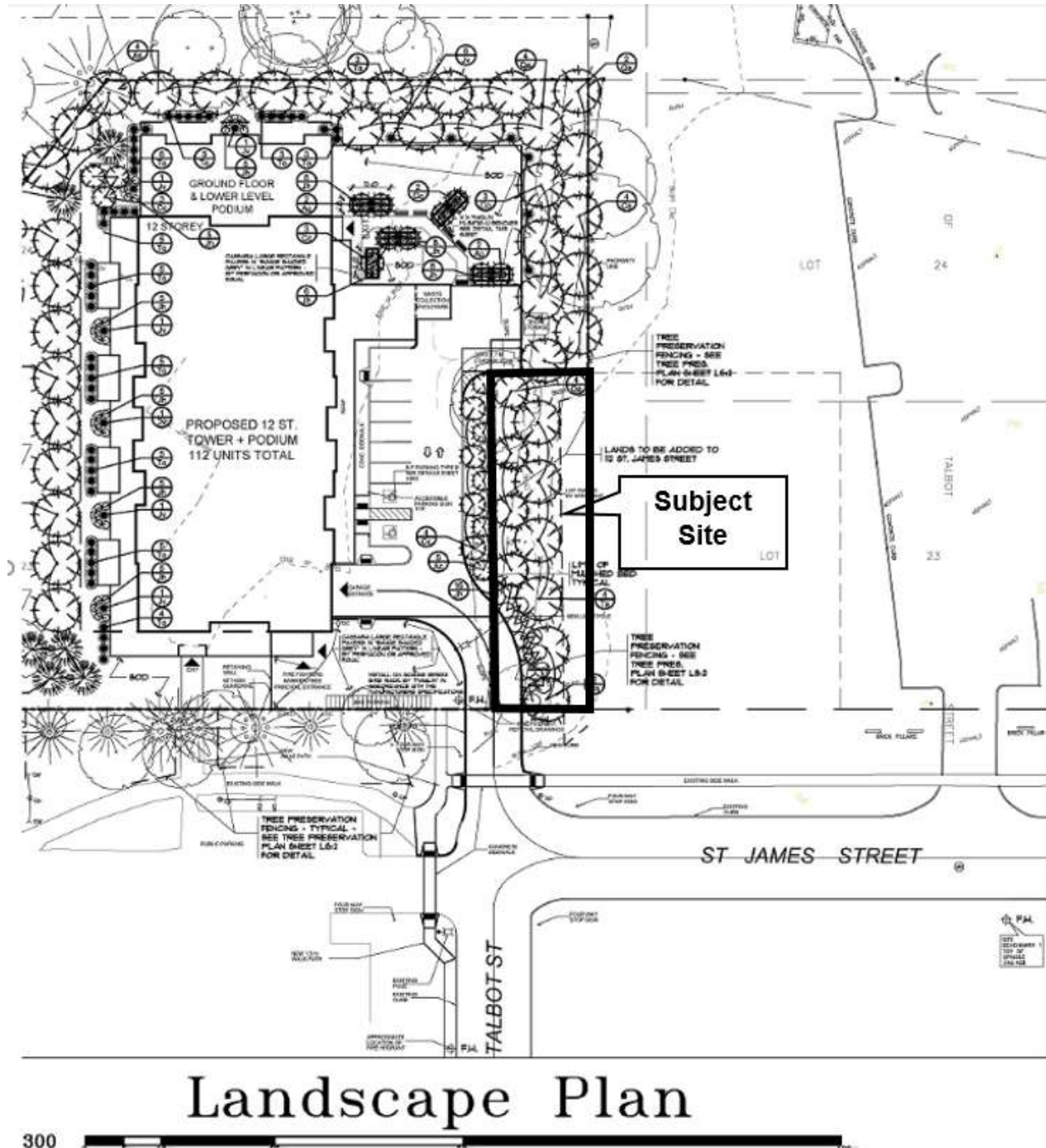
### 2.1 Development Proposal

The applicant intends to sever the subject site from the balance of the lands and develop it in conjunction with the neighbouring apartment development site at 112 St. James Street to the immediate west. The Official Plan and Zoning By-law amendment application under consideration is to facilitate the provision of appropriate vehicular access to the proposed apartment building, and allow for an increase in the number of residential units within the proposed 13 storey apartment building from 112 to 122 units based on the permitted density calculations for a slightly larger land area. The proposal does not include the construction of any buildings on the subject site.

### Site Plan (3<sup>rd</sup> Site Plan Submission, Under Review)



Landscape Plan (3<sup>rd</sup> Site Plan Submission, Under Review)



**3.0 Relevant Background**

**3.1 Planning History**

*Application for Consent and Grosvenor Gate Urban Design Guidelines – Divide existing apartment buildings from vacant lands*

In October 2011, the City received an application for consent to sever (file B.054/11) for 1 and 9 Grosvenor Street; 291, 295 and 301 St. George Street; 120 and 124 St. James Street. The request was to sever a 0.4 hectare parcel for the purpose of future apartment buildings, and to retain 4.33 hectares 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 requirements for the creation of easements and rights-of-way, parkland dedication and the preparation of urban design guidelines.



As a result of the condition regarding urban design guidelines, in November, 2012, Council adopted the Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines (OPA #542, file O-8102) as a Guideline document under Section 19.2.2 of the 1989 Official Plan.

*Site Plan Application and Minor Variance – Lands fronting St. James Street*

In September 2012, the City received a minor variance application (file A.106/12) to increase the height to 14 metres whereas 13 metres is the maximum, reduce the side yard setback to 5 metres whereas 7 metres is required, and to reduce the interior side yard setback to 1.8m whereas 6 metres is required. This application was made to support a site plan application (SP12-032350) submitted in October of 2012 for two low-rise apartment buildings fronting St. James Street in the area designated and zoned for medium density residential development.

On October 29, 2012 the minor variance 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 5<sup>th</sup>, 2012 report to the Planning and Environment Committee.

The Site Plan was approved in December, 2014. The addresses assigned to the two future buildings were 140 and 150 St. James Street while the site itself continued to be described as 124 St. James Street.

*Application for Consent to Sever – Create 112 St. James Street*

In 2016 a Consent to Sever application (B.019/16) was received by the City to divide what is now 112 St. James Street from 124 St. James Street and create an access easement. The easement for vehicular and pedestrian access was registered in June, 2017 and coincides with the subject site for this application to amend the Official Plan and Zoning By-law.

*Application for Consent to Sever – access easements over 301 St. George Street and 124, 140 and 150 St. James Street (vacant lands) in favour of 291 and 295 St. George Street, and 1 and 9 Grosvenor Street (existing apartment building sites)*

On November 28, 2018, the City received an application (B.051/18) for the creation of easements over the existing driveways and parking areas on otherwise vacant land in favour of the developed properties. Since these easements conflict with the site plan approved in 2014 for two low-rise apartment buildings fronting St. James Street, the conditions of consent require that the Owner enter into a consent agreement to be registered on title, that includes a requirement for the Owner to de-register or amend the existing development agreement to conform to the limits of the easement and the Grosvenor Gate Design Guidelines (Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines).

*Site Plan Control Application – 112 St. James Street*

In March 2019, the City received a Site Plan Control Application (file SPA18-140) for the proposed 13 storey, 112 unit apartment building. Conditional approval was granted, subject to the applicant satisfying the requirements of the City, including a public site plan meeting that was held on May 13, 2019. City staff are currently reviewing 3<sup>rd</sup> submission drawings which address comments provided from previous reviews, as well as comments directed to staff as part of the public meeting.

At the public site plan meeting, City staff discussed the possible increase in number of units from 112 to 122 residential units as a result of the Official Plan and Zoning By-law

amendment application that is the subject of this application (OZ-9012). The applicant has indicated that the increase in the number of units would be contained within the proposed building without exterior changes.

*Zoning By-law and Official Plan By-law Amendment Application – Part of 124 St. James Street (application subject of this report)*

In December 2018, the Official Plan and Zoning By-law amendment applications that are the subject of this report were received.

*Consent to Sever – part of 124 St. James Street to be conveyed to 112 St. James Street*

On July 5, 2019, the City received an application (B.031/19) to sever the lands that are the subject of the current Official Plan and Zoning By-law amendment and to merge them with 112 St. James Street. This application is currently under review.

### **3.2 Requested Amendment**

*1989 Official Plan*

The applicant has requested to change the designation of the subject site in the 1989 Official Plan from Multi-family, Medium Density Residential to Multi-family, High Density Residential to permit low and high rise apartment buildings, apartment hotels, multiple-attached dwellings, emergency care facilities, nursing homes, rest homes, homes for the aged, and rooming and boarding houses. The City also advertised possible changes to the Policies for Specific Residential Areas to allow a high-rise, high density residential development at this location within the St. George/Grosvenor Neighbourhood. Following discussions with City staff, the applicants agreed an amendment to the Specific Policy rather than a mapping change would be appropriate. No additional notice was required as this approach was contemplated by the notices already circulated.

*The London Plan*

The applicant did not request a change to The London Plan as the lands are subject to a site-specific appeal and therefore the relevant policies of The London Plan did not apply. City staff advertised possible changes to the Specific Policies for the Neighbourhoods Place Type to allow a high-rise, high density apartment building at this location within the St. George/Grosvenor Neighbourhood.

*Zoning By-law*

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning of the property from the Residential R8 (R8-4) Zone to the Residential R9 (R9-7-H45) Zone that already applies to the neighbouring lands at 112 St. James Street. The requested zone permits apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities with a maximum density of 150 units per hectare and a maximum height of 45 metres (13 storeys). The minimum lot frontage is 30 metres and the minimum lot area is 1000 square metres. The applicant is using the as-of-right density bonus for the Residential R9 Zone categories that allows for the density of the residential development to increase by 3 units for every 70 square metres of exterior common open space provided at grade in excess of the landscaped open space required by the By-law.

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

Eight (8) members of the public replied to this application. Their comments are summarized as follows:

- too much intensity in the apartment building proposal;
- proposed building is too tall;

- additional 10 units would make the proposed building bigger;
- blocked views from existing apartment building;
- shadow impacts;
- if zoning is in place for a number of years and not utilized, can it be appealed?
- increase in traffic volume during high traffic hours; a Traffic Impact Study should be required;
- possible negative traffic impacts on trail and park access to Gibbons Park;
- apartment building proposal does not fit with houses and history of the area;
- how will this development respect and impact the proposed St. George/Grosvenor Heritage Conservation District;
- destroy the beauty of the parklands;
- environmental impacts;
- consent to sever application should be submitted concurrently with the Official Plan and Zoning By-law amendment application;
- the Official Plan and Zoning By-law amendment should not be cited as a precedent to rezone the balance of the lands at 124, 140 and 150 St. James Street for high density residential use;
- the consent application (B.051/18) should be conditional on deregistering or amendment the existing site plan approval for 124, 140 and 150 St. James Street;
- the development proposal should comply with the comments provided by the Urban Design Peer Review Panel.

Most of the public comments related to the development of the lands at 112 St. James Street, which is already zoned to permit a high rise apartment building and is not the subject of this application for Official Plan and Zoning By-law amendments. These matters including building massing and design, views and shadow impacts, traffic impacts, tree preservation/replacement, and environmental impacts are being addressed through the Site Plan Approval process and were the subject of discussions at the Site Plan Public Meeting May 13, 2019. The impact of 10 additional units and concerns about precedent-setting for high rise development on the balance of 124, 140 and 150 St. James Street are addressed in Section 4.0 – Key issues and considerations of this report.

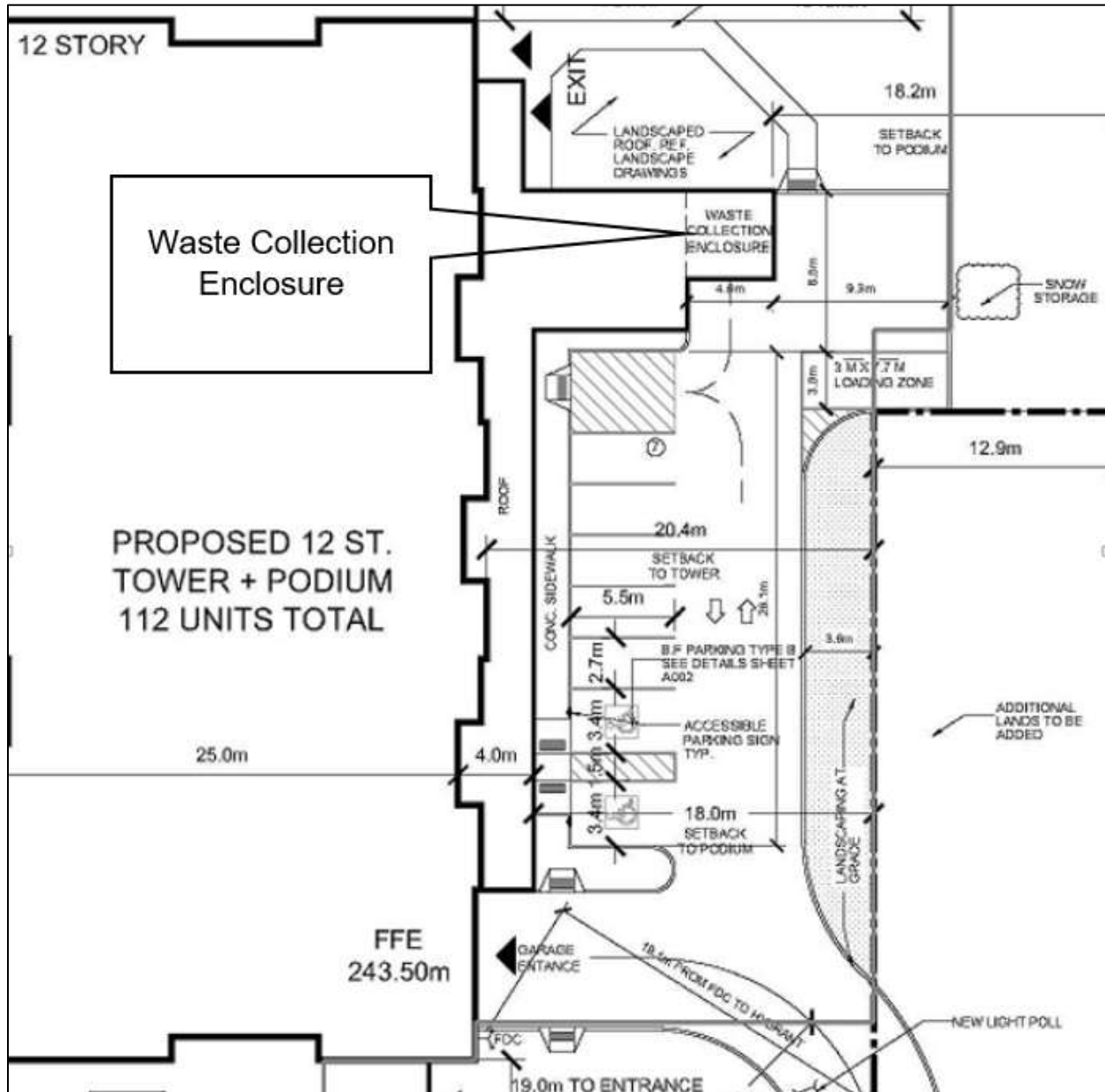
Briefly, matters that are peripheral to this application and respond to concerns raised at the site plan public meeting are addressed as follows:

- an application for consent to sever a part of 124 St. James Street for conveyance to 112 St. James Street (B.031/19) was submitted to the City on July 5, 2019 and will be reviewed in the context of this proposed OPA/ZBA.
- the consent application (B.051/18) to create easements over 124, 140 and 150 St. James Street is conditional on the registration of a consent agreement that requires the existing site plan approval for 124, 140 and 150 St. James Street to be deregistered, amended or replaced with a new plan that respects the existing access easements and conforms to the St. George/Grosvenor Design Guidelines (Grosvenor Gate Neighbourhood Character and Design Guidelines)
- the current development proposal at 112 St. James Street has no bearing on the potential designation of the Great Talbot or Gibbons Park as Heritage Conservation Districts. On January 17, 2017, Council endorsed the boundaries and directed that staff prepare Heritage Conservation District Plans for both of these potential HCD's. There is no policy basis to require a Heritage Impact Assessment to be prepared for the development of 112 St. James Street and related minor expansion of the lands to include 124 St. James Street as the property is not adjacent (contiguous) to any listed property, and is adjacent only to potential, not approved, Heritage Conservation Districts.
- traffic control at the intersection of Talbot Street, St. James Street, the driveway access into Gibbon Park and the new driveway access to future development at

112 St. James Street will consist of a four-way stop. The City will install the three stop signs on public lands and the developer will install the fourth in association with the development on private land.

- the 3<sup>rd</sup> submission drawings submitted to site plan staff provide for an indoor waste collection enclosure as illustrated below.

### Location of Indoor Waster Collection Enclosure



### 3.4 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.

### 3.5 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 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 add 10 units to a site that is already planned for the construction of a high rise apartment building 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 additional 10 units will efficiently utilize public services within an existing residential neighbourhood. Further, the additional 10 units will assist in achieving an established intensification target for built up areas, 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 minimum target 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 including the additional 10 units, assists the City in meeting its intensification targets.

*The London Plan* provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development to strategic locations – along rapid transit corridors and within the Primary Transit Area.
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing and revitalizing our downtown, main streets and urban neighbourhoods;
- 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 1, 2, 3, 4 and 5).

The subject site is located within the Neighbourhoods Place Type on \*Map 1 – Place Types in The London Plan, and when consolidated with 112 St. James Street will be located at the intersection of two Neighbourhood Connector Streets. In accordance with Policy 920\_5\* and Tables 10\* and 11\*, apartment buildings are permitted with minimum heights of 2 storeys, maximum heights of 3 storeys, and the opportunity to bonus up to 4 storeys. High-rise apartment buildings are directed to the Downtown, Transit Village and Rapid Transit Corridor Place Types as a key strategy to create the context for a viable and cost-efficient transit system. (Policy 954\_\*). While this property is not located within the Downtown, Transit Village or Rapid Transit Corridor Place Types and is therefore not a targeted area for the greatest levels of intensification to support the transit system, the intent of the recommended amendments is to “square off” an existing apartment development parcel as opposed to facilitating the development of another standalone apartment building.

Specific Policies for the St. George/Grosvenor Neighbourhood apply to the site. These policies recognize the area’s predominantly low density, low rise character despite continual redevelopment pressure for apartment buildings, hospital expansions and

office conversions. (Policy 1018\_). While there are portions of this neighbourhood that are appropriate for redevelopment or conversion, there also exists a viable low density, low-rise residential neighbourhood. The Plan does not anticipate significant land use changes in these areas, and any proposals for development shall not adversely impact the amenities and character of the surrounding area. Suitable areas for office conversion and medium and high-rise apartment land uses have been identified in The London Plan. It is intended that additional areas will not be designated for these uses without a re-evaluation of the area and a subsequent decision by City Council to amend this plan (Policy 1019\_). Medium density residential development, controlled by the Zoning By-law, will be permitted on the north side of St. James Street between St. George Street and the Thames River. It is expected that most development proposals will be residential conversion; however, there may be some redevelopment to new medium density uses (Policy 1022\_).

The subject site is also located within the Near-Campus Neighbourhoods Specific Policy Area\*. Near Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents. (Policy 964\_\*). The Near Campus Neighbourhood policies outline planning goals for Near Campus areas and encourage appropriate forms and locations for intensification. While generally intensification is to be in mid-rise and high-rise forms of development on significant transportation nodes (Policy 965\_\*), intensification may also occur in some locations within the Neighbourhoods Place Type where it is permitted in Tables 10\* and 11\* and meets the Near Campus Neighbourhoods policies of *The London Plan* (Policy 967\_\*). The Near Campus Neighbourhoods policies in *The London Plan* are a more condensed, user-friendly and re-organized version of the parallel policies of the 1989 Official Plan, but reflect similar ideologies and review criteria. These policies are found in Sections \*968\_ and \*969\_ of *The London Plan*.

While the Neighbourhoods Place Type does not contemplate the use of apartment buildings, the proposed development adjacent to the subject site at 112 St. James Street is being advanced as part of the existing zone on the lands to permit such a use. The use is viewed as non-conforming to the Neighbourhoods Place Type in The London Plan and is permitted by virtue of the existing zoning. The proposal to amend the Official Plan and Zoning By-law will “square off” the property, provide for suitable and safe access to the site via the private driveway aligned with the north terminus of Talbot Street, and allow for a marginal increase in the number of units from 112 units to 122 units.

#### Official Plan (1989)

The subject lands are designated Multi-Family, Medium Density Residential and permit the use of low-rise apartment buildings (Section 3.3.1.). The designation permits a maximum of 75 units per hectare with the potential to bonus up to 100 units per hectare (Section 3.3.2), while the zone on the lands at 112 St. James Street permits 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 for the proposed development adjacent to the subject site at 112 St. James Street is viewed as being non-conforming to the land use designation: however, permitted through zoning. The proposal to amend the Official Plan and Zoning By-law will square off the property, provide for suitable and safe access to the site via the private driveway aligned with the north terminus of Talbot Street, and allow for a marginal increase in the number of units from 112 units to 122 units.

Special Area Policies for the St. George/Grosvenor Neighbourhood apply to the site. These policies recognize the area’s predominantly low density, low rise character despite continual redevelopment pressure for apartment buildings, hospital expansions and office conversions. While there are portions of this neighbourhood that are appropriate for redevelopment or conversion, there also exists a viable low density, low-rise residential neighbourhood. The Plan does not anticipate significant land use changes in these areas, and any proposals for development shall not adversely impact

the amenities and character of the surrounding area. Based on the St. George/Grosvenor Secondary Plan, suitable areas for office conversion and medium and high-rise apartment land uses have been identified in The London Plan. It is intended that additional areas will not be designated for these uses without a re-evaluation of the Secondary Plan and a subsequent decision by City Council to amend the Official Plan (Section 3.5.3). Multi-family, Medium Density Residential development will be permitted on the north side of St. James Street between St. George Street and the Thames River. It is expected that most development proposals will be residential conversions; however, there may be some redevelopment to new medium density uses (3.5.3. ii).

The site is also within the Special Policy Area known as the Near Campus Neighbourhood (3.5.19.). Minor revisions were made to these policies in 2016 following a review of the effectiveness of the former Near-Campus policies.

While the Multi-family, Medium Density Residential designation does not contemplate the use of high rise apartment buildings, the proposed development adjacent to the subject site at 112 St. James Street 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 Multi-family, Medium Density Residential designation in the Official Plan and is permitted by virtue of the existing zoning. The proposal to amend the Official Plan and Zoning By-law will square off the property, provide for suitable and safe access to the site via the private driveway aligned with the north terminus of Talbot Street, and allow for a marginal increase from 112 units to 122 units.

#### Grosvenor Gate Neighbourhood Character and Design Guidelines

The Grosvenor Gate Neighbourhood Character and Design Guidelines apply to the privately owned lands bounded by the Thames River, Grosvenor Street, St. George Street and St. James Street. These guidelines do not address land use permissions, but provide a series of site design criteria to provide a further foundation for the evaluation of future development proposals in addition to the Site Plan By-law.

Among other matters, the site design criteria include the following:

Parking access should be sympathetic to adjacent residential scale, form and function; driveways should be located and designed to facilitate maneuverability on site and between adjacent sites and to reduce traffic flow disruptions to and from the property.

## **4.0 Key Issues and Considerations**

### **4.1 Marginal Increase in Number of Units**

This application is being viewed through the lens of the potential impacts of permitting an additional 10 residential units to a 112 unit apartment building that is already permitted by the Zoning By-law. While not strictly applicable, the review criteria for the establishment of a new High Density Residential designation include such matters as compatibility, the availability of municipal services, traffic impacts, buffering, and proximity to transit and service facilities.

The additional residential units, if accommodated inside the apartment building as proposed through the site plan process, will not result in an increase in height, scale, setback, amenities or character of the surrounding area beyond that which is currently permitted. Municipal services are adequate to service the additional units, and the traffic impacts will be negligible with respect to the difference between traffic generated by 122 units vs. 112 units. The addition of 10 units to the proposed building will not impact the treatment of the site to provide buffering for surrounding land uses.

The effect on the development of the property and on the surrounding neighbourhood of slightly increasing the land area that is used for density calculations to increase the number of units by 10 is negligible. If these lands were to remain in the existing Residential R8 (R8-4) Zone, they would provide for 4 units at a density of 75 units per

hectare, as part of a larger development proposal on the entirety of 124 St. James Street. At the increased density of 187 units per hectare permitted by the Residential R9 (R9-7) Zone, the land area of the subject site will increase the number of permitted units by 6, for a total of 10 additional units. The net increase of 6 units will not have a cumulative negative impact on the development capacity of 112 St. James Street or on the surrounding residential neighbourhood.

#### **4.2 Provision of Aligned and Safe Access**

One of the stated reasons for this Official Plan and Zoning By-law amendment is to facilitate the alignment of the private driveway access with the terminus of Talbot Street.

The 1989 Official Plan's Transportation chapter includes parking policies which state "The provision of public and private parking and loading facilities that are safe, well integrated with the transportation system, adequate for the land uses they support, and developed to a standard which promotes compatibility with adjacent land uses, shall be supported (18.2.12)". In furtherance of that policy, the Plan provides for design standards for the location, layout, construction, lighting, and buffering of off-street parking areas through the site plan approval process. The intent of such standards shall be to achieve safe access, efficient usage, improved aesthetics and reduced impact on adjacent land uses (18.2.12 ii).

The comments provided by Transportation at the site plan pre-application consultation and approval stage required that the centreline of the proposed access line up with the centreline of Talbot Street.

Through the site plan approval process, a proposed site plan has been developed which aligns the driveway access as required. Through discussions with surrounding area landowners, it is now intended that there will be a four-way stop at the intersection of Talbot Street, St. James Street, the entrance to Gibbons Park and the driveway access to the development site. The direct alignment at this intersection eliminates the type of traffic conflict at such an intersection where road/site accesses are not aligned. While the access is legally permitted by virtue of the existing easement for vehicular and pedestrian access, it is preferable that the access be provided across lands that are part of the parcel and within the same zone as the land being developed.

#### **4.3 Future Development Potential for the Balance of the Lands**

As previously noted, the applicant has appealed The London Plan with respect to the undeveloped private lands within the Grosvenor Gate block bounded by the Thames River, Grosvenor Street, St. George Street and St. James Street. The application that is the subject of this report affects a minor portion of the lands that are under appeal and are being considered for the requested Official Plan and Zoning By-law amendment because:

- the subject site is intended to be added to the neighbouring property at 112 St. James Street that is already zoned for high density residential development;
- the area is geographically limited;
- there are benefits with respect to meeting land development criteria for aligned accesses; and,
- the increase in the number of permitted units is marginal and will have a negligible impact on the surrounding neighbourhood.

The balance of the lands remain subject to the policies of both the 1989 Official Plan and The London Plan for the St. George/Grosvenor Neighbourhood. These policies state the intent that additional areas will not be designated for high density residential uses without a re-evaluation of the Secondary Plan/area and a subsequent decision by City Council to amend the Official Plan.

It is not intended or anticipated that the recommendations of this report will affect the outcome of the appeal to the Local Planning Appeal Tribunal with respect to the larger landholdings.



More information and detail is available in Appendix D and E of this report.

## 5.0 Conclusion

The requested Official Plan and Zoning By-law amendments are intended to allow for the use of part of 124 St. James Street for high density residential uses in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street within the St. George/Grosvenor Neighbourhood. The requested changes result in marginal increase in the number of permitted units at the proposed 112 St. James Street development, and provides planning, design and traffic safety benefits by securing the ability to align the private driveway with the terminus of Talbot Street and provide the best possible scenario for a 4-way stop. The recommended amendments are not intended to affect the outcome of the site-specific appeal of The London Plan related to the larger undeveloped landholdings in the Grosvenor Gate area.

<b>Prepared by:</b>	<b>Barb Debbert</b> <b>Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG</b> <b>Managing Director, Development and Compliance</b> <b>Services and Chief building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 12, 2019  
BD/bd

## 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 part  
of 124 St. James Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend the policies of Section 3.5.3 ii) – St. George/Grosvenor Neighbourhood – Multi-family, Medium Density Residential, to permit the use of a portion of 124 St. James Street contiguous with 112 St. James Street, having an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, for high density residential uses only in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at part of 124 St. James Street in the City of London.

C. BASIS OF THE AMENDMENT

This amendment applies only to lands that are proposed to be severed and consolidated with the adjacent lands at 112 St. James Street, which is already zoned for development. The proposal provides a planning benefit by facilitating the direct alignment of the private driveway access with the terminus of Talbot Street where it meets St. James Street in order to provide improved traffic control and safety at this intersection. It also regularizes the property fabric. While the intent of the Official Plan is that additional areas will not be designated for high density residential uses without a re-evaluation of the St. George/Grosvenor Secondary Plan and a subsequent decision by Council to amend the Official Plan, a comprehensive review is not considered necessary for a marginal increase in the lot area to be consolidated with abutting lands which are proposed to be developed for an apartment building that is permitted by the existing zoning. The consideration of new high density residential uses for the balance of the lands between the subject lands and St. George Street should be subject to a more comprehensive review in accordance with the intent of the St. George/Grosvenor Neighbourhood policies.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended by adding the following in a new paragraph at the end of Section 3.5.3 ii), after “Secondary uses permitted will exclude new office buildings, office conversions and commercial recreation facilities.”

1. Notwithstanding policies of Section 3.5.3 to the contrary, high density residential uses may be permitted on that portion of 124 St. James Street that is contiguous with 112 St. James Street and has an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, only in conjunction with the development of a high density apartment building on the lands at 112 St. James Street.



## Appendix B

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

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to part  
of 124 St. James Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend Policy 1022\_ - St. George/Grosvenor Neighbourhood – Medium Density Residential of The London Plan for the City of London, to permit the use of a portion of 124 St. James Street contiguous with 112 St. James Street, having an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, for high density residential uses only in conjunction with the development of a high rise apartment building on lands described as 112 St. James Street.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at part of 124 St. James Street in the City of London.

C. BASIS OF THE AMENDMENT

This amendment applies only to lands that are proposed to be severed and consolidated with the adjacent lands at 112 St. James Street, which is already zoned for development. The proposal provides a planning benefit by facilitating the direct alignment of the private driveway access with the terminus of Talbot Street where it meets St. James Street in order to provide improved traffic control and safety at this intersection. It also regularizes the property fabric. While the intent of the Official Plan is that additional areas will not be designated for high density residential uses without a re-evaluation of the area and a subsequent decision by Council to amend the Official Plan, a comprehensive review of the area is not considered necessary for a marginal increase in the lot area to be consolidated with abutting lands which are proposed to be developed for an apartment building that is permitted by the existing zoning. The consideration of new high density residential uses for the balance of the lands between the subject lands and St. George Street should be subject to a more comprehensive review in accordance with the intent of the St. George/Grosvenor Neighbourhood policies.

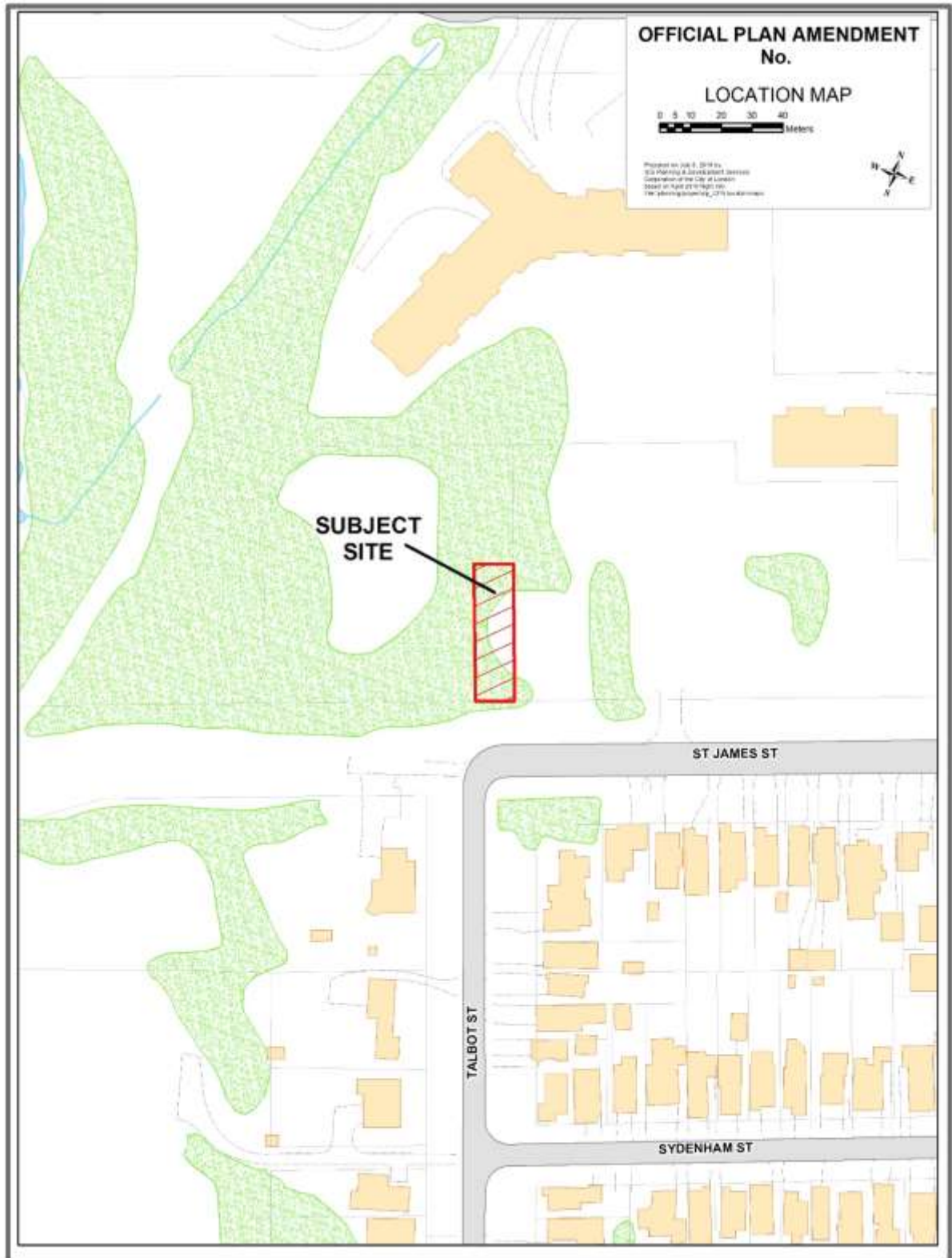
D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

*The London Plan* is hereby amended as follows:

1. Policy 1022\_ - St. George/Grosvenor Neighbourhood – Medium Density Residential of The London Plan for the City of London is amended by adding the following new paragraph after “Secondary uses permitted will exclude new office buildings, office conversions and commercial recreation facilities.”

Notwithstanding Policy 1019\_ to the contrary, high density residential uses may be permitted on that portion of 124 St. James Street that is contiguous with 112 St. James Street and has an approximate frontage of 12.9 metres along St. James Street and an approximate area of 574 square metres, only in conjunction with the development of a high density apartment building on the lands at 112 St. James Street.



## Appendix C

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 part of  
124 St. James Street.

WHEREAS Grosvenor Development Corporation has applied to rezone an area of land located at part of 124 St. James Street, 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 part of 124 St. James Street, as shown on the attached map comprising part of Key Map No. A.102, from a Residential R8 (R8-4) Zone to a Residential R9 (R9-7-H45) Zone.

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

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

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019



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



Zoning as of June 28, 2019

File Number: OZ-9012  
Planner: BD  
Date Prepared: 2019/07/08  
Technician: DM  
By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters



## Appendix D – Public Engagement

### Community Engagement

**Public liaison:** On February 6, 2019, Notice of Application was sent to 69 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 7, 2019. A “Planning Application” sign was also posted on the site.

Eight (8) replies were received

#### **Nature of Liaison:**

Official Plan and Zoning amendments to allow:

- the subject lands at the southwest portion of 124 St. James Street to be developed in conjunction with the development lands at 112 St. James Street, for a 13 storey apartment building with 122 residential units.
- the development lands are already zoned to permit high rise residential development.

#### *Requested Amendment to the 1989 Official Plan*

To change the designation of the property from Multi-family, Medium Density Residential to Multi-family, High Density Residential to permit low and high-rise apartment buildings, apartment hotels, multiple-attached dwellings, emergency care facilities, nursing homes, rest homes, homes for the aged, and rooming and boarding houses. The City may also consider changes to the Policies for Specific Residential Areas to allow a high-rise, high density apartment building at this location within the St. George/Grosvenor Neighbourhood.

#### *Requested Amendment to The London Plan*

The applicant did not request a change to The London Plan. The City may, however, consider changes to the Specific Policies for the Neighbourhoods Place Type of The London Plan to allow a high-rise, high density apartment building at this location within the St. George/Grosvenor Neighbourhood.

#### *Requested Zoning By-law Amendment*

To change the zoning from a Residential R8 (R8-4) Zone to a Residential R9 (R9-7-H45) Zone. Changes to the currently permitted land uses and development regulations are summarized below. The complete Zoning By-law is available at [london.ca/planapps](http://london.ca/planapps).

#### **Current Zoning**

**Zone:** Residential R8 (R8-4)

**Permitted Uses:** apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhouses, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities

**Residential Density:** 75 units per hectare

**Height:** 13 metres

#### **Requested Zoning**

**Zone:** Residential R9 (R9-7-H45)

**Permitted Uses:** apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, continuum-of-care facilities

**Residential Density:** 150 units per hectare (122 units)

**Height:** 45 metres (13 storeys)

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

**Concern for:**

- too much intensity in the apartment building proposal;
- proposed building is too tall;
- additional 10 units would make the proposed building bigger;
- blocked views from existing apartment building;
- shadow impacts;
- if zoning is in place for a number of years and not utilized, can it be appealed?
- increase in traffic volume during high traffic hours; a Traffic Impact Study should be required;
- possible negative traffic impacts on trail and park access to Gibbons Park;
- apartment building proposal does not fit with houses and history of the area;
- how will this development respect and impact the proposed St. George/Grosvenor Heritage Conservation District;
- destroy the beauty of the parklands;
- environmental impacts;
- consent to sever application should be submitted concurrently with the Official Plan and Zoning By-law amendment application;
- the Official Plan and Zoning By-law amendment should not be cited as a precedent to rezone the balance of the lands at 124, 140 and 150 St. James Street for high density residential use;
- the consent application (B.051/18) should be conditional on deregistering or amendment the existing site plan approval for 124, 140 and 150 St. James Street;
- the development proposal should comply with the comments provided by the Urban Design Peer Review Panel.

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

Telephone	Written
	Bob Vigars Address not provided
	Claudiu Beloiu 177 St. James Street London ON N6A 1W7
	Ken Owen St. George Grosvenor Neighbourhood Association 383 St. George Street London ON N6A 3A9
	Yvonne Collyer Address not provided
	Zeljko Knezevic 206 St. James Street London ON N6A 1W8
	Bettye Girvin Address not provided
	Marilyn Kidd 1 Grosvenor Street, Apt 923 London, Ontario N6A 1Y2
	Alex Beamish Address not provided

**From:** Bob Vigars [mailto:]  
**Sent:** Thursday, February 14, 2019 7:57 AM  
**To:** Debbert, Barb <bdebbert@London.ca>; Squire, Phil <psquire@london.ca>  
**Cc:**  
**Subject:** Opposition to Requested Zoning Zone for 124 St. James St

Dear Barb and Phil

Along with no doubt many others, my wife Julie and I are opposed to the application from the St. James Development Corporation (File: OZ-9012) to change the current Zoning Zone R8 (R8-4) to R9 (R9-7·H45).

Constructing a building in the current parklands to the south of Grosvenor Estates (formerly Grosvenor Gate and Esplanade) would destroy the beauty of this area.

We strongly believe that that plot of land where construction is proposed is not appropriate for building anything and should be preserved as lending to the natural beauty of the surrounding river pathways.

But if there is no way to completely stop any construction in the proposed area, at least keep the current restrictions Zoning Zone R8 so that any buildings could blend into the mature trees and landscape.

To put up a building that could be 3.5 times the height allowed in R8 would be a travesty.

Although 1 Grosvenor Street of Grosvenor Estates is approximately the permitted height of what Zoning Zone R9 allows, the building was smartly done decades ago to blend into the environment and not dominate. It is well off set from roads and the surrounding well-treed landscape mutes its presence.

Putting up a big high-rise apartment as proposed in this area of the city makes no sense. It seems to us this proposal is much more about getting a return on an investment than filling a need.

The proposed St. James Street location is inappropriate as unlike the high rises built close to the downtown core added to that area, while a high rise in this beautiful parkland area off St. James St. will be a detriment.

Thank you

Julie & Bob Vigars

\*\*\*\*\*

**From:** claudiu beloiu [mailto:]  
**Sent:** Saturday, February 16, 2019 11:14 AM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Cc:** Squire, Phil <psquire@london.ca>  
**Subject:** OZ-9012 St. James Development

Dear Ms. Debbert,

We live in the St. James neighborhood and we have received recently the proposal for re-zoning. After careful review of the proposal for change zoning from R8 to R9 of 124 St. James St the application for high-rise building raises concerns for us.

Here are some of our concerns:

- The proposal doubles the residential density and increase in building height is over 70% from the original R8 approval. The plan doesn't explain why the proposal was done this way, what were the reasons behind and what were the trade studies performed that indicated that this proposal was the best selected.
- The proposed access from St James is in an area that at high traffic hours is very congested. Due to traffic congestion on Oxford St. and the flow from Richmond and UWO sometimes the cars are backed up around St. James & St. George intersection. We estimate that addition of 122 units has a potential for significant further increase of the traffic congestion.
- The same proposed access shares the entrance to the Gibbons Park. There are people and families that on regular basis are using it as access to the trails and park for running, biking, etc. Increase in number of cars access in the area could impact the park and trail access.
- Most of the South and East side of the 124 St. James are residential houses up to 2 storey height and buildings located at 291 St. George are three storey height, which all fit together quite harmoniously. Addition of 13 storey building doesn't fit with the area from our point of view.
- This area is also included in the St. George-Grosvenor Heritage Conservation District and there are significant efforts to preserve the beautiful houses and history in the area. Not sure how a 13 storey building would fit with historical features in the area and if the architects and developers considered this information in their plans.

We support development as initially planned for R8 zone as we consider that it fits better with the residential area.

-We recommend the developers to consider St. George-Grosvenor Heritage Conservation District data in their plans.

-We'd also like to see the trade study used for determining the increase from R8 to R9 with the details that led to this decision.

-If there is a traffic study performed we'd like to see the details of when it was performed and the urban planning coordinators should review its validity or if a new study would be required. Actual data may help better in making such important decisions for the neighborhood.

We hope this information will be useful in making the right decision that works for neighborhood and city as a whole.

Respectfully,

Blanduzia & Claudiu Beloiu  
177 St. James St  
London

**From:** claudiu beloiu [mailto:]  
**Sent:** Wednesday, February 27, 2019 10:45 PM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Cc:** Squire, Phil <psquire@london.ca>  
**Subject:** Re: OZ-9012 St. James Development

Barb,

Thank you for the detailed information provided below. I managed to get May 18, 2016 and May 27, 2016 Notices of application B.019/16 and now is a bit more clearer how 112 St. James could already have R9 zoning. After careful review my previous concerns still stand.

With the proposed 122 units at 112 St. James and proposed three storey buildings at 124 and 150 St. James the concern about the traffic in the area is still a valid one that needs to be carefully reviewed and addressed. I'd like to see if any traffic study was performed and what options were considered in addressing the increase in traffic. Also, how this increased density buildings are planned considering St. George - Grosvenor HD proposal? What considerations are in place to ensure harmonious development and proper preservation of the area?

I spoke to some of our neighbors and they expressed similar concerns including environmental aspects due to close proximity to the Thames River.

The most recent notice received indicates that Planning and Environment Committee will also consider detailed site matters, however traffic and HD considerations were not included. It would be great to have these added to the agenda.

Best regards,

Claudiu Beloiu

\*\*\*\*\*

**St. George Grosvenor Neighbourhood Association**

February 18, 2019  
*Delivered by email*

Attention: Barb Debbert, Senior Planner

**Re: File: OZ-9012 - Official Plan and Zoning By-law Amendments - 124 St. James Street**

Dear Ms. Debbert

The geographic boundaries of the St. George Grosvenor Neighbourhood Association (SSGNA) are Victoria Street to the north, Waterloo Street to the

east, Oxford Street to the south and the Thames River to the west. Since the Association's inception in 1980 we have recognized the importance of the Grosvenor lands within the fabric of our community and have continued to contribute positively to their appropriate and sustainable development in accordance with the Official Plan and zoning by- laws specifically applied to them.

Of the more than 600 properties within our boundaries we have a membership of 120 households and on behalf of the Association and its membership I respectfully submit the following comments regarding the above noted file.

Approval of the Official Plan/Zoning By-law Amendments application OZ-9012 should be subject to:

1. Submission of an application for consent to sever the subject property concurrent with the Official Plan/zoning by-law amendment application OZ-9012.
2. It not being cited as a precedent that jeopardizes the preservation the R8-4 zoning by- law applicable to the remaining lands with the municipal address 124, 140 and 150 St. James Street.
3. The London Consent Authority delivering a decision regarding application B.051/18 to establish an access easement over 124, 140 and 150 St. James Street. It being noted that granting such consent will impact the terms of the development agreement resulting from Site Plan Approval SP-12-032350 granted in 2015 and that such consent be conditional upon:
  - a. De-registering of the development agreement; or
  - b. Submission of an amendment to the existing agreement; and/or
  - c. Submission of a new application for site plan approval.
4. The initiation of actions noted in 3.b. or 3.c. being undertaken concurrently with the Official Plan/Zoning By-law Amendments application OZ-9012.
5. The applicant submitting revised supporting documents clearly indicating compliance with the Urban Design Peer Review Panel (UDPRP) feedback comments noted in its undated memo titled "Site Plan Consultation: 112 St. James Street, Presentation & Review, December 19, 2018" including but not limited to:
  - a. The site design and built form addressing the terminating views from St. James and Talbot Streets. In addition, SGGNA considers the terminating views from adjacent buildings as well as from the Thames Valley Parkway trail are of equal importance and need to be addressed when assessing the adequacy of the site design and built form.
  - a. The proposed organization of the ground floor, with loading, garbage and garage doors and a dead end driveway with a retaining wall presenting the primary view from the street is an unacceptable principal street view into the site as well as presenting potential conflict with pedestrian and vehicle movements.
  - b. The scale, massing, and expression of the building addressing the surrounding residential context. In particular, wrapping the podium around the front facade, moving the tower away from the street aspect and

introducing the two story "townhouse" elements to the south side of the complex will better relate to the overall neighbourhood context.

6. The proponent submitting documentation to clearly indicate how the addition of 10 units to the proposed development and the UDPRP preference for a "taller, slender tower" will be addressed, including but not limited to:
  - a. Revised shadow studies, floor plans and elevations;
  - b. An application for an Official Plan and Zoning By-law Amendment for 112 St. James Street to be considered concurrently with application OZ-9012 should such documentation not conform with the current zoning by-law for this property.
7. The Transportation Planning & Design Division submitting acceptable, and publicly available, supporting documentation that addresses:
  - a. The following statements in the applicant's Planning Justification Report:
    - i. *"Comments received from City staff state that they do not have a concern regarding traffic impacts and a Traffic Impact Study is not required"; and*
    - ii. *"The proposed development ... will not adversely impact traffic along the St. James Street or Talbot Street corridors.";* and
  - b. What traffic control measures will be implemented at the intersection of St. James Street/Talbot Street/112 St. James Street access road?

We appreciate the opportunity to provide comments regarding the proposed Official Plan and Zoning By-law amendments and trust that they will receive your due consideration and inclusion in Development Services recommendation report to the City's Planning and Environment Committee.

Thank you for your  
consideration,

Sincerely

Ken Owen  
President, St. George Grosvenor  
Neighbourhood Association Tel:

Copies: Councillor Phil Squire  
Executive Committee, St. George Grosvenor Neighbourhood Association

**From:** Ken Owen [mailto:]  
**Sent:** Friday, March 08, 2019 11:12 AM  
**To:** Ridley, Mark <MRIDLEY@London.ca>  
**Cc:**  
**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 – or telephone.

We look forward to your response.

Ken Owen  
President, St. George Grosvenor Neighbourhood Association (SGGNA)

**Items for discussion at the March 7, 2019 meeting with City Staff regarding traffic impacts related to the proposed development at 112 St. James Street**





### **SGGNA opening remarks.**

The applicant states, in both its Urban Design Brief and Planning Justification Report, that they intend to provide parking space for 162 vehicles for the development located at 112 St. James Street. This will impact not only the peak traffic volumes on St. James and Talbot Streets, but also introduce a complexity at the intersection of these neighbourhood corridors with the establishment of an access driveway at this point. In addition traffic generators deriving from the following neighbouring property developments must also be taken into consideration when assessing traffic impacts throughout the neighbourhood:

- a registered Site Plan Approval (SP12-032350) for a planned development at 124 St. James Street that will provide parking for 90 vehicles;
- a planned condominium development (Official Plan & Zoning By-law Amendment Application currently on hold) at 193-199 College Avenue with parking for approximately 50 vehicles; and
- the potential for a high-rise development at 301 St. George Street with parking for as many as 150 to 160 vehicles.

Overall there is the potential for upwards of 462 more vehicles utilizing the immediate neighbourhood streets. That is 7.5% of the daily traffic flows on St. James and Talbot Streets.

### **What information and statistics did City Staff rely upon when making the following comment quoted in the applicants 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”**

### **It being noted that:**

The City of London “Transportation Impact Assessment Guidelines” states the following:

#### **“2.1 When is a Transportation Impact Assessment Required?”**

.. a TIA may be required when one or more of the following are present:  
*(the 3 listed below are from a list of 9 requirements)*

- The development proposal will add more than 100 peak-hour vehicle trips to the transportation system;
- The development requires an amendment to the Official Plan or zoning by-law, long range policy, strategy or plan, including rezoning;
- The development has the potential to create unacceptable adverse operational and safety impacts on the area road network”

**The applicant has submitted an application for an Official Plan and Zoning By-law Amendment. Why would 2.1 not apply to this development?**

“2.2 TIA Scope/Detail

.....

In some cases, the size, location and nature of the proposal will be such that a detailed transportation impact assessment is not required. Through discussions with City staff, the proponent may be required to prepare a transportation impact statement, which would outline the general characteristics of the site, its operation and trip generation/ridership potential, and a high level assessment of traffic impact, access, safety and parking requirements. The transportation impact statement would be a technical letter, stamped by a Professional Engineer specializing in transportation planning, which outlines the required components agreed upon with the City.

The proposed development may lie within an area for which a recent and relevant Area Plan has already been completed. Under this scenario, the City shall determine if certain elements of the TIA can be omitted or directly incorporated into the current TIA work, i.e., background growth potential, identified arterial road improvements, etc.”

**If Staff determined that a TIA is not required will they share with us?:**

- **The Professional Engineer’s statement; and/or**
- **A recent Area Plan already completed.**

“Included in Exhibit 2-2 is an indication of the components that the City of London will require at the various points in the development process. The proponent is to review the TIA requirements included in the column representing their specific point in the development process and discuss relevancy with City of London Staff”.

**Can Staff confirm if the proponent has discussed with them the relevancy of the following TIA components identified as required for “Rezoning” in exhibit 2-2 and can the recording of any discussions be shared with us?**

**TIA components from Exhibit 2-2:**

- **Local transportation system improvements – intersection improvements**
- **Development potential beyond the study area**
- **Driveway access and operations**

**To what extent has Staff taken into consideration and applied the vision and principles stated in the City of London “Complete Streets Design Manual” when deliberating and reaching conclusions regarding the impact of this and future developments in this neighbourhood on the area roadways?**

**From:** Ken Owen [mailto:]

**Sent:** Friday, March 08, 2019 3:39 PM

**To:** Santos, Vanessa <vsantos@london.ca>; Debbert, Barb <bdebbert@London.ca>

**Cc:** Squire, Phil <psquire@london.ca>; Tomazincic, Michael <mtomazin@London.ca>; McNeely, Heather <HMcNeely@London.ca>

**Subject:** 112 St. James Street - site plan approval application SPC18-174 and 124 St. James Street - OP & ZB Amendment OZ-9012

Vanessa/Barb

At a meeting with the applicant representatives for the above noted files I was given to understand that the two applications will be reviewed independently of each other by the respective City Divisions which you each represent.

It is clear from statements in the supporting documents submitted with each application, correspondence between the applicant(s) and Divisions of the Planning Service Area and the UDPRP that both applications are fundamentally reliant upon each other in

addressing site accessibility, circulation and density. I quote the following excerpts from such documents and correspondence (highlighting/underlining added by KO):

**UDPRP (panel's undated memo responding to applicant's Urban Design Brief reviewed December 19, 2018) :**

*"... 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 ...."*

**Planning Justification Report (supporting document submitted with OP&ZB Amendment application):**

*"The proposal to add the subject lands to the development lands, creating a larger land does require the subject lands to be re-designated and rezoned. The larger land holdings will allow the development lands to have additional lot frontage along St. James Street, additional lot area, and the proposed access to be moved further east. The additional lot area will also permit an additional number of units (10 units), while ....."*

*"We note that the subject lands themselves do not have sufficient frontage or lot area to meet the regulations of the proposed R9-7 zone; however as part of the future consent application, the subject lands are to be merged with the adjacent development lands, which will negate the need to recognize the deficient regulations. It is anticipated these deficiencies will be resolved as a condition of consent approval once the properties are merged"*

*"Overall the requested ZBA will transfer the current permitted residential density (75 uph/4 units), to the adjacent development lands, and increase the permissions to 150uph + 25% Bonus, which will result in 10 units. This is a net increase of 6 units for the subject lands."*

*"The proposed Official Plan and Zoning By-Law Amendments are intended to complement the proposed 13-storey, 122 unit residential apartment building on the adjacent lands known as 112 St. James Street. While the proposed OPA/ZBA will permit an additional 10 units within the development, the proposed amendments will create a more regular lot fabric, improved access point, and add additional density to the site well setback and buffered from adjacent low density uses."*

**Applicants February 21, 2019 response to the UDPRP recommendations:**

*"The Official Plan and Zoning By-law 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."*

Although some aspects of the development portrayed in the site plan approval application, the highlighted section of this statement can be refuted on the evidence of the foregoing statements.

Vanessa, I have attached for your reference a copy of the SGGNA February 18, 2019 letter commenting on the OP/ZBA application OZ-9012. I would refer you to item 7. regarding traffic impacts and intersection control measures.

It is our opinion that these areas require a more comprehensive analysis than:

*"Comments received from City staff state that they do not have a concern regarding traffic impacts and a Traffic Impact Study is not Required"; and "The proposed development ... will not adversely impact traffic along the St. James Street or Talbot Street corridors."* Please also reference my earlier email today on which you were all copied.

At our meeting with TP&D yesterday it was indicated that a Traffic Impact Assessment, or an alternative study acceptable under the City's Traffic Impact Assessment Guidelines, has or will not be requested through the City review of OP/ZBA application

file OZ-9012 due to the size of the property. In light of the magnitude of this development, as well as the potential impact from future developments, on traffic circulation within our neighbourhood I believe it is imperative that the merits and implications of these two applications be assessed by the City within a unified process.

I look forward to receiving your comments and response.

Thank you  
Ken Owen  
President, St. George Grosvenor Neighbourhood Association

**From:** Ken owen [mailto:]  
**Sent:** Monday, March 18, 2019 6:32 PM  
**To:** Elmadhoon, Maged <melmadho@London.ca>  
**Cc:**  
**Subject:** Re: [EXTERNAL] RE: meeting follow up - re neighbourhood traffic

Maged  
Thanks for your prompt response.

Ken Owen  
Sent from my iPad

On Mar 18, 2019, at 3:54 PM, Elmadhoon, Maged <[melmadho@london.ca](mailto:melmadho@london.ca)> wrote:

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 than 100 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

<image001.png> **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](mailto:melmadho@london.ca) | [www.london.ca](http://www.london.ca)

**From:** Ken Owen [<mailto:>]  
**Sent:** Monday, March 18, 2019 12:02 PM  
**To:** Elmadhoon, Maged <[melmadho@London.ca](mailto:melmadho@London.ca)>  
**Cc:**  
**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:** [kowen](mailto:kowen)  
**Cc:**  
**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 from 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

**<image001.png> 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](mailto:melmadho@london.ca) | [www.london.ca](http://www.london.ca)

\*\*\*\*\*

From: Yvonne Collyer [mailto:]  
Sent: Wednesday, February 20, 2019 11:54 AM  
To: Debbert, Barb <bdebbert@London.ca>  
Subject: 124 st james

I strongly object on grounds of environmental damage re trees, river bank, etc. Why not build on land to the east?

Yvonne Collyer

\*\*\*\*\*

**From:** Z Z [mailto:]  
**Sent:** Wednesday, February 20, 2019 2:37 PM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Cc:** Squire, Phil <psquire@london.ca>  
**Subject:** 124 and 112 St James St. Development

Hello

I would like to voice my opinion related to a proposed development at 124 and 112 St James street. In my opinion the proposed highrise building is not appropriate for the proposed location. I am also against proposed amendments to the zoning of 124 St James, which would make the proposed building even bigger. The large high rise building does not fit our neighborhood at all. As one of the oldest neighborhoods in town, with its unique architectural style, we are applying for a heritage district designation. Obviously a brand new highrise building would sink our multi year effort to obtain such a designation. I also believe the new high density residence would cause lots of traffic troubles, particularly on Talbot street, where you already have vehicle lineups during rush hours. Cars from additional 122 apartments would make this situation much worse.

I also wonder when was a highrise zoning approved for 112 St James street. It must have been some time ago, as I haven't seen this application in the last two years. Is it common to get this zoning and then wait a number of years before a construction? If a significant number of years has passed without construction can this zoning be appealed?

Best regards  
Zeljko Knezevic  
206 St James street

\*\*\*\*\*



From: bettye girvin [mailto:]  
Sent: Saturday, February 23, 2019 3:48 PM  
To: Debbert, Barb <bdebbert@London.ca>  
Subject: Proposed building

Ms. Delbert,

I am writing to protest the plan to build a 13 storey apartment building on St. James St. It will have a negative effect on a quiet single family home neighbourhood, and detract from the quiet appeal of the area, not to mention the overwhelming increase in traffic, which is bad enough at the present.

I am not sure how these plans are made, but am aware of the dissatisfaction of many people at what is called Town Planning in London. Large buildings keep appearing, with nothing in our downtown to attract them. The builders obviously have more power than the citizens.

Please don't let this building happen.

Sincerely,  
Bettye Girvin

\*\*\*\*\*

**From:** Marilyn Kidd [mailto:]  
**Sent:** Monday, February 25, 2019 9:02 AM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Subject:** Development of 124 St. James Street, London

Dear Barb Debbert,

I have just become aware of the proposal to build a 13 storey apartment building on the parkland adjacent to 124 St. James Street.

I am a longtime resident of 1 Grosvenor Street.

This proposed apartment building would directly block my view as well as that of at least a hundred other residents of my apartment building.

It will also negatively impact the houses and the traffic on the surrounding streets.

It will block the sun on many buildings and lawns in the area, reduce the air quality through emissions from the heating and cooling systems of the proposed building among other things.

It will remove many beautiful old trees and reduce green space that is enjoyed by users of Gibbons Park.

At a time when there are a record number of new buildings going up all around the city, I fail to understand the need to erect yet another apartment building especially when it is going to negatively impact existing residents and park users and take away valued green space.

London is known as The Forest City but every year more and more of its natural assets are destroyed. The quality of life in London should be at least as important as the desire to make money through unnecessary development.

I am also surprised that the residents of 1 Grosvenor did not receive notification of this proposal directly from the city as it has such an impact on them in particular.

I trust that we will receive notification of any public hearings on the proposal.

Sincerely,

Marilyn Kidd  
1 Grosvenor Street, Apt 923  
London, Ontario  
N6A 1Y2

\*\*\*\*\*

**From:** Alex Beamish [mailto:]  
**Sent:** Monday, March 11, 2019 7:01 PM  
**To:** Debbert, Barb <bdebbert@London.ca>; Squire, Phil <psquire@london.ca>;  
info@bishophellmuth.org  
**Subject:** Objections to 124 St. James Development

Dear Barb Debbert, Phil Squire, and Bishop Hellmuth Community Association,

I grew up at 872 Hellmuth Ave and moved in to my first house, on Talbot Street, in the summer. When I was out on a walk yesterday I saw the sign about the proposed development at 124 St. James Street. I take many walks in the neighborhood but did not see the sign until now, perhaps because it was put up in the winter. I realize that I've missed the deadline of February 25 to respond to Barb Debbert. In fact, on February 25, I left on a 10-day business trip to Australia and only got back two nights ago. For what it's worth, here are my objections to the development:

1. At the corner of Talbot and St. James is a bend in the street where cars either drive through or pull off into an entrance to Gibbons Park. I've always found this corner to be somewhat problematic for drivers and pedestrians. This is because drivers often veer from their lanes on the bend (or skid on the ice) and sometimes abruptly pull off into the park without adequately signalling. For pedestrians, the situation is worse. *People often cross the street at this bend to enter the park, but the visibility of surrounding cars is limited due to large trees and the sloping landscape.* As such, pedestrians here are often caught unaware of approaching cars. Putting in this proposed development would make this bend go from problematic to dangerous due to the drastic increase in pedestrian and vehicle traffic. Has this factor been considered?
2. The proposed development would considerably increase traffic on Talbot. I already find it difficult to pull out of the laneway some mornings. If, say, the BRT system was implemented and the new apartment development was constructed, Talbot Street would face potentially intolerable slowdowns and gridlock. Why would anyone who lives here welcome this?
3. This development would encroach on the natural park habitat in one of the great assets and refuges of the city, Gibbons Park, and would require the removal of trees.
4. The building is repeatedly described as aesthetically pleasing in the official proposal. This is not a sentiment shared by those I have talked to, who describe it as office-like and unappealing. No one I've talked to agrees that the "streetscape" would be improved by a new apartment building.

Ultimately, it's hard to see why residents who bought houses in this area would be enthusiastic about the proposal. How do they benefit, if they don't agree that the "streetscape" would be improved?

Many parts of the city could use development, including the downtown, but this neighborhood would not benefit from it. This little nook of Old North is unique in seeming to be the meeting place of two cross-currents: a somewhat urban feel (closer

to Oxford), and a charming, sleepy, parkside family feel. Adding in this development would only make this neighborhood more chaotic and hectic and would not benefit those who live here but only landlords and developers.

Sincerely,

Alex Beamish and Eunika Sot

## **Agency/Departmental Comments**

### ***Urban Design***

As this rezoning and official plan amendment pertains to a small portion of land that will be added to a larger parcel with the same zone, all urban design related comments have been directed to the site plan application for the larger parcel.

### ***Parks Planning***

Parks Planning and Design do not have concerns with the proposed applications regarding 124 St. James Street as it completes the development site block. Staff have provided comments on the site plan as it relates to the development and does not have an impact on the OPA/ZBA application.

### ***Heritage***

The current development proposal at 124 St. James has no bearing on the potential designation of either one of these areas as an HCD. The HCD Study report was already prepared and received by Council with Council directing that HCD Plans to be prepared. Note that just because an HCD Study was prepared and Council directed moving forward with HCD Plan(s), adoption of HCD Plan(s) has not happened yet. Note that even though the property is located in between (2) potential HCDs, there was no policy basis to require an HIA to be prepared for a complete application; the property is not adjacent\* (\*defined as contiguous) to any LISTED property, and IS adjacent to only potential HCDs.

### ***Engineering***

All comments are being addressed as part of the SPA process.

### ***London Hydro***

No objection. Any new or relocation of the existing service will be at the expense of the owner.

## Appendix E – 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

- 1.1.1b.
- 1.1.3.3
- 1.1.3.5
- 1.4.3 a)

### **The London Plan**

#### City Structure Plan

The Growth Framework – Intensification – 80\_4. and 6.

#### Key Directions

Direction 5 – Build a Mixed-use Compact City – Directions 1, 2, 3, 4 and 5

#### Neighbourhoods

- \*OUR VISION FOR THE NEIGHBOURHOODS PLACE TYPE – 916\_
- \*ROLE WITHIN THE CITY STRUCTURE – 917\_
- \*HOW WILL WE REALIZE OUR VISION? – 918\_
- \*APPROACH FOR PLANNING NEIGHBOURHOODS – USE, INTENSITY AND FORM - 919\_
- \*INTERPRETATION OF TABLES 10 TO 12 – 920\_5.
  
- \*RESIDENTIAL INTENSIFICATION IN NEIGHBOURHOODS – 937\_ , 947\_
- \*HIGH DENSITY RESIDENTIAL OVERLAY (FROM 1989 OFFICIAL PLAN) – 954\_
- \*NEAR CAMPUS NEIGHBOURHOOD – 963\_ TO 974\_
- \*ST. GEORGE/GROSVENOR NEIGHBOURHOOD – 1018\_ TO 1022\_ , 1024\_
- \*Tables, 10, 11

#### Our Tools

- \*EVALUATION CRITERIA FOR PLANNING AND DEVELOPMENT APPLICATIONS – 1577\_ & 1578\_

### **1989 Official Plan**

#### Multi-family, Medium Density Residential Designation

- 3.3.1 – Permitted Uses – Office Areas
- 3.3.2 – Scale of Development
- 3.5.4 – St. George/Grosvenor Neighbourhood
- 3.7 - Planning Impact Analysis

#### Transportation

- 18.2.12. ii) – Parking Policies – Design Standards

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

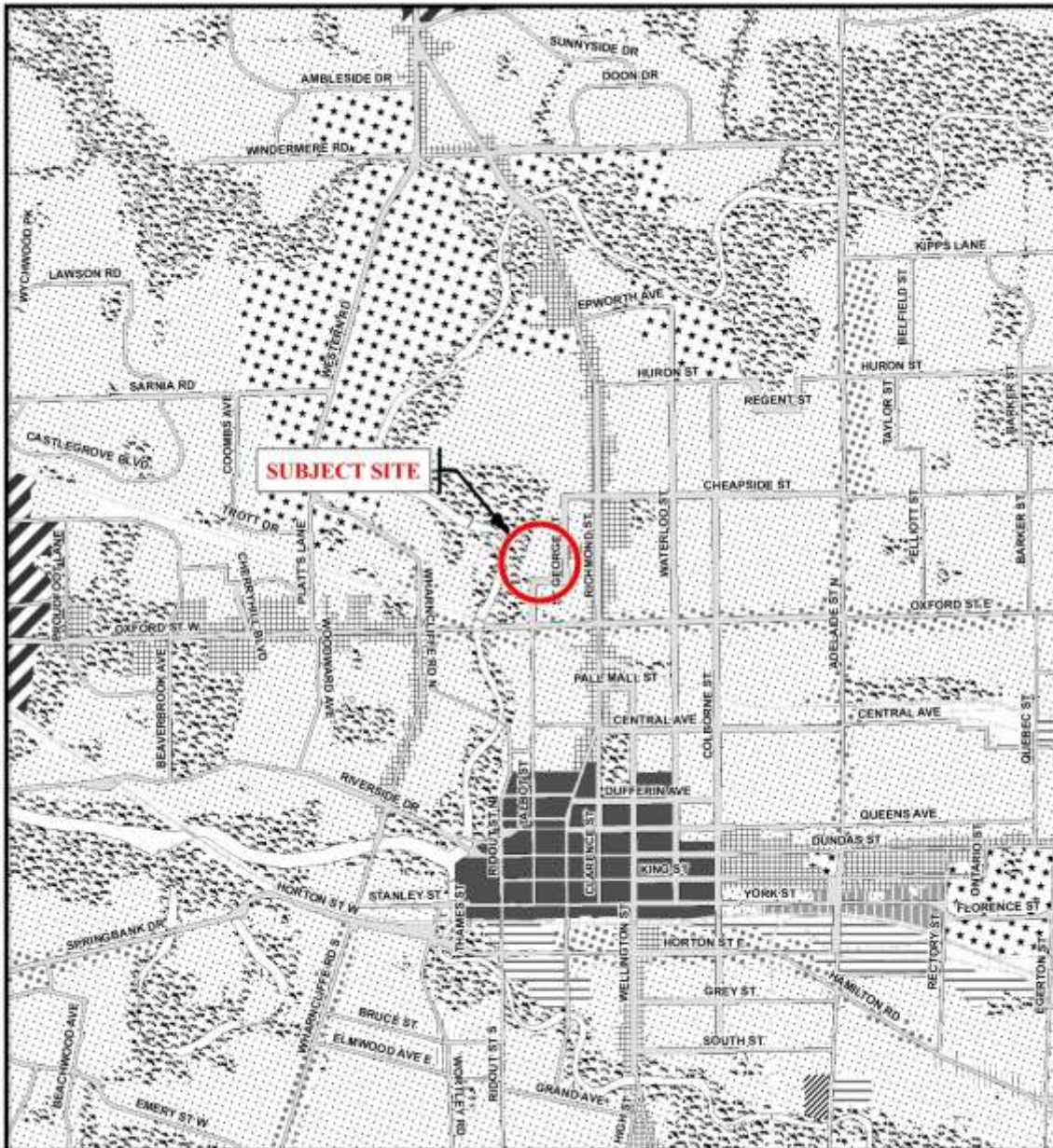
### **West Woodfield Heritage Conservation District**

Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines  
(City of London, November 5, 2012)

## Appendix F – Relevant Background

### Additional Maps

### The London Plan Map 1 – Land Use



**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



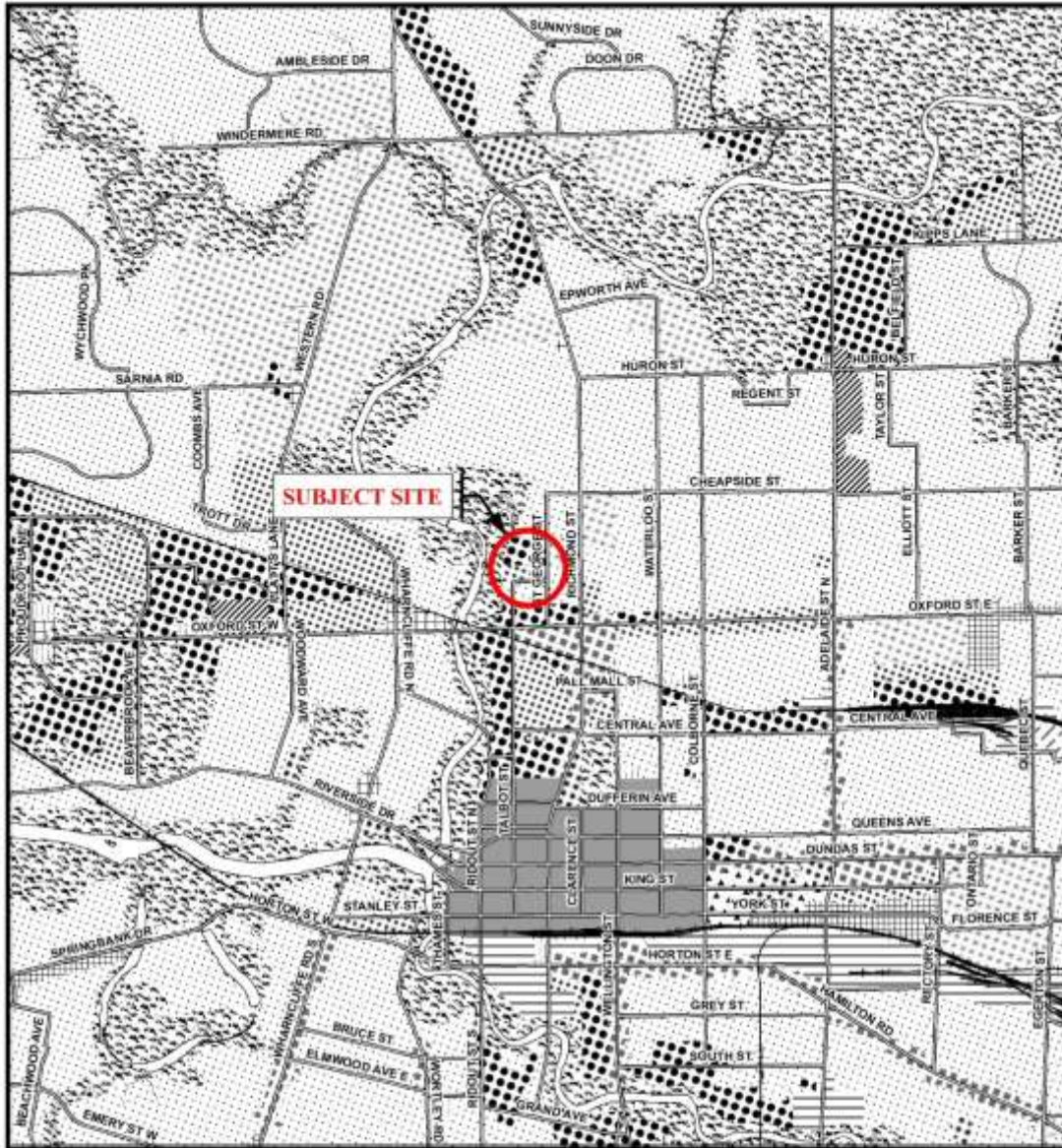
**File Number:** OZ-9012

**Planner:** BD

**Technician:** DM

**Date:** July 8, 2019

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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9012</p> <p>PLANNER: BO</p> <p>TECHNICIAN: DM</p> <p>DATE: 2019/07/08</p>
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Zoning By-law Z.-1 Map



**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-9012

BD

MAP PREPARED:

2019/07/08

DM

1:2,000

0 10 20 40 60 80

Meters



## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.5 PUBLIC PARTICIPATION MEETING – Application – 124 St. James Street (OZ-9012)

- *(Councillor A. Hopkins enquiring about an application for consent on 124 St. James Street so that is the lands that are going to be adjacent to the lands that they are talking about now so if Ms. B. Debbert, Senior Planner, could add to that consent and what that application is about.); Ms. B. Debbert, Senior Planner, indicating that she will use the drawing that is on the screen, 124 St. James Street is this piece; advising that the consent application is to create a new property line and add a piece to 112 St. James Street.*
- *(Councillor S. Turner indicating that in 3.2, the requested amendment, it says with respect to The London Plan that they did not request an amendment to The London Plan as it subject to a site specific appeal; thinking that, as he looks at the application itself, the recommendation has an amendment to The London Plan would be required; wanting to be clear that there is actually a London Plan Amendment, a 1989 Official Plan Amendment and a zoning change as well.); Ms. B. Debbert, Senior Planner, responding that there is an amendment to both Official Plans, there are three schedules being recommended for adoption, the first one is an amendment to the 1989 Official Plan, the second one is an amendment to The London Plan, the wording is virtually identical except for technical differences because it is just two different documents and then the third amendment is for the Zoning By-law Amendment.)*
- Harry Froussios, Zelinka Priamo Limited, on behalf of Grosvenor Development Corporation - discussing the proposed amendments before the Planning and Environment Committee this afternoon; thanking staff again for their efforts in bringing this recommendation forward for the Committee's consideration today and he would also like to thank site plan staff for their assistance in bringing the matter forward as we are at a stage now where the site plans have been basically approved pending the signing of the development agreement and they are hoping to move forward with this application today that will allow the development to proceed further; thanking the St. George-Grosvenor Neighborhood Association for their input throughout this process there has been a lot of dialogue, they have received a lot of feedback from them and they are happy to report that this final outcome includes some of the matters that were that were brought forward by the Association; pointing out that as stated by staff the approval of this application will facilitate the consolidation of the subject lands together with the property known at 112 St. James Street; noting that the Committee has seen the site plan for 112 St. James Street back in May; stating that the process is near completion now; however, the outcome of this process does not really affect the site plan other than adjusting the ultimate property boundary and then updating the stats to accommodate the additional units; pointing out that even though the access is shown on the portion of the subject lands that are discussed today there is not there is an easement in place already that allows access to exist over the subject lands in favor 112 St. James Street; reiterating that it is not something that is necessary to change in the site plan and what has been done so far; expressing support the staff recommendation and the amendments proposed.
- Ken Owen, 139 St. James Street – noting that he is also the President of the St. George-Grosvenor Neighbourhood Association; noting that he cannot speak on their behalf; advising that he would like to say thank you to everybody who was involved in this project both people from city staff and the developer, because every one of the concerns that we have raised around this project, in all its aspects, has been addressed and very satisfactory to address our concerns and needs around this development.
- Jason McArthur, 1 Grosvenor Gate – indicating that he attended the last meeting; wanting to check out what is going on; advising that he was voted in as the new President of Grosvenor Gate; expressing a few concerns that people have, mainly concerning a lot of the trees that are going to be cut down; indicating that he does not

know if these new amendments are going to include more trees but, as far as he knows, it is like 115 trees currently that are going to be cut down; expressing concern that many of the tenants do not really know the scope at Grosvenor Gate, do not really know the full extent of what is going on, a lot of people assume that a building is going up in that pasture area and that a lot of these trees are going to be affected; indicating that he has heard a few times that people do not feel as though they have been properly informed, there is a lot of misinformation; providing an example that he does not even know when this construction is set to take place, whether it is in the spring or it is going to be some time this year but he just wanted to voice his concerns about the trees in the back; being honest, he does live right there and he will be witness to what is going to happen; noting that there are deer back there, he has seen fox's, all kinds of animals and he is concerned about what kind of environmental impact; feeling as though he just wanted to make a statement that some people in neighbourhood are not fully aware; advising that he has seen postings but they usually disappear very quickly from the building, within two or three days, indicating that he did not personally receive any kind of mail out himself; noting that he is not saying that that it did not occur but there is concern, there is confusion amongst the tenants at Grosvenor Gate; reiterating that he is the new President so he is kind of stepping into this and he just wanted to voice that there are a lot of elderly residents here that will be shocked and surprised to see what is happening behind them; stating that he is not really sure what he is asking, basically maybe more information for people so they are braced for what is going to happen to what a lot of them have been very familiar with; noting that some of the residents have been there for over thirty years and they love it so much there; from his point of view a lot of people are coming up to him not really knowing what is going on and he is not sure if it is a generational thing, they are not getting the information; advising that he does not know if people read The Londoner, for example, anymore as he sees stacks of them in the lobby; expressing concerned that the message is not fully being brought out; reiterating that he was at the last meeting and he recognizes that they have made a lot of amendments and a lot of changes to try to make everybody happy but he is super concerned that people do not have a full idea of what this is going to actually physically look like; advising that he has been told that this is something that has been fought for forty years, people in neighborhood have come up against it, and there is confusion about the area; thinking some of the tenants even think that the current owners, Homestead, own that property so that might be the reason why they have not said anything because they have had a changeover and people are just concerned about their standing and a lot of them are elderly; indicating that they asked him to come speak; thinking that he would just be handling bingo honestly, bingo and trivia and events; asking if they can get some more information out to the neighborhood to let them know just to be sure that they dot all the i's and cross all the t's.

## Report to Planning and Environment Committee

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

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

**Subject:** Residential Plan of Subdivision and Zoning By-law  
Amendment  
Application By: Sunningdale Golf and Country Ltd.  
600 Sunningdale Road West

**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Sunningdale Golf and Country Club, relating to the property located at 600 Sunningdale Road West (legally described as RCP 1028 PT Lot 16 RP 33R13891, PT Part 1 RP 33R16774 Parts 3 to 10 IRREG), located on the south side Sunningdale Road West, between Wonderland Road North and Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** an Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2\*UR3) Zone and an Open Space (OS4) Zone **TO**;
- i.) A Holding Residential R1 (h\*h-18\*R1-9) Zone, to permit single detached dwellings with a minimum lot frontage of 18.0 metres, a minimum lot area of 690m<sup>2</sup>;
  - ii.) A Holding Residential R4 Special Provision (h\*h-18\*R4-4 ( \_ )) Zone, to permit street townhouses to a maximum density of 35 units per hectare and maximum height of 10.5 metres; and
  - iii.) An Open Space (OS5) Zone to permit conservation lands and passive recreational uses.
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the Planning and Environment Committee meeting with respect to the application for Draft Plan of Subdivision of Sunningdale Golf and Country Ltd. relating to the property located at 600 Sunningdale Road West;
- (c) Council **SUPPORTS** the Approval Authority issuing Draft Approval of the proposed plan of residential subdivision, submitted by Sunningdale Golf and Country Ltd. (File No. 39T-18501), prepared by Callon Dietz Inc., Terry Dietz OLS., **as revised**, which shows 108 single detached lots, two (2) residential multi-family blocks, two (2) walkway blocks, two (2) road widening blocks, five (5) open space blocks and several 0.3m reserve blocks all served by three (3) new local street, **SUBJECT TO** the conditions contained in the attached as Appendix "39T-18501".

## Executive Summary

### Summary of Request

The requested amendment is to permit a Draft Plan of Subdivision and Zoning By-law Amendments to allow for 108 single detached lots, two (2) multifamily residential blocks,

three (3) walkway/open space blocks, two (2) road widening blocks, two (2) open space blocks and several 0.3m reserve blocks all served by three (3) new local street.

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

The purpose and effect of this application is to permit the development of a Residential plan of subdivision on a 20.6 hectare parcel of land located on the south side of Sunningdale Road West, east of Wonderland Road North and west of Richmond Street.

### **Rationale of Recommended Action**

- i) The proposed revised draft plan is consistent with the *Planning Act* including but not limited to Section 51 (24);
- ii) The recommended revised draft plan and zoning amendments are consistent with the *Provincial Policy Statement (PPS), 2014*, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The recommended draft plan and amendments also supports efficient and resilient development patterns, accommodating an appropriate range and mix of housing and protects the Natural Heritage feature;
- iii) The proposed revised draft plan and Zoning By-law amendment conforms to the in-force policies of The London Plan, including but not limited Section 1688;
- iv) The proposed revised draft plan conforms to the policies of the (1989) Official Plan, including but not limited to the “Low Density Residential” and “Open Space designation policies;
- v) The recommended Zoning By-law amendments encourage the development of plan of subdivision that includes an appropriate mix of residential uses that support pedestrian oriented development; and,
- vi) The draft plan design is appropriate for the site, compatible with abutting land uses and makes efficient use of the existing services and infrastructure available in this area.

## **Analysis**

### **1.0 Site at a Glance**

#### **1.1 Property Description**

The subject site has a total area of approximately 20.6 ha and is currently operating as a part of the Sunningdale Golf courses with approximately 650 meters of frontage on Sunningdale Road West. The subject site is located on the south, side of Sunningdale Road West between Richmond Street and Wonderland Road North.

Figure 1: Proposed Master Development Plan

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

- The London Plan Place Type – Neighbourhoods and Green Space
- Official Plan Designation – Low Density Residential (LDR) & Open Space (OS)
- Sunningdale Area Plan
- Existing Zoning – Urban Reserve (UR3) Zone, Holding Urban Reserve (h-2\*UR3) Zone, Open Space (OS4) Zone, and Open Space (OS5) Zone

**1.3 Site Characteristics**

- Current Land Use – Golf Course
- Frontage – +/- 650m
- Depth – varies
- Area –20.6ha
- Shape – Irregular

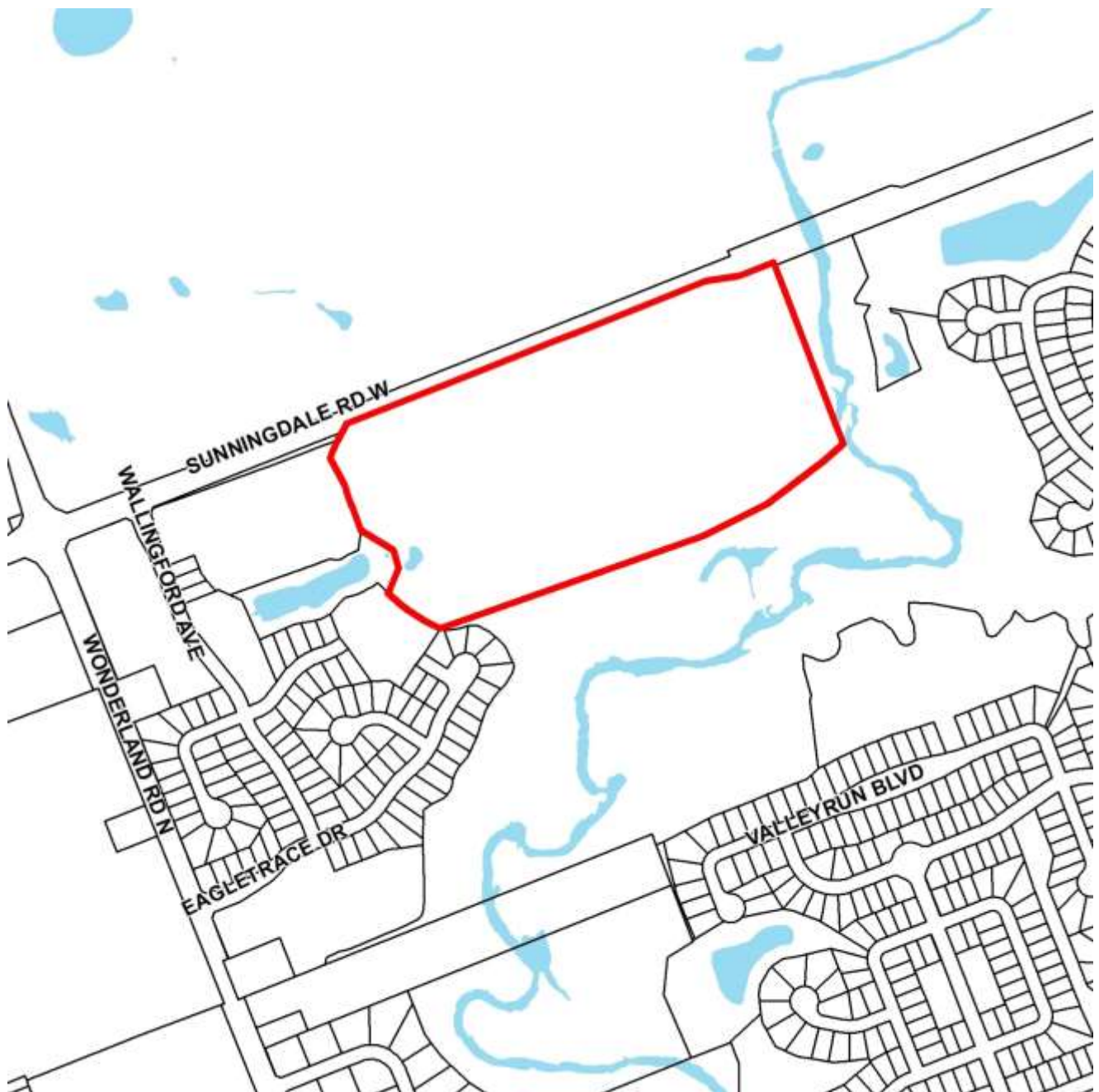
**1.4 Surrounding Land Uses**

- North - Golf Course
- East - Medway Valley Heritage Forest Environmentally Significant Area
- South - Medway Valley Heritage Forest Environmentally Significant Area
- West - Medway Valley Heritage Forest Environmentally Significant Area  
- Existing Residential Plan of Subdivision

**1.5 Intensification (identify proposed number of units)**

- 108 single detached dwelling lot and 2 multifamily residential blocks are being proposed within the subject site which is located outside of the Built-area Boundary, and Primary Transit Area as Identified in The London Plan.

**1.6 Location Map**



## 2.0 Description of Proposal

### 2.1 Development Proposal 39T-18501/Z-8888

The proposed revised draft plan of subdivision consists of 108 single detached lots, two (2) residential multi-family blocks, two (2) walkway blocks, two (2) road widening blocks, five (5) open space blocks and several 0.3m reserve blocks all served by three (3) new local street.

### 2.2 Submitted Studies

A number of reports and studies were submitted to support the requested amendment, including:

- Final Proposal Report
- Hydrogeological Study
- Slope Stability Assessment
- Environmental Impact Study
- Functional Stormwater Management Report
- Environmental Noise Assessment
- Stage 2 Archaeological Assessment

### 3.2 Requested Amendment

To change the zoning from an Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2\*UR3) Zone and an Open Space (OS4) Zone to a Residential R1 (R1-9) Zone, Residential R4 Special Provision (R4-4 (—)) and an Open Space (OS5) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

#### **Zone(s):**

Residential R1 (R1-9) Zone that permits single detached dwellings with:

- Minimum Lot Frontage of 18.0 metres
- Minimum Lot Area of 690 square metres
- Maximum Height of 12.0 metres; and

Residential R4 Special Provision (R4-4 (—)) Zone that permits street townhouse dwellings with:

- Maximum Density of 35 units per hectare
- Maximum Height of 10.5 metres; and

An Open Space (OS5) Zone that permits conservation lands and passive recreational uses only.

Revision to Draft Plan – Following the November 12, 2018 public participation meeting revisions were made the first submitted plan of subdivision (see figure 1). The proposed revision correspond with the requested zoning changes as noted above. The revised plan (see figure 2) consist of two new multifamily forms of housing blocks along Sunningdale Road West and a view terminus at the southern end of Street A. The proposed multifamily housing blocks will provide for development that is oriented to Sunningdale Road West, mitigates the use of noise walls and provides for a mix of housing types in this neighbourhood. The view terminus provides views into the Medway Valley Heritage Forest ESA, promotes connectivity to the Medway Valley Heritage Forest ESA and a focal point for the neighbourhood.

Original Submitted Draft Plan 2018

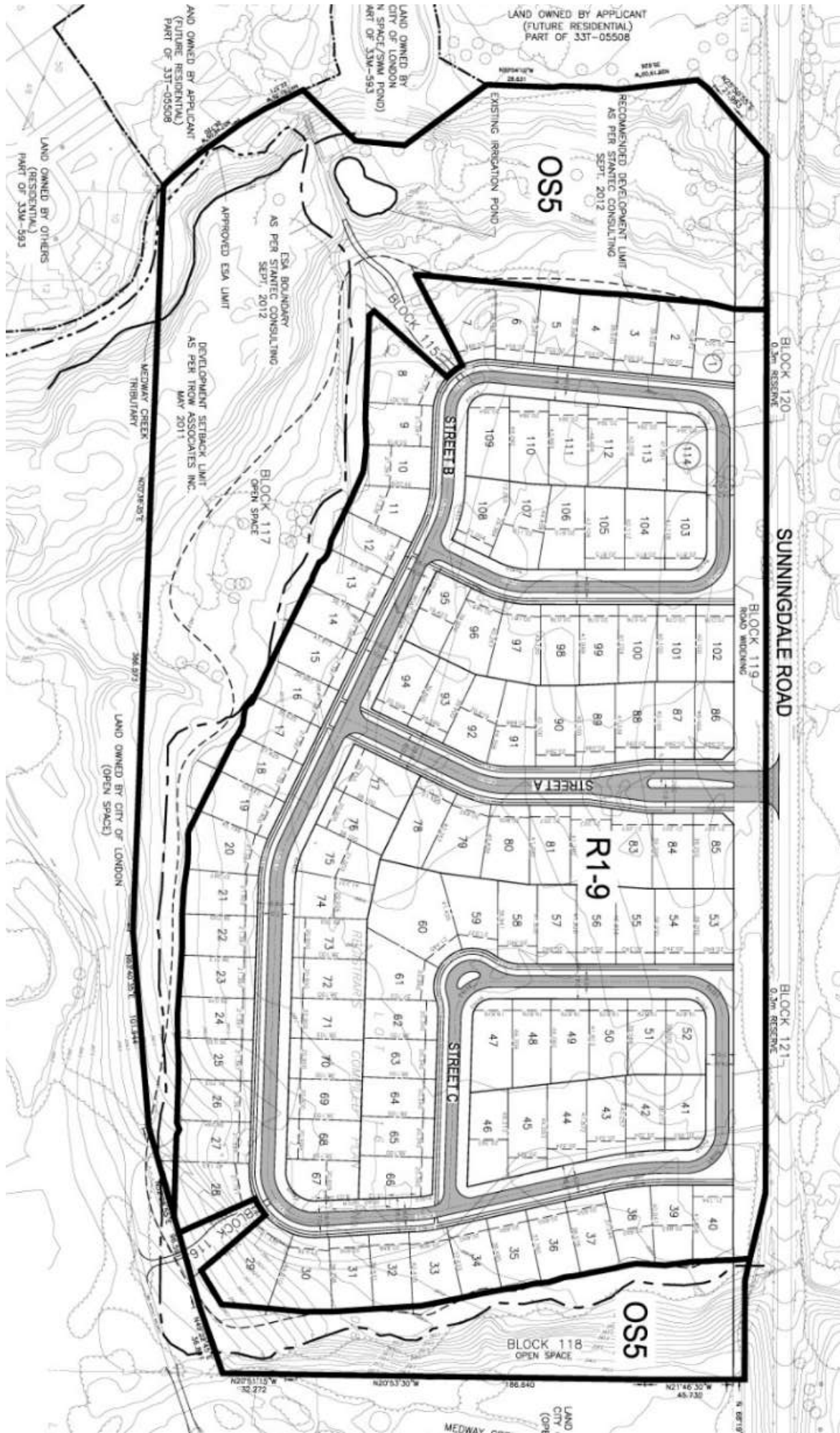


Figure 1





## 3.0 Relevant Background

### 3.1 Planning History

In 1996, the City initiated an Area Study for the lands. The Sunningdale Area Plan was adopted by Council June 1998. Through the Area Planning process the 20.6ha site was identified for Low Density Residential and Open Space.

A public participation meeting was held on November 12, 2018 before the Planning and Environment Committee. On November 20, 2018 Council resolved:

*That, on the recommendation of the Senior Planner, Development Services, based on the application by Sunningdale Golf and Country Ltd., relating to a portion of the property located at 600 Sunningdale Road West, the comments received from the public during the Public Engagement process appended to the staff report dated November 12, 2018 BE RECEIVED; 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 of the subject application.*

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

Notice of Application was circulated on April 3, 2018, and notice was published in The Londoner on April 5, 2018. There were 4 responses provided through the community consultation period. All 4 responses support the proposed draft plan as proposed. One person did include in their support a comment that there be less lots and more green space. As noted above a public participation meeting was held on November 12, 2018.

## 4.0 Policy Context (see more in Appendix C)

### The Planning Act

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

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

The London Plan and the (1989) Official Plan contain Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in The London Plan and (1989) Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

The proposed revised draft plan is consistent with the *Planning Act* including but not limited to Section 51 (24).

#### **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 policies 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). The PPS recognizes the importance of the Province's natural heritage resources, and the long term protection of natural features and areas (Section 2.1.1). Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified as significant wetland and significant wildlife habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Section 2.1.8)

The recommended revised draft plan and zoning amendments are consistent with the *Provincial Policy Statement (PPS), 2014*, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The recommended draft plan and amendments also supports efficient and resilient development patterns, accommodating an appropriate range and mix of housing and protects the Natural Heritage feature.

#### **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 many of the Neighbourhoods 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 directs that all of the relevant policies of the Plan that relate to a planning and development applications should be read in their entirety and form the basis for evaluating consistency with the Plan (1577-1578). Proposed plans of subdivision will be evaluated based on all of the policies of The London Plan, including such policies as (1688):

1. Our Strategy
2. City Building Policies
3. Our Tools
4. Place Type Policies

5. Availability of Municipal Services
6. Potential impacts on adjacent and nearby properties
7. The degree to which the proposal fits within its context and policy goals
8. Relevant secondary plans and specific policies
9. Relevant guideline documents

The subject lands are located within the \*Neighbourhoods Place Type in The London Plan. The range of primary permitted uses include single detached, semi-detached, duplex, townhouses, secondary suites, home occupations, and group homes. A detailed review was undertaken to assess implications to the general policies of the Our Strategy, Our City, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – \*Place Types is found at Appendix D.

The proposed revised draft plan and Zoning By-law amendment conforms to the in-force policies of The London Plan.

### **(1989) Official Plan**

The subject site is within Low Density Residential (LDR) designation, which primarily permits single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2 (30uph). An excerpt from Land Use Schedule 'A' is found at Appendix D.

The proposed revised draft plan conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential” and “Open Space designation policies.

## **5.0 Subdivision Design**

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

Development Services staff have reviewed the requirements under Section 2 of the *Planning Act* and regard has been given to matters of provincial interest. As previously noted it is staff's position that the proposed draft plan is consistent with the 2014 Provincial Policy Statement. There is access to nearby parks and recreational facilities, fitness facilities, medical facilities, and emergency and protective services. The subdivision abuts the Medway Valley Heritage Forest Environmental Significant Area on three sides and fronts onto Sunningdale Road West. This area is currently being used for golf purposes. The broader area contains a mix of low and medium density residential, uses. Multi-family residential blocks have been added to the proposed subdivision to provide for a range of housing in this neighbourhood.

The proposed zoning provides for a range of low density and multi-family forms of housing. There will be no restriction on adjoining land as a result of approving this draft plan of subdivision. The proposed subdivision abuts the Medway Valley Heritage Forest ESA on three sides. The applicant has submitted and the City has accepted an Environmental Impact Study. All required setbacks and buffering as required through the study have been included in the development limit of the subdivision.

The owner will be required as a condition of draft approval to construct the necessary utilities and services. The development of the multi-family residential uses will be addressed through the Site Plan Approval process.

Required parkland dedication shall be provided through the dedication of parkland and natural heritage lands. Municipal water is available to service this development. Municipal services are adequately provided including sewage, water, garbage collection, roads and transportation infrastructure. The requirements of London Hydro, Union Gas, and the City of London to adequately provide utilities and services will be addressed through conditions of draft approval. The proposed draft plan is located in a municipality which

actively promotes waste recycling/recovery programs, and will be served by the Blue Box collection and other municipal waste recycling facilities.

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

## 5.2 Provincial Policy Statement (2014)

These applications have been reviewed for consistency with the 2014 Provincial Policy Statement. It is staff's position that the recommended draft plan of subdivision will provide for a healthy, livable and safe community. The proposed draft subdivision plan provides for 108 single detached lots, two (2) residential multifamily blocks, two (2) walkway blocks, two (2) road widening blocks, five (5) open space blocks and several 0.3m reserve blocks all served by three (3) new local street. The plan incorporates residential forms of development to assist in meeting projected needs.

The proposed uses achieve objectives for providing a reasonable mix of housing forms, efficient development and land use patterns, represents a form of intensification of a parcel of land which is located within the City's urban growth area, utilizes existing public services and infrastructure, supports the use of public transit, maintains appropriate levels of public health and safety, and protects and enhances the Medway Valley Heritage Forest ESA.

## 5.3 The London Plan

The London Plan includes criteria for the evaluation of *Planning Act* Applications. Section 1688 states: *Proposed plans of subdivision will be evaluated based on all of the policies of The London Plan.* The following London Plan policy sections have been considered in evaluating the proposed Zoning By-law Amendment.

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

### 5.3.1 Our Strategy

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

*5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place*

The proposed revised Draft Plan of Subdivision includes two multi-family blocks that will be oriented to Sunningdale Road West. The proposed housing types ensure a compatible and complete form of residential use and could allow for an opportunity of aging in place.

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

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

The proposed revised Draft Plan of Subdivision and Zoning By-law Amendment to permit street townhouses on Blocks 109 and 110 will allow a form of housing that is street oriented. Block 112 has been created and zoned Open Space to create a view terminus at the south end of street A. Block 112 will provide for views and pedestrian access into

the Medway Valley Heritage Forest ESA and for a focal point within this neighbourhood. Additional access to the Medway Valley Heritage Forest will be from Block 111 located on the southwest corner of the subdivision. Pathway connection will be created in the buffer lands in conformity with the Medway Valley North Trail Planning Process. The resulting development will provide for a mix of housing types and will allow for walkability, placemaking and a sense of place. The proposed housing types ensure a compatible and complete form of residential use that will be connected and promotes a healthy walkable lifestyle.

### 5.3.2 City Building Policies

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

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

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit single detached dwellings and multi-family street townhouses which includes an acceptable view terminus and access to the Medway Valley Heritage Forest will allow for a mix of housing that is compatible and a good fit within the Sunningdale Area.

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

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit single detached dwellings and street townhouse dwellings will allow for a mix of housing form that will create a sense of place and is consistent with the planned vision of the place types. The proposed street townhouse dwellings provides for a form of housing that will be 2 to 4 storeys along Sunningdale Road West. The proposed single detached dwellings are situated on a street pattern that promotes sight corridors into the Medway Valley Heritage Forest ESA and is consistent with the Neighbourhood Place Type and abutting land uses.

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

The proposed single detached and street townhouse dwellings are located in the Neighbourhood Place Type on Neighbourhood Streets. The height (2 storeys), density (30uph) and lot sizes are consistent with the Neighbourhood Place Type and Street Classification.

*\*242\_ Public spaces will be designed to support the planned vision of the place type by enhancing views and vistas, providing places to meet and gather, and establishing connections.*

*\*243\_ Public facilities, parks, trails, seating areas, play equipment, open spaces and recreational facilities should be integrated into neighbourhoods to allow for healthy and active lifestyles.*

*\*244\_ Public spaces will be located and designed to help establish the character and sense of place of the surrounding area and, where applicable, the positive image of our city.*

Block 112 creates a focal point at the end of the main entry street, which provides for visual connection to the open space as people enter the neighbourhood. The Block will act as a focal point within the neighbourhood and provides access to the Medway Valley Heritage Forest. Pathway connections as identified through the North Medway Valley Trail Study will be created through Block 111 and 112. The North Medway Valley Trail

connects with the subdivision to the east and south through the Medway Valley Heritage Forest.

### 5.3.3 Place Types

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

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

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

*759\_ Our vision is to protect the Green Space Place Type, create new green linkages throughout the city and increase our tree cover. Our Green Space policies together with our Environmental Policies will protect and conserve our natural areas and their delicate ecosystems, keep development an appropriate distance from our hazard lands, and offer a variety of parks that contribute significantly to the quality of life for Londoners.*

An Environmental Impact Study including addendums and site visits by the City’ Ecologist has determined a development limit that includes appropriate buffers and mitigation measures. The mitigation measures such as boundary fencing excluding gates, rehabilitation plantings, dedicated pathway location and ongoing monitoring is intended to address the protection and enhancement of the Medway Valley Heritage Forest.

By letter dated March 29, 2019 the UTRCA has reviewed the *Consolidated Geotechnical Report Sunningdale Court Subdivision 600 Sunningdale Road West London, Ontario* prepared by LDS dated October 16, 2018 and additional technical information/clarification provided through a series of email communications between December of 2018 and March of 2019. The UTRCA has accepted the reports and the recommendation including the location of the staple slopes in relation to the development limit. The development limit is an appropriate distance from the hazard lands.

*1491\_ The regulation limits are identified on Map 6 to illustrate the hazard lands regulated by the conservation authority having jurisdiction. The regulation limits are subject to interpretation and refinement, without an amendment to this Plan, to reflect changes that have been enacted by the conservation authority having jurisdiction.*

Through the detailed review of the maximum hazard lands the regulation limits subject to the UTRCA have been refined and interpreted and no amendment to The London Plan or (1989) Official Plan are required.

### 5.3.4 Natural Heritage

#### Environmental Policies

*\*1412\_ Ecological buffers are required to protect natural heritage features and areas, and their ecological functions and processes, to maintain the ecological integrity of the Natural Heritage System.*

*\*1413\_ Ecological buffers will be required on lands contiguous to a specific natural heritage feature or area.*

*\*1414\_ The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the City Council approved Guidelines for Determining Setbacks and Ecological Buffers as part of an approved secondary plan and/or an environmental impact study.*

Using the City Council approved Guidelines for Determining Setbacks and Ecological Buffer and through multiple site visits by the City's and applicant's Ecologists, appropriate buffering has been identified. The buffers are sufficient in size and form to ensure the protection of the Medway Valley Heritage Forest. Through Parkland dedication the Open Space block 114 (7.4ha) which includes the buffer lands will be dedicated to the City.

### **5.3.5 (1989) Official Plan**

The subject lands are designated "Low Density Residential" and "Open Space" on Schedule "A" of the Official Plan.

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

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

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

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

The proposed Draft Plan of Subdivision and Zoning By-law Amendment to permit single detached dwellings and street townhouse dwellings will allow for forms of housing that encourage a range of housing types and an appropriate mix of housing types. The proposed street pattern that promotes sight corridors into the Medway Valley Heritage Forest ESA and supports the provision of amenity areas is an efficient use of land. The low density residential development is in a location that provides access to nearby shopping, cultural and recreational facilities. The proposed single detached and townhouse subdivision is an efficient use of these lands.

Section 15.1.1 of the Official Plan provides a list of Natural Heritage Objectives:

- Achieve healthy terrestrial and aquatic ecosystems in the City's subwatersheds.
- Provide for the identification, protection and rehabilitation of significant natural heritage areas.
- Protect, maintain and improve surface and groundwater quality and quantity by protecting wetlands, groundwater recharge areas and headwater streams.
- Enhance the contribution of the Natural Heritage System to urban form and community design.
- Maintain, restore, and improve the diversity and connectivity of natural features, and the long-term ecological function with biodiversity of natural heritage systems.

The subdivision abuts the Medway Valley Heritage Forest Environmental Significant Area on three sides. An Environmental Impact Study including addendums and site visits by the City's Ecologist, has identified the limit of the ESA, has determined the buffer limit and recommended mitigation measures. The mitigation measures includes boundary fencing excluding gates, rehabilitation plantings, dedicated pathway location and ongoing monitoring that protects maintains and enhances the function of the Medway Valley Heritage Forest.

#### **5.4 Planning Impact Analysis**

Planning Impact Analysis under Section 1578 of The London Plan and Section 3.7 in the (1989) Official Plan is used to evaluate applications for an Official Plan and/or zoning amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses.

##### **5.4.1 Compatibility**

As noted the property is currently being used as a golf course and is surrounded on three sides by the Medway Valley Heritage Forest. The property fronts Sunningdale Road West and street townhouse blocks have been provided along Sunningdale Road West to provide street orientation and a mix of residential use in this neighbourhood. Through the comprehensive environmental review process (EIS prepared by Stantec (2017) and Addendums (April 24, 2019) which includes site visits, the limits of the Medway Valley Heritage Forest Environmental Significant Area and the required buffer have been established. The proposed development is compatible with the Medway Valley Heritage Forest and the Sunningdale Road West streetscape.

##### **5.4.2 Ability of Site to Accommodate Development**

The subject land is 20.6 hectares in size. Approximately 11 hectares are being dedicated to the City for parkland dedication. This includes the lands identified as being part of the Medway Valley Heritage Forest and the required buffer lands that will protect and enhance the Medway Valley Heritage Forest. Approximately 9 ha of land are available for residential development. The size and the shape of the parcel make it a suitable candidate for residential development. The existing topography does not pose a challenge to development.

##### **5.4.3 Vacant Land in the Area**

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

##### **4.4.4 Vegetation and Natural Features**

As part of the conditions of draft approval, a tree preservation plan is required to assess all existing trees and provide maximum protection through mitigation measures. Also as a standard requirement of the subdivision agreement, street trees will be planted.

##### **5.4.5 Site Access**

The site will be accessed from Sunningdale Road West. Three new local streets are proposed to provide internal access. To ensure that in the event access cannot be



provided by Street "A" a condition of draft approval is to be provided to establish an emergency access from Street B". The emergency access provides for a second access point to the subdivision, if required.

#### 5.4.6 Surrounding Natural Features and Heritage Resources

The subdivision abuts the Medway Valley Heritage Forest Environmental Significant Area on three sides and fronts onto Sunningdale Road West. Through detailed Environmental Assessment, the limits of the ESA and the buffering have been determined. The ESA and the buffer lands will be dedicated to the City through parkland dedication.

#### 5.4.7 Environmental Constraints

The property is located on Sunningdale Road West and a noise study was required to be submitted as part of the complete application. The City received and accepted the applicants Environmental Noise Assessment "Sunningdale Court" – Corlon Properties Inc. dated April 17, 2019. Conditions of draft approval require that the noise mitigation features (noise walls with return on units 1, 40, 49, 83, 84, 100) and noise warning clause will be implemented in the final subdivision approvals.

### 5.5 Zoning

The subject lands are currently zoned Urban Reserve (UR3) and holding Urban Reserve (UR3). The requested amendment to the Zoning By-law Z.-1 is to allow:

- i.) A Holding Residential R1 (h\*h-18\*R1-9) Zone, to permit single detached dwellings with a minimum lot frontage of 18.0 metres, a minimum lot area of 690m<sup>2</sup>;
- ii.) A Holding Residential R4 Special Provision (h\*h-18\*R4-4 ( \_)) Zone, to permit street townhouses to a maximum density of 35 units per hectare and maximum height of 10.5 metres; and
- iii.) An Open Space (OS5) Zone to permit conservation lands and passive recreational uses.

Removal of the h-2 Holding provision. The h-2 holding provision requires that:

*To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System (identified on Schedule "B" of the Official Plan), an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol.*

Through the comprehensive environmental review process (EIS prepared by Stantec (2017) and Addendums (April 24, 2019) which include site visits, the limits of the Medway Valley Heritage Forest Environmental Significant Area and the required buffer have been established. It is appropriate to remove the h-2 Holding Provision at this time.

The following is a description of the holding provisions which have been applied:

- i.) (h) to ensure that there is orderly development through the execution of a subdivision agreement;
- ii.) (h-18) No demolition, construction, or grading or other soil disturbance shall take place on the subject property prior to the City's Planning Services receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.

More information and detail is available in the Appendices of this report.

## 6.0 Conclusion

Approval and development of these lands is consistent with Provincial Policy, The London Plan, the (1989) Official Plan and the Zoning By-law. The recommended draft plan and conditions of draft approval ensures a compatible form of development with the existing abutting uses. Overall, the draft plan of subdivision with associated conditions represents good land use planning and provides an appropriate mix and form of residential development.

<b>Prepared by:</b>	<b>C Smith, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 15, 2019  
CS/mf

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

**Appendix A**

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

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

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 600  
Sunningdale Road West.

WHEREAS Sunningdale Golf and Country Ltd. has applied to rezone an area of land located at 600 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 600 Sunningdale Road West, from an Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2\*UR3) Zone and an Open Space (OS4) Zone to a Holding Residential R1 (h\*h-18\*R1-9) Zone, a Holding Residential R4 Special Provision (h\*h-18\*R4-4 ( \_)) Zone, and an Open Space (OS5) Zone.

1) Section 8.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

8.4 e) \_\_\_ R4-4 ( \_)

a) Regulation:

- |     |                                 |            |
|-----|---------------------------------|------------|
| i)  | Lot Frontage<br>(Minimum)       | 6.7 metres |
| ii) | Exterior Side Yard<br>(Minimum) | 5.0 metres |

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.

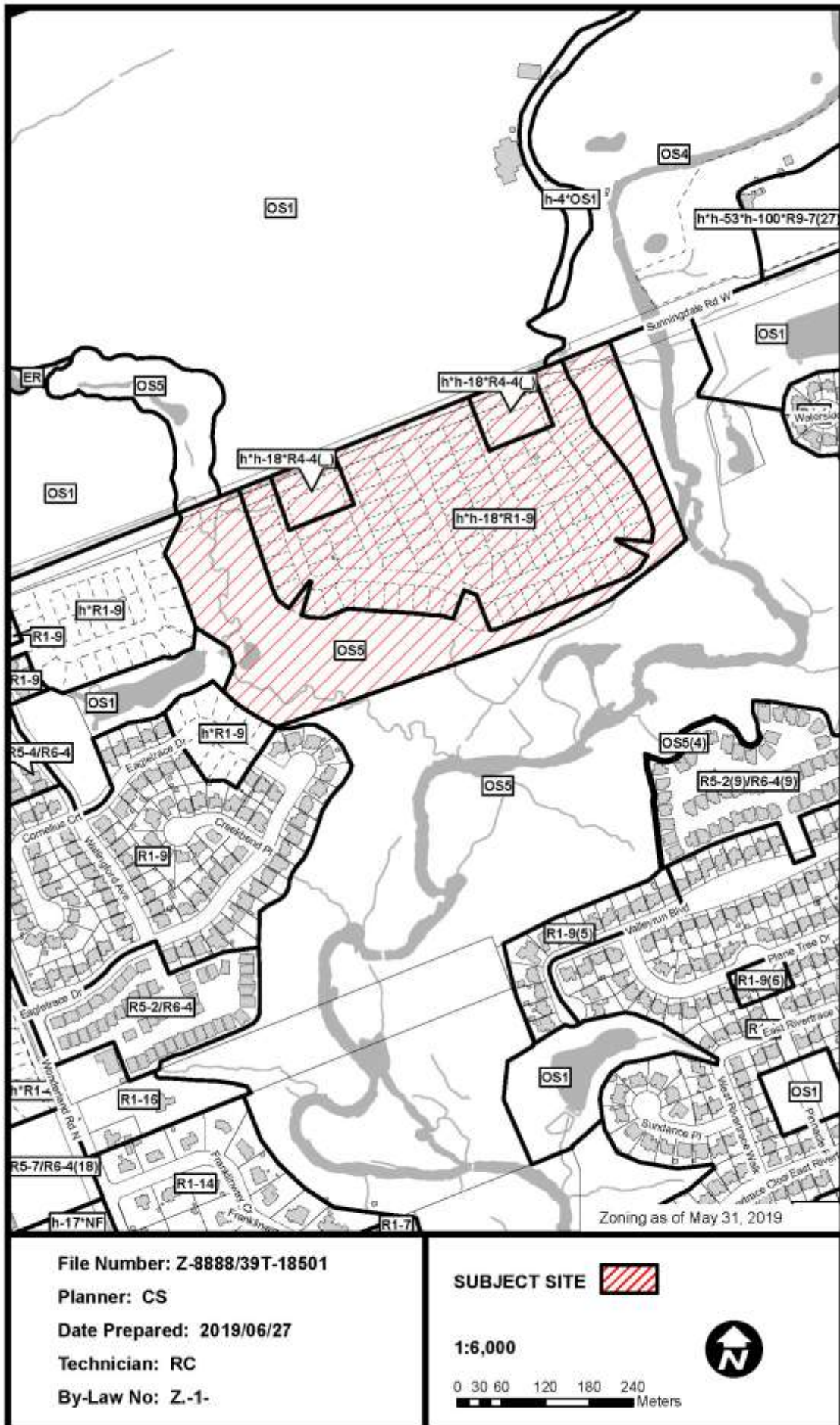
PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor


Catharine Saunders  
City Clerk

First Reading - July 30, 2019  
Second Reading – July 30, 2019  
Third Reading - July 30, 2019

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



File Number: Z-8888/39T-18501  
Planner: CS  
Date Prepared: 2019/06/27  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:6,000

0 30 60 120 180 240  
Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On April 3, 2018, Notice of Application was sent to 10 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 5, 2018. A “Planning Application” sign was also posted on the site.

4 replies were received

**Nature of Liaison:** The purpose and effect of this application is to permit the development of a subdivision with 114 single detached lots, 4 park blocks and numerous one foot reserve blocks serviced by 3 local streets. **Draft Plan of Subdivision** – Consideration of a draft plan of subdivision consisting of 114 single detached lots, 4 park blocks and numerous one foot reserve blocks **Zoning By-law Amendment** - Possible Amendment to Zoning By-law Z.-1 to change the zoning **FROM** a Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2\*UR3) Zone and an Open Space (OS4) Zone **TO** a Residential R1 (R1-9) Zone which permits single detached dwellings with a minimum lot frontage of 18.0 metres, a minimum lot area of 690 square metres and maximum height of 12.0 metre and an Open Space (OS5) Zone permits passive recreational uses only. The City may also consider the use of holding provisions, to ensure development is street oriented, discourage the use of noise walls, that waterlooping and a second public access is provided and a development agreement will be entered into to the satisfaction of the City

**Responses:** All 4 responses support the proposed draft plan. One person did include in their support comments concern that there be less lots and more green space

### Agency/Departmental Comments

#### Archaeological

As follow up to our phone conversation earlier this week, please be advised that for the property at 600 Sunningdale Road West (Sunningdale Court, 39T-18501) I have received:

- Stage 1 Archaeological Assessment (P438-0116-2017, dated June 12, 2017 by AECOM) – requiring further archaeological work
- Stage 2 Archaeological Assessment (P131-0063-2017, dated January 24, 2018 by AECOM) – requiring further archaeological work. Note: the greens were not assessed.

There is at least one significant archaeological site (Location 2; AgHh-259) requiring further mitigation. As this is an active golf course, it is not possible to properly assess this site or complete the archaeological fieldwork on the greens. I understand that Stage 3 archaeological assessment for Location 2 (AgHh-259) is being completed presently.

To ensure that the Stage 4 mitigation of impacts for Location 2 (AgHh-259) are completed and the greens are assessed prior to ground disturbing activities, the h-18 holding provision should be placed on the subject property through the Zoning By-law Amendment and conditions included in the Draft Plan of Subdivision to ensure that all archaeological assessments are completed for the subject property and that the Ministry of Tourism, Culture and Sport has concurred that all archaeological concerns on the property have been addressed.

### Environment and Parks Planning

Environmental and Parks Planning has reviewed the re-submission for the above noted plan of subdivision and offers the following comments:

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of E&PP that the required parkland dedication will be satisfied through the dedication of parkland and natural heritage lands.
- A multi-use pathway system is to connect from the existing storm pond on lands immediately west of the subject site to the existing multi-use pathway on the east of the site. This linear park/open space block is to be located adjacent to the rear of lots 8 to 27.
- Staff are supportive of the design of the park and pathway system as submitted in this plan.
- Based on land areas provided in the plan, approximate parkland land dedication requirements are calculated on the table listed below.
- In accordance with By-law CP-9, natural heritage and hazard lands will be deducted from the land area used for the calculation of parkland dedication. Within this subdivision, Blocks 113 and 114 were emitted from the area calculation.

Land Use	Area (ha)		Expected Dedication (ha)
Subject Lands	20.695		
Less Open Space Land	7.726		
<b>Total Dedication Required</b>	12.969 @ 5%		0.648
Proposed Park Blocks	Area	Rate	Dedication
Block 111 - Park	0.049	1:1	0.049
Block 112 - Park	0.148	1:1	0.148
Block 113 - Park	0.049	1:16	0.003
Block 114 Open Space	7.480	1:16	0.468
Total Dedication on Plan (Blocks 111, 112, 113, 114)			0.667
<b>Outstanding Balance</b>			<b>-0.019</b>
<b>Existing Parkland Credit from 39T-10502 (Value to be verified)</b>			<b>0.225</b>
<b>Balance of Parkland Credit</b>			<b>0.206</b>

- The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:
  - **2.1.3 Land - for park purposes - conveyance – Hazard, Open Space and Constrained Land**  
The Corporation retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the Corporation's use of the land. Where the Corporation does not request the Owner to convey table land, the Corporation may in lieu accept constrained land at the following ratios:

- 1) Hazard land - 27 hectares of hazard land for every 1 hectare of table land;
- 2) Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.

### **UTRCA**

The Upper Thames River Conservation Authority (UTRCA) has reviewed the *Consolidated Geotechnical Report Sunningdale Court Subdivision 600 Sunningdale Road West London, Ontario* prepared by LDS dated October 16, 2018. We are also in receipt of additional technical information/clarification provided through a series of email communications between December 2018 and March 2019. Most recently on March 12, 2019, we received and reviewed a large scale drawing titled *Sunningdale Court Corlon Properties Slope Stability Profiles* stamped and signed by Rebecca Walker of LDS.

The UTRCA is satisfied with the submitted Consolidated Geotechnical Report and supplemental technical information and provides its sign-off.

## **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**

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.

These lands are located within the City's Urban Growth Boundary where adequate servicing capacity exists. A comprehensive land use plan to guide future development in this area was previously prepared and adopted by Municipal Council, referred to as the "Sunningdale Area Plan". The proposed draft plan of subdivision and zoning amendment is in keeping with the Area Plan and meets the objectives of Section 1.1.1 of the PPS by creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns; accommodating an appropriate range and mix of housing; and is in close proximity to employment areas, recreational and public open space uses. The proposed development of low density residential cluster housing in the form of a vacant land condominium will make efficient use of land and municipal services, including water, sanitary sewers, and stormwater management facilities (Section 1.1.3.6).

The PPS recognizes the importance of the Province's natural heritage resources, and the long term protection of natural features and areas (Section 2.1.1). Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified as significant wetland and significant wildlife habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Section 2.1.8).

Block 114 and the surrounding lands have been the subject of numerous environmental studies prepared as part of the subdivision planning process zoning by-law amendment process. The EIS recommendations for protecting the natural heritage features is included in the draft plan conditions for Block 114, including measures to enhance significant natural heritage resources through re-naturalization and restoration/compensation plans for lands within the Medway Valley Heritage Forest ESA.



There are no identified concerns for protection of agricultural, mineral aggregates, or cultural heritage and archaeological resources.

Therefore, the proposed revised draft plan, zoning amendments, and vacant land condominium are found to maintain consistency with the Provincial Policy Statement.

### **The London Plan**

The Our Strategy, Our City, 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, revised draft plan of subdivision, and proposed draft plan of vacant land condominium, contributes to achieving those policy objectives, including the following specific policies:

### **Our Strategy**

Relevant planning strategies to support key directions to guide planning and subdivision development include the following:

#### *59\_ Direction #5 Build a mixed-use compact city*

- *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
- *Build quality public spaces and pedestrian environments that support walking.*

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

- *Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- *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.*
- *Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*
- *Create social gathering places where neighbours can come together, such as urban parks and public spaces, community centres, family centres, community gardens, cafés, restaurants, and other small commercial services integrated within neighbourhoods.*
- *Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.*
- *Integrate well-designed public spaces and recreational facilities into all of our neighbourhoods.*

#### *62\_ Direction #8 Make wise planning decisions*

- *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*

### **City Building Policies**

*201\_ New neighbourhoods should be designed with consideration for the character of existing landscapes and topography. The street network and civic infrastructure will be established in consideration of this goal.*

*\* 202\_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood’s character and identity.*

*\* 203\_ Neighbourhoods should be planned to include one or more identifiable and*

*accessible focal points that contributes to the neighbourhood's character and allows for community gathering.*

*\* 204\_ Natural heritage is an important contributor to the character of an area and influences the overall street network. Neighbourhoods should be designed to preserve view corridors to natural heritage features and landmarks through lotting patterns, window streets, and building placement.*

*\*211\_ The City's street network will be designed to ensure high-quality pedestrian environments, maximized convenience for mobility, access to focal points and to support the planned vision for the place type.*

*\*212\_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, dead-ends, 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.*

*\*213\_ Street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services.*

*\*219\_ Neighbourhoods will incorporate a grid or modified grid street network that supports the delivery of emergency services.*

*\*220\_ Neighbourhoods should be designed with a diversity of lot patterns and sizes to support a range of housing choices, mix of uses and to accommodate a variety of ages and abilities.*

*228\_ Neighbourhood streets and all infrastructure will be planned and designed to enhance safety by implementing the principles of Crime Prevention Through Environmental Design, encouraging greater levels of passive surveillance, and providing sidewalks of sufficient width to support planned levels of activity.*

*\*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*

*242\_ Public spaces will be designed to support the planned vision of the place type by enhancing views and vistas, providing places to meet and gather, and establishing connections.*

*243\_ Public facilities, parks, trails, seating areas, play equipment, open spaces and recreational facilities should be integrated into neighbourhoods to allow for healthy and active lifestyles.*

*244\_ Public spaces will be located and designed to help establish the character and sense of place of the surrounding area and, where applicable, the positive image of our city.*

*\*247\_ Public spaces should be located and designed within neighbourhoods to ensure that a minimum of 50% of their perimeter will be bounded by a public street.*

*518\_ Secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing types and sizes. In keeping with this intent, 40% of new housing units within a secondary plan, and lands exceeding five hectares in size outside of any secondary plan, should be in forms other than single detached dwellings.*

#### \* 914 Neighbourhoods Place Type

*\*The subject site is within the Neighbourhoods Place Type in The London Plan and located with frontage onto a Civic Boulevard (Sunningdale Road West). The range of permitted uses include: single detached, semi-detached, townhouses, triplexes, small-scale community facilities, stacked townhouses, four-plexes, and low-rise apartment*

buildings. The development form is intended between a minimum of 2 storeys and a maximum of 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

### Environmental Policies

*\*1412\_ Ecological buffers are required to protect natural heritage features and areas, and their ecological functions and processes, to maintain the ecological integrity of the Natural Heritage System.*

*\*1413\_ Ecological buffers will be required on lands contiguous to a specific natural heritage feature or area.*

*\*1414\_ The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the City Council approved Guidelines for Determining Setbacks and Ecological Buffers as part of an approved secondary plan and/or an environmental impact study.*

*\*1415\_ In addition to buffer lands, additional techniques may be required to assist in minimizing the impact of development on the Natural Heritage System, including all of the following:*

- 1. Discourage rear-lotting adjacent to the Natural Heritage System, and the use of site planning to orient the development away from natural heritage features and areas.*
- 2. The acceptance of lands immediately adjacent to natural heritage areas as part of the required parkland dedication for the proposed development.*
- 3. The use of a geotechnical setback from the boundary of natural heritage areas or natural hazard areas for construction purposes.*
- 4. Restriction of public access by providing a limited number of access points to natural heritage areas.*
- 5. Lands identified and delineated as ecological buffers may be zoned to permit their inclusion in calculating and applying zoning regulations applicable for the lot.*
- 6. Development and site alteration on lands identified and delineated as an ecological buffer shall be prohibited unless specified as a permitted use in the Zoning By-law.*
- 7. Setbacks shall apply from any lands identified as an ecological buffer.*
- 8. The creation of individual lots that include lands identified and delineated as ecological buffers is not permitted.*
- 9. Fencing (without gates) along all private lands abutting natural features.*
- 10. Other measures, as determined through a detailed environmental study.*

*\*1416\_ Where different components of the Natural Heritage System overlap, the limit of development shall be set at the limit of the maximum ecological buffer as determined through an approved environmental impact study. Where the limits of a natural hazard overlap with the limits of an ecological buffer determined for a natural heritage feature, the development limit shall be set as the greater of the limit of the natural hazard corridor or the limit of the ecological buffer.*

### 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:*

- Place types that permit residential uses with a medium to high level of intensity will, wherever practical, be sited adjacent to these streets. This form of development provides for greater flexibility in building orientation thereby allowing front facing buildings with amenity space in the rear.*

- *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*

### **1989 Official Plan**

The subject site is within Low Density Residential (LDR) designation, which primarily permits single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2 (30uph).

#### **3.1.2. Low Density Residential Objectives**

- *Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected.*
- *Encourage the development of subdivisions that provide for energy conservation, public transit, and the retention of desirable natural features.*

#### **3.1.1. General Objectives for all Residential Designations**

- *Provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period.*
- *Support the provision of a choice of dwelling types according to location, size, affordability, tenure, design, and accessibility so that a broad range of housing requirements are satisfied*
- *Support the distribution of a choice of dwelling types by designating lands for a range of densities and structural types throughout the City.*
- *Support the development of residential facilities that meet the housing needs of persons requiring special care.*
- *Direct the expansion of residential development into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints; and in a form which can be integrated with established land use patterns.*
- *Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing; or residential and non-residential uses.*
- *Support the provision of services and amenities that enhance the quality of the residential environment.*
- *Promote residential development that makes efficient use of land and services.*

#### **15.3.6. Ecological Buffers**

- *Ecological buffers serve to protect the ecological function and integrity of the Natural Heritage System. Ecological buffers will be required around, or adjacent to, and other components of the Natural Heritage System, based upon the recommendations of an approved Environmental Impact Study. (Clause i) amended by OPA 438 Dec. 17/09)*
- *The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the Council approved Guidelines*

*for Determining Setbacks and Ecological buffers as part of a secondary plan and/or an environmental impact study. (Clause ii) amended by OPA 438 Dec. 17/09)*

- *In addition to buffer lands, additional techniques may be required to assist in minimizing the impact of development on the Natural Heritage System, including but not limited to:*
  - *The use of site planning to orient the development away from natural heritage areas;*
  - *The acceptance of lands immediately adjacent to natural heritage areas as part of the required parkland dedication for the proposed development;*
  - *The use of a setback from the boundary of natural heritage areas for construction purposes;*
  - *Restriction of public access by providing a limited number of access points to natural heritage areas;*

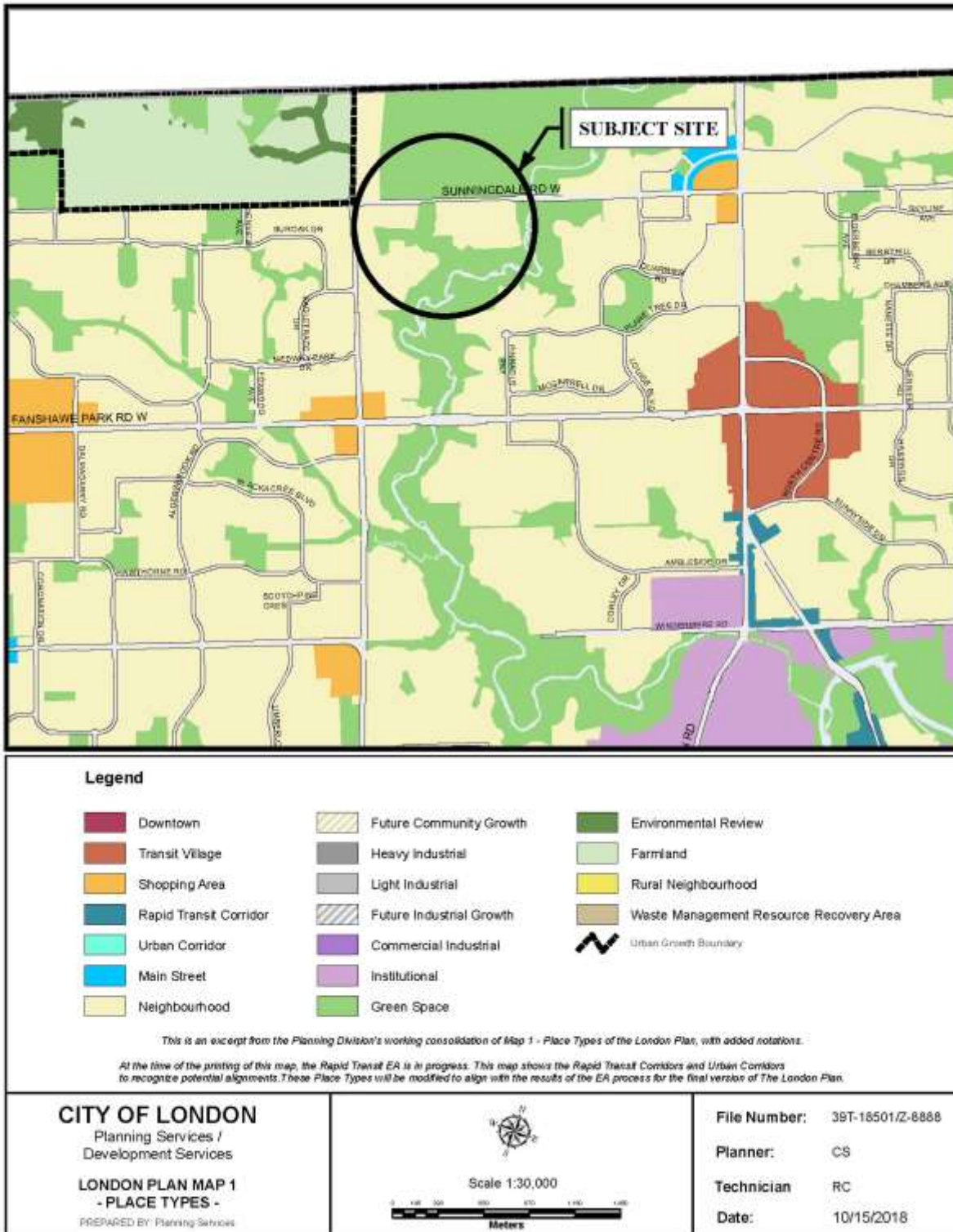
*19.9.6. Additional Noise Attenuation Policies for Residential Land Uses Adjacent to Arterial Roads.*

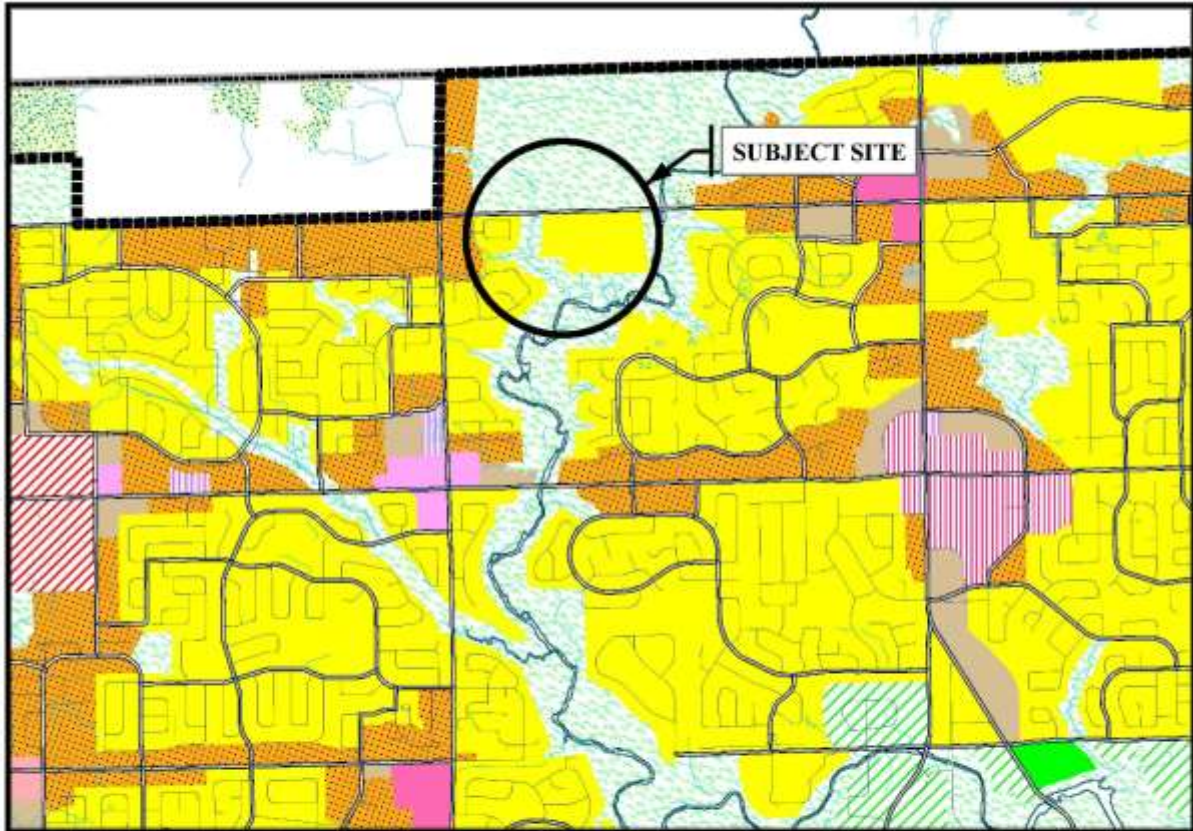
- *If there is no practical land use alternative, and sensitive land uses must locate adjacent to an arterial road, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to:*
  - *Subdivisions with window or lay-by streets or service roads;*
  - *Subdivisions with rear lanes;*
  - *Subdivisions on private service roads.*
- *The main objective of these design measures is to ensure that residential development does not rear or side-lot onto the adjacent arterial roads.*

## Appendix C – Additional Information

### Additional Maps

Each map includes a depiction of the content in the title block at the bottom left.





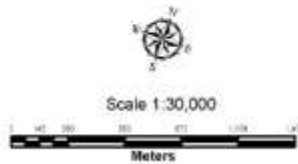
**Legend**

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

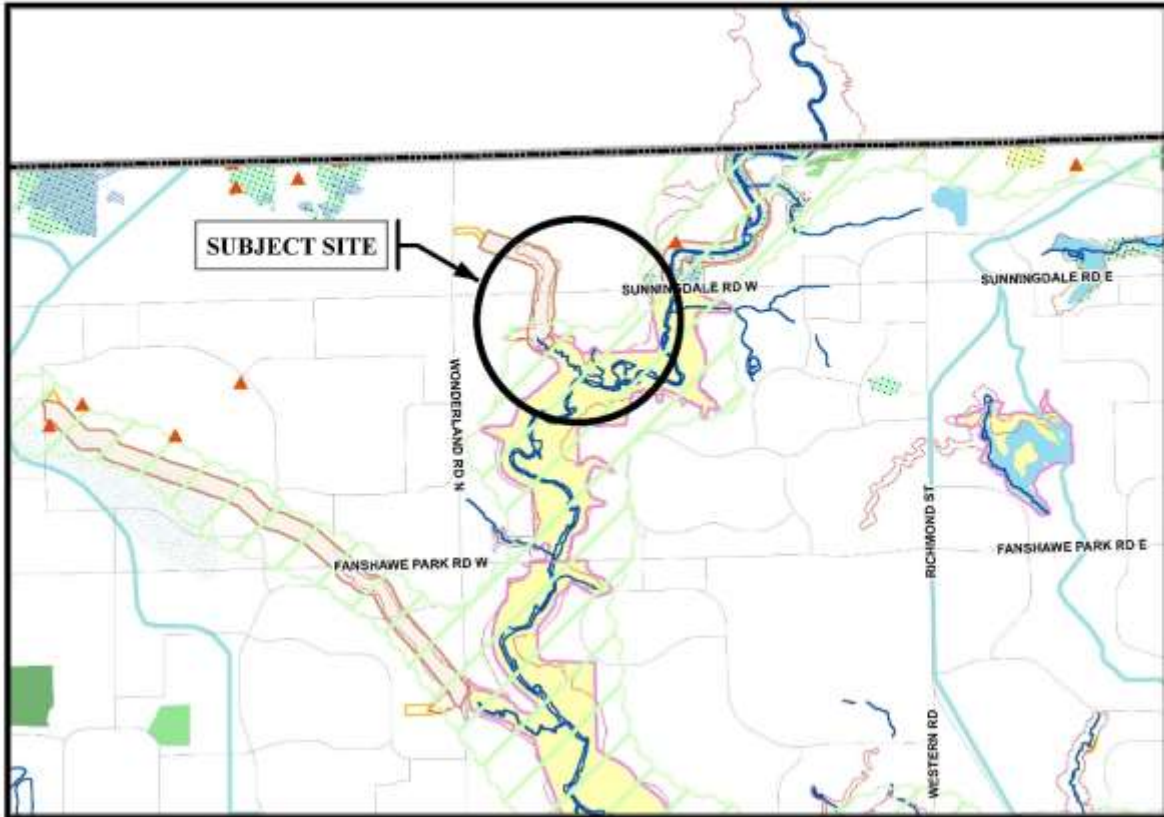
*This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.*

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

PREPARED BY: Graphics and Information Services



**FILE NO:** 39T-18501/Z-8888  
**PLANNER:** CS  
**TECHNICIAN:** RC  
**DATE:** October 15, 2018



**NATURAL HERITAGE SYSTEM**

-  ESAs
-  Potential ESAs
-  Significant Woodlands
-  Woodlands
-  Unevaluated Vegetation Patches
-  Significant River, Stream, and Ravine Corridors
-  Unevaluated Stream and Ravine Corridors
-  Provincially Significant Wetlands
-  Locally Significant Wetlands
-  Unevaluated Wetlands
-  Potential Naturalization Areas
-  Potential Upland Corridors
-  Ground Water Recharge Areas

**NATURAL HAZARDS**

-  Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.

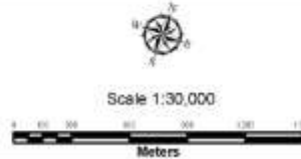
**Base Map Features**

-  Railways
-  Water Courses/Ponds
-  Streets (refer to Schedule "C")
-  Conservation Authority Boundary
-  Subwatershed Boundary
-  Big Picture Meta-Cores and Meta-Corridors
-  Provincial ANSI Boundary

**CITY OF LONDON**  
Planning Services /  
Development Services

OFFICIAL PLAN SCHEDULE B1  
- NATURAL HERITAGE FEATURES -

PREPARED BY: Graphics and Information Services



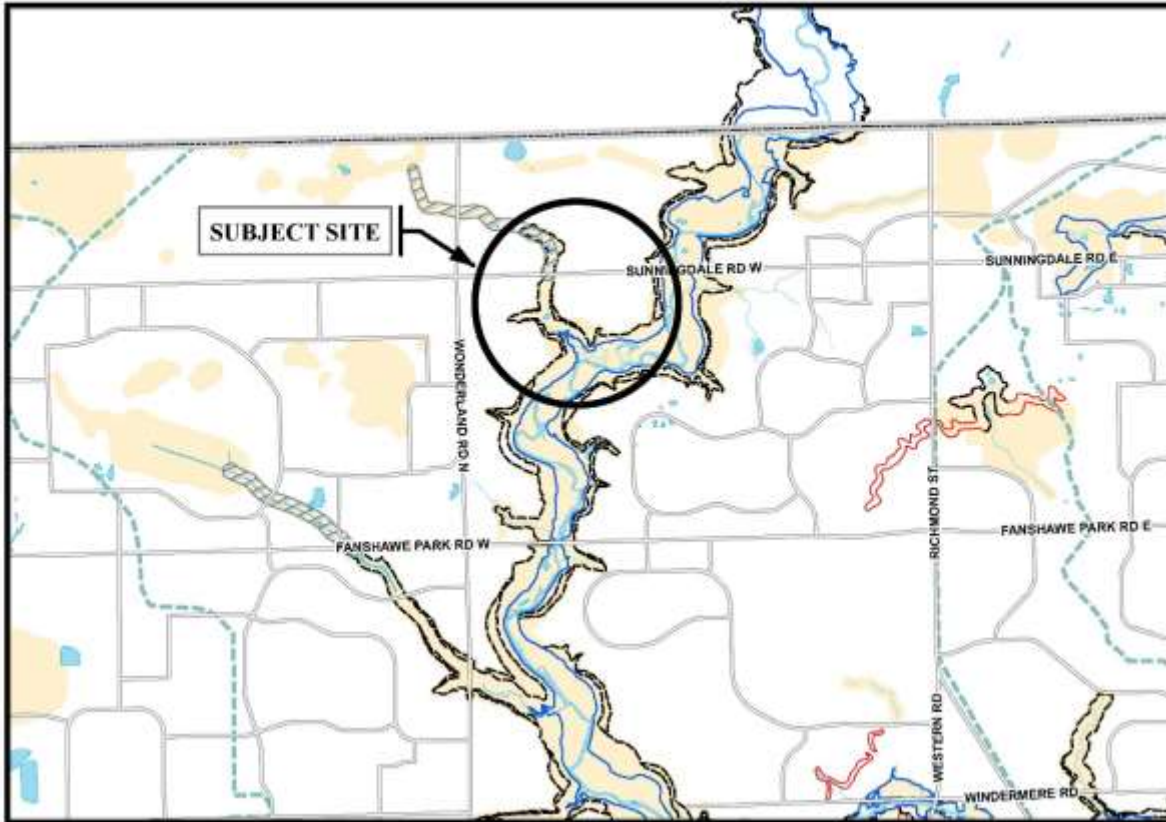
FILE NUMBER: 39T-18501/Z-8888

PLANNER: CS

TECHNICIAN: RC

DATE: October 15, 2018





**NATURAL RESOURCES**

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

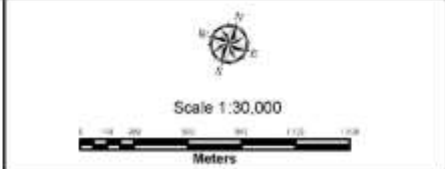
**Base Map Features**

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Potential Special Policy Areas
- Special Policy Area

**NATURAL HAZARDS**

- Regulatory Flood Line  
*NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.*  
*NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.*
- Riverine Erosion Hazard Limit For Confined Systems
- Riverine Erosion Hazard Limit For Unconfined Systems
- Steep Slopes Outside of the Riverine Erosion Hazard Limit
- Abandoned Oil/Gas Wells
- Conservation Authority Regulation Limit

**CITY OF LONDON**  
Planning Services /  
Development Services  
OFFICIAL PLAN SCHEDULE B2  
NATURAL RESOURCES  
AND  
NATURAL HAZARDS  
PREPARED BY: Graphics and Information Services



**FILE NUMBER:** 39T-18501/Z-8888  
**PLANNER:** CS  
**TECHNICIAN:** RC  
**DATE:** October 15, 2018

**Appendix – 39T-18501**

(Conditions to be included for draft plan approval)

**THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-18501 ARE AS FOLLOWS:**

**NO. CONDITIONS**

---

1. This draft approval applies to the draft plan submitted by Corlon Properties Inc. (insert applicant name), prepared by LDS, certified by Peter Moreton OLS, File No. 39T-18501, which shows a total of 108 single detached lots, 2 townhouse blocks, 4 Open Space blocks, 1 road widening block and 2 reserve blocks, served by 3 new local streets.
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 street(s) shall be named and the municipal addressing shall be assigned to the satisfaction of the City, Manager of Subdivision and Special Projects.
4. 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.
5. The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
6. Prior to final approval the Owner shall pay in full all financial obligations/encumbrances owing to the City on the said lands, including property taxes and local improvement charges.
7. A subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
8. 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, final plans, and any required studies, reports, data, information or detailed engineering drawings, 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.
9. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
10. For residential blocks proposed for street townhouse dwellings, the Owner shall as part of the registration of the plan make the necessary legal arrangements to establish a minimum of a one (1.0) metre maintenance easement where the units to be built do not provide direct access to the rear yard from the garage for "internal unit" (not "end unit") Owners, to the satisfaction of the City.

11. The Subdivision Agreement shall contain warning clauses advising future residents of nearby agricultural operations and its potential impact on residential uses by owners.
12. Prior to final approval, the Owner shall provide (Stage 3) archaeological assessment prepared by a licensed archaeological consultant, and shall provide a letter of confirmation that the Ministry of Tourism, Culture and Sport has reviewed and accepted the archaeological assessment into the Ontario Public Register, to the satisfaction of the City.
13. The Owner shall install a 1.8 metre high noise barrier, on lots 1, 40, 49, 83, 84, and 100 as recommended in the Noise Assessment prepared by LDS Consultants Inc. dated April 17, 2019. Property Owners of these lots are to be advised that they shall not tamper with the barrier and will be responsible for its long term maintenance.
14. The following warning clauses shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for lots 1-2, 39-40, 49-50, 82-83, 84-85, 99-100 and Blocks 109 and 110:

*“This dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality’s and the Ministry of the Environment’s noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done so as to comply with noise criteria of MOE Publication NPC-216, Residential Air Conditioning Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property.)”*

*“Purchasers / tenants are advised that sound levels due to increasing road (rail) (air) traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality’s and the Ministry of the Environment’s noise criteria.”*

The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for all residential lots and Blocks;

*“The City of London assumes no responsibility for noise issues which may arise from the existing or increased traffic of Sunningdale Road West as it relates to the interior or outdoor living areas of any dwelling unit within the development. The City of London will not be responsible for constructing any form of noise mitigation for this development.”*

15. The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on lots 1, 40, 49, 83, 84, and 100 in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design except where a required noise wall has been approved abutting the exterior side yard, (Sunningdale Road West road frontage). Further, the owner shall obtain approval of their proposed design from the Director, Development Services and/or his/her designate prior to any submission of an application for a building permit for lots 1, 40, 49, 83, 84, and 100.

#### Parks

16. The Owner shall dedicated Blocks 111, 112, 113, and 114 to the City as partial fulfillment of the required parkland dedication associated with this draft plan. Blocks 113 and 114 will be dedicated based at the Council approved constrained rate of 16:1. In addition, the Owner acknowledges that there is a

deficiency of parkland dedication in the amount of 0.206 ha (to be confirmed based upon acreages on final plan) and that this deficiency shall be fulfilled through dedications associated with the future development of lands by the Owner north of Sunningdale Road and east of Wonderland Road.

17. Prior to first submission of engineering drawings, the Owner shall host an in-field walk with the UTRCA and the City to establish the preferred multi-use pathway alignment. This alignment will be surveyed by the Owners consultant and included as part of the first submission of the engineering drawings.
18. As part of Focused Design Studies submission, the Owner's Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway alignments, to the satisfaction of the City
19. The Owner shall construct 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 existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.
20. As part of Focused Design Studies, the Owner shall prepare and submit an implementation plan for all recommendations (including a monitoring program) within the approved EIS prepared by Stantec (2017) and any Addendums (April 24, 2019) to the Stantec EIS.
21. As part of Focused Design Studies, the Owner's qualified consultant shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks, and completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
22. In conjunction with the first submission of engineering drawings, the Owner's Registered Professional Forester, shall undertake a Hazard Tree Assessment Study for Blocks 114. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.
23. The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover, is your cat safe outdoors and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.
24. The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.

25. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the woodlot.

## SEWERS & WATERMAINS

### Sanitary:

26. In conjunction with the Focused Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information, to the satisfaction of the City:
- i) Identify and demonstrate the potential servicing conflicts that have the potential to alter the existing sanitary drainage area plans and routing established as part of the Medway Trunk Sanitary Sewer, (MTSS);
  - ii) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced to the satisfaction of the City Engineer;
  - iii) Provide an analysis of the downstream 750 mm diameter MTSS demonstrating the following:
    - Sufficient capacity based on the revision to the external servicing drainage areas;
    - Upgrades required to the existing sanitary system;
    - Any special consideration that are required to facilitate construction;
  - iv) Identify all 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.
  - v) Provide a design which accommodates the existing Sunningdale Golf Club private forcemain with a connection to the sanitary system of this plan located on the south side of Sunningdale Road, to the satisfaction of the City;
27. In accordance with City standards required by the City, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm (8") diameter sewer located in the southeast corner of the subject lands which is the connection to the 750 mm diameter Medway Trunk Sanitary Sewer;
  - ii) Construct a connection to the sanitary system within this plan, located on the south side of Sunningdale Road, which accommodates the existing Sunningdale Golf Club private forcemain, to the satisfaction of the City;
  - iii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City Engineer;
  - iv) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City Engineer. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - v) Where 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 Engineer. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

28. 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.
29. Prior to the registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide/Greenway Wastewater Treatment Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

#### Storm and Stormwater Management (SWM)

30. In conjunction with the engineering drawings submission, the Owner shall have his consulting engineer prepare and submit an update to the previously submitted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
  - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
  - iii) Ensuring that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
  - iv) Providing supporting overland route capacity calculations and associated drawings for the conveyance of the major overland flows from this plan of subdivision to the intended receiving system to the south of this plan;
  - v) Demonstrating that the proposed storm drainage and stormwater management strategy for this plan of subdivision will comply with the required technical intent/strategy of the preferred option 5 in the Sunningdale Area Storm Drainage and Stormwater Management

- Servicing Works for Undeveloped Lands Municipal Class EA – Schedule 'B';
- vi) Providing necessary details regarding Oil Grit Separator/LID system and SWM strategy;
  - vii) Identifying any Low Impact Development strategies;
  - viii) Identifying storm outlet structures/conveyance to Medway Creek;
  - ix) Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements; and
  - x) 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.
31. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study;
  - ii) The Sunningdale Area Storm Drainage and Stormwater Management (SWM) Servicing Works for Undeveloped Lands Municipal Class EA – Schedule 'B';
  - iii) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
  - iv) The City's Waste Discharge and Drainage By-Laws, lot grading standards, policies, requirements and practices;
  - v) The Ministry of the Environment, Conservation and Parks (MECP) SWM Practices Planning and Design (2003); and
  - vi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
32. 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 Medway Creek Subwatershed, and outlet them to the Medway Creek via the internal storm sewer system and proposed outfall structures;
  - ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
  - iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
  - iv) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

33. 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
  
34. The Owner shall submit a Monitoring and Operational Procedure Manual for the maintenance and monitoring program for the Oil Grit Separator within this plan, in accordance with the City's "Monitoring and Operational Procedures for Stormwater Management Facilities" requirements to the City for review and acceptance. The program will include, but not be limited to, the following:
  - i) A work program manual for the maintenance and monitoring of the Oil Grit Separator and any LID systems; and
  - ii) Discharge monitoring in accordance with MECP ECA approval for all SWM/LID related infrastructure.
  
35. Following construction and prior to the assumption of the Oil Grit Separator and any LID systems, the Owner shall complete the following, at no cost to the City, all to the satisfaction of the City Engineer:
  - i) Operate, maintain and monitor the Oil Grit Separator/LID systems in accordance with the accepted maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities";
  - ii) Have it's consulting professional engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" to the City for review and acceptance; and
  - iii) Ensure that any removal and disposal of sediment is to an approved site satisfactory to the City Engineer.
  
36. In conjunction with the first submission of engineering drawings, the Owner shall have a qualified consultant carry out a hydrogeological investigation to determine the potential short-term and long-term effects of the construction associated with the development on existing ground water elevations, private wells in the area, and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. Elements of the hydrogeological investigation should include, but are not limited to the following:
  - i) Installation of borehole and monitoring wells at select locations across the Plan
  - ii) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction.
  - iii) Evaluation of water quality characteristics (both groundwater and surface water), and the potential interaction between shallow groundwater and surface water features.
  - iv) Completion of a water balance for the proposed development.
  - v) Evaluation of construction related impacts, and their potential effects on the shallow groundwater system.
  - vi) Evaluation of construction related impacts, and their potential effects on local significant features.
  - vii) Development of appropriate short-term and long-term monitoring plans (if applicable).
  - viii) Development of appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.
  - ix) identify any abandoned wells in this plan



- x) any fill required in the plan
  - xi) provide recommendations for foundation design should high groundwater be encountered
  - xii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
  - xiii) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
  - xiv) 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.
37. 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.
38. 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.
39. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.
40. The Owner shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.

#### Watermains

41. In conjunction with the engineering drawings submission the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:
- i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
  - ii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
  - iii) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
  - iv) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
  - v) Develop a looping strategy when development is proposed to proceed beyond 80 units;
  - vi) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;

- vii) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
  - viii) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
  - ix) Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - x) Include full-sized water distribution and area plan(s);
  - xi) 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);
  - xii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;
42. 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.
43. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:
- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
  - ii) any incidental and/or ongoing maintenance of the automatic flushing devices;
  - iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
  - iv) all works and the costs of removing the devices when no longer required; and
  - v) ensure the automatic flushing devices are connected to an approved outlet.
44. 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.
45. 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 municipal system, namely the existing 900 mm diameter watermain on Sunningdale Road West;
  - ii) Construct a watermain extension along Sunningdale Road from Sunningdale Road West Subdivision, Plan 39T-05508, through the emergency road connection at Street 'B' (~~west leg~~), to the satisfaction of the City.
  - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;

- iv) The available fire flow and appropriate hydrant colour code marker (in accordance with the City of London Design Criteria) 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;

## **STREETS, TRANSPORTATION & SURVEYS**

### Roadworks

- 46. 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.
- 47. In conjunction with the engineering drawings submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
  - i) provide a proposed 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) confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
  - iii) prepare a design for the window streets for Street 'B' and Street 'C' to consider such issues as grading the common boulevard between Sunningdale Road West and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.
- 48. 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.
- 49. The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
  - i) Street 'A' has a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
  - ii) Street 'B' (from Street 'A' to east limit of Street 'B') and Street 'C' (from Street 'A' to east limit of Street 'C') have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres.
  - iii) Street 'B' and Street 'C' have a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres.
  - iv) Street 'B' and Street 'C' (window street portions) have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 14.5 metres.
  - v) Street 'A' at Sunningdale Road West with a minimum right of way width of 21.5 metres for a minimum length of 30.0 metres tapered back over

a distance of 30 metres to the standard local right-of-way width of 20.0 metres, to the satisfaction of the City Engineer.

50. The Owner shall construct the window street portion of Street 'B' and Street 'C' abutting Sunningdale Road West in accordance with the City's window street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.
51. The Owner shall align Street 'A' perpendicular to Sunningdale Road West, to the satisfaction of the City Engineer.
52. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:
- | <u>Road Allowance</u> | <u>S/L Radius</u> |
|-----------------------|-------------------|
| - 20.0 m              | 9.0 m             |
| - 19.0 m              | 9.5 m             |
| - 18.0 m              | 10.0 m            |

#### Sidewalks

53. The Owner shall construct a 1.5 metre sidewalk on both sides of Street 'A', to the specifications and satisfaction of the City.
54. The Owner shall construct a 1.5 metre sidewalk on one side of the following streets, to the specifications and satisfaction of the City:
- i) Street 'B' – south, east and west boulevards
  - ii) Street 'C' – south, east and west boulevards
55. The Owner shall provide sidewalk links from Street 'B' and Street 'C' to the proposed sidewalk on Sunningdale Road West in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City. Breaks in the 0.3 metre reserve are to be identified on the survey plan when submitted to the City.

#### Street Lights

56. Within one year of registration of the plan, the Owner shall install street lighting on all streets in this plan to the satisfaction of the City, at no cost to the City.
57. Within 6 months of the issuance of any Certificate of Conditional Approval,, the Owner shall install temporary street lights at the intersection of Street 'A' and Sunningdale Road West, to the satisfaction of the City Engineer and at no cost to the City.

#### Boundary Road Works

58. In conjunction with the engineering drawings submission, the Owner shall provide an updated decision sight distance analysis on Sunningdale Road West at Street 'A' having regard for the ultimate centreline on Sunningdale Road West as identified in the Council approved Environmental Assessment (EA) further noting that the ultimate centreline at this location is cutting the existing road.
59. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall undertake all work necessary and complete any required road works to establish adequate sight decision distance at the intersection of Street 'A' and Sunningdale Road, if required, based on the timing of any City led works, to the satisfaction of the City Engineer, at no cost to the City.

60. The Owner shall grade the site in accordance with the Council approved Sunningdale Road Environmental Assessment (EA) to the satisfaction of the City Engineer.
61. The Owner shall have the common property line of Sunningdale Road West graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads" and the Sunningdale Road EA, at no cost to the City.
62. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road West. The Owner shall co-operate with the City, as necessary, and co-ordinate the work associated with this Plan with the City's proposed construction of Sunningdale Road West, adjacent to the north boundary of this Plan, to complete the project, to the satisfaction of the City and at no cost to the City.
63. The Owner shall be required to make minor boulevard improvements on Sunningdale Road West adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

#### Road Widening

64. The Owner shall provide a road widening dedication on Sunningdale Road West in accordance with the Council approved Sunningdale Road Environmental Assessment (EA) to the satisfaction of the City Engineer.
65. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Street 'A' with Sunningdale Road West in accordance with the Z-1 Zoning By-law, Section 4.24.

#### Traffic Calming

66. In conjunction with the engineering drawings, the Owner shall have it's professional engineer provide a design of the proposed traffic calming measures for review and acceptance, including raised intersections, parking bays, curb extensions and other measures, to the satisfaction of the City.
67. The Owner shall construct traffic calming measures as determined during the engineering design, to the satisfaction of the City, at no cost to the City.
68. The Owner shall construct a raised intersection on Street 'A' at Street 'B', to the satisfaction of the City Engineer, at no cost to the City. Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures on Street 'A', to the satisfaction of the City Engineer.

#### Construction Access/Temporary/Second Access Roads

69. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Street 'A' via Sunningdale Road West or as otherwise designated by the City.
70. In conjunction with engineering drawings submission, the Owner shall provide a design of an emergency secondary access to the plan of subdivision between Street 'B' and Sunningdale Road to accommodate emergency services, to the satisfaction of the City.

71. Prior to the issuance of a Certificate of Conditional Approval, the secondary emergency access shall be constructed and operational as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
72. The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc.
73. 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.
74. 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 its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

### GENERAL CONDITIONS

75. 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.
76. 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.
77. The Owner shall comply with Geotechnical Investigation (LDS Project No. GE-00035) dated October 16, 2018, to the satisfaction of the City. In the event that elements of the Investigation are changed due to design, the Owner shall update the Geotechnical Investigation as necessary to City standards, to the satisfaction of the City, 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.

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

79. 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.
80. 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.
81. 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 condominiums/townhouses indicated on Street 'B' and Street 'C'. 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.
82. 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.
83. 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.

84. 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.
85. 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.

86. 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.

87. 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.

88. 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.
89. 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".

90. 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.)
91. Prior to the issuance of any Certificate of Conditional Approval, 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.
92. In conjunction with the engineering drawings submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
93. 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.
94. 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.
95. 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.
96. 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.
97. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
98. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
99. 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.

100. In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining any costs associated with the design and construction of any 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.
101. Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from development charges as defined in the DC By-law, and further, where such works are not oversized pipe works (sanitary, storm or water – the reimbursement of which is provided for in subsidy tables in the DC By-law), then the Owner shall submit through their consulting engineer an engineering work plan for the proposed works satisfactory to the City Engineer (or designate) and City Treasurer (or designate). The Owner acknowledges that:
  - i) no work subject to a work plan shall be reimbursable until both the City Engineer (or designate) and City Treasurer (or designate) have reviewed and approved the proposed work plan; and
  - ii) in light of the funding source and the City's responsibility to administer development charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.
102. Prior to the issuance of any Certificate of Conditional Approval, the Owner make any necessary adjustments to the existing works and services on Sunningdale Road West, 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, all to the satisfaction of the City Engineer, at no cost to the City.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.6 PUBLIC PARTICIPATION MEETING – Application – Residential Plan of Subdivision and Zoning By-law Amendment – 600 Sunningdale Road West 39T-18501 (Z-8888)

- *(Councillor S. Turner enquiring about the duration of the monitoring, looking through the report there are indications about collaboration on apportionment of costs on short and long-term monitoring; wondering if there is a specified period of time for post condition monitoring in this location specifically, on stormwater management, methane and encroachments and impact to the adjacent Environmentally Significant Area.);* Mr. C. Smith, Senior Planner, responding that it is a two-year monitoring program that will monitor the plantings and the implementation of all those features that the Councillor indicated and ensure that they are working and they are not impacting forest; indicating that he will take a look at the plan; *(Councillor S. Turner indicating that he appreciates that two years is generally standard but he was not sure if longer provisions have been put in place; he would imagine that some of the other things like methane monitoring would be something that is a little more long-term than just two years.);* Mr. C. Smith, Senior Planner, indicating that unfortunately the Ecologist could not attend and he will look through the report. *(Councillor A. Hopkins wondering if staff could come back to answer that question.)*
- *(Councillor A. Hopkins enquiring if there is a proposed pathway, is that part of this plan as well.);* Mr. C. Smith, Senior Planner, responding that as shown on the map of the lower portion behind the lot, that is the location of the proposed pathway through the Medway Valley at this location and it connects across the tributary and then lower to the Medway Valley system that is already in place a lot of the west branch of the Medway River.)
- Dave Schmidt, Development Manager, Corlon Properties and our sister company Sunningdale Golf and Country Club – appreciating the opportunity to work with staff and the Upper Thames River Conservation Authority over the last a number of months since our applications were originally accepted; advising that there have been several changes including many positive ones which provided, as Mr. C. Smith, Senior Planner, mentioned, over eight hectares of land that is going to be protected and dedicated to the City of London as part of the development of the subdivision; expressing support for the staff recommendation before the Planning and Environment Committee here this evening; looking forward to continuing to work with staff and the Upper Thames River Conservation Authority to address the conditions of draft plan approval to move this piece of property through to development.

## 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: 731675 Ontario Ltd  
3080 Bostwick Road**

**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 731675 Ontario Ltd. relating to the property located at 3080 Bostwick Road:

- (a) The Urban Design Guidelines for 3080 Bostwick Road attached hereto as Appendix "A" **BE ADOPTED** at the Municipal Council meeting on July 30, 2019 by resolution of City Council;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend section 1716 of The London Plan by **ADDING** the Urban Design Guidelines for 3080 Bostwick Road to the list of Council approved guideline documents;
- (c) The proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend section 1565\_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by **ADDING** a policy to section 20.5.9.2.iv) – "Bostwick Residential Neighbourhood – High Density Residential";
- (d) The proposed by-law attached hereto as Appendix "D" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend section 1565\_5, List of Secondary Plans - Southwest Area Secondary Plan, by **ADDING** a portion of the subject site to the list of Locations of Convenience Commercial and Service Station uses in section 20.5.17.3.3.6.5.vi); to permit Convenience Commercial Uses;
- (e) The proposed by-law attached hereto as Appendix "E" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend section 19.2.2 of the 1989 Official Plan by **ADDING** the Urban Design Guidelines for 3080 Bostwick Road to the list of Council approved guideline documents;
- (f) The proposed by-law attached hereto as Appendix "F" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend section 20.5 of the 1989 Official Plan, List of Secondary Plans - Southwest Area Secondary Plan, by **ADDING** a policy to section 20.5.9.2.iv) – "Bostwick Residential Neighbourhood – High Density Residential"; and
- (g) The proposed by-law attached hereto as Appendix "G" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend section 20.5, List of Secondary Plans - Southwest Area Secondary Plan, by **ADDING** a portion of the subject site to the list of Locations of Convenience Commercial and Service Station uses in section 20.5.17.3.3.6.5.vi); to permit Convenience Commercial Uses.

## Executive Summary

### Summary of Request

The Urban Design Guidelines for 3080 Bostwick Road will introduce Urban Design Guidelines for the subject lands to guide future form and development of the lands in a comprehensive and coordinated manner. A house-keeping amendment will carry forward the permission for convenience commercial uses granted for Sites 1 and 5 to the Southwest Area Secondary Plan from the 1989 Official Plan.

### Purpose and the Effect of Recommended Action

The recommended amendment will adopt the Urban Design Guidelines for 3080 Bostwick Road as a guideline document, and allow convenience commercial uses on Sites 1 and 5 in the Southwest Area Secondary Plan.

### Rationale of Recommended Action

- i) The proposed amendment is consistent with the policies of the Provincial Policy Statement, 2014 as the Urban Design Guidelines promote well-designed built form and a sense of place;
- ii) The proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to Chapter 19 which governs the use and adoption of Guideline Documents;
- iii) The proposed amendment conforms to the policies of the Southwest Area Secondary Plan and will guide the design for 3080 Bostwick Road in the Bostwick Residential Neighbourhood;
- iv) The proposed amendment conforms to the in-force policies of The London Plan including but not limited to Our Tools and the Key Directions to build strong, healthy and attractive neighbourhoods for all; and
- v) The proposed amendment provides more specific direction for the preparation and review of planning and development proposals in this area.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject lands consist of 15 hectares with frontage on Southdale Road and Bostwick Road. There is an active subdivision on a portion of the lands, and recently approved site-specific development sites on the Southdale Road frontage of the lands. The portion of the site that is the subject of the draft plan of subdivision and Zoning By-law Amendments is located south, southeast and southwest of the Bostwick Community Centre and the proposed development blocks of Sites 1, 3 and 5, which are the subject of separate *Planning Act* application sites. The site is vacant and located south of an existing medium density neighbourhood, east of future residential lands, and west of the commercial corridor along Wonderland Road South.

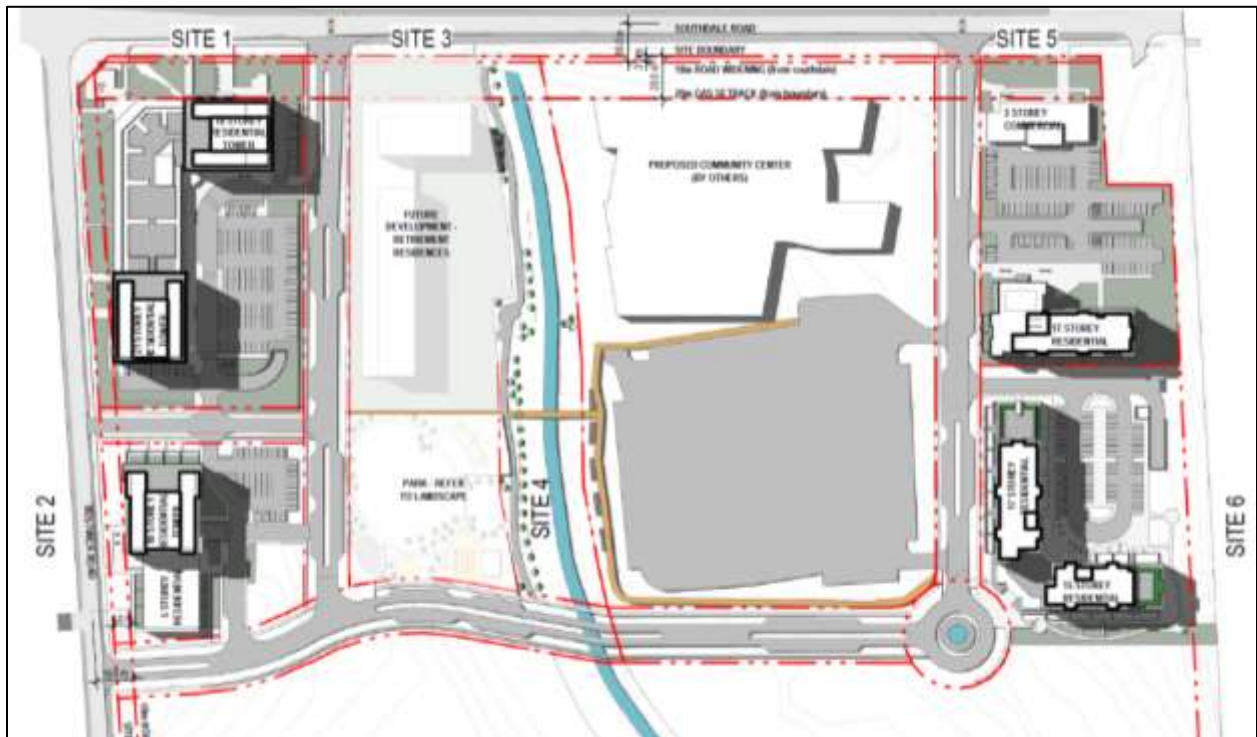


Figure 1: Proposed Master Development Plan

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

- The London Plan Place Type – Neighbourhoods, Green Space & High Density Residential Overlay
- Southwest Area Plan Designation – Multi-Family, High Density Residential (MFHDR), Open Space and Environmental Review
- Official Plan Designation – Multi-Family, High Density Residential (MFHDR) & Open Space (OS)
- Existing Zoning:
  - Site 1 – holding Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (h\*h-100\*h-213\*h-220\*h-221\*h-222\*R9-7/CC4(4)/RO2(31)\*B-56\*H40)
  - Site 3 – holding Residential R9 Special Provision (h\*h-5\*h-213\*h-220\*h-221\*h-223\*R9-7(28)\*H55)
  - Site 5 – holding Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (h\*h-213\*h-220\*h-221\*h-222\*R9-7/CC4(5)/RO2(32)\*B 57\*H40)
  - Balance – Urban Reserve (UR4) Zone, Open Space (OS4) Zone, and Environmental Review (ER) Zone

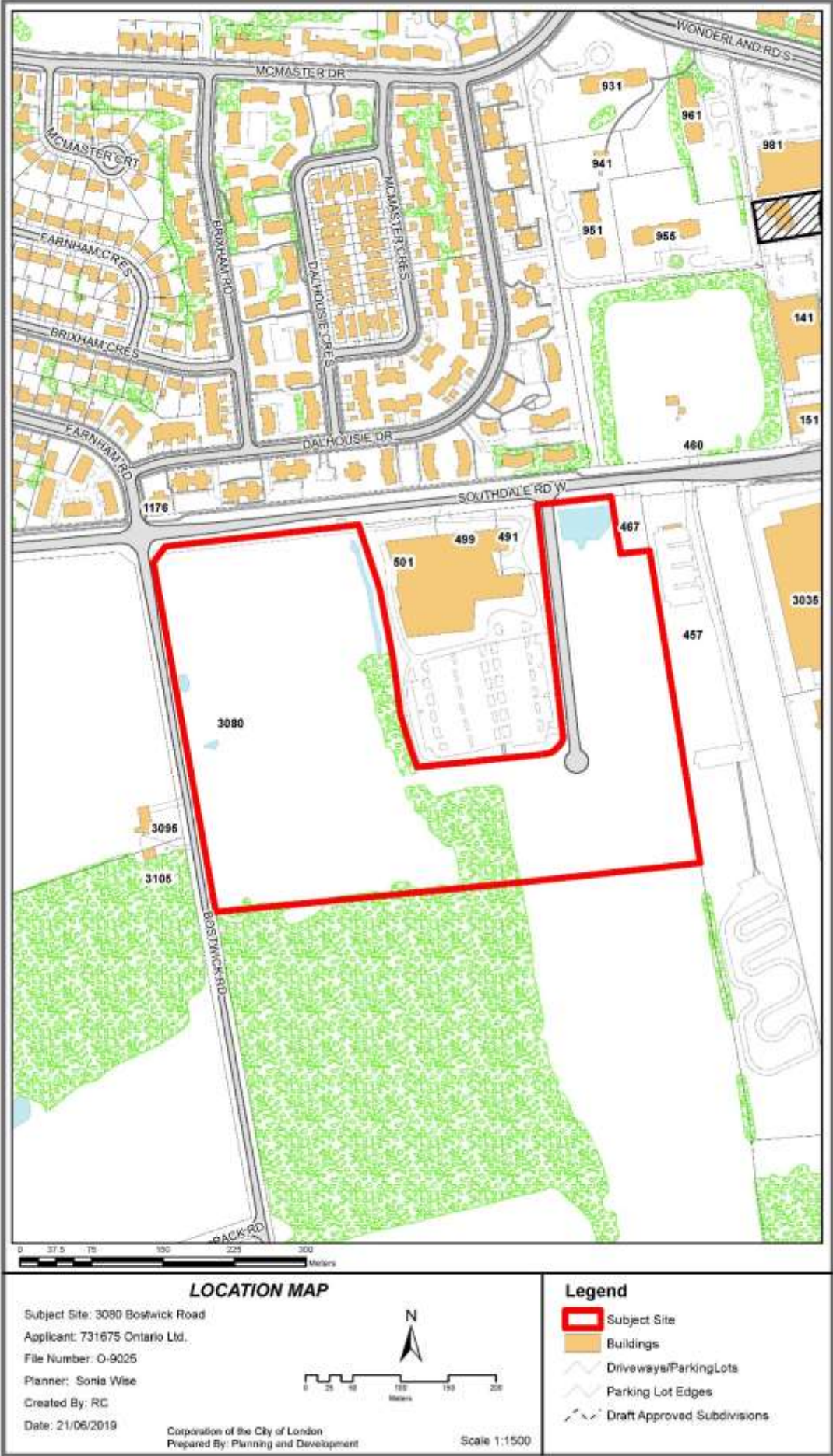
### 1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 84m (Bostwick Road)
- Depth – varies
- Area – 15ha
- Shape – Irregular

### 1.4 Surrounding Land Uses

- North – Residential
- East – Vacant land & Future Place of Worship
- South – Vacant
- West – Vacant & Agricultural

1.5 Location Map



## 2.0 Description of Proposal

### 2.1 Proposal

The development of 3080 Bostwick Road is proposed through separate planning and development applications, including a draft plan of subdivision, two recently approved Official Plan/Zoning By-law Amendments, a recently approved Zoning By-law Amendment and three (3) Consent applications for Sites 1, 3 and 5. The three site specific development sites along Southdale Road (Site 1, Site 3 and Site 5) received approval from Municipal Council in November of 2018. The proposal is for high-rise, high density housing forms with approximately 1,300 residential units, as well as mixed small-scale office and commercial uses.

At the time of approval, Council also approved two holding provisions (h-220 and h-221) to establish urban design guidelines for the larger 3080 Bostwick Site and ensure they were implemented on individual development sites. The Urban Design Guidelines will provide direction for coordinated and comprehensive design in the future for the various development sites at 3080 Bostwick Road as follows:

**h-220 Purpose:** To ensure that the built form is guided by a consistent design approach, Urban Design Guidelines shall be prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, and adopted under Section 19.2.2 (Guideline Documents) of the Official Plan; with the input of the Urban Design Peer Review Panel and to the satisfaction of the City of London, to establish an overall design vision based on holistic and comprehensive consideration of all development sites within the master plan lands.

**h-221 Purpose:** To ensure that new development is designed and approved consistent with the Urban Design Guidelines prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, the site plan, building elevations, and landscape plan will be assessed for compliance with the approved Urban Design Guidelines during the site plan approval review process; and a development agreement entered into to the satisfaction of the City of London prior to the removal of the h-221 symbol.

## 3.0 Relevant Background

### 3.1 Planning History

The subject lands previously formed part of the Town of Westminster which were annexed into the City of London in 1993. The lands were designated “Urban Reserve – Community Growth” and “Environmental Review” in 1996 when the Official Plan amendment for the annexed area was adopted.

In 2004, an Official Plan and Zoning By-law amendment was submitted for the entirety of 3080 Bostwick Road (OZ-6662) to allow for a range of commercial and residential development on the lands. That planning application was considered to be premature in the absence of a comprehensive plan for the area, and was put ‘on hold’ to allow for the completion of the Southwest Area Secondary Plan. The Southwest Area Secondary Plan came into effect on April 29, 2014 (OPA No. 541) following an Ontario Municipal Board hearing.

In 2014, a portion of the lands was the subject of a Zoning By-law Amendment Application (Z-8386) to facilitate development of the Bostwick Community Centre. A local road connection was created along the easterly boundary of the Community Centre lands and Municipal Services were extended along Southdale Road to support the Community Centre.

On October 9, 2018 the subdivision and site-specific development application were provided to the Planning and Environment Committee as an Information Report and



Public Participation Report. Municipal Council provided direction to staff to hold a future public participation meeting at a future committee date.

On November 12, 2018 a subsequent Public Participation Meeting was held for the three site-specific development proposals at Sites 1, 3 and 5. Municipal Council approved the Official Plan and Zoning By-law Amendments for the sites with certain holding provisions for servicing, natural heritage and urban design guidelines. The h-220 requires the preparation of the Urban Design Guidelines, and the h-221 requires the implementation of the site specific development proposals of the guidelines prior to removal. In order to ensure a consistent design approach, the application of the h-221 is anticipated for the balance of the development lands that form the draft plan of subdivision.

### **3.2 Requested Amendment**

The requested amendment is to adopt and add the Urban Design Guidelines for 3080 Bostwick Road to The London Plan and Southwest Area Secondary Plan.

A house-keeping amendment is also proposed to bring forward the permission for convenience commercial uses on Sites 1 and 5 to the Southwest Area Secondary Plan that was granted by Council in November of 2018, to the 1989 Official Plan.

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

Notice of application was provided on February 20, 2019 and notice of revised application and public participation was provided on July 2, 2019. There were no public responses received.

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

#### **Provincial Policy Statement, 2014**

The *Planning Act* requires that all planning decisions made by City Council be consistent with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning, as Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. The PPS identifies the Official Plan as the most important vehicle to provide clear and reasonable policies that protect provincial interests and direct development to suitable areas (4.7).

#### **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 policies utilize Guideline Documents to implement the policies of the plan or to guide development of a specific area. The Urban Design Guidelines for 3080 Bostwick Road have been prepared to guide the future development design for the site at 3080 Bostwick Road.

#### **1989 Official Plan**

The 1989 Official Plan identifies that the role of guideline documents is to assist in the implementation of policies by providing more detailed criteria to control development. Design Guidelines may be adopted by resolution of Council to be used to assist in the preparation and review of new development, redevelopment, rehabilitation and renovation proposals.

## **Southwest Area Secondary Plan**

Both The London Plan and the 1989 Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558\*). The Secondary Plan serves as a basis for the review of planning applications, which will be used in conjunction with the other policies of the Official Plan.

Part of the vision of the SWAP places an emphasis on promoting sustainable growth patterns, attractive urbanism and strong neighbourhoods; which the Urban Design Guidelines will help deliver as enhanced and consistent design for the site at 3080 Bostwick Road.

## **4.0 Key Considerations**

### **Provincial Policy Statement, 2014**

The PPS identifies that settlement areas “shall be the focus of growth and development”, and the subject site is located within the Urban Growth Boundary and within an area of planned residential growth (1.1.3.1). The PPS encourages “a sense of place, by promoting well-designed built form” which emphasizes the importance of urban design in the planning for new neighbourhoods such as the Bostwick Residential Neighbourhood (1.7.1.d). The Urban Design Guidelines will guide the future built form in a cohesive manner that will help create a unique sense of place for the new community.

### **The London Plan**

The role of guideline documents in The London Plan are intended to contain policies, standards and performance criteria that are either too detailed, or require more flexibility, in interpretation or implementation, than the Official Plan would allow. They may also provide specific direction for the preparation and review of development proposals, the identification of conditions to development approval, or the planning of improvements to public services and facilities and shall be adopted to assist with the implementation of any aspect of The London Plan (1712). The Urban Design Guidelines for 3080 Bostwick Road have been prepared to guide the future development of approximately 1,300 residential units over the five (5) individual development sites.

### **Our Strategy**

Direction #7 is to “Build strong, healthy and attractive neighbourhoods for everyone” which promotes neighbourhood design that creates safe, diverse, walkable, healthy and connected communities that create a sense of place and character (61\_3). The Urban Design Guidelines will establish a comprehensive pattern for development that will contribute to a sense of place for 3080 Bostwick Road. There is further direction to integrate well-designed public spaces and recreational facilities into neighbourhoods, which will be achieved through the incorporation and promotion of the urban park on Block 4 and the Thornicroft Drain in the neighbourhood design (61\_9).

### **City Design**

City Design is the way in which neighbourhoods, buildings, streetscapes, public spaces and landscapes are designed which plays a major role in supporting and shaping the image of the City and creating a unique sense of place (190). City design helps to create pedestrian and transit-oriented environments that support plans for integrating mobility and land use (191). The objectives are to foster:

1. A well-designed built form throughout the city;

2. Development that is designed to be a good fit and compatible within its context;
3. A high-quality, distinctive and memorable city image;
4. Development that supports a positive pedestrian environment;
5. A built form that is supportive of all types of active mobility and universal accessibility;
6. High quality public spaces that are safe, accessible, attractive and vibrant; and
9. Healthy, diverse and vibrant neighbourhoods that promote a sense of place and character.

The overall goal of the Urban Design Guidelines for 3080 Bostwick Road is to establish development that “supports a mix of residential, commercial and office uses, has regard for sustainability principles, is pedestrian-oriented, transit supportive and is accessible to the surrounding community” which is consistent in the delivery of the design objectives.

Design Guidelines may be adopted for specific areas, or for the city as a whole, to provide further detailed guidance for the implementation of the City Design policies of this plan (195). The guidelines will provide more detailed direction for the development sites at 3080 Bostwick Road for site layout, building orientation and massing, architectural elements, landscaping and public realm elements. Urban Design Guidelines will ensure that buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood’s character and identity (202\*). Buildings are located and oriented to the street edge which frames the street, provides activity and creates convenient and comfortable pedestrian environments.

Neighbourhoods should be planned to include one or more identifiable and accessible focal points that contributes to the neighbourhood’s character and allows for community gathering (203\*). The draft plan of subdivision identifies a future park at block 4 and the design guidelines focus on the integration of the urban park as well as the Thornicroft Drain with the proposed built form. Other semi-private spaces like the Union Gas pipeline setback along Southdale Road will receive similar consideration for their enhancement and integration.

Public space will be designed to support the planned vision by enhancing views and vistas, providing places to meet and gather, and establishing connections (242). The design guidelines recognize that the urban park should be a highly visible focal point for the community with maximum street frontage and links to surrounding parks and corridors. Parks, trails and open spaces should be integrated into neighbourhoods to allow for healthy and active lifestyles (243). The park block abuts the Thornicroft Drain and associated planned trail, and the guidelines recognize the drain corridor as a multi-functional element that serves as an amenity feature, pedestrian connection, stormwater and riparian corridor.

The design of streetscapes will support the planned vision for the place type and will contribute to character and sense of place (221). The guidelines provide a coordinated approach to the streetscapes in the plan area including considerations for landscaping, boulevard tree planting, hardscaping, screening of parking areas, and the built form for Neighbourhood Streets, Neighbourhood Connectors and the Civic Boulevards.

The site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area (252). The guidelines provide direction for building orientation, scale and massing, entrance locations, articulation, architectural treatment and parking to demonstrate how the proposed development responds to the local context and surrounding area. The building orientations respond to the site context through prioritizing framing the civic boulevards of Southdale Road and Bostwick Road, the proposed interior roads, the park, and to maximize solar exposure benefit.

Urban Design Peer Review Panel

The Urban Design Peer Review Panel (UDPRP) may provide advice to development applicants, planning and development staff, and Municipal Council through the evaluation of *Planning Act* applications (306). The requested amendment was brought to the UDPRP for their consideration on March 20, 2019 to receive feedback on the proposed change. The comments provided by the panel and how they have been addressed or incorporated is as follows:

The Panel provides the following feedback on the submission to be addressed through the Site Plan application:

*The Panel would like to thank the applicant for returning to the panel to further refine the planning and Urban Design Guidelines for the proposed development.*

Response: Noted

*We applaud the notion of providing a coordinated effort of development. However, this effort needs to be advanced further, in a more detailed fashion. The guidelines could be more specific in terms of landscape / streetscape elements such as medians, cross-walks, planting beds, tree planting pits, sustainable technologies, etc. The guideline should provide further refinement and focus on development of the public realm.*

Response: The document has been reformatted and refined to include a section on Public Realm which covers the co-ordinated approach to streetscapes.

*The guidelines should take a step back and create diagrams that define the overall vision for the site, such as: streetscapes; building orientation; high buildings vs. low buildings; shadow impacts; greenspace etc. Some material shown in the presentation to the panel was not included in the Design Guideline, which would benefit from being included.*

Response: The Guideline document has reformatted and updated to include the above mentioned subheadings.

*The public realms, such as the streetscapes, bike paths, connections across the streets, access to parks, sidewalks, should all be further developed and articulated, specifically for the internal streets. Street sections should be provided at all interior streets.*

Response: A public realm section has been added to the guideline and subheadings mentioned above have been added with guidelines further developed for these areas.

*The Panel has noted the landscape guidelines are very high level at this point in time and could benefit from further development.*

Response: the landscape guidelines have been further refined with the addition of a planting pallet and identified Landscape Priority Area.

*The greenway is a critical portion of the site design. Consideration should be given to how this connects environmentally further south beyond the site. Use of locally native plant species could assist in this.*

Response: Noted.

*The Panel supports the coordinated design approach; however, specifics of the elements need to be slightly more prescribed.*

Response: With the reformatting of the document there has been an emphasis placed on certain elements that are slightly more prescribed including further guidance on massing, articulation, and orientation.

*The Panel suggested further refinement regarding the development's sustainability attributes could be further discussed, and could be incorporated with the theming of the palette and landscaping.*

Response: Noted.

*It could be a good idea to provide a plant palette that supports the overall vision and strengthens a collective approach – more prescriptive for such things as sizing (large canopy vs medium vs small, etc.) and application (street tree vs screening vs accent, etc.).*

Response: Noted, a general planting pallet has been added to the guidelines. Landscape guidelines and landscape priority areas are also included to further guide the site plan process in terms on landscaping.

*The Panel suggests that all drawings should be based off of the same background drawings, there are current discrepancies between the landscape drawings and site plans as shown.*

Response: This has been corrected and all maps and drawings are now co-ordinated.

*Moving forward, Site 5 can proceed based on the comments made by the Panel to date and doesn't require a return visit to the Panel. However, future sites will have to come to the Panel on a site by site basis. We will prepare comments based on this discussion and circulate it to the Applicant. The Applicant will digitally send an updated Urban Design Guideline to the Panel for final comments.*

Response: Noted

### **Southwest Area Secondary Plan**

Part of the vision of the SWAP places an emphasis on promoting sustainable growth patterns, attractive urbanism and strong neighbourhoods (20.5.1.3). The Urban Design Guidelines will provide for enhanced and consistent design and will contribute to creating strong neighbourhood character. The Southwest Area Secondary Plan promotes a strong reliance on a high quality public realm which integrates aspects of the private and public realm to create vibrant and dynamic neighbourhoods (20.5.3.9). The Urban Design Guidelines provide guidance for the design of private development lands as well as the design of the Neighbourhood Streets and Connectors and Civic Boulevards to ensure the public realm integrates with the private realm.

The SWAP identifies that parks will serve as central meeting places for residents within neighbourhoods and the design guidelines reinforce the role of the parkland and its eventual design (20.5.3.9.i.f). Buildings, structures and landscaping shall be designed to provide visual interest to pedestrians, as well as a 'sense of enclosure' to the street (20.5.3.9.iii.a). The location of the buildings will frame the streets to create a sense of enclosure and consistent streetscape building wall and contribute to the creation of comfortable pedestrian experiences. The siting of buildings is to spatially define the street, provide high quality active frontages and provide opportunities for landscape planting in order to improve the visual quality of the streetscape (20.5.3.9.iii.j). The guidelines require that buildings should be located in close proximity to street corridors, to help enclose the adjacent pedestrian realm and activate the streetscape.

### **Bostwick Residential Neighbourhood**

The function and purpose of the Bostwick Neighbourhood will provide for residential development with the highest intensity of all the residential neighbourhood areas in the Southwest Area Secondary Plan (20.5.9.i). The character of the Bostwick Residential Neighbourhood is to develop as compact, with a diversity of building types, and walkable amenities to enhance the day to day living experience (20.5.9.ii). The Urban Design Guidelines for 3080 Bostwick Road will be added to the Bostwick Residential

Neighbourhood policy section to guide all future development on the subject lands to ensure the delivery of a coordinated, well-designed, high density residential neighbourhood.

### **1989 Official Plan**

Part of the Official Plan Vision Statement for the long term planning and management of land use and growth in the city is to “apply urban design objectives and guidelines to assist in the protection and enhancement of neighbourhood and streetscape character” (2.2.1.vi). The guidelines will enhance the local neighbourhood by providing a cohesive design framework including such aspects as the built form, natural features and streetscape design. Further, it is a goal of the plan to “promote a high standard of architectural, landscape and community design that is sensitive to the character of the surrounding uses and streetscapes, conducive to pedestrian accessibility, safety, circulation and use, and that provides for the protection of significant natural features” (2.14.2). The design guidelines prepared for 3080 Bostwick Road provide direction for the future development of the lands that recognizes the specific nature of the context, the planned high density residential forms and the circulation and comfort of pedestrians.

The policies of Section 19.2.2 of the Official Plan allow Council to adopt guideline documents to provide detailed direction for the implementation of Official Plan policies. The Urban Design Guidelines for 3080 Bostwick Road include detailed design principles, standards, and performance criteria that provide additional and specific guidance to supplement the policies of the Official plan. Given that the purpose of the Urban Design Guidelines is to provide detailed direction for 3080 Bostwick Road and will assist in the evaluation and implementation of development applications, it is consistent with the purpose of guideline documents as prescribed by Section 19.2.2 of the Official Plan.

### **Urban Design**

Urban design staff have worked closely with the applicant to complete the proposed guideline document for the future development of the lands at 3080 Bostwick Road. These guidelines are in keeping with the urban design policies of the Southwest Area Secondary Plan, the 1989 Official Plan and The London Plan and provide for further urban design guidance for future planning and development applications on the sites within the block. The intent of the guidelines is to provide for a cohesive development across several sites taking into account their unique contexts (next to the Thornicroft drain, the future urban park, the community centre, and the linear green space along Southdale Road) and ensure that appropriate scale, massing, orientation, as well as streetscape and public space development occurs in order to ensure that the identified design goals and objectives are realized through the development of the site.

The guideline document proposes to incorporate the following Urban Design goals and objectives:

1. Provide a range of high density residential forms complemented by limited commercial uses, office and open space features;
2. Incorporate building forms designed to integrate into a Master Planned community that has consideration for the existing and proposed development context;
3. Position buildings to address the Southdale road west and Bostwick road corridors and internal streets, and to prominent views and vistas;
4. Provide enhanced treatments for the building designs and landscaping elements, with special attention paid to building façades and streetscape components at the Southdale Road West/Bostwick Road intersection (recognizing this development site represents a key gateway to the Master Plan area);

5. Orient high-rise forms to support an appropriate gradation in building scale with the tallest building located at the intersection of Southdale Road and Bostwick Road stepping down in height towards the lower rise commercial uses east of the Master Plan area.
6. Integrate vehicular and pedestrian transportation linkages throughout the Master Plan area to promote safe and efficient circulation, and to facilitate connectivity with surrounding development, arterial road corridors and public transit facilities;
7. Provide structured parking facilities to reduce surface parking requirements;
8. Integrate the Thornicroft Drain corridor into the development including a north/south trail system within the corridor. Through the Master Plan area, portions of this corridor could be treated as an urban linear parkway where appropriate; towards the south of the park a more naturalized approach is encouraged;
9. Encourage connections from the Master Plan area to the Bostwick Community Centre; and,
10. Incorporate the Union Gas development setback adjacent to Southdale Road West into streetscape plans for this arterial road (Civic Boulevard) corridor. This development setback is approximately 17.2m in width measured from the southern limit of the Southdale Road West right-of-way.

#### **House-keeping amendment**

In November of 2018, Municipal Council granted permission for Site 1 and Site 5 for convenience commercial uses as an amendment to the 1989 Official Plan. As more of The London Plan comes into full force and effect, eventually the 1989 Official Plan policies will be replaced in their entirety. The house-keeping amendment being brought forward is to add the permission for the convenience commercial uses to the Southwest Area Secondary Plan which contains the more specific policy direction for this part of the City, and will still be in effect when the 1989 Official Plan is replaced with The London Plan. The permission for the convenience commercial uses for Sites 1 and 5 of 3080 Bostwick Road is not changing, and is simply being brought forward to a different part of the Official Plan to ensure the permission granted by Municipal Council in November of 2018 is carried forward in the future.

More information and detail is available in the appendices of this report.

**5.0 Conclusion**

The recommendation to adopt the Urban Design Guidelines for 3080 Bostwick Road as a guideline document to the Official Plan will provide for detailed design principles, standards, and performance criteria that provide additional and specific guidance to the future development of 3080 Bostwick Road. The guidelines will provide more detailed design guidance for the various development sites and will ensure a comprehensive and integrated built form. The house-keeping amendment will bring forward permission granted by Municipal Council from the 1989 Official Plan to the Southwest Area Secondary Plan to ensure the approval granted remains applicable to Sites 1 and 5.

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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.	

July 15, 2019  
cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Lou Pompilii, MPA, RPP, Manager, Development Planning  
cc: Ismail Abushehada, Manager Development Engineering



Appendix A – Urban Design Guidelines

URBAN DESIGN GUIDELINES FOR  
**3080 BOSTWICK ROAD**

CITY OF LONDON



  
PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
MHBC

  
York  
DEVELOPMENTS

zedd  
ARCHITECTURE

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June 2019

## URBAN DESIGN GUIDELINES CONTENTS

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## 1.0 INTRODUCTION

### 1.1 Background

MHBC has been retained by 731675 Ontario Limited (c/o York Developments) to assist with the preparation of Urban Design Guidelines to support a Master Planned development proposal for a portion of the property addressed as 3080 Bostwick Road, London. The subject lands measure approximately 9.6 hectares (23.7 acres) in area and are located at the southeast corner of the Southdale Road West and Bostwick Road intersection.

**York Developments envisions that, in its entirety, 3080 Bostwick Road will develop into a vibrant, intensified neighbourhood that will function as both a multi-use village centre and a local activity hub.** Once completed, this Master Planned development will include a wide diversity of land uses including residential, commercial, office and recreation to meet the varied lifestyle needs of residents and the larger community. Moreover, the active parkland, walkway system and street network incorporated into the Master Plan reflect a campus setting that is closely connected with the Bostwick Community Centre (located adjacent to these lands).





## 1.2 Guideline Development Process

The design guideline development process was informed by technical feedback and input received from the City of London Urban Design Peer Review Panel (UDPRP) and the City's Development Services Division. Design elements for Sites 1, 2, 5 and 6 of the Master Plan Concept were specifically reviewed by the UDPRP at a meeting held October 10, 2018. Additionally, the Urban Design Briefs prepared by MHBC for these Sites and Site 3 (dated October 2018) provided background information and design direction for these Guidelines.

To assist in understanding the local design context, field visits and site assessments of 3080 Bostwick Road were conducted. In addition, a number of local background documents and studies were reviewed and considered, including urban design policies and guidelines integrated into the City of London's Official Plan (1989), new Official Plan ("The London Plan"), Southwest Area (Secondary) Plan and Placemaking Guidelines

The current provincial legislative and policy context (Planning Act, Provincial Policy Statement) were also considered in the preparation of these Guidelines.

These Guidelines are specifically required to satisfy Holding Provision 'H-220' that was applied by the City of London to portions of the subject lands pursuant to By-Laws Z-1-182711, Z-1-182712 and Z-1-182713. Specifically, these By-Laws were adopted to facilitate development of Sites 1, 3 and 5 of the 'Master Plan Concept' designed for 3080 Bostwick Road (illustrated on Page 4).

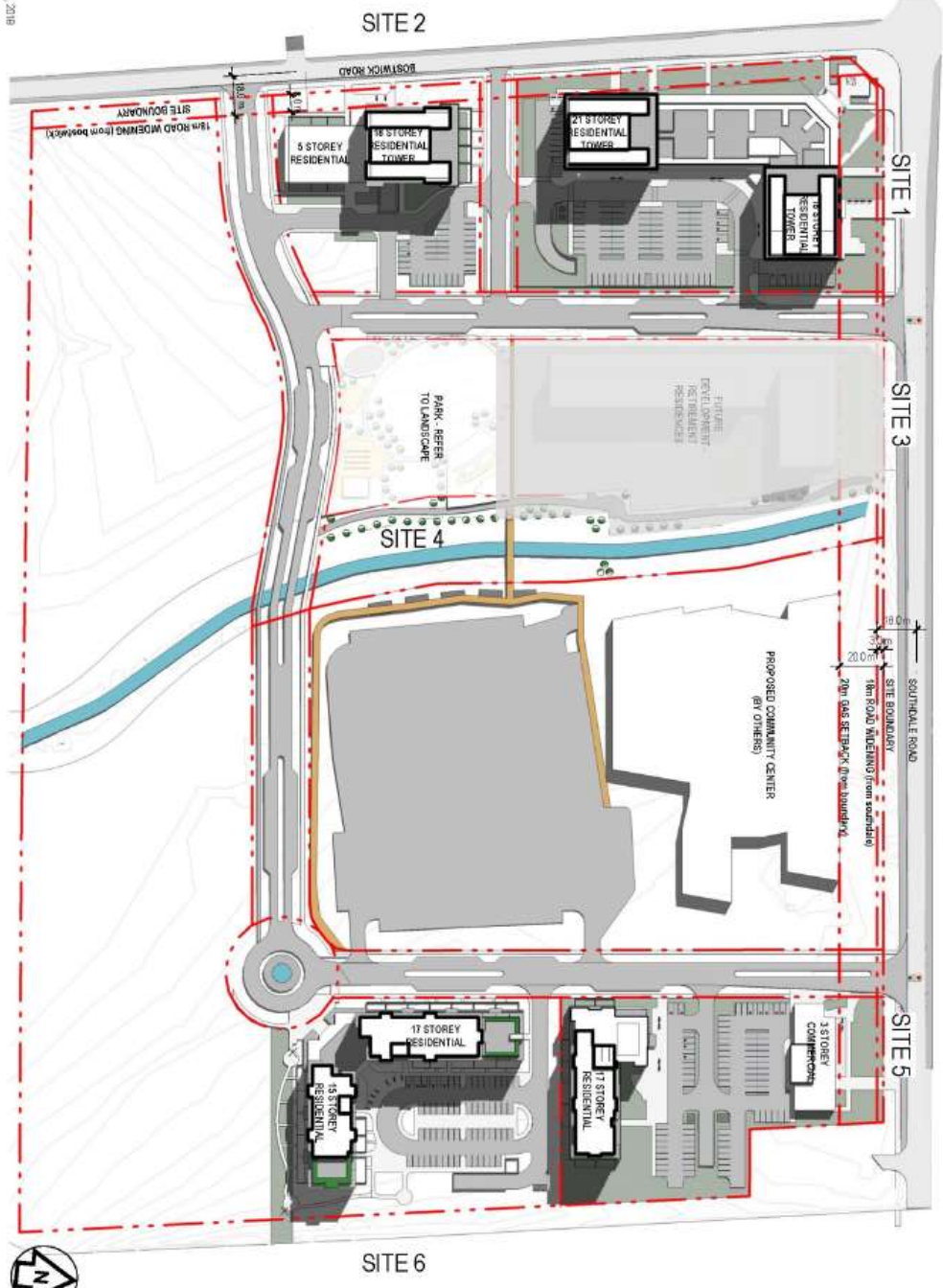
Holding Provision 'H-221' was also applied to the zoning structures of Sites 1, 3 and 5 to ensure that development of these lands has regard for the aforementioned Urban Design Guidelines. It is anticipated that this holding provision will be applied to the balance of the development sites within 3080 Bostwick Road (i.e., Sites 2 and 6 of the Master Plan).

#### **Holding Provision H-220 :**

Purpose: To ensure that the built form is guided by a consistent design approach, Urban Design Guidelines shall be prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, and adopted under Section 19.2.2 (Guideline Documents) of the Official Plan, with the input of the Urban Design Peer Review Panel and to the satisfaction of the City of London, to establish an overall design vision based on holistic and comprehensive consideration of all development sites within the master plan lands.

*Permitted Interim Uses: Existing uses*

MASTER PLAN CONCEPT



September 27th, 2018



## 2.0 PURPOSE AND APPROACH

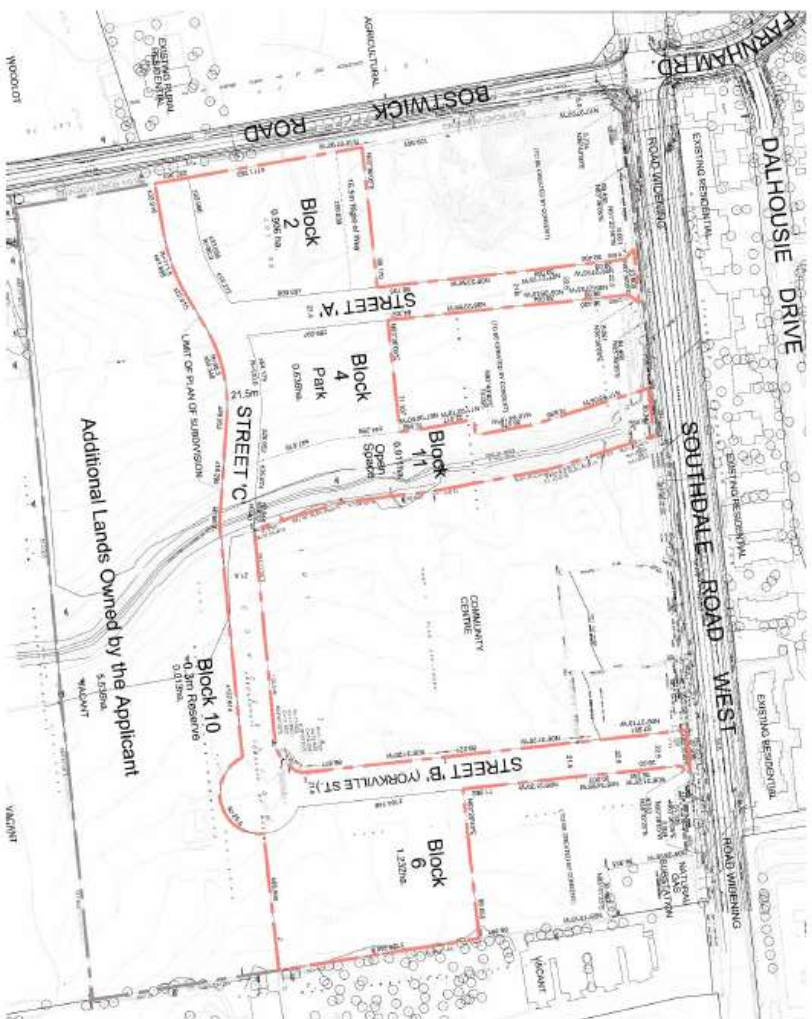
The design guidelines and associated imagery set out in this document have been prepared to establish design direction for development and redevelopment projects being considered for lands within the boundaries 3080 Bostwick Road, including Sites 1, 3 and 5 and lands with the proposed Draft Plan of Subdivision (illustrated to the right).

Additionally, this Guideline document is intended to assist with the implementation of Provincial Policy Statement and Official Plan policies relating to such matters as the promotion of efficient land use and development patterns, the creation of strong, livable and healthy communities, and the protection of the environment and public health and safety.

The design analysis and guidelines component of this document provide direction on considerations such as site layout, building orientation and massing, architectural elements, landscaping and public realm elements.

**For the purposes of these Guidelines, lands intended for residential development are referred to as 'Sites'; lands intended for open space are referred to as 'Blocks'.**

### PROPOSED DRAFT PLAN OF SUBDIVISION



### 3.0 GENERAL DESIGN CONTEXT

#### 3.1 Site Location

The subject lands are located entirely within the City's Urban Growth Boundary and form part of the Southwest Planning Area. Development of these lands is subject to the policies of the approved Secondary Plan for this community; the Southwest Area Plan (SWAP).

3080 Bostwick Road is proximate to regional retail/service commercial uses associated with the Wonderland Road Community Enterprise Corridor, as well as existing and planned residential development areas and the Bostwick Community Centre.



**SITE LOCATION**



### 3.2 Design Goals and Objectives

The overall goal of this project design is to establish a development that: supports a mix of residential, commercial and office uses; has regard for sustainability principles; is pedestrian-oriented, transit supportive and is accessible to the surrounding community.

To achieve this project vision, several core design themes have been integrated into the Master Plan Concept:

1. Provide a range of high density residential forms complemented by limited commercial uses, office, and open space features;
2. Incorporate building forms designed to integrate into a Master Planned community that has consideration for the existing and proposed development context;
3. Position buildings to address the Southdale Road West and Bostwick Road corridors while designing the intersection of these roads as a gateway feature;
4. Provide enhanced treatments for the building designs and landscaping elements, with special attention paid to building facades and streetscape components at the Southdale Road West/Bostwick Road intersection (recognizing this development site represents a key landmark within the broader Southwest Area Plan area);



Position buildings in a manner which frames Southdale Road West and Bostwick Road is a key design objective.

5. Orient high-rise forms to support an appropriate gradation in building scale with the tallest building located at the intersection of Southdale Road and Bostwick Road stepping down in height towards the lower rise commercial uses east of the Master Plan area.;
6. Integrate vehicular and pedestrian transportation linkages throughout the Master Plan area to promote safe and efficient circulation, and to facilitate connectivity with surrounding developments, arterial road corridors and public transit facilities;
7. Provide structured parking facilities to reduce surface parking requirements;
8. Integrate the Thornicroft Drain corridor into the development including a north/south trail system within the corridor. Through the Master Plan area, portions of this corridor could be treated as an urban linear parkway where appropriate; towards the south of the park a more naturalized approach is encouraged;
9. Encourage connections from the Master Plan area to the Bostwick Community Centre; and
10. Incorporate the Union Gas development setback adjacent to Southdale Road West into streetscape plans for this arterial road (Civic Boulevard) corridor. This development setback is approximately 17.2 metres in width measured from the southern limit of the Southdale Road West right-of-way.



Landscaping within the development setback along Southdale Road West will provide for an attractive coordinated streetscape.

#### 4.0 DESIGN GUIDELINES

##### 4.1 Site Design

The site layout for the Master Plan Concept was designed: to promote continuity in built form within 3080 Bostwick Road; to contribute positively to the Southdale Road West and Bostwick Road streetscapes; and to be compatible with the local development context. The following sub-sections and conceptual figures provided direction for the Master Plan Concept. Detailed designs for individual Sites and Blocks should have due consideration for guidelines contained within each of these sections.

##### Building Location

There are a variety of different contextual situations within the Master Plan area with each site having its own considerations as it relates to building location. The following is a summary of general building location guidelines and preferred building locations within each site:

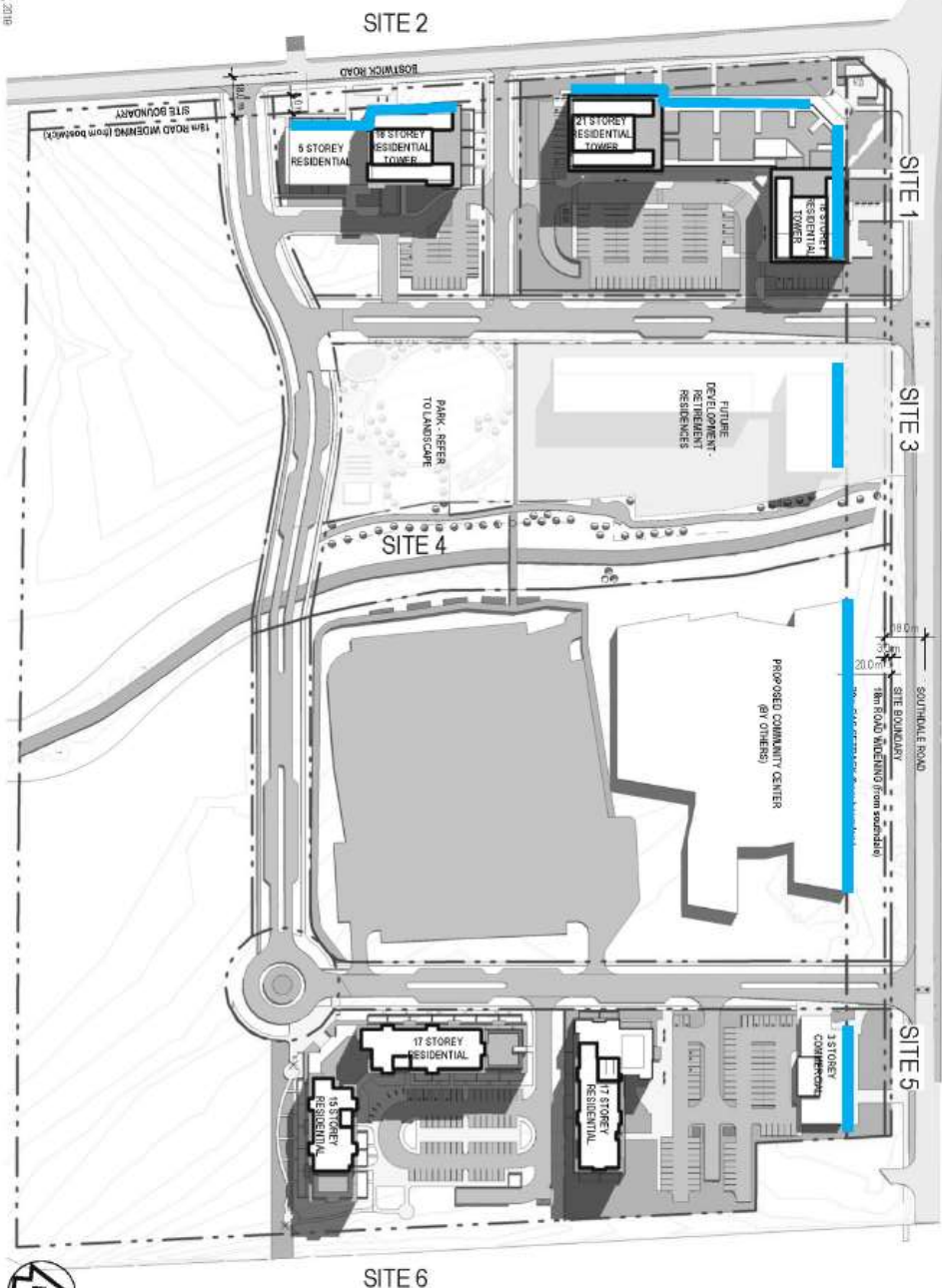
- Buildings should be located in close proximity to street corridors, where practical, to help enclose the adjacent pedestrian realm and activate the streetscape.
- Sites with multiple towers should locate buildings in a manner that provides for sufficient tower separation and minimizes overlook.
- Along Southdale Road West buildings heights will generally transition from high to low. The tallest building should generally be located within Site 1 at the intersection of Bostwick Road and Southdale Road West. The heights will then step down towards the Bostwick Community Centre and to the existing lower rise buildings east of the Master Plan area.
- Within Site 1 buildings should be located to frame the intersection of Southdale Road and Bostwick Road. The built form should be located close to the street (notwithstanding the gas setback along Southdale Road). There should be sufficient building frontage along both Civic Boulevards, and any surface parking should be located internal to the site.
- Site 2 has frontage along Bostwick Road. High-rise buildings should be located close to this Civic Boulevard in order to frame this important boulevard and to minimize shadow impacts on the proposed park. If townhomes (or other lower rise multiple residential forms) are incorporated into Site 2, these units should be located to face the park and internal street.
- Site 3 has frontage along Southdale Road West. The future building(s) on Site 3 should be located close to this Civic Boulevard at a similar setback to Site 1.
- Within Site 5 it is anticipated that buildings will have a range of building heights. Low rise buildings should be located along Southdale Road West to transition with lower rise heights to the east. Taller buildings should be located internal to the site.
- Within Site 6 there is an opportunity to frame the internal intersection. Buildings should be located to provide street frontage on both internal streets.

### Building Orientation

- High-rise towers should be oriented to define a positive relationship between these buildings and adjacent streets. Consider views from the tall buildings when evaluating building placement and orientation.
- Buildings located along the Southdale Road West and Bostwick Road frontages should be oriented to frame the abutting arterial road (Civic Boulevard) with primary frontages facing the street.
- Buildings along Southdale Road West and Bostwick Road should generally be oriented in a manner which result in strong street edges.
- As a general guideline, buildings should be oriented to maximize passive solar orientation benefits. However, this should be balanced with other design objectives including the desire for a strong building edge along Bostwick Road.
- Primary frontages for each site are identified herein. Buildings should be designed with principle entrances, transparent glazing, pedestrian amenities and highly articulated building façades along the identified primary frontages. Other highly visible building faces should also be designed with a high level of articulation.
- Buildings within Site 1 should be oriented to help frame the intersection of Bostwick Road and Southdale Road West and to establish a prominent gateway element for the larger Master Plan. The primary frontage of these buildings should be oriented to the Civic Boulevards.
- Should low-rise buildings be incorporated into Site 2 (e.g. street townhouses, stacked townhouses), orientation of these buildings should be towards the proposed urban park (Block 4), building positioning should help to frame the park and the building form/design should contribute positively to the adjacent streetscape (Street 'A'). Additionally, high-rise forms located within Site 2 should be oriented to promote 'eyes on the park', however the primary frontage of high-rise buildings will be along Bostwick Road.
- Buildings within Site 3 should be oriented to help frame the Southdale Road West/Street 'A' intersection. The primary frontage within Site 3 should face Street 'A', and the façade facing Southdale Road West should be developed to a high standard of design.
- Buildings within Site 5 should be oriented to frame Southdale Road West and Street 'A'. Buildings located internal to the site should be oriented to achieve passive solar benefits where possible.
- Buildings within Site 6 should be oriented to frame the internal intersection, with consideration to passive solar orientation. Primary frontages should be those facades that face the internal roads.

**The following diagrams illustrate how buildings should be oriented to frame the Civic Boulevards; the preferred primary frontage for each site and buildings oriented to maximize solar orientation benefits.**

BUILDING ORIENTATED TO FRAME CIVIC BOULEVARDS AND MAXIMIZE BUILT FORM ALONG THE STREET EDGE

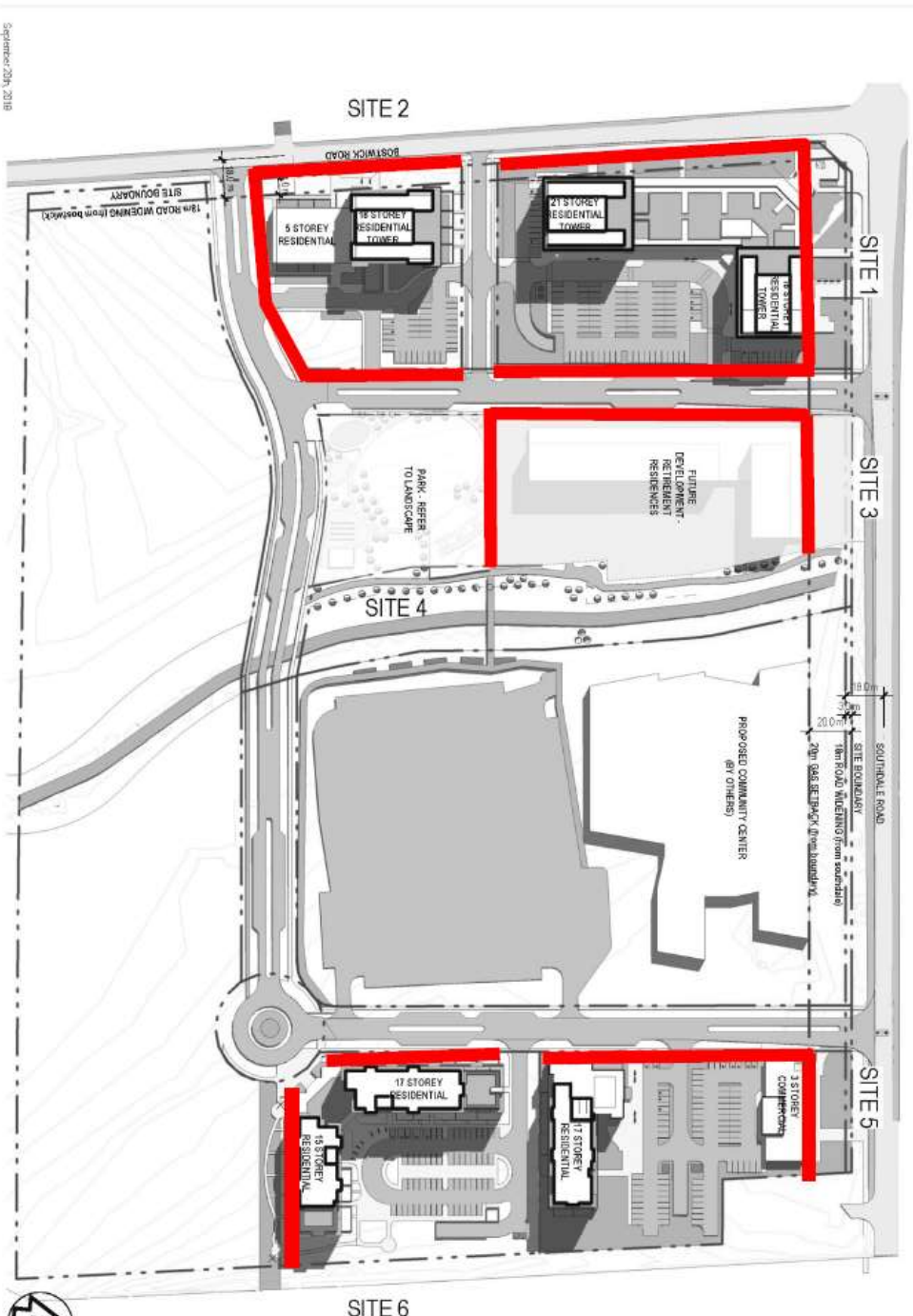


September 20th, 2018

Building face oriented to face Civic Boulevards.



PRIMARY FRONTAGE(S) WITHIN EACH SITE

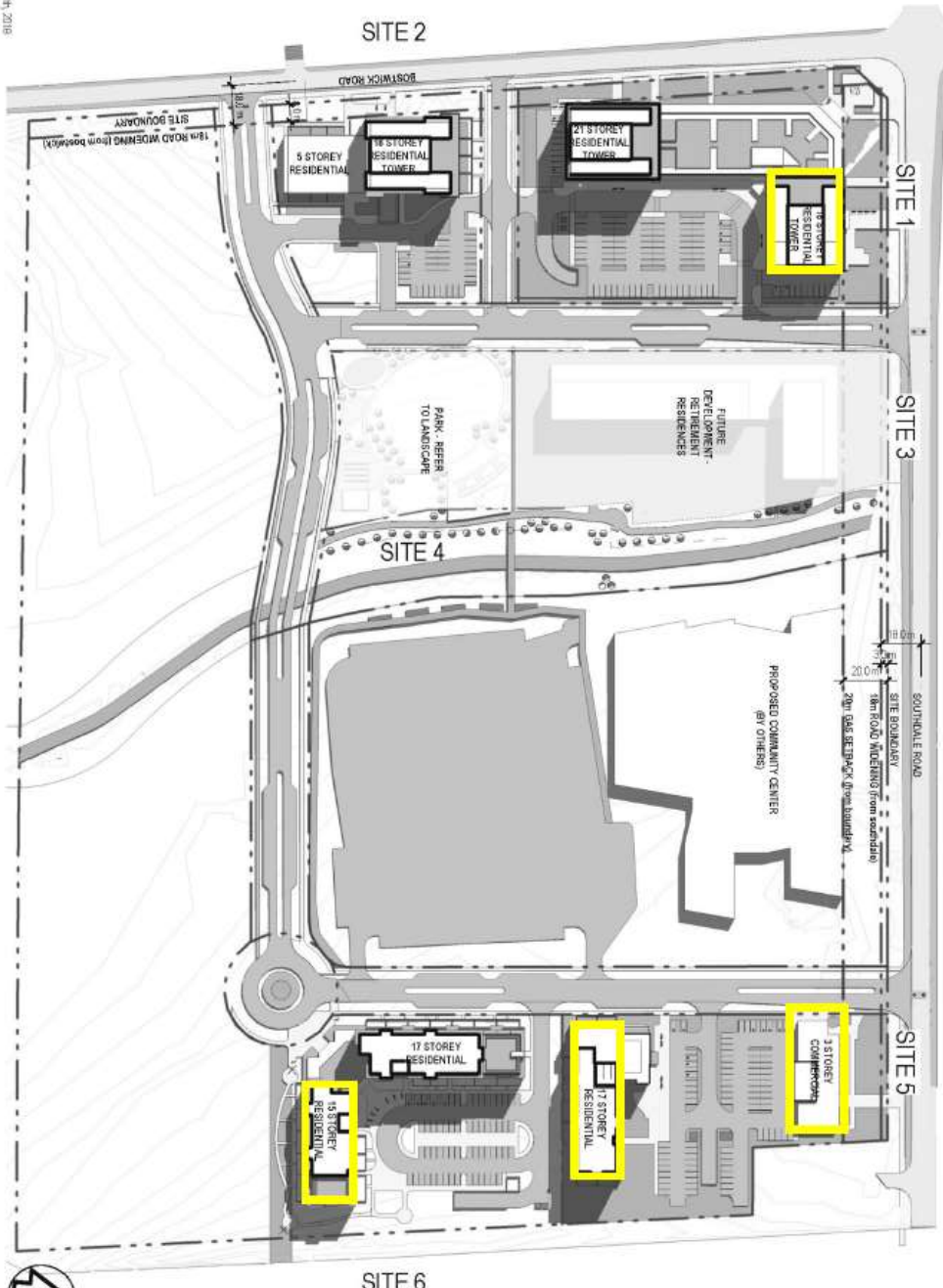


September 20th, 2018

█ Primary frontage 'zone' for each site. Buildings should be designed with principle entrances, transparent glazing, pedestrian amenities and highly articulated building facades along the primary frontage.



BUILDING ORIENTATED TO MAXIMIZE SOLAR ORIENTATION BENEFITS



September 24th, 2018



Buildings oriented to achieve passive solar orientation benefits.



#### **Parking**

- Structured parking should be provided for apartment buildings, and accessed from the rear of the sites where practical.
- Surface parking will be generally restricted to visitors and non-residential uses and should be largely screened from public view by the high-rise towers or appropriate landscaping.
- Surface parking visible from public uses, including the proposed urban park (Block 4), should be screened by landscaping.
- Larger surface parking lots should be broken up with landscaped islands.

#### **Pedestrian Circulation and Access**

- Development blocks should be designed with an internal circulation system to promote a pedestrian-oriented community with outdoor common amenity spaces connected via walkways, trails and/or sidewalks.
- Where practical, multiple pedestrian access points should be provided to the surrounding public road and public sidewalk systems.
- Pedestrian connections should be provided within surface parking areas to safely direct pedestrians from parking areas to surrounding buildings.
- Sidewalks should be provided along internal roads to safely connect pedestrians to the park, the Bostwick Community Centre and the linear north/south trail planned for the Thornicroft Drain corridor (Block 11) pursuant to the SWAP.
- Building lobbies will be directly accessible to pedestrians with entrances accessible from the parking areas by paved sidewalks and plaza features. Building designs will also incorporate measures to help facilitate universal accessibility and weather protection.

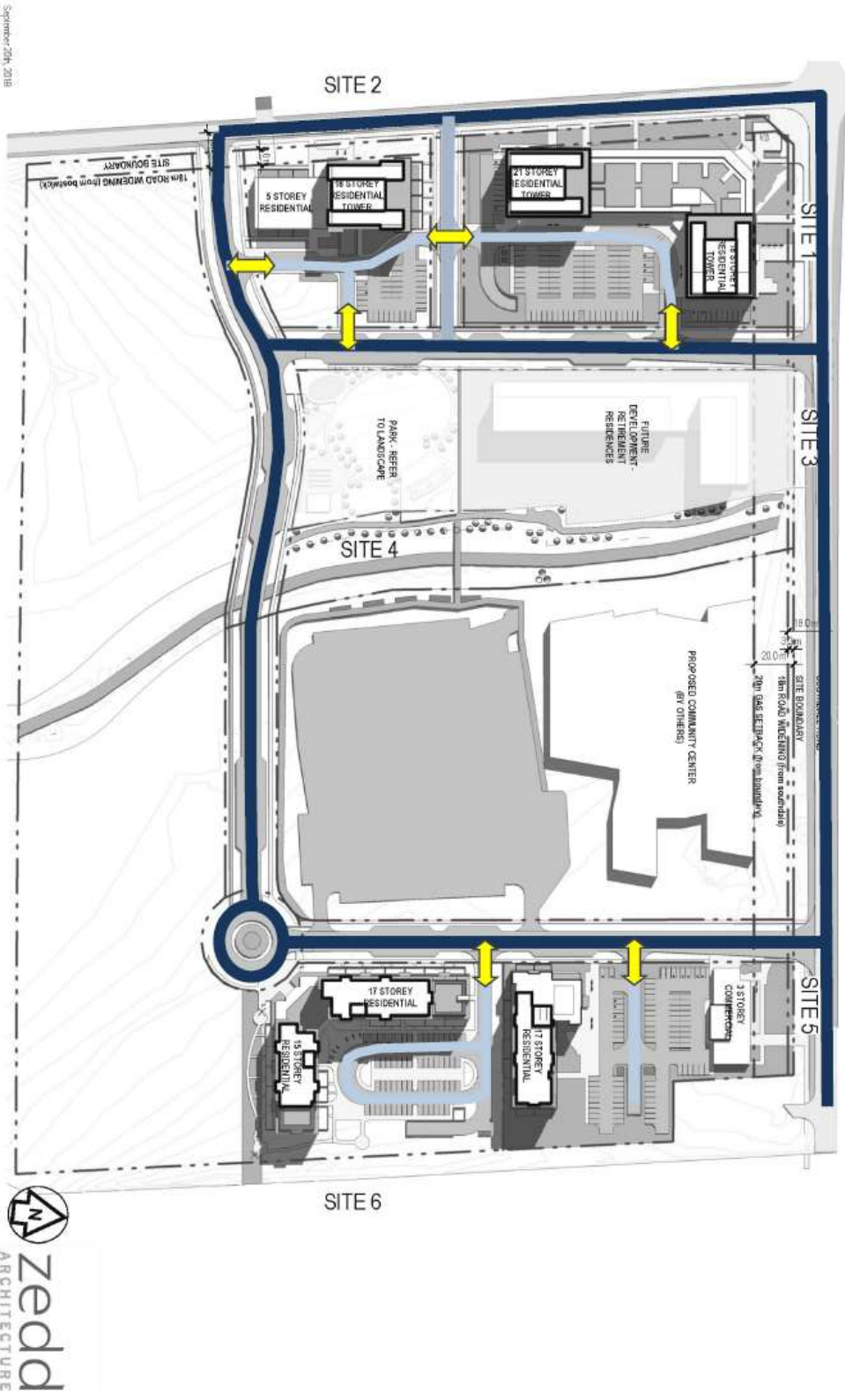
#### **Vehicular Circulation and Access**

- The various development blocks should be connected by a grid-like network of internal and external streets and drive aisles.
- Vehicular accesses to Bostwick Road and Southdale Road West should be minimized. Vehicular access to development blocks should be from the internal road network.
- Layby parking along internal roads is encouraged.
- Vehicular access points should be designed to minimize conflicts with pedestrians.
- Vehicular access points to development blocks should be located a safe distance from external and internal intersections.





VEHICULAR CIRCULATION AND ACCESS PLAN

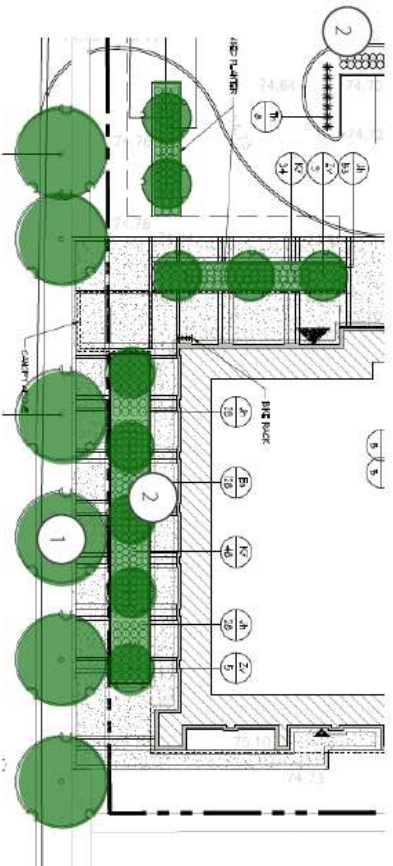


- Public Vehicular Circulation Routes
- Private Vehicular Circulation Routes
- Vehicular Access Points to Development

**Landscape Design**

Detailed landscape plans will be prepared in conjunction with Site Plan Approval for all development blocks in order to enhance individual site layouts and to help achieve the overall design objectives of the Master Plan Concept. The following considerations will provide guidance for the development of a cohesive landscaping approach for 3080 Bostwick Road.

- A coordinated approach to landscaping is strongly encouraged throughout the Master Plan area. This includes coordinated landscaping along the Civic Boulevards and the internal street network.
- The Union Gas development setback should be treated as a landscape opportunity for Sites 1, 3 and 5. Enhanced landscaping within this setback is strongly encouraged and should include coordinated elements, where practical and appropriate.
- A planting plan should be established for key landscape areas within the Master Plan area including proposed plantings for: the external streetscape; the development setback; internal streetscapes; building edges; and within parking areas.
- Landscape materials within the park and the Thornicroft Drain corridor should also be coordinated.
- Landscaped areas for development blocks, parks, amenity spaces and street boulevards should be designed to complement existing or proposed landscaping on adjacent blocks of the Master Plan Concept.
- Adequate and appropriate hardscaping/softscaping elements should be used to soften/screen larger buildings and blank or unsightly building elevations from adjacent residential uses, streets and other public places. Where space allows, shrubs and groundcovers should be provided between the street line and the buildings and used primarily to frame buildings, define building entrances and walkways and enhance the streetscape appearance.
- A substantial proportion of landscaped areas and boulevards should be planted with a variety of trees and plant material. Native plants which are tolerant to disease, drought conditions and road salt should comprise a substantial proportion of the plant material installed on sites and street boulevards.



Preliminary planting plan (Site 5) prepared by Ron Koudys Landscape Architects Inc. (RKLAI):

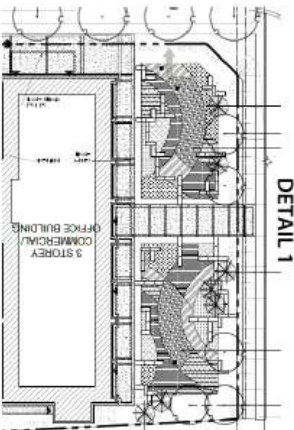
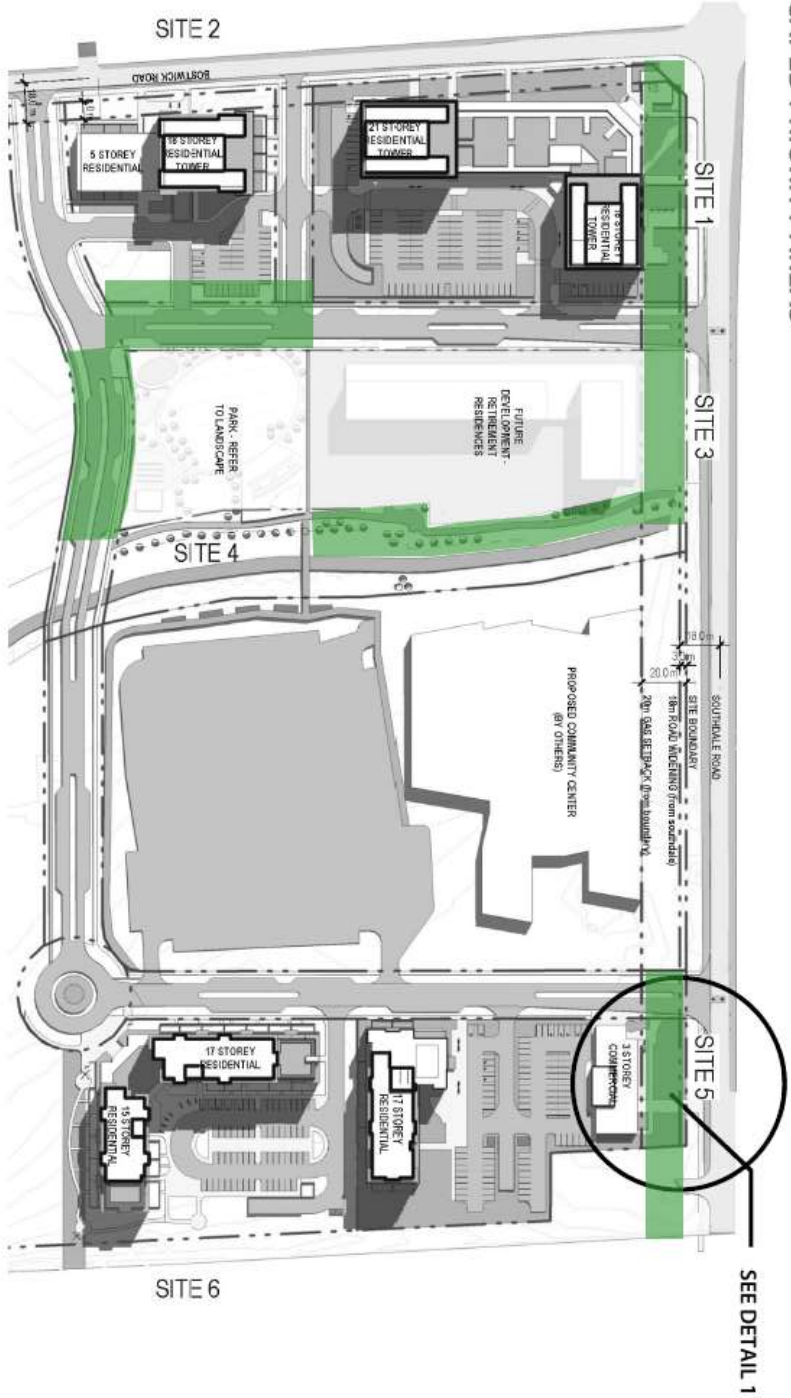
- 1 Street trees along internal street.
- 2 Formal plantings along street facing building edge.
- 3 Landscaped island within surface parking area.

- Where appropriate and where space allows, boulevard tree planting should be continuous along the length of the street with particular enhancements focused on arterial roads and primary on-street pedestrian routes. Street trees should generally be comprised of high branching, native deciduous tree varieties that should generally provide a continuous shade canopy at maturity.
- Encourage plant material providing for seasonal variation in form, colour and texture by using a variety of species such as: evergreens, trees which retain their fruit or foliage in winter; trees with unique branching; and trees with interesting bark texture and/or colour.
- Adequate and appropriate landscaping should be used to screen and separate parking, loading, service areas (i.e., storage areas, garbage and recycling enclosures) and utilities from residential uses, on-sight pedestrian areas, streets and other public spaces.
- Landscaping shall be designed to ensure it does not compromise the safety or security of pedestrians and vehicles and that the plant material will not interfere with hydro, sewage, water, drainage or other services within the development and on adjacent road allowances and properties.
- Employ shrubs and groundcovers and hardscape accents to promote and emphasize main building entrances.
- Consider integrating existing mature trees into site layouts, where practical and appropriate.
- Enhanced landscaping should be provided in the public realm, including multiple outdoor terraces and courtyards, landscaped areas, and parking islands.
- Particular attention should be paid to the landscaping design at the corner of the Civic Boulevard intersection and along the Southdale Road West development setback.
- Appropriate ecological buffers should be provided in the site design in accordance with approved environmental studies. Enhanced buffer planting is encouraged where appropriate.
- Surface parking areas should be broken up through the use of landscaping.
- Where surface parking abuts an internal road, landscaping should be used to screen the parking area.
- The interface along the internal road (Street 'A') facing the park is of particular importance and should be landscaped to ensure an attractive street edge condition.



Landscaping can be used to screen surface parking areas and to enhance the overall streetscape.

LANDSCAPED PRIORITY AREAS



Preliminary landscape concept (RKLAs) of enhanced landscaping within Union Gas development setback. Planting scheme includes a mix of softscape and hardscape elements and a strong pedestrian connection from the external sidewalk system to the proposed building. Street trees are shown along both Southdale Road West and the internal street (Street B').

**PRELIMINARY PLANTING LIST TO INFORM FUTURE COORDINATED LANDSCAPE PLANS**

**Street Trees:**



Red Maple, Sugar Maple and Shade Master Locust

**Within 20 metre Gas Setback:**



Red Maple, Sugar Maple and American Larch, Rock Cobble  
Contemporary Stone Outcrop, Concrete Paving with Banding

**Within Planting Beds along Building Frontages:**



Green Vase Zelkova, Karl Foerster  
Reed Grass, Sarcocoe Euonymus,  
Prince of Wales Juniper

**Within Parking Island Planting Areas:**



Anthony Waterer Spirea, False Spirea, Hick's Yew,  
Karl Foerster Reed Grass

#### 4.2 Built Form

It is an objective of the Master Plan Concept that building massing, orientation and articulation be designed to create a comfortable and engaging pedestrian environment. To support this objective, detailed designs for the various types of buildings proposed within the Master Plan should consider the following built form guidelines.

##### Apartment Buildings and Mixed Use High-Rise Buildings

###### Residential Entrances:

- Entrances to residential buildings should be clearly identified and located in a highly visible area.
- Provide pedestrian connections from building entrances to the surrounding public sidewalk system along Southdale Road West and Bostwick Road.
- Building lobbies for apartment buildings should be directly accessible to pedestrians, with entrances from both the primary building frontage as well as any parking areas. Building entrances should consider universal accessibility and weather protection.
- Landscaping at main residential building entrances is encouraged.
- Residential units within a podium base are encouraged to have direct access to the street to improve accessibility and to activate the streetscape.

###### Tower Separation:

- Multi-tower sites should be designed to provide adequate tower separation. A minimum separation of 25 metres is encouraged where possible. Closer separation may be considered where building orientation results in limited overlook.
- The location and orientation of towers can assist in achieving optimal tower separation while minimizing overlook.
- Where possible, setback tall towers 10 metres or more from side property lines abutting lands.

###### Building Articulation:

- Building façades should be articulated, with particular attention to building elevations visible from the surrounding public realm. Articulation of larger buildings should also be designed with elements that create a rhythm along the streetscape.
- High quality materials including sufficient glazing should be integrated into building facades to promote an attractive, modern design.
- A contemporary architectural style should be applied to building designs (1) to reflect, and integrate with, the Master Plan Concept and (2) to contribute to the pedestrian environment along the street frontages.

- Landmark buildings at the intersection of Southdale Road and Bostwick Road and primary frontages should be designed with a higher detail of architectural design, massing, orientation, siting and materials. Large windows and entrance features help to promote an active street frontage.
- Functional building elements (e.g., roof top mechanical equipment, air conditioning units, transformers, vents, utility meters) should be located in low visibility areas and, whenever possible, should be integrated into the building design to minimize the noise and visual impacts on adjacent uses, streets and other public areas.

#### Scale and Massing:

- Building height and massing should be designed to be compatible with the Bostwick Community Centre, and future high density residential development planned for 3080 Bostwick Road.
- Consideration should be given to breaking the massing of proposed buildings by using a number of techniques including: projections and recessions; changes in building materials/colours; and varying window size.
- The massing of all proposed buildings should create a comfortable pedestrian environment, which will be further enhanced through the provision of private amenity space, including a connected walkway/trail system.
- Repetition of lines and windows through both vertical and horizontal articulations and setbacks are encouraged to further break up building mass.
- Consideration should be given to designing high-rise residential towers with defined base, middle and top elements, where practical and appropriate from a design perspective, and in keeping with the broader objectives of these Guidelines.
- Podiums will generally be incorporated into towers and high-rise mixed use developments. Podium heights should range from three to six storeys with tower setbacks of 3.0 metres or greater. Other techniques to define the building base and to ensure a comfortable and engaging pedestrian environment may also be considered, in particular for more slender towers.

#### Balconies and Fenestration:

- Residential units may contain individual protruding balconies to further break up building mass.
- Distinctive vertical/horizontal components should be considered to provide further articulation for the tower elements, to extend the length of the tower components, to soften the massing of the building and help to frame, and enhance, the adjacent streetscapes.

#### Materials and Cladding:

- High quality building materials should be used throughout the Master Plan area.
- Variation in building materials, cladding and colours are encouraged, however throughout the Master Plan area building materials, colours and cladding should be coordinated to achieve a cohesive design aesthetic.



Amenity Spaces/Semi-Public Outdoor Spaces (Development Sites):

- Outdoor amenity space should be landscaped with high quality materials. Landscaping which incorporates hard and softscape materials is encouraged.
- Along street frontages, ground level patio areas are encouraged for podium units. These areas should be landscaped in a manner that clearly delineates public from private space.
- Coordinated landscape materials should be used for semi-public outdoor spaces, and these areas should be designed to complete landscaping within the public realm.

Garbage and Loading:

- Loading and garbage functions are encouraged to be incorporated into building designs. Garbage and recycling facilities shall also be designed to comply with any applicable municipal standards for waste storage and collection.
- Functional building elements (i.e., roof top mechanical equipment, air conditioning units, transformers, vents and utility meters) should be located in low visibility areas and, whenever possible, should be integrated into the building design to minimize the noise and visual impacts on adjacent uses, streets and other public areas.

Mixed-Use Entrances, Signage and Ground Floor (High-Rise Buildings):

- The ground floor of mixed-use buildings should be designed with a greater building height when compared to upper storeys.
- Any ground floor commercial/retail space should be visible from surrounding streets and should be designed with large windows.
- Retail units should have direct pedestrian access to the street to improve accessibility and to activate the streetscape.
- Design elements that assist in mitigating wind/weather impacts are encouraged.
- Signage should be unified in look and style, implementing the same branding, materials, and colour palette.



Townhouse podiums are encouraged to include pedestrian connections to the surrounding sidewalk system, as well as private ground floor amenity areas.



Any at-grade retail should be designed with a higher ground floor and a large percentage of windows/glazing.

## Townhouses

### Entrances:

- Townhouse units should be designed with individual entrances with direct access to the pedestrian walkway/sidewalk system. Entrances should be well defined and highly visible.
- Dual entrance townhouses are permitted and encouraged for townhomes abutting the street.

### Articulation:

- Townhouse building facades should be articulated, with particular attention to building elevations visible from the surrounding public realm.
- A contemporary architectural style should be applied to building designs (1) to reflect, and integrate with, the Master Plan Concept and (2) to contribute to the pedestrian environment along the street frontages.
- Design elements that break up the massing of longer townhouse blocks should be employed including projections/recessions; changes in building materials; the use of balconies/terraces; changes along the roofline and vertical and horizontal articulation.

### Materials and Cladding:

- High quality building materials should be used throughout the Master Plan area.
- Variation in building materials, cladding and colours are encouraged, however throughout the Master Plan area building materials, colours and cladding should be coordinated to achieve a cohesive design aesthetic.

### Front Yards:

- Traditional front yards are not required for townhomes. Instead, townhomes may be designed with at-grade patios/terraces and/or balcony space.

### Garages/Parking:

- Where possible garages/parking areas should be located away from the surrounding street network. Any garages that face the public street should be designed with high quality materials and should be flush with the habitable portions of the units.
- Surface parking areas should not be located between the townhouse units and a public street.



Any stand-alone townhomes should be designed with a contemporary style that complements the surrounding high-rise and mixed use buildings.

### Office Buildings

#### Entrances:

- The commercial/office building proposed on Site 5 should have direct pedestrian access from the Southdale Road West frontage.
- Entrances should be well defined and highly visible.
- Building entrances should also be provided from the internal parking area.

#### Scale and Massing:

- Building height and massing are designed to be compatible with the existing large format commercial developments within proximity of the project site.
- Similar to high rise buildings, a series of massing techniques should be employed to break up the massing of any office buildings.

#### Forecourts and Amenities:

- Forecourts and other outdoor amenity areas are encouraged, and should be coordinated with other landscaped areas within the Master Plan.
- The Union Gas development setback represents an opportunity for a landscaped entrance/amenity area along Southdale Road West.

#### Articulation of Ground Floor:

- The ground floor should be designed as visually distinct from upper storeys.
- Higher ground floor ceiling heights will allow for flexibility of uses over time.

#### Signage:

- Signage should be contemporary and incorporated within the building design. Ground-related signage should be designed consistent with the style of the building and should be incorporated within landscaped areas.

#### Materials and Cladding:

- High quality building materials should be used throughout the Master Plan area.
- Variation in building materials, cladding and colours are encouraged within the design of individual buildings, however throughout the Master Plan area building materials, colours and cladding should be coordinated to achieve a cohesive design aesthetic.

Garbage and Loading:

- Loading and garbage functions are encouraged to be incorporated into building designs. Garbage and recycling facilities shall also be designed to comply with any applicable municipal standards for waste storage and collection.
- Required loading areas should be screened from surrounding public streets.
- Functional building elements (e.g., roof top mechanical equipment, air conditioning units, transformers, vents, utility meters) should be located in low visibility areas and, whenever possible, should be integrated into the building design to minimize the noise and visual impacts on adjacent uses, streets and other public areas.



The above rendering (Site 5) illustrates a three storey office building with integrated signage; contemporary building materials; a ground floor that is visually distinct from upper storeys; and a number of design elements that break up the building massing.

#### 4.3 Active Transportation

**The Master Plan Concept has been designed to integrate into a walkable neighbourhood that is well connected and fully accessible to major destinations and surrounding neighbourhoods.** To help achieve this broad objective, the following design elements should be considered as part of Site and Block development.

- Internal streets and walkways should be located and routed to offer residents with excellent vehicular and pedestrian accessibility to the arterial road system, public transit connections, the community centre and open space features.
- Pedestrian and cycling connections are encouraged from residential areas to community parks, amenity areas, natural features and community facilities, and should be integrated with the network of active transportation routes planned for 3080 Bostwick Road.
- Sidewalks, multi-use pathways and walkways will be designed in accordance with City standards, will be subject to municipal review, and may be provided by the City. Generally, these accesses should be adequately buffered from vehicular traffic by way of positioning and/or landscaping. Widened travel lanes should be considered to accommodate bicycles, where practical and appropriate.
- Crosswalks should be universally accessible and adhere to Accessibility for Ontarians with Disabilities Act (AODA) regulations with dropped and textured curb cuts installed at all intersections to eliminate barriers to crossing the street.
- Pedestrian connections/walkways should be of a different material and appearance than vehicular routes and should be landscaped and lighted to promote the safety and comfort of pedestrians.
- Clearly delineated pedestrian connections should link main building entrances, parking areas, on-site communal recreation areas and any adjacent open space, trails and public sidewalks.
- Buildings and parking areas should be located and designed to minimize the distance to off-site pedestrian networks and the number and length of driveways and parking areas that pedestrians have to cross to reach main building entrances.
- Where practical, main level apartments should have direct access to walkways/streets. Where townhouses are proposed in a development plan, main level units should have private entrances with walkway connectivity.
- Bicycle parking should be provided in storage lockers within the parking garage and at-grade in proximity to building entrances. Storage lockers and racks should have direct connectivity to pathways and sidewalks with linkages to multi-use pathways.
- Promote barrier-free walkways and entrances, whenever practical. Further, barrier-free parking spaces should be positioned in close proximity to main building and park entrances.
- Emergency access routes and related facilities and signage will be designed to comply with all applicable regulations. On-site landscaping shall be designed to maintain fire hydrant visibility.

#### 4.4 Public Realm

##### Streetscapes

###### Civic Boulevards:

- A coordinated approach to landscaping is strongly encouraged throughout the Master Plan area. This includes coordinated landscaping along the arterial road (Civic Boulevard) corridors. The preliminary planting list included within the Landscape Design section of these Guidelines should be considered.
- The Union Gas development setback from Southdale Road West should be treated as a landscape opportunity. Enhanced landscaping within this setback is strongly encouraged and will form part of the associated streetscape plan. The landscape plans for Sites 1, 3 and 5 within this setback should include coordinated elements, where practical and appropriate.
- Where appropriate and where space allows, boulevard tree planting should be continuous along the Southdale Road West frontage. Street trees should generally be comprised of high branching, native deciduous tree varieties to generally provide a continuous shade canopy at maturity.
- Encourage plant material providing for seasonal variation in form, colour and texture by using a variety of species such as: evergreens, trees which retain their fruit or foliage in winter; trees with unique branching; and trees with interesting bark texture and/or colour.
- To enhance pedestrian connectivity, a multi-use pathway should be provided from Bostwick Road to the Bostwick Community Centre .

###### Neighbourhood Streets and Connectors:

- Streetscape plans for neighbourhood connectors should be designed to complement the streetscape plans for the Civic Boulevards. This includes the use of similar tree species.
- Adequate and appropriate hardscaping/softscaping elements should be used to soften/screen parking areas and larger buildings from neighbourhood connector streets. Where space allows, shrubs and groundcovers should be provided between the street line and the buildings and used primarily to frame buildings, define building entrances and walkways, and enhance the streetscape appearance.
- A substantial proportion of landscaped areas and boulevards should be planted with a variety of trees and plant material. Native plants which are tolerant to disease, drought conditions and road salt should comprise a substantial proportion of the plant material installed on sites and street boulevards.
- Where appropriate and where space allows, boulevard tree planting should be continuous along the length of the street with particular enhancements focused on the park frontage. Street trees should generally be comprised of high branching, native deciduous tree varieties to generally provide a continuous shade canopy at maturity.
- Encourage plant material providing for seasonal variation in form, colour and texture by using a variety of species such as: evergreens, trees which retain their fruit or foliage in winter; trees with unique branching; and trees with interesting bark texture and/or colour.

## Public and Semi-Public Spaces

### Urban Park (Block 4)

- An urban park is proposed for Block 4 adjacent to the Thornicroft Drain corridor (Block 11). It is anticipated that the City of London will be responsible for park design. Notwithstanding, it is encouraged that this community-oriented feature include plant materials and design elements coordinated with those found elsewhere in the Master Plan area (particularly Sites 2 and 3).
- A strong street presence is encouraged along the park which can be achieved through the inclusion of low rise buildings and/or landscape materials along the frontage that would also allow for visibility into the park space.
- It is anticipated that this park will function as an Urban Park in keeping with the City of London's Design Standards. Urban parks are intended to be focal points within a neighbourhood that serve as a formal gathering space for area residents. Urban parks provide a high level of design quality, including features such as extensive hard surfaces, outdoor lighting, irrigation seating and horticultural features. These public spaces should be highly visible with maximum street frontage and linked to surrounding park corridors within the development.

### Thornicroft Drain

- The Thornicroft Drain corridor (Block 11) is intended to be multi-functional, acting as an amenity feature, pedestrian connection, stormwater and riparian corridor. It is anticipated that the City of London will ultimately be responsible for Block 11. Within this corridor, a linear north/south pathway should be constructed adjacent to the Thornicroft Drain, with direct pedestrian connections to Site 3 and the proposed urban park, as well as and linkages to Sites 1 and 2.
- To provide connectivity to the Bostwick Community Centre and Sites 1 and 6, a pedestrian bridge should also be provided across the Thornicroft Drain channel. Sight lines into the park and to the bridge from the local street should be considered in relation to pathway and bridge location and alignment. The trail connection should consider universal design principles.

### Linear Space Along Southdale Road West (Development Setback)

- The Union Gas development setback from Southdale Road West should be treated as a landscape opportunity. Enhanced landscaping within this setback is strongly encouraged. The landscape plans for Sites 1, 3 and 5 within this setback should include coordinated elements, where practical and appropriate.
- Consideration should be given to the preliminary planting list and hardscape materials outlined within the Landscape Design section of these Guidelines.

LANDSCAPE PRECEDENT IMAGES FOR PUBLIC AND SEMI-PUBLIC SPACES



Urban park design should include space for community events and activities.



The park should be designed to accommodate a wide range of users.



Landscape design elements which reflect the urban setting proposed by the Master Plan Concept are encouraged.



A north/south pedestrian trail along the Thornicroft Drain corridor would provide a linear connection from Southdale Road West and could be design to reflect a more urban aesthetic



A mix of street trees, hardscape areas and planting beds should be incorporated within the development setback. This setback should be considered an opportunity for a strong east/west linear feature.



## 5.0 SUSTAINABILITY TECHNIQUES

- New development will be designed and built with consideration for various sustainability techniques. Energy efficient construction practices, building technologies, and mechanical systems are encouraged.
- Development forms that minimize land consumption will be promoted in the Master Plan area, including medium and high density housing. Structured parking facilities are also encouraged to minimize land consumption.
- London Transit Commission bus routes are located within close proximity of the Site. It is anticipated that, over time, transit service will be expanded along Southdale Road West and Bostwick Road. Active transportation is to be facilitated by the provision of pedestrian connections to both the existing sidewalk system and surrounding uses.
- Landscape plans should considered incorporating hard landscape elements and drought resistant landscaping to reduce water consumption. Salt tolerant landscaping in key locations will also be encouraged.
- Landscaping in proximity to surface parking areas will assist in reducing the heat island effect. Increased topsoil depths in landscaped areas are encouraged to reduce runoff volumes.
- The inclusion of architectural features that provide shelter opportunities is strongly encouraged (e.g., awnings, canopies).
- Landscaped areas should be strategically placed to provide further shading opportunities.
- The Thornicroft Drain channel connects environmentally further south beyond the site. The use of locally native plant species within this corridor should be considered to strengthen this connection, where appropriate.
- Buildings will meet or exceed Ontario Building Code requirements and building designs will consider the use of sustainable technologies and materials.

## 6.0 IMPLEMENTATION

The Urban Design Guidelines for 3080 Bostwick Road will be implemented by way of an Official Plan Amendment and the removal of holding provision H-220 applied to this property pursuant to By-Laws Z.-1-182711, Z.-1-182712 and Z.-1-182713. Achieving the vision and design objectives established thorough the Master Plan Concept exercise will require commitment by those parties developing individual Sites and Blocks.

### Development Review

Developers of Sites within 3080 Bostwick Road will prepare site plans, building elevations and landscape plans with due consideration for the design direction and objectives set out in these Guidelines.

Site plans and building elevations for Individual Sites will be reviewed by the City of London to assess consistency with the Guidelines and to satisfy Holding Provision H-221 referenced to the right (where applicable).

*Holding Provision 'H-221'*

*Purpose: To ensure that new development is designed and approved consistent with the Urban Design Guidelines prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, the site plan, building elevations, and landscape plan will be assessed for compliance with the approved Urban Design Guidelines during the site plan approval review process; and a development agreement entered into to the satisfaction of the City of London prior to the removal of the h-(\*\*)  
symbol.*

### Final Designs

Developers may be required to further refine the design concepts to address comments received from the City of London. At this stage, developers will be required to prepare updated site plans, elevation plans and landscape plans (as applicable).

### Submission of Building Permit Application

Building plans, consistent with approved Site Plan Approval drawings, shall be submitted to the City of London to support building permit applications.

MASTER PLAN CONCEPT (INTERSECTION PERSPECTIVE)



**Appendix B**

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

By-law No. C.P.-1512( )-\_\_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 3080  
Bostwick Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add the Urban Design Guidelines for 3080 Bostwick Road to the list of guideline documents in Policy 1716 of The London Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3080 Bostwick Road in the City of London.

C. BASIS OF THE AMENDMENT

The Urban Design Guidelines for 3080 Bostwick Road provide guidance to developers, builders, consultants, the public and municipal staff to assist with the evaluation of planning and development applications to facilitate a consistent and comprehensive development pattern.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

Policy 1716\_ \_\_. Urban Design Guidelines for 3080 Bostwick Road



## Appendix C

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

By-law No. C.P.-1512( )-\_\_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 3080  
Bostwick Road.

The Municipal Council of The Corporation of the City of London enacts as  
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PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a new policy in Section 1565\_5 of The London Plan (Southwest Area Secondary Plan) for the City of London to add the Urban Design Guidelines for 3080 Bostwick Road to the Bostwick Residential Neighbourhood.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3080 Bostwick Road in the City of London.

C. BASIS OF THE AMENDMENT

Section 1565\_5 of The London Plan is the Southwest Area Secondary Plan which includes more specific policy guidance for the plan area. The recommended amendment will add the Urban Design Guidelines for 3080 Bostwick Road to provide guidance to developers, builders, consultants, the public and municipal staff to assist with the evaluation of planning and development applications to facilitate a consistent and comprehensive development pattern.

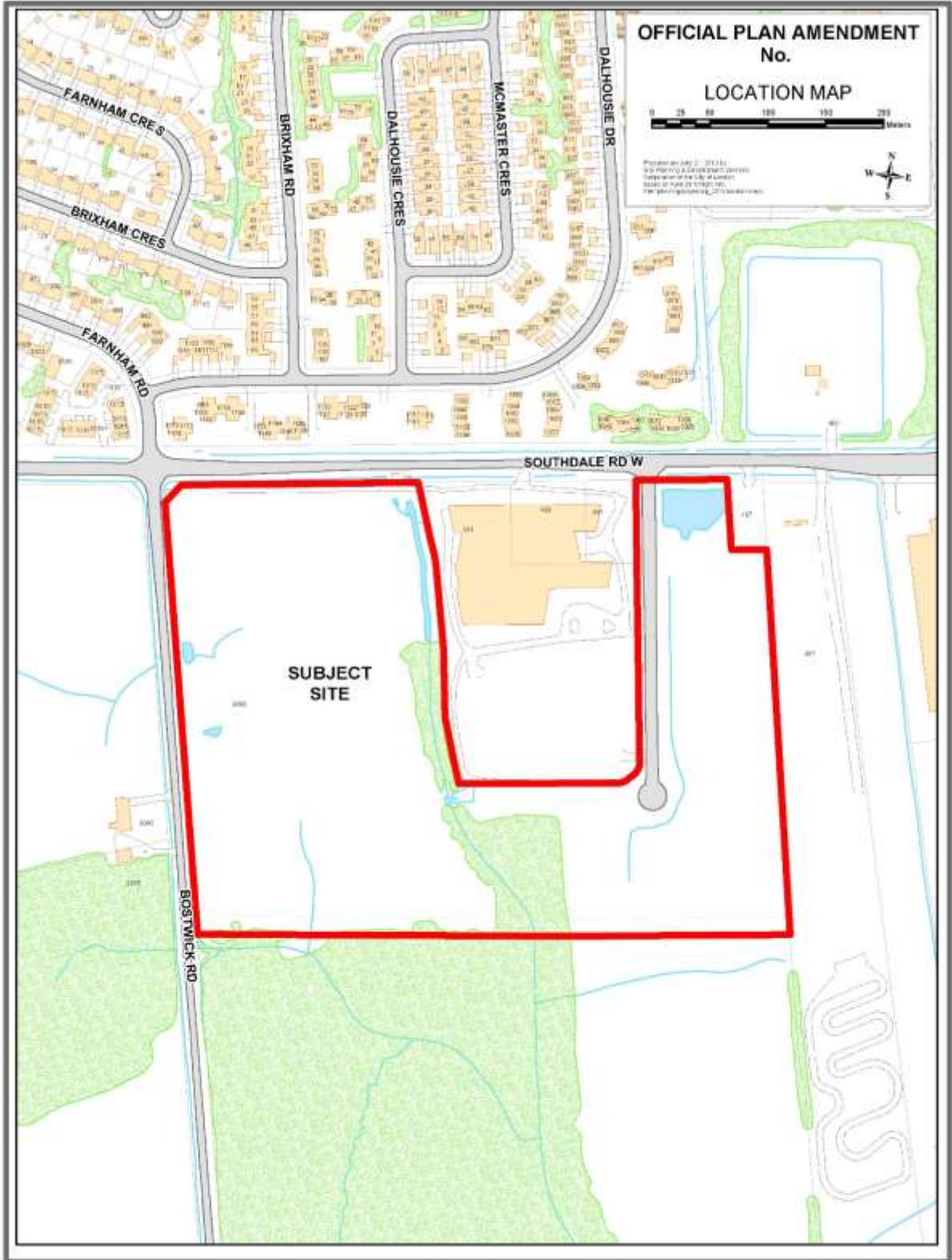
D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

Section 20.5.9.2 “Bostwick Residential Neighbourhood – High Density Residential” of the Official Plan – Southwest Area Secondary Plan for the City of London is amended by adding the following:

\_\_\_) The property municipally known as 3080 Bostwick Road is subject to the Urban Design Guidelines for 3080 Bostwick Road.





## Appendix D

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

By-law No. C.P.-1512( )-\_\_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to Sites  
1 and 5 at 3080 Bostwick Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for  
the City of London Planning Area – 2016, as contained in the text attached hereto and  
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of  
the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a new policy in Section 1565\_5 of The London Plan (Southwest Area Secondary Plan) for the City of London to add Sites 1 and 5 to list of locations that permit convenience commercial uses.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to Sites 1 and 5 at 3080 Bostwick Road in the City of London.

C. BASIS OF THE AMENDMENT

Section 1565\_5 of The London Plan is the Southwest Area Secondary Plan which includes more specific policy guidance for the plan area. The recommended amendment will add Sites 1 and 5 of 3080 Bostwick Road to the list of locations that permit convenience commercial uses.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

Section 20.5.17.3.3.6.5.vi) “Policies from Official Plan (1989) – Locations of Convenience Commercial and Service Stations” – Southwest Area Secondary Plan for the City of London is amended by adding the following:

( ) 3080 Bostwick Road: Site 1 southeast corner of Bostwick Road and Southdale Road West intersection – convenience commercial uses

( ) 3080 Bostwick Road: Site 5 southeast corner of Street B (as in 39T-18502) and Southdale Road West intersection – convenience commercial uses



**Appendix E**

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 3080  
Bostwick Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add the Urban Design Guidelines for 3080 Bostwick Road to the list of guideline documents in Section 19.2.2 of the 1989 Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3080 Bostwick Road in the City of London.

C. BASIS OF THE AMENDMENT

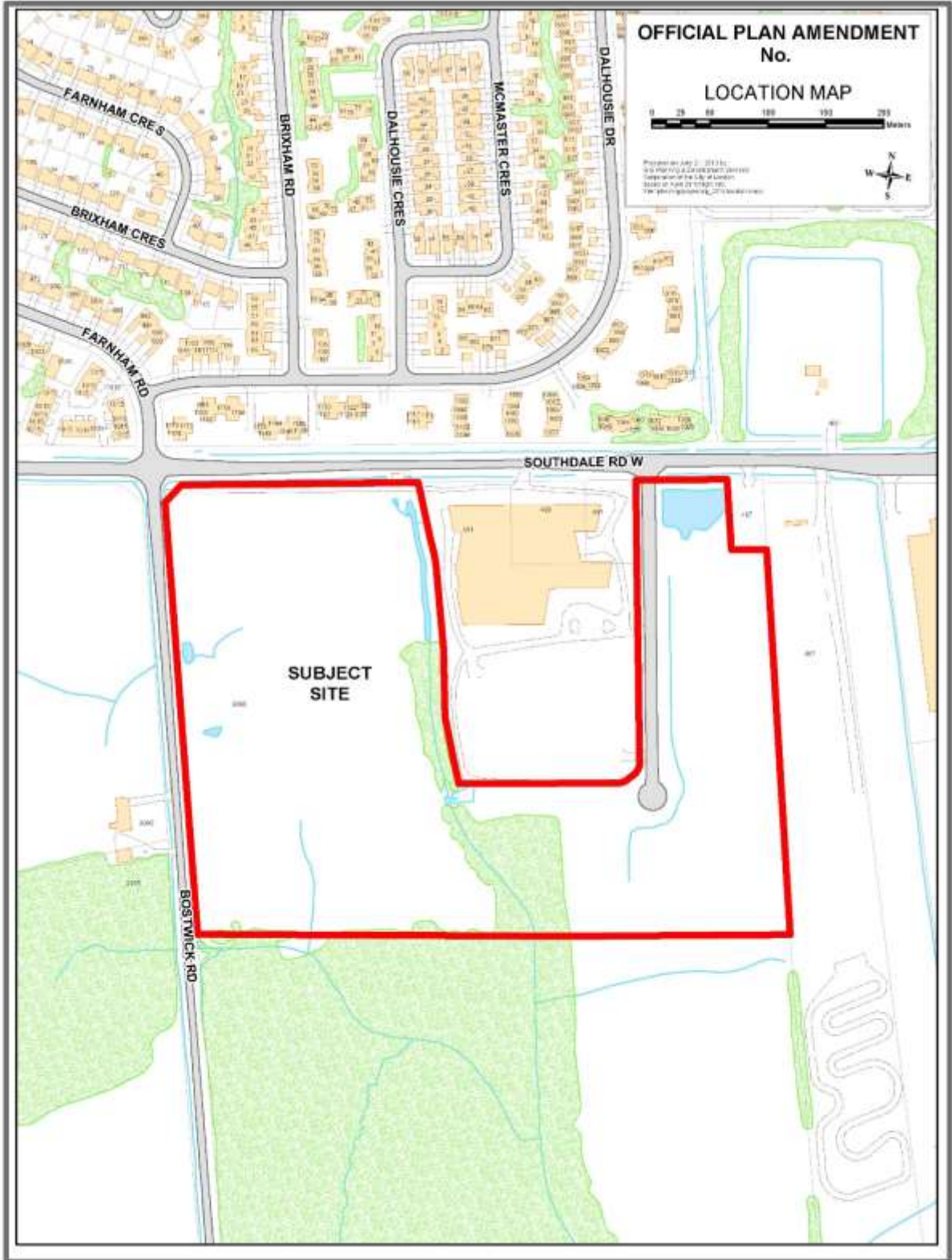
The Urban Design Guidelines for 3080 Bostwick Road provide guidance to developers, builders, consultants, the public and municipal staff to assist with the evaluation of planning and development applications to facilitate a consistent and comprehensive development pattern.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

Section 19.2.2 of the Official Plan for the City of London is amended by adding the following:

19.2.2.ii) \_\_\_) Urban Design Guidelines for 3080 Bostwick Road



**Appendix F**

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 3080  
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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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019



**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a new policy in Section 20.5 to the Official Plan (Southwest Area Secondary Plan) for the City of London to add the Urban Design Guidelines for 3080 Bostwick Road to the Bostwick Residential Neighbourhood.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3080 Bostwick Road in the City of London.

C. BASIS OF THE AMENDMENT

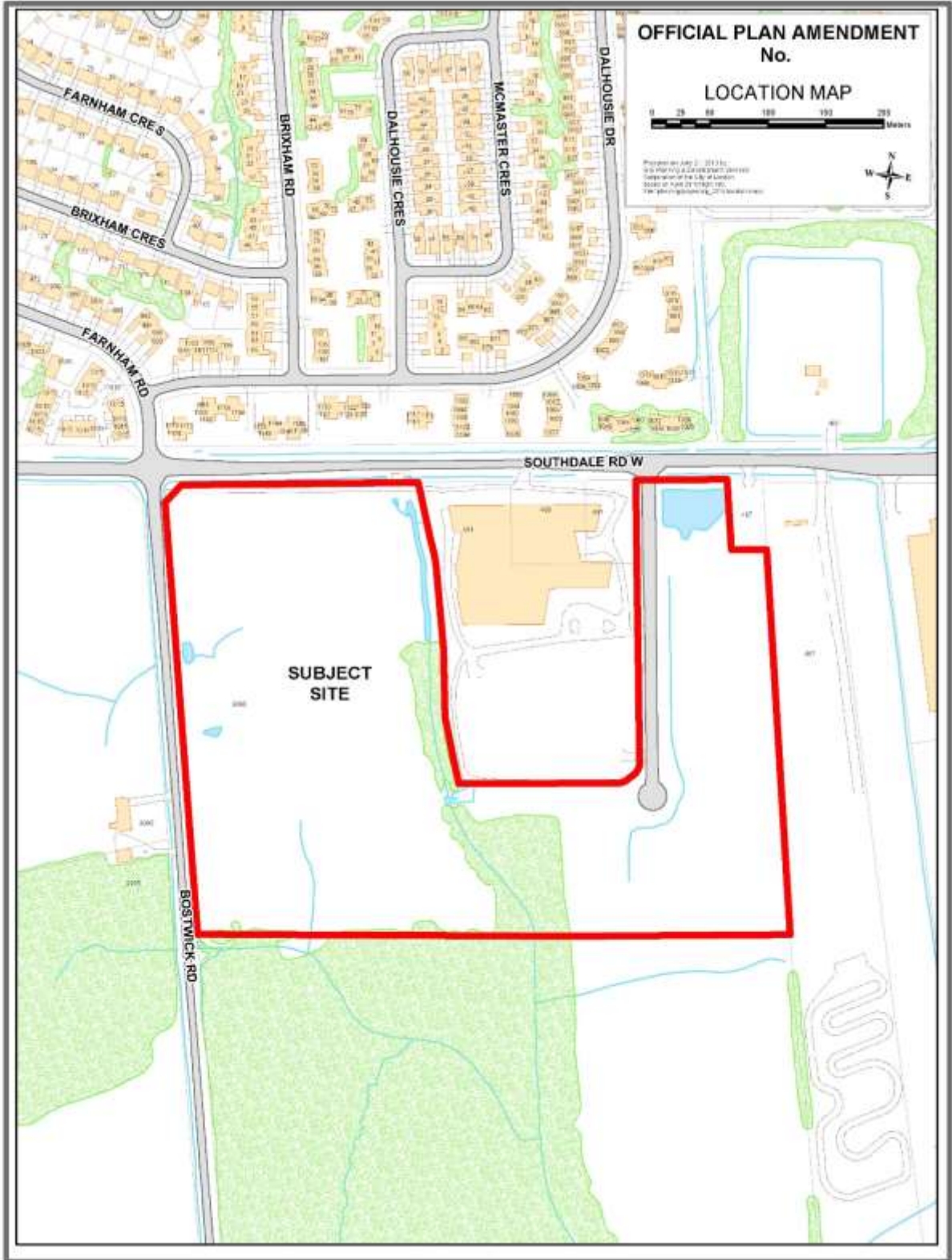
Section 20.5 of the Official Plan is the Southwest Area Secondary Plan which includes more specific policy guidance for the plan area. The recommended amendment will add the Urban Design Guidelines for 3080 Bostwick Road to provide guidance to developers, builders, consultants, the public and municipal staff to assist with the evaluation of planning and development applications to facilitate a consistent and comprehensive development pattern.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

Section 20.5.9.2 “Bostwick Residential Neighbourhood – High Density Residential” of the Official Plan – Southwest Area Secondary Plan for the City of London is amended by adding the following:

\_\_\_) The property municipally known as 3080 Bostwick Road is subject to the Urban Design Guidelines for 3080 Bostwick Road.



**Appendix G**

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 Sites  
1 and 5 at 3080 Bostwick Road.

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

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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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a new policy in Section 20.5 to the Official Plan (Southwest Area Secondary Plan) for the City of London to add Sites 1 and 5 to the list of locations that permit convenience commercial uses.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to Sites 1 and 5 at 3080 Bostwick Road in the City of London.

C. BASIS OF THE AMENDMENT

Section 20.5 of the Official Plan is the Southwest Area Secondary Plan which includes more specific policy guidance for the plan area. The recommended amendment will add Sites 1 and 5 of 3080 Bostwick Road to the list of locations that permit convenience commercial uses.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

Section 20.5.17.3.3.6.5.vi) “Policies from Official Plan (1989) – Locations of Convenience Commercial and Service Stations” – Southwest Area Secondary Plan for the City of London is amended by adding the following:

( ) 3080 Bostwick Road: Site 1 southeast corner of Bostwick Road and Southdale Road West intersection – convenience commercial uses

( ) 3080 Bostwick Road: Site 5 southeast corner of Street B (as in 39T-18502) and Southdale Road West intersection – convenience commercial uses



## Appendix H – Public Engagement

### Community Engagement

**Public liaison:** On February 20, 2019, Notice of Application was sent to 125 property owners in the surrounding area, and on July 2, 2019 Notice of Revised Application and Public Meeting was circulated. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 21, 2019, and the Notice of Revised Application and Public Meeting was published on July 4, 2019. A “Planning Application” sign was also posted on the site.

No replies were received.

**Nature of Liaison:** Possible amendment to section 19.2 of the 1989 Official Plan, policy 1716 of The London Plan, and Section 20.5.16.13 of the Southwest Area Secondary Plan to adopt Urban Design Guidelines for lands at 3080 Bostwick Road as an official guideline document.

Possible amendment to bring forward the permission for convenience commercial uses on Sites 1 and 5 to the Southwest Area Secondary Plan granted in the 1989 Official Plan as a house-keeping amendment. Site 1 is located at the southeast corner of Southdale Road East and Bostwick Road, and Site 5 is located at the southeast corner of Southdale Road East and Street B (Yorkville Street). Possible amendment to Section 20.5.17.3.3.6.5.vi) to permit convenience commercial uses on Sites 1 and 5.

**Responses:** A summary of the various comments received include the following:  
**Concern for:**

No responses were received.

## Agency/Departmental Comments

Urban Design Peer Review Panel – April 5, 2019



# Memo

**To: Proponents**

- Ali Soufan, York Developments
- Andrea Sinclair, Urban Designer, MHBC
- Scott Allen, Planner, MHBC

**City of London Personnel**

- Sonia Wise, Senior Planner
- Jerzy Smolarek, Urban Designer

**From: Urban Design Peer Review Panel (UDPRP)**

- Steven Cooper, Architect (declared conflict)
- Andrew Bousfield, Urban Designer
- Heather Price, Urban Designer
- McMichael Ruth, Architect
- Tim O'Brien, Landscape Architect
- Ryan Ollson, Architect

**RE: Site Plan Application: 3080 Bostick Road Urban Design Guidelines Presentation & Review, March 20, 2019**

The Panel provides the following feedback on the submission to be addressed through the Site Plan application:

- The Panel would like to thank the applicant for returning to the panel to further refine the planning and Urban Design Guidelines for the proposed development.
- We applaud the notion of providing a coordinated effort of development. However, this effort needs to be advanced further, in a more detailed fashion. The guidelines could be more specific in terms of landscape / streetscape elements such as medians, crosswalks, planting beds, tree planting pits, sustainable technologies, etc. The guideline should provide further refinement and focus on development of the public realm.
- The guidelines should take a step back and create diagrams that define the overall vision for the site, such as: streetscapes; building orientation; high buildings vs. low buildings; shadow impacts; greenspace etc. Some material shown in the presentation to the panel was not included in the Design Guideline, which would benefit from being included.
- The public realms, such as the streetscapes, bike paths, connections across the streets, access to parks, sidewalks, should all be further developed and articulated, specifically for the internal streets. Street sections should be provided at all interior streets.
- The Panel has noted the landscape guidelines are very high level at this point in time and could benefit from further development.
- The greenway is a critical portion of the site design. Consideration should be given to how this connects environmentally further south beyond the site. Use of locally native plant species could assist in this.
- The Panel supports the coordinated design approach; however, specifics of the elements need to be slightly more prescribed.

- The Panel suggested further refinement regarding the development's sustainability attributes could be further discussed, and could be incorporated with the theming of the palette and landscaping.
- It could be a good idea to provide a plant palette that supports the overall vision and strengthens a collective approach – more prescriptive for such things as sizing (large canopy vs medium vs small, etc.) and application (street tree vs screening vs accent, etc.).
- The Panel suggests that all drawings should be based off of the same background drawings, there are current discrepancies between the landscape drawings and site plans as shown.
- Moving forward, Site 5 can proceed based on the comments made by the Panel to date and doesn't require a return visit to the Panel. However, future sites will have to come to the Panel on a site by site basis. We will prepare comments based on this discussion and circulate it to the Applicant. The Applicant will digitally send an updated Urban Design Guideline to the Panel for final comments.

**Concluding comments:**

The Panel requests that additional modification of the public realm and landscape criteria be considered within the proposed Urban Design Guidelines. The Panel requests that all submissions, excluding Site 5, return to the Panel for detailed comments at the time of each site plan proposal.

Sincerely on behalf of the UDPRP,

A handwritten signature in black ink, appearing to read "S. Cooper", written over a horizontal line.

Steven Cooper, OAA, LEED AP (BD+C), UDPRP Chair



## Appendix I – Policy Context

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

### Provincial Policy Statement, 2014

1.1.3.1 – settlement areas

1.7.1.d – sense of place

### The London Plan

61\_3 – key directions healthy and attractive neighbourhoods

61\_9 – well-designed public spaces

190 – sense of place

191 – pedestrian and transit oriented

189 – built form and natural form

190 – sense of place

195 – guidelines may be adopted for specific areas

202\* – neighbourhood character and identity

203\* – neighbourhood focal points

242 – public space support planned vision

243 – parks, trails and open space integrated into neighbourhoods

221 – design of streetscapes

252 – site layout of new development

306 – UDPRP

1556 – Southwest Area Secondary Plan

1558\* - Southwest Area Secondary Plan role

1716 – Guideline Documents

### 1989 Official Plan

2.2.1.vi – vision statement

2.14.2 – high standard of architecture

19.2.2 – Guideline Documents

### Southwest Area Secondary Plan

20.5.1.3 – attractive urbanism

20.5.3.9– vibrant and dynamic neighbourhoods

20.5.3.9.i.f – parks as central meeting spaces

20.5.3.9.iii.a – sense of enclosure

20.5.3.9.iii.j – buildings spatially define the street

20.5.9.i – function of Bostwick Neighbourhood

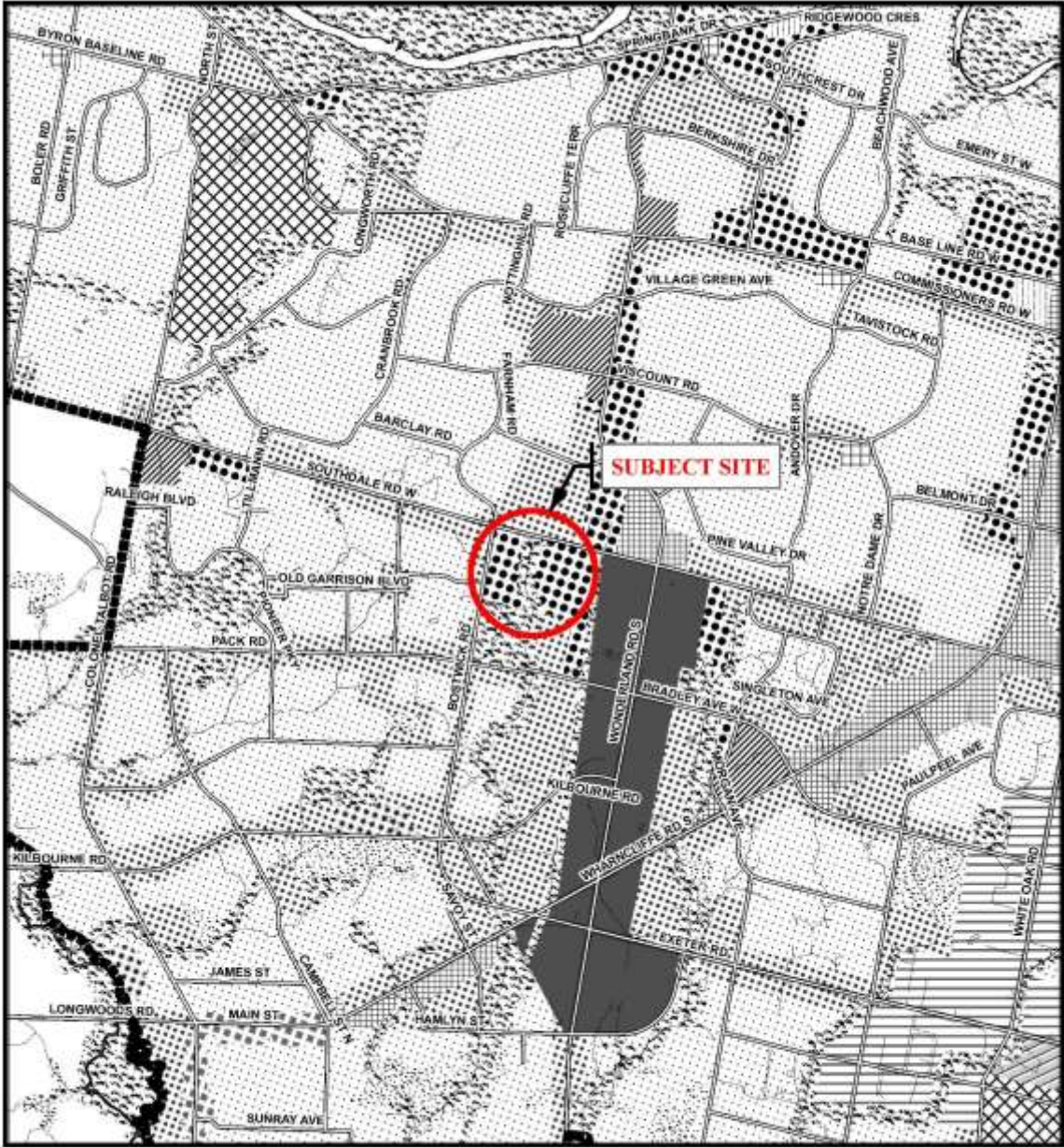
20.5.9.ii – character of Bostwick Neighbourhood

20.5.17.3.3.6.5.vi – Locations that permit Convenience Commercial Uses

**Appendix J – Relevant Background**



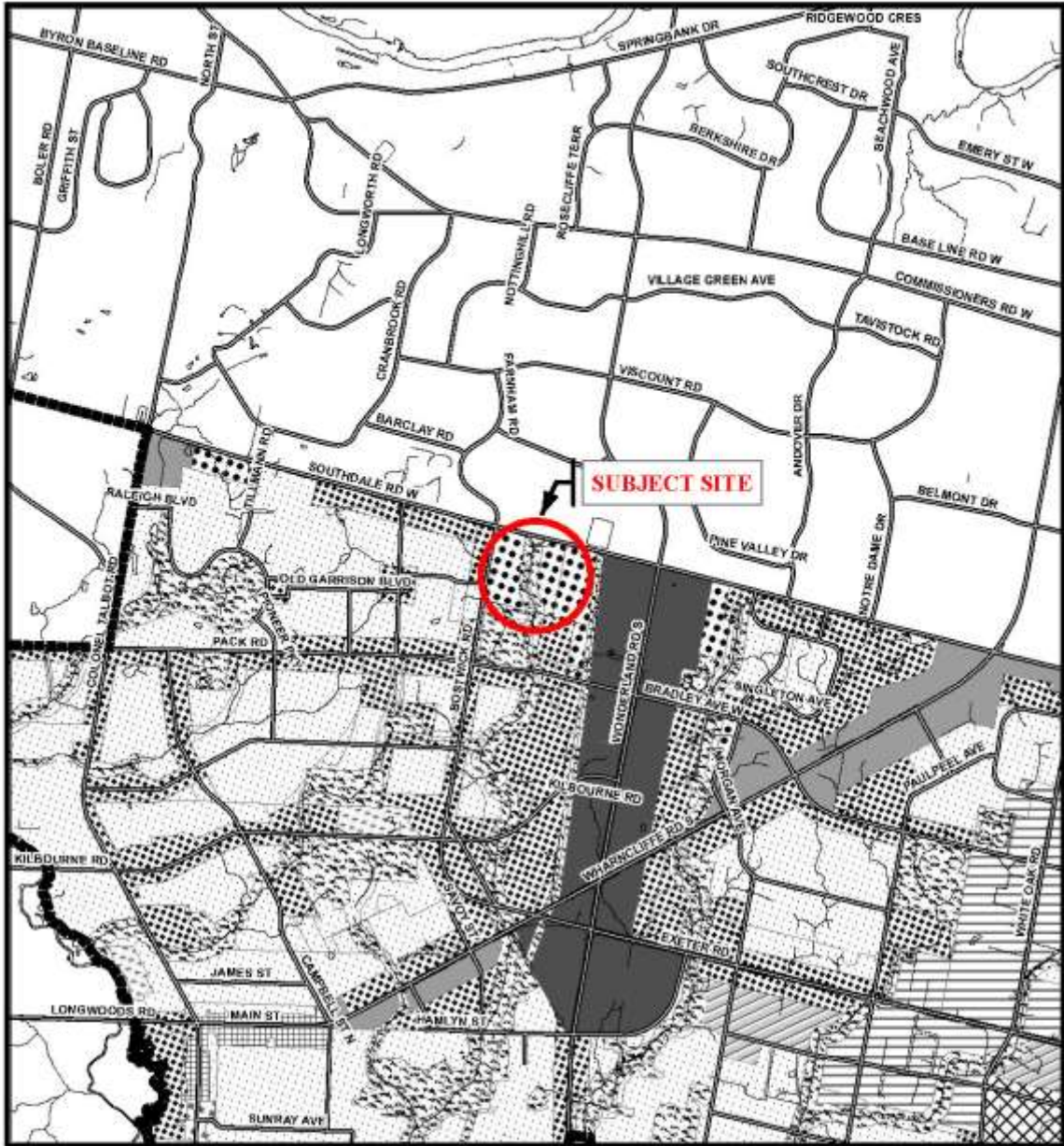
<b>LOCATION MAP</b>	
<p>Subject Site: 3080 Bostwick Road Applicant: 731675 Ontario Ltd. File Number: O-9025 Planner: Sonia Wise Created By: RC Date: 21/06/2019</p>	
<p>Corporation of the City of London Prepared By: Planning and Development</p>	<p><b>Legend</b>  Subject Site</p>
<p>Scale 1:1500</p>	



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

<p><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: O-9025</p> <p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/06/21</p>
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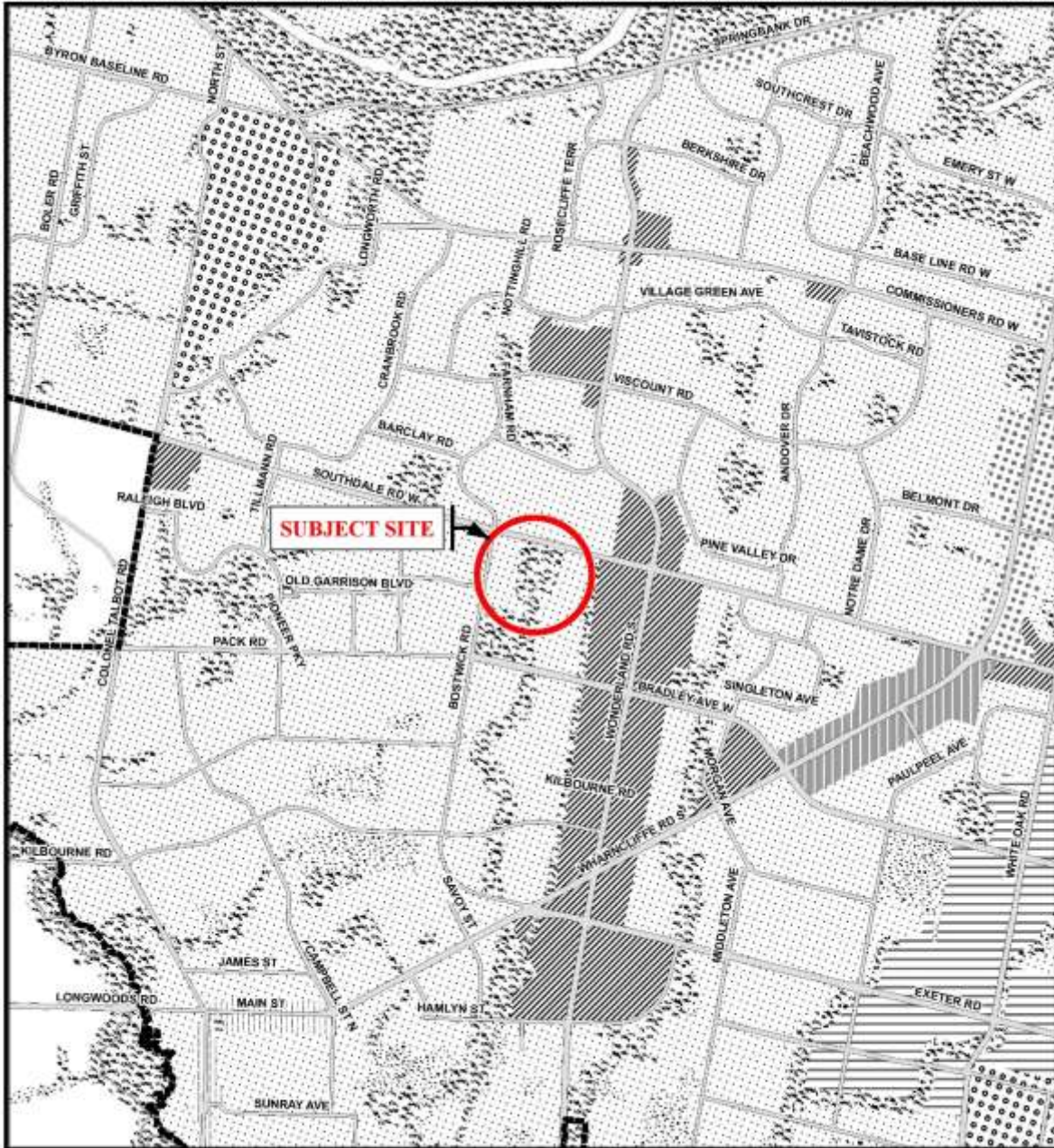


Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p><b>CITY OF LONDON</b> Planning Services / Development Services</p> <p>SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: O-9025</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/06/21</p>

PROJECT LOCATION: s:\planning\projects\p\_official\plan\work\consolid00\excerpt\mxd\_templates\scheduleA\_b6w\_bx14\_with\_SWAP.mxd



**Legend**

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

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

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

**CITY OF LONDON**

Planning Services /  
Development Services

**LONDON PLAN MAP 1  
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



**File Number:** O-9025

**Planner:** SW

**Technician:** RC

**Date:** June 21, 2019



**Additional Reports**

OZ-6662: 2004 Request for Official Plan and Zoning By-law Amendments to develop site for various residential and commercial uses

O-7609: 2012 Council Approved Official Plan Amendments associated with Southwest Area Plan

OZ-8941: October 9, 2018 Public Participation Meeting Report

Z-8942: October 9, 2018 Public Participation Meeting Report

OZ-8943: October 9, 2018 Public Participation Meeting Report

39T-18502/Z-8931: October 9, 2018 Public Participation Meeting Report

OZ-8941: November 12, 2018 Public Participation Meeting & Recommendation Report

Z-8942: November 12, 2018 Public Participation Meeting & Recommendation Report

OZ-8943: November 12, 2018 Public Participation Meeting & Recommendation Report

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.7 PUBLIC PARTICIPATION MEETING – Application – 3080 Bostwick Road (O-9025)

- Scott Allen, MHBC, on behalf of the applicant – indicating that Mr. A. Soufan representing York Developments is in attendance with him; expressing support for the findings and recommendations of the planning report presented by Ms. Wise, Senior Planner; thanking Ms. S. Wise, Senior Planner and Mr. J. Smolarek, Urban Designer, for their attention to this application and for their assistance and directing them through the design guidelines process.
- Amanda Topping, 3095 Bostwick Road – speaking on behalf of her grandfather Glenn Topping; indicating that on page 498 of the Planning and Environment Committee Agenda, you can see their little house there; stating that they are located on two hundred acres on the other side of this development; indicating that on that development there is actually cows and horses and what is not really demonstrated through this application; advising that they have just found out about this process because her grandfather and his brother have been receiving the invites to come to these meetings; indicating that this is the first time that anyone in their family has attended; pointing out that she is actually sixteen generation farmer person in London and her grandfather is thirteenth generation; noting that he is ninety-one; stating that the farm is still there, there are still horses on it and that that picture of the high rises would be actually directly across from the field that they stay in and so we are here to basically ask if there is some more time that they can have to review this information because it is over seventy-five pages that they have just been able to read; expressing surprise by the things that have been accepted for developments without the sustainability of farming and agriculture in mind and then also the impact of the environment that could be taken in place.



## 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:** 2648822 Ontario Inc.  
1076 Gainsborough Road

**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2648822 Ontario Inc. relating to the property located at 1076 Gainsborough Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting July 29, 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 Holding Business District Commercial (h-17\*BDC) Zone, **TO** a Business District Commercial Special Provision (BDC\*H15.5\*D90(\_)) Zone;
- (b) **IT BEING NOTED** that the following site plan matters have been raised during the public participation process:
  - i) Outdoor garbage storage (central location and not along the western property line); and,
  - ii) Landscaping along westerly property line to help provide additional privacy to abutting rear yards.

## Executive Summary

### Summary of Request

The requested amendment is to permit a height of 15.5 metres, density of 90 uph and a total of 55 parking spaces on the subject site. This will allow for the development of a 4-storey mixed use apartment building with a total of 32 residential units and approximately 311m<sup>2</sup> of commercial space on the main floor fronting Gainsborough Road. It should be noted that no change of uses are being requested through this amendment.

### Purpose and the Effect of Recommended Action

The purpose and effect of the requested amendment is to permit a mixed-use apartment building with a maximum height of 4-storeys which will include 32 dwelling units and 311m<sup>2</sup> of commercial space. The recommended amendment will also facilitate the removal of the h-17 holding provision.

### 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 the in-force policies of The London Plan including, but not limited to, the Main Street Place Type policies.
3. The recommended amendment facilitates the redevelopment of an underutilized site and encourages an appropriate form of development.
4. The subject lands are located in a location where intensification can be accommodated given the existing municipal infrastructure, location on and near arterial roads and close proximity amenities and transit services.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is located within the Hyde Park Village and is approximately 100 metres west of Hyde Park Road on the south side of Gainsborough Road. The westerly side yard of the subject site abuts the rear yards of the single detached dwellings that run along Prince of Wales Gate which runs through the subdivision to the southwest. The subject site is 0.40 ha (0.99ac) in size and is rectangular in shape and currently has an vacant dwelling and garage on it. To the north of the site is a row of single detached dwellings with light industrial uses to their rear. To the east is the Hyde Park corridor comprised of mainly commercial/retail type uses. Directly south and west is a subdivision composed of large lots with single detached dwellings.

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

- Official Plan Designation – Main Street Commercial Corridor
- The London Plan Place Type – Main Street Place Type
- Existing Zoning – Holding Business District Commercial (h-17\*BDC) Zone

#### 1.3 Site Characteristics

- Current Land Use – Dwelling and Garage
- Frontage – 38.4m (126.0ft)
- Depth – 103m (338ft)
- Area – 0.4 ha (0.99ac)
- Shape – Rectangular

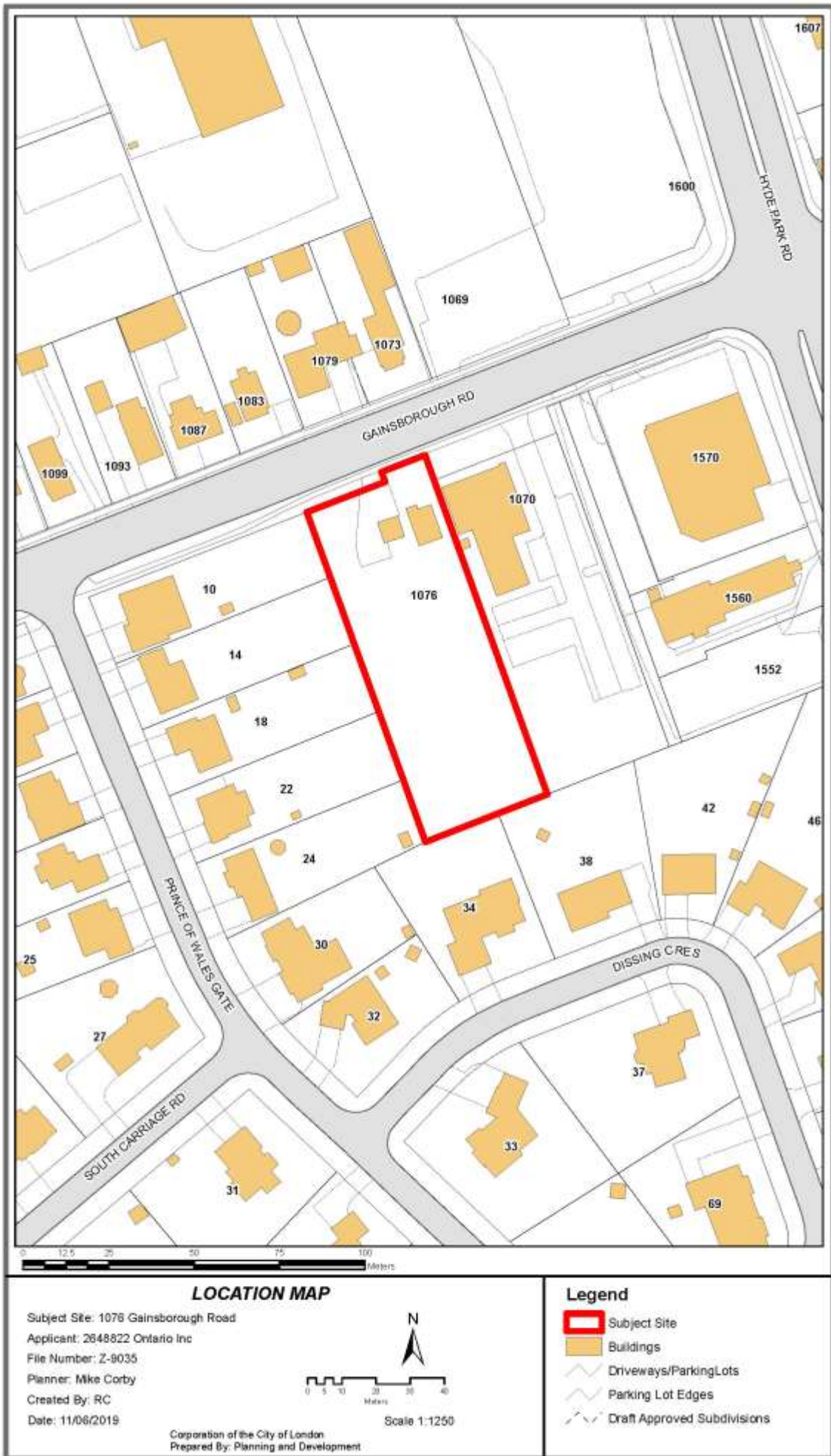
#### 1.4 Surrounding Land Uses

- North – Low Density Residential/Light Industrial
- East – Commercial/Retail/Office
- South – Low Density Residential
- West – Low Density Residential

#### 1.5 Intensification (32 units)

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

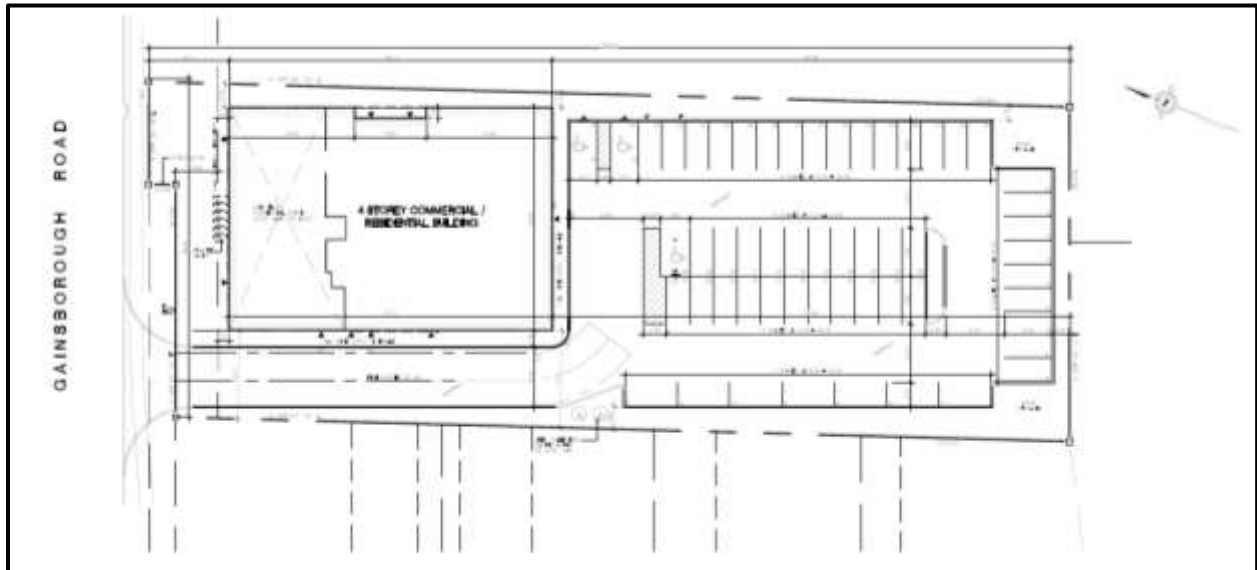
1.6 Location Map



## 2.0 Description of Proposal

### 2.1 Development Proposal

The proposed development is a 4-storey (15.5 metre) mixed-use apartment building which will include 32 residential units (90uph), a total of 311m<sup>2</sup> of commercial space at grade fronting Gainsborough Road and 55 parking spaces will be provided in the rear of the property.



## 3.0 Relevant Background

### 3.1 Requested Amendment

The requested amendment is for a Zoning By-law amendment from a Holding Business District Commercial (h-17\*BDC) Zone to a Business District Commercial Special Provision (BDC( )\*H15.5\*D90)) Zone to permit a mixed-use apartment building with a maximum height of 4-storeys and 32 dwelling units.

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

The requested amendment was circulated to the public on March 27, 2019 and a community meeting was held on May 29, 2019. Through the public circulation process community concerns were raised in regards to the proposed height, requested reduction in parking and traffic impacts. In total 12 responses were received during the community consultation period with two additional comments being submitted at the Community Information Meeting. The comments received by Staff are attached to Appendix "C". The report below addresses these concerns in detail.

### 3.3 Policy Context (see more detail in Appendix C)

The subject site is currently located in a Main Street Commercial Corridor (MSCC). The London Plan also identifies the subject site as a Main Street Place Type.

#### ***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 a Main Street Place Type which permits a broad range of residential, retail, service, office uses. Mixed-use buildings are encouraged with retail and service uses encouraged at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors (Permitted Uses, 908\_).

Development within the Main Street Place Type will be designed to fit the scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted. Individual buildings will not contain any more than 2,000m<sup>2</sup> of office space (Intensity, 910\_).

All planning and development applications will conform with the City Design policies of The London Plan. All new development will be designed to be well integrated with the character and design of the associated Main Street. Buildings should be located at or along the front property line in order to create a street wall that sets the context for a comfortable pedestrian environment. All the planning and design that is undertaken in the Main Street Place Type will place a priority on the pedestrian experience through site layout, building location, and a design that reinforces pedestrian comfort and safety. The public realm should be of a highly urban character and pedestrian and cycling amenities should be integrated into all public works undertaken along main streets. Enhanced street tree planting should be incorporated into new development proposals to provide for a comfortable pedestrian environment. Surface parking will be located to the rear or interior side yard of a building. Parking facilities will not be located between the building and the street (Form, 911\_).

### **1989 Official Plan**

The Main Street Commercial Corridor (MSCC) designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. Those Main Street Commercial Corridors adjacent to the Downtown will be regarded as gateway areas (4.4.1.3. Function). The objectives of these corridors are to provide for the redevelopment of vacant, underutilized or dilapidated properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development while maintaining a similar setback and character of the existing uses. (4.4.1.1 Planning Objectives). In order to ensure these objectives of scale, compatibility and character are achieved the MSCC has specific Urban Design Objectives (4.4.1.2) to help develop these corridors appropriately. These policies encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics. They seek to provide for and enhance the pedestrian nature of the Main Street Commercial Corridor, provide high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting while supporting public transit and encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit and design linkages.

The main permitted uses in the Main Street Commercial Corridors (4.4.1.4.) include a wide range of commercial, office, institutional and residential uses created through the development of mixed-use buildings. In specified Main Street Commercial Corridors identified in Section 4.4.1.13 the primary and secondary permitted uses and/or other policies relating to the nature and scale of development have been varied to meet specific policy objectives for these areas.

The scale of development (4.4.1.7.) is also important in the Main Street Commercial Corridor when redeveloping or infilling commercial uses. The corridor aims to maintain a setback and orientation that is consistent with adjacent uses. Residential densities within the corridor should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. of this Plan. Within the MFHDR designation net residential densities will normally be 150 units per hectare (100 units per acre) when located outside of the Downtown and Central London (3.4.3. Scale of Development).

Main Street Commercial Corridors shall be developed and maintained in accordance with the urban design guidelines in Chapter 11, the Commercial Urban Design Guidelines and specific policy areas. Main Street Commercial Areas should ensure that urban design provides continuity of the urban fabric; provides incentives and flexibility for redevelopment opportunities; provides appropriate building massing and height provisions to ensure main streets define the public spaces in front of and in between buildings (4.4.1.9. Urban Design)

## **4.0 Key Issues and Considerations**

### **4.1 Issue and Consideration # 1 - Use**

The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and their vitality and regeneration shall be promoted. Appropriate land use patterns within settlement areas are established by providing appropriate densities and a mix of uses that efficiently use land and resources along with surrounding infrastructure, public service facilities and are also transit-supportive. The proposed development will help set a positive precedent and encourage additional investment within the main street areas of the Hyde Park Community while maintaining an appropriate land use pattern within a settlement area. The requested infill development will provide an appropriate increase in density and a land use that is considered compatible with the surrounding lands. The increase in density is also considered appropriate as the apartment will take advantage of the surrounding resources, infrastructure, public service facilities and will be transit-supportive.

The proposed development provides an alternative form of housing and density contributing to the mix of housing types in the area helping meet the social, health and wellbeing of current and future residents. The increased density is appropriate as it will support the existing public transit in the area and the development is located along an arterial road and in close proximity to Hyde Park Road which is another main arterial road through the west part of the City providing quick and easy access to the surrounding amenities (1.4 Housing).

#### **The London Plan**

The proposed mixed use building is in keeping with the permitted uses of the Main Street Place Type which allows for a broad range of residential, retail, service and office uses. Mixed-use buildings are encouraged with retail and service uses located at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors (Permitted Uses, \_908). The requested amendment is intended to establish heights and densities for the development of this site but the requested range of uses are not intended to change.

#### **1989 Official Plan**

The Main Street Commercial Corridor designation allows a wide range of retail/commercial uses along with residential uses created through the conversion of existing buildings, or through the development of mixed-use buildings where residential uses are permitted above the first floor (4.4.1.4 Permitted Uses). The proposed mixed-use apartment building is in keeping with these policies and is considered a main permitted use within the BDC zone variation providing active uses along the current streetscape to create a positive interface with the public realm.

### **4.2 Issue and Consideration # 2 - Intensity**

#### **PPS 2014**

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 apartment building provides a form of development that appropriately intensifies an underutilized site and is within a Main Street Commercial Corridor which is identified as an appropriate location to for intensification. The site is located near the centre of the Hyde Park Village and has access to bus routes and two arterial roads helping the site accommodate the proposed density. The subject site is also of a sufficient shape and size to accommodate the proposed uses and density and provide a built form that responds to the surrounding context. The proposed density will efficiently use land, resources, and the surrounding infrastructure and public service facilities where they exist or will be developed [1.4.3(d)].

## **The London Plan**

Although The London Plan does not limit densities as part of the policy framework it does specify how intense lands can develop through various criteria. The Main Street Place type ensures that buildings are designed to fit in scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment and require a minimum of either two storeys or eight metres in height and will not exceed four storeys in height to ensure a main street corridor is created. The proposed development is in keeping with these policies as the proposed 4-storey building has been designed in a manner which will fit within the existing and planned scale/character of the surrounding streetscape. The proposed development has located the building as far to the east of the property as possible which will help reduce the impacts of the proposed 4-storeys in height. It is recognized that the development is one of the first re-developments within this section of the Main Street Place Type and provides a different built form than what currently exists. The development however, implements the planned vision of the Main Street Place Type helping establish an appropriate form and scale of development while complementing the character of the area (Intensity, 910\_).

## **1989 Official Plan**

When developing residential uses within the Main Street Commercial Corridor ("MSCC") policies defer to the scale and densities of the Multi-Family, High Density and Medium Density Residential designations which would permit a maximum density of 150uph at this location. As previously indicated, the applicant has applied for a total density of 90uph which is within the maximum 150uph contemplated by policy. The proposed 32 units is considered appropriate on the subject site and within the surrounding area. Transportation has also expressed no concerns about the proposed number of units and impacts it would have on traffic in the area. They have also accepted the parking study submitted with the application as it relates to the requested reduction from 70 spaces to 55.

### **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 new development provides a compact form that appropriately intensifies an underutilized site while providing an alternative form of development. The development will be required to meet current development standards and site plan requirements. Gainsborough Road is also an arterial road which emphasises the need to create a strong street edge and provide a high level of design standards. The development promotes active transportation limiting the need for a vehicle to perform daily activities in conformity with the goals of the PPS as the site is in close proximity to many commercial/retail uses. It also supports the long-term economic prosperity of the area by promoting an opportunity for economic development and community investment-readiness and promotes a well-designed built form that encourages a sense of place.

## **The London Plan**

All planning and development applications will conform to the City Design policies of The London Plan. The Main Street Place Type ensures that new developments are well-designed and integrated with the character and design of the associated Main Street. Buildings should be located at or along the front property line in order to create a street wall that sets the context for a comfortable pedestrian environment. Developments should place a priority on the pedestrian experience and public realm. The proposed development is in keeping with these policies as the proposed development is able to integrate with the existing Main Street which is currently underutilized while setting a precedent for this section of the Main Street as future



development occurs. The building has been located up to the front property line creating a strong street wall and setting the context for a comfortable pedestrian environment. The applicant has identified that bicycle parking, street trees and additional landscaping will be provided within the Gainsborough Road allowance in a manner that will place a priority on the pedestrian experience and provide a safe and comfortable space while creating a new urban character along the main street. Surface parking will be located to the rear of a building limiting visual impacts of the parking lot on the main street. The applicant has also noted that any signage for commercial uses will be conservative and respectful of the overall design of the proposed building and adjacent uses (Form, 911\_).

### **1989 Official Plan**

The objectives of the Main Street Commercial Corridors are to ensure that when implementing its broad range of permitted uses the scale is compatible with adjacent developments. The policies aim to maintain a setback that is consistent with adjacent uses while maintaining the character of the existing uses. (4.4.1.1 Planning Objectives, 4.4.1.7 Scale of Development). In order to ensure these objectives of scale, compatibility and character are achieved, the MSCC has specific Urban Design Objectives (4.4.1.2) to help develop these corridors appropriately. These policies encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics. They seek to provide for and enhance the pedestrian nature of the Main Street Commercial Corridor, provide high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting while supporting public transit. Main Street Commercial Corridors shall be developed and maintained in accordance with the urban design guidelines in Chapter 11, the Commercial Urban Design Guidelines and specific policy areas (4.4.1.9. Urban Design).

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. Both the Urban Design Peer Review Panel and Staff were supportive of the proposed development. The development has been able to provide a four storey mixed-use building that is establishing the desired setback of the main street corridor for future development. The development has been able to provide a continuous street wall along the Gainsborough frontage and has created an appropriate scale and rhythm through the use of different materials and fenestration. The proposal has been able to create a form of development at an appropriate scale and remain compatible with the surrounding streetscape by incorporating all parking in the rear yard, away from the street frontage and providing ground floor commercial space with transparent glazing and principle entrances facing the street creating an active edge.

The final design also addresses some of the comments provided by the UDPRP. These changes were minor in nature and can be found within the detailed response provided by the applicant in Appendix E. Overall the proposal is considered appropriate and in keeping with the design guidelines outlined in Chapter 11 and in keeping with the Urban Design objectives of the MSCC.

### **4.4 Issue and Consideration # 4 - Height**

The community has expressed concerns about the proposed height of the building. The Zoning By-law contemplates that increases in height will have additional impacts on abutting residential properties and includes regulations to help mitigate impacts. As a result of the proposed height, the building is required by the Zoning By-law to locate 7.8m away from the abutting residential property line. The applicant has provided a 10.1m setback which is 2.3 m greater than the minimum required by the Zoning By-law. This additional setback helps limit impacts from the proposed development in the rear yards of the abutting residential uses. In combination with the required board on board

fencing and existing and future tree plantings this setback will all help reduce the impacts of the proposed development on the abutting lands.

The UDPRP also provided comment on the siting of the building and how the applicant was able to move the building to the east side of the property. *“The Panel supports the siting of the building and provision of landscape buffer to respect the ‘zone of sensitivity’ identified in the Urban Design Brief relative to the westerly property line. The Panel suggested that the Zoning By-law could incorporate a special provision to ensure siting of the building is setback an appropriate distance from abutting properties to the west.”* To implement the recommendation of the UDPRP Staff are recommending a minimum 10 m setback from the westerly property line to ensure this setback is achieved during site plan. Given the measures used to mitigate the impacts of height, the proposed 3.5m increase in height is appropriate to accommodate the proposed form and design of the building.

#### **4.5 Issue and Consideration # 5 – Traffic/Parking**

Another concern from the abutting residential community is the existing traffic and speed of cars travelling along Prince of Wales Road. The community is also concerned about the potential increase in traffic and requested reduction in parking which could result in an increase in on-street parking. A traffic impact assessment was not required as part of a complete application as the potential increase in traffic from the proposed development did not warrant the need for the study. The community has been informed that a community initiated review can be completed by signing a petition requesting that a review be undertaken. Transportation Staff have also reviewed the parking study that was submitted as part of a complete application and have no concerns with the request to reduce the parking on site.

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 the in-force policies of The London Plan including the Main Street Place Type policies. The proposal facilitates the development of an underutilized site and provides an appropriate form of development. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, location on a main street corridor, on and near arterial roads and close proximity amenities and transit services.

<b>Prepared by:</b>	<b>Michael Corby, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 3, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2019 Applications 9002 to\9035Z - 1076 Gainsborough Rd (MC)\PEC Report\PEC-Report-Template-AODA-DS-Mar2019.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 1076 Gainsborough Road.

WHEREAS 2648822 Ontario Inc. has applied to rezone an area of land located at 1076 Gainsborough Road, 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 1076 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Business District Commercial (h-17\*BDC) Zone, to a Business District Commercial Special Provision(BDC(\_)\*H15.5\*D90) Zone.
- 2) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:
  - ) BDC( ) 1076 Gainsborough Road
    - a) Regulation[s]
      - i) Westerly Interior Side Yard (minimum) 10 metres (32.80 ft)
      - ii) Parking (minimum) 55 Spaces

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

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

PASSED in Open Council on July 29, 2019.

Ed Holder  
Mayor


Catharine Saunders  
City Clerk

First Reading – July 29, 2019  
Second Reading – July 29, 2019  
Third Reading – July 29, 2019


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



File Number: Z-9035  
Planner: MC  
Date Prepared: 2019/06/11  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40 Meters 



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On March 27, 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 March 28, 2019. A “Planning Application” sign was also posted on the site.

12 replies were received

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a 4-storey, mixed-use apartment building with a total of 32 residential units (90uph) and approximately 311m<sup>2</sup> of commercial space on the main floor fronting Gainsborough Road.

Possible change to Zoning By-law Z.-1 FROM a Business District Commercial (BDC) Zone TO a Business District Commercial Special Provision (BDC(\_)) Zone to permit a maximum height of 16 metres, density of 90 UPH and 53 parking spaces where 70 are required.

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

#### Concern for:

- The proposed height increase will reduce the privacy in the rear yards to the west.
- The height will create a visual eyesore?
- The requested reduction in parking will result in increased on street parking within the neighbourhood.
- Increase in traffic through the abutting subdivision.
- Potential garbage enclosure abutting property line.

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

**From:** Jozef  
**Sent:** Sunday, March 31, 2019 2:11 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Subject:** [EXTERNAL] File z-9035

Proposed drawing is inaccurate as there is not enough room for the trees that is shown.

Not enough parking spaces.

Limited on street parking

Only entrance is too close to Hyde park road to allow for turning into property.  
Privacy for neighbours.

Jeff Plinke  
10 Prince of Wales Gate

**From:** Maryanne Harkins  
**Sent:** Monday, April 8, 2019 9:27 AM  
**To:** Corby, Mike <mcorby@London.ca>  
**Cc:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** [EXTERNAL] 1076 Gainsborough Road - File: Z-9035

I am writing to contest the application for a zoning amendment at 1076 Gainsborough Road.

First, the height change from 12 metres to 16 metres will result in the building being one-storey higher than the existing residential homes and several storeys higher than the existing one-storey commercial buildings adjacent to the property. The building is located in extreme proximity to existing homes on Prince of Wales Gate and the proposed extra storey will result in a huge shadow in their backyard. Therefore, a shadow study needs to be conducted immediately prior to any decision being made.

Second, the extra storey will result in a requirement for extra parking spaces (17 spaces) which have not been accommodated in the existing site concept map. Where are the 17 cars supposed to park?

There are NO parking spaces left on Gainsborough Road. Cars for the KinderCare daycare take every spot on north Gainsborough Road at 8 a.m. There are no parking spaces on south Gainsborough Road.

To assume that these 17 cars are going to find permanent parking at the plaza at 1570 Gainsborough Road is incorrect. There are only 10-12 parking spaces in total at this plaza which are needed for their retail shoppers.

These 17 cars are going to park on Prince of Wales Gate - permanently parked in front of residential homes 24/7. Seven school buses drive down Prince of Wales Gate every morning and afternoon, and young children trying to navigate between parked cars to reach their school bus is an **extreme danger**.

What will be the plan for the snow plows? Snow removal is a huge safety issue for children/buses/pedestrians around parked cars.

The babies in the day care are walked in strollers down Prince of Wales Gate every day for fresh air. How are these strollers supposed to get around these 17 parked cars? **Prince of Wales Gate does not have sidewalks.**

Increased traffic through Prince of Wales Gate is automatically going to happen when the approved three-storey building is complete due to retail shoppers and residents but at least every resident will have a parking space. Adding the fourth storey is going to create a traffic nightmare on **Prince of Wales Gate which is a narrow residential street without sidewalks.**

Why is this zoning amendment being considered if there are not enough parking spaces? On what grounds is this application even being considered when it endangers children?

Yours truly,

Maryanne Harkins  
25 Prince of Wales Gate  
London, ON

**From:** Scott Guidolin  
**Sent:** Tuesday, April 2, 2019 4:39 PM  
**To:** Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>  
**Cc:** Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>  
**Subject:** [EXTERNAL] 1076 Gainsborough Road. File Z-9035

Dear Mike. I live on the adjacent property to the proposed new development. Although I like the idea of developing this area I strongly oppose the special provision for increasing the height to 16 meters. A four storey building will be a huge eye sore to this area. Contrary to their application there are no buildings greater than 2-storeys in the direct area around the intersection of Hydepark and Gainsborough. Their proposal to now put up a 4 storey on that property is ridiculous. A 2 storey building would be more representative of the preservation of the area and not obstruct our privacy views. This proposed development would not only encroach on this



privacy it will also ultimately lead to lowering our property values around this development. I hope that you will decline this amendment proposal and preserve the integrity this neighbourhood.

Kind regards,  
Scott

Scott Guidolin  
18 Prince of Wales Gate  
London, ON

**From:** Scott Guidolin  
**Sent:** Thursday, April 11, 2019 10:37 AM  
**To:** Corby, Mike <mcorby@London.ca>  
**Cc:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** [EXTERNAL] RE: 1076 Gainsborough Road. File Z-9035

Thanks Mike for hearing my concerns for declining this special provision request. This location is not supported for a high density project. I understand that lure of increased tax revenues of these types of units out way the actual impact on the resources of the area. With the expansion over the years in this area has increased traffic tremendously in our area. Our street has requested speed bumps to slow down the racing cars trying to cut through our neighbourhood to beat the traffic and light at Hyde Park/Gainsborough intersection. We have no sidewalks and are kids are sitting ducks as the walk to a from their buses as cars race by. Now with this proposal there will be an additional 50+ cars daily in our neighbourhood!! Trust me, with the location of this unit everyone travelling North on Hyde Park will turn left at South Carriage Road and then right onto Prince of Wales Gate, right onto Gainsborough and then immediate right turn into the proposed unit. Not only will I be dealing with a large structure intruding on my backyard I will also be dealing with uncontrollable traffic in my front yard. Please also take this into consideration as well when making the decision on the provision.

Kind regards,  
Scott

**From:** Scott Guidolin  
**Sent:** May 30, 2019 9:57 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Cc:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** [EXTERNAL] RE: Open House- Proposed Apartment Development- 1076 Gainsborough Road  
**Importance:** High

Hi, Mike. Thanks for taking the time last night to listen to my objections for the Proposed Apartment Development at 1076 Gainsborough Road.

Please allow me to go "on record" with my objection to a zoning change that allows for of maximum height increase from 12 to 16 meters. As I have noted this neighbourhood presently has no 3-storey buildings let alone this proposed 4 storey structure.

A major concern in that the property is presently about 2 to 3 feet above my property level which is on the West side of the proposed development. The 4-meter increase in building height is amplified by this higher starting point. If the builder were to dig down to or below our levels it would certainly be helpful in reducing the large footprint.

After seeing the proposed landscape drawings at the meeting, I have concerns about what was "sold" to us as a dampening of the site surroundings. First there

needs to be a minimum 8 foot wooden fence separating my property and the proposed development.

Secondly, I was amazed to see that the overflow garbage bins for the building had been moved immediately adjacent to my property line within 10 feet of my SPORTCOURT where neighbourhood children play basketball in the summer and skate in the winter.

Clearly, if the developer was concerned about dampening, they would have placed the bins on the opposite side facing the commercial property, as opposed to our private backyards.

Thirdly and finally, the proposed landscaping did not include any trees in front of my property.

I presently have 2 deciduous trees with summer foliage but no foliage in the winter months. Being that this is a year round property, I believe there needs to be additional year-round landscaping coverage e.g. Evergreens.

I understand the need for development but don't understand this location. The fact that we have purchased large properties backing on to the proposed development is irrelevant. We pay taxes based on our property's size regardless of the location of the house on the property!

The fact is this development will intrude on my property sightlines, significantly diminish our privacy, and create additional traffic in my neighborhood.

Summary of needs.

**Minimum 8 foot wooden fence across my property line.**

**Relocation of proposed overflow garbage bins at my property line.**

**Planting of evergreen trees along property lines providing privacy and noise reduction**

**Digging down of proposed area and leaving maximum structure height to 12 meters.**

Mike, please ensure my comments go "on record". I have copied Josh Morgan on my summary of concerns as well.

Thanks again for listening to my concerns.

Kind regards,  
Scott & Elizabeth Guidolin  
18 Prince of Wales Gate,  
London, ON  
N6H5M3

**From:** Caitlin Chowen

**Sent:** Sunday, April 07, 2019 3:33 PM

**To:** Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>

**Cc:** Cameron Chowen

**Subject:** [EXTERNAL] Zoning By-Law file Z-9035: 1076 Gainsborough Road

Mr. Morgan;

Hope all is well with you and that you had a good weekend. I received a notice of planning application for a zoning by-law amendment for 1076 Gainsborough Rd. I reside at 32 Prince of Wales Gate on the corner of Prince of Wales and Dissing.

I do not write to you today to complain or voice my concerns over the 4-storey unit that is proposed to be built. My husband and I have lived in London our whole lives and love this city. I do not want to be a "NIMBY" citizen that supports development with the exception of my own neighbourhood. I believe any growth, development and investment in our city can be looked at with a positive outlook.

I do however want to voice a related concern regarding the intersection of Hyde Park and Gainsborough road. There is no advance left turn arrow on the northbound lanes of Hyde Park, which causes massive delays during heavier traffic times (week day rush hour). My son goes to Kinderville daycare on Gainsborough, and when I attempt to turn left onto Gainsborough from Hyde park at 5:30pm on a work night, it is not uncommon to wait five full traffic signals to turn. What is the alternative? Drivers are instead turning left on the street immediately south of the intersection (at South Carriage road), and cutting down Prince of Wales Gate to turn left on Gainsborough without having to wait at the traffic light.

There are no sidewalks on Prince of Wales Gate or South carriage road. Children play, ride bikes, people walk their dogs, and go for runs/walks down the street as they have no other choice without any sidewalks. The amount of cars speeding down our street during heavy traffic times has become a major concern. This is before consideration of any additional development in the area (ie: adding another 32 residences on Gainsborough, immediately beside the intersection).

Mr. Morgan- I know you are a father. I have a son who is under 2 years old. On my street corner alone I know of 4 children under the age of 6. I would ask you to consider that if this development proceeds (or even if it doesn't) that it is perhaps time to consider a left hand advance arrow in the northbound lanes of Hyde Park at Gainsborough. Either that, or perhaps traffic calming measures need to be considered for this street.

Many thanks,  
Caitlin Chowen

From: Khudeja Williams  
Sent: Friday, April 12, 2019 2:22 PM  
To: Corby, Mike <mcorby@London.ca>  
Cc: Morgan, Josh <joshmorgan@london.ca>  
Subject: [EXTERNAL] Zoning By Law 1076 Gainsborough Road

Hi Mike,

Thank you for the notice of the By- Law Amendment.

We disagree with this proposal and the development for the following reason:

- The neighbourhood for 3-4 blocks only has 2 storey building of commercial. This building is out of character for this neighbourhood
- The Building will tower over our neighbourhood.
- Prince of wales gate has already seen an increase of car traffic avoiding Hydepark traffic, this building will increase this traffic even more.
- Parking, this unit doesn't have enough parking spaces which means overflow parking will end up on our street.

We are all for more businesses in this neighbourhood and propose a 2 storey building with only commercial spaces, this will be in line with the current surrounding and the parking spaces will be sufficient.

We are open to any questions your team may have.

Khudeja and James Williams  
11 Prince of Wales Gate, London, Ontario

**From:** Elizabeth Fox  
**Sent:** Monday, April 15, 2019 12:58 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Cc:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** [EXTERNAL] Zoning By-Law Amendment 1076 Gainsborough Road

Good Afternoon:

I am writing to provide my comments with respect to 2648822 Ontario Inc.'s application for a Zoning By-Law amendment to allow a 4-storey apartment building at 1076 Gainsborough Road. The property in question is to the immediate rear of our backyard at 18 Prince of Wales Gate. We have resided at this address for 16 years.

I wish to register my opposition to the zoning amendment for the following reasons: There are no other buildings within the neighbourhood that are three stories, let alone 4 stories.

Drivers speeding through our neighbourhood as a shortcut have been a fairly consistent hazard to our children as there are no sidewalks. Increased residential density will only worsen the problem.

Thank you for considering this email.

Regards,

Elizabeth Fox

**From:** Raj Sharma  
**Sent:** Friday, April 12, 2019 12:36 PM  
**To:** Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>  
**Subject:** [EXTERNAL] 1076 Gainsborough Road Zoning Amendment

Hello Mr. Morgan,

We received some paper work that caught my attention so I thought I would convey my thoughts. We don't have a problem with new buildings being built in our neighborhood but this will affect our personal lives because our back yard is facing the proposed Parking Lot.

Four stories high apartment building is some what ridiculous where will people park also the traffic on our street will increase as well since we live on 24 Prince of Wales Gate, London, ON N6H 5M3. I worry about our kids that play outside as well. We probably won't have any privacy either when we spend time in our back yards in the summer time.

I just thought I would let you know of our thoughts since we just bought the house last July and we were not aware of this zoning / construction.

Any comments from your side will be appreciated. I thank you for your time on reading my email on this matter. Have a great day.

Yours truly,

Rajni K. Sharma & Ms. Seema Raj Sharma

**From:** Neville P. & S. Kurukula Arachchi  
**Sent:** Wednesday, April 17, 2019 5:41 PM  
**To:** Corby, Mike <mcorby@London.ca>; Morgan, Josh <joshmorgan@london.ca>  
**Subject:** [EXTERNAL] Re: File: Z-9035

April 17, 2019

Mike Corby and Josh Morgan  
Development Services - City of London  
300 Dufferin Avenue, 6th Floor,  
London ON PO BOX 5035 N6A 4L9

Dear Mike and Josh,

**Re: File: Z-9035**

As owners of 1070 Gainsborough Rd, we are happy to hear that there is a development process of our neighboring property of 1076 Gainsborough Rd. In regards to the Notice of Planning Application sent to us, we would like to provide the following comments.

**1. Parking**

It came to our attention that the proposed 53 parking spaces fall below the minimum number of spaces (73 spaces, according to SP-1 drawing) required by the Zoning By-law. We are concerned that their planning justification saying that "future onsite parking along Gainsborough Road, together with direct access to public transit, also assist in off-setting the reduced parking" will be inadequate to support the number of tenants, customers and visitors for the proposed project. Future onsite parking along Gainsborough Rd cannot off-set the reduced parking because parking overnight on City of London Streets - between the hours of 3am-5am is prohibited during the winter months. Vehicles may not be parked for more than 12 hours at any one location, regardless of the time of year.

Our concern with the insufficient (reduced 20 parking spaces) proposed parking at 1076 Gainsborough Rd is that our parking lot will be availed of by tenants, customers and visitors to remedy this shortage. Our parking lot is not designed or approved to support such situations. In order to avoid future definite parking issues, we kindly request you not to allow site plan approval with reduced parking spaces.

**2. Snow Storage**

It also came to our attention that proposed location of the parking lot (the east side) is very close to the property line of 1070 Gainsborough Rd. We are concerned that there is a lack of space for snow piling during snow removal that may lead to snow dumping on our property during the winter.

In order to mitigate this issue, we would like to propose a full stretched chain link/wrought iron fence along the property line between 1070 and 1076 Gainsborough Rd. We would like for this proposed fence to be considered as a part of the development plan of 1076 Gainsborough Rd, to have maximum separation in between the two lots and to be constructed and maintained by the owner of 1076 Gainsborough Rd.

If you have any questions, please do not hesitate to contact us. Thanks  
Sincerely,

Neville Perera, P.Eng., M.Eng. and  
Dr. S. Kurukula Arachchi, MD, CCFP  
Ellivensa Inc. @ 1070 Gainsborough Rd. Lomdom, ON, N6H 5L5  
414 Elderberry Avenue  
London, ON, N5X 0A2

**Sabah Khouri & Francois Khouri**

27 Prince of Wales Gate  
London, ON N6H 5M3

**TO: Mike Corby**

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

519-661-2489 ext. 4657

**April 18, 2019**  
**RE: File Z-9035**

Dear Mr. Corby

We are the owners of the above listed property at the north west corner of Prince of Wales Gate and Southcarriage Road. We have been living at this address since 1991, and we have seen the area build up around us. We would like to provide our comments regarding the proposed building on Gainsborough Road.

It is great to see that people are trying to improve Hyde Park and drive more business to the quaint village. We are not against the development of the site. However, we have a few concerns:

We feel that the four story building does not fit with the existing building landscape and streetscape. It will be much taller than what is already there. Furthermore, such a large building will take away from the old village charm of Hyde Park. As the property is in the business district and already zoned for 3 stories, we feel that no more than 3 stories should be built.

The large building will create a shadow on the surrounding homes. So, this should be considered, as the homes are already existing.

We feel that the reduced number of parking spots will be very disruptive for the residence of Canterbury Estates. As the on street parking spots on Gainsborough are always full, the lack of required parking spots for this development will result in Prince of Wales Gate being used for the over flow of cars needing to park. In addition, Prince of Wales Gate is already being used as a major 'cut through' street between Hyde Park Road and Southcarriage Road, and Gainsborough Road and Prince of Wales Gate, and more traffic and on street parking from this development will further exasperate the problem.

In order to make up for the lack of parking spots, the developer should be asked to lessen the size of the development, or include underground parking to accommodate his tenants' parking needs.

There are already a lot of businesses that have driveways leading out onto the south side of Gainsborough Road between Hyde Park Road and Prince of Wales Gate. Adding another driveway on the south side of Gainsborough road in such a small area for a large number of cars will create traffic confusion and havoc, especially during rush hour traffic

In conclusion, we are not against the development of the site. However, we feel that the above mentioned reasons should be considered to come up with a workable solution to have the developer successfully build only a 3 story building, not a 4 story building, which fits with the area.

Yours very sincerely

Sabah Khouri and Francois Khouri

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**From:** Kasia Springer  
**Sent:** Thursday, April 18, 2019 8:52 PM  
**To:** Corby, Mike <mcorby@London.ca>  
**Subject:** [EXTERNAL] 1076 Gainsborough Road

Good evening Mike,

Hope you're doing well.

My name is Kasia and I'm writing on behalf my parents Grace and Mitch Drzymala that reside at 14 Prince of Wales Gate.

This is in regards the notice of planning application that they received for 1076 Gainsborough Road.

We definitely have a few concerns with the proposed zoning amendment.

Here are our concerns:

- The height of the building due to loss of privacy and the light that will be coming in from the building onto their property
- Noise concerns with the amount of people possibly living in a such tight area right in my parents backyard.
- Lightning concerns with the amount of parking spots and lights outside that will disrupt their lifestyle in their backyard.
- Pollution with the constant cars coming in and out with all the people that will live there not only during the week but all the time and industrial truck for garbage, etc. - Proximity of all this to their backyard. My parents and their grandchildren my children spend alot of time outside, we are all concerned with cars possibly driving so close to their property line that an accident might happen with a grandchild playing close to the fence.
- Security, with so many people potentially living so close to their property line they won't feel safe.

I appreciate you taking the time to review our concerns.

If you need to contact myself at anytime you can do so at 519-636 - 7672.

Have a great long weekend.

Kasia Springer

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**From:** GRACE DRUG STORE  
**Sent:** April 18, 2019 1:25 PM  
**To:** Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>  
**Cc:** Corby, Mike <[mcorby@London.ca](mailto:mcorby@London.ca)>  
**Subject:** [EXTERNAL] File:z-9035

To:  
Mike Corby and Josh Morgan  
Development Services (City of London)  
300 Dufferin Avenue, 6th floor  
London, ON  
N6A 4L9

RE: 1076 GAINSBOROUGH ROAD (FILE # Z-9035)

My name is Jigar Patel. I am the owner of Pharmacy- Grace Drug Store (1070 Gainsborough Road). I was just informed about the construction of building in my neighborhood with 53 parking spots, which indeed needs 73 parking spots. To my knowledge it has got an approval as well. The concern I have here is about the use of our parking lot from neighboring building can create tension between the two. It would be inconvenient for our customers and for ourselves to put an extra effort to make sure the property is not being violated.

I urge you to look into the facts as it is very obvious need for sufficient parking spots by zoning law Or else to resolve our concern.

Thank you.

Regards,  
Jigar Patel.  
GRACE DRUG STORE  
1070 Gainsborough Road,  
London, ON, N6H 5L5

**From:** Rob Thompson  
**Sent:** May 3, 2019 4:06 PM  
**To:** Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>  
**Subject:** [EXTERNAL] Proposed development

Hi Josh,

My name is Rob Thompson. I live at 22 Prince of Wales Gate, in your ward. I recognize that I've missed the deadline for submitting official feedback regarding proposal for construction at 1076 Gainsborough Road with a 4 Story combined Residential/Commercial property, however as a resident I still need to express my concern and interest.

Speaking practically I just want my concern to be voiced but do so respectfully, so I am not of course seeking a full-stop on this project as I can see value for the neighborhood, but I'm concerned with a few details.

My most significant concern is the ratio of parking spaces to residents. With an occupancy of 32 residents in this building, how is 53 parking spaces appropriate? I see in the proposal this has been an amendment to lower the required spaces. I understand peak times has been the rationale, but even with evening hours I strongly feel my neighbourhood will begin to see street parking on Prince of Wales Gate a common place. If that is a reality then that is going to be very unacceptable for myself and my neighbours. I will not be happy or accept cars parking on a routine basis outside my house, when they weren't before this build.

Regarding traffic and use of Prince of Wales Gate. Already we have seen traffic rise over the past years, with many speeding down the street to Gainsborough. Speaking with experience; during the widening of Hyde Park Road temporary traffic calming devices were installed and frankly I thought those clearly did work. So this is my proposed solution to my concern; I would welcome traffic calming speed-bumps to be put in on Prince of Wales Gate as a result of this new building. I think our traffic volume will significantly enough to see a noticeable increase as people use Prince of Wales Gate as an alternate means to navigate around the intersection of Hyde Park and Gainsborough. This new build will increase the traffic. I put this forward as a respectable suggestion to mitigate increased traffic flow through my neighbourhood.

Finally my last concern is speaking to our privacy as residents backing onto this lot. My yard has a chain-link fence and I back onto this property. I have two kids under the age of 12. I cringe at the idea of strangers parking their car and them being able to watch my kids play in the backyard. This lot sits at a minor elevation, maybe 5-6 feet higher than our lot grading. Cars will absolutely have full view of my yard. I am asking if there's anyway this builder can erect a >6 foot high fence around the parking perimeter to provide a separation with privacy to their new neighbours?

I'm not super happy that this proposal is for a four story building and that height is more significant than all businesses in the immediate area, however I appreciate that as a community we need to accept change and I don't see true value in challenging the height, but instead I care about the potential of over-flow parking (meaning street parking) as a result, the traffic volume increase on Hyde Park and the invasion of our privacy for residents on Prince of Wales Gate.

Thank-you kindly for reviewing my concerns and receiving my thoughts on the matter, kind regards,



Rob Thompson  
22 Prince of Wales Gate

Written

Jeff Plinke, 10 Prince of Wales Gate  
London ON, N6H 5M3

Maryanne Harkins, 25 Prince of Wales Gate  
London ON, N6H 5M

Scott Guidolin, 18 Prince of Wales Gate  
London ON, N6H 5M

Caitlin Chowen, 32 Prince of Wales Gate  
London ON, N6H 5M

Khudeja and James Williams, 11 Prince of Wales Gate  
London ON, N6H 5M

Elizabeth Fox, 18 Prince of Wales Gate  
London ON, N6H 5M

Raj Sharma, 24 Prince of Wales Gate  
London ON, N6H 5M

Neville Perera, P.Eng., M.Eng. and Dr. S. Kurukula Arachchi,  
MD, CCFP, 1070 Gainsborough Rd. London ON,

Francois Khouri & Sabah Khouri  
north west corner of Prince of Wales Gate and Southcarriage  
Road

Kasia Springer  
14 Prince of Wales Gate  
London ON, N6H 5M

Jigar Patel.  
GRACE DRUG STORE  
1070 Gainsborough Road,  
London, ON, N6H 5L5

Rob Thompson, 22 Prince of Wales Gate,  
London ON, N6H 5M

## **Agency/Departmental Comments**

### **UTRCA – April 3, 2019**

The UTRCA has no objections to this application. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430

### **London Hydro – April 9, 2019**

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

### **Development Services – June 13, 2019**

- Road widening dedication of 18.0m from centre line required along Gainsborough Road
- Detailed comments regarding access design and location will be made through the site plan process
- Transportation has reviewed and accepted the parking study provided in support of this application.

### **Urban Design – June 28, 2019**

Urban Design staff commend the applicant for incorporating the following into the design; Providing a four storey mixed use building that is in keeping with the vision of the current Official Plan as well as the London Plan; Providing for a continuous street wall along the Gainsborough frontage; Providing for appropriate scale/ rhythm/ materials/ fenestration; Incorporating all parking in the rear yard, away from the street frontage; and Providing ground floor commercial space with transparent glazing and principles entrances facing the street creating an active edge.

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 (UDPRP), and City staff. There are several items that have been identified by staff, the UDPRP and the community to be further reviewed through the site plan process including; garbage location, landscape buffering of the parking lot, the further emphasis of the entrance doors on the north and west elevations, and the design of the space between the building and the City sidewalk along Gainsborough.

## **Appendix C – Policy Context**

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

### **PPS**

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a, b, c, e, f

1.1.3 Settlement Areas

1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4

1.4 Housing

1.4.1

1.6.7 Transportation Systems

1.6.7.4

### **Official Plan**

3.4. Multi-Family, High Density Residential

3.4.3. Scale of Development

4.4.1 Main Street Commercial Corridor

4.4.1.3. Function

4.4.1.1. Planning Objectives

4.4.1.2. Urban Design Objectives

4.4.1.4. Permitted Uses

4.4.1.7. Scale of Development

4.4.1.9. Urban Design

### **London Plan**

Main Street Place Type

Permitted Uses – 908

Intensity – 910

Form – 911

**Appendix D – Relevant Background**

**Additional Maps**



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9035

MC

MAP PREPARED:

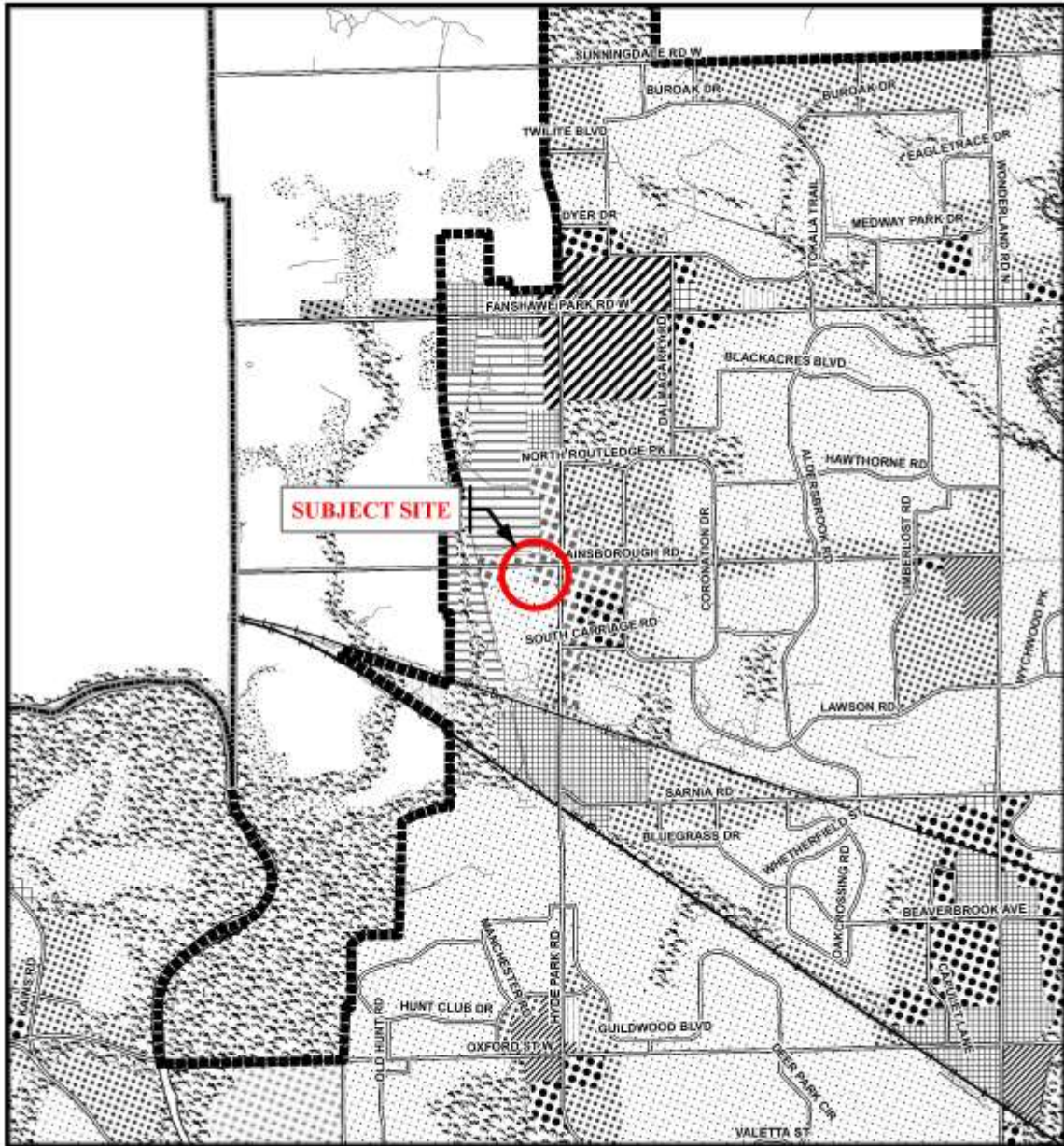
2019/06/11

rc

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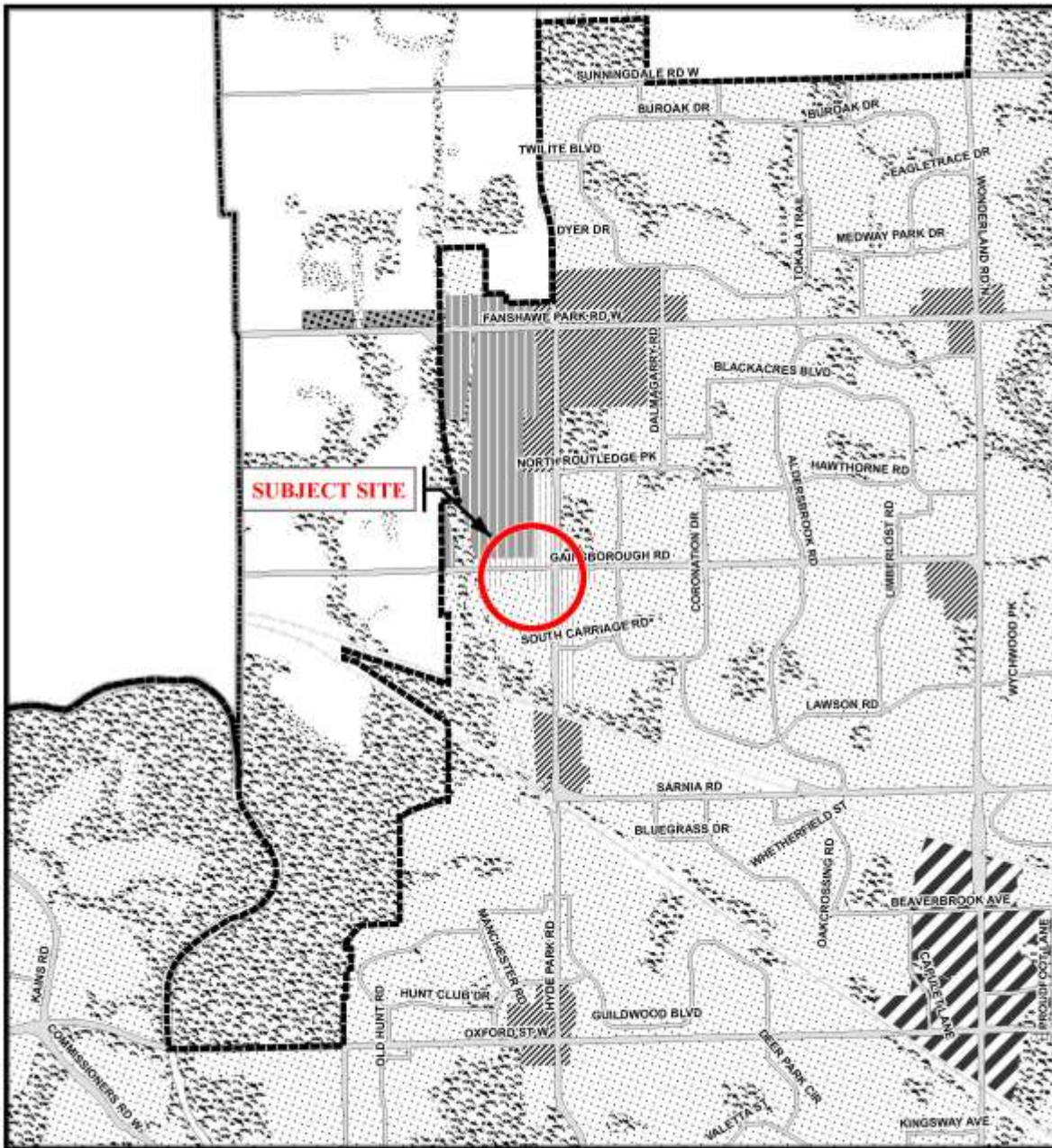
0 10 20 40 60 80

Meters



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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: Z-9035                  PLANNER: MC                  TECHNICIAN: RC                  DATE: 2019/06/11</p>
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**Legend**

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

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

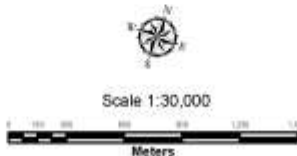
*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**CITY OF LONDON**

Planning Services /  
 Development Services

**LONDON PLAN MAP 1  
 - PLACE TYPES -**

PREPARED BY: Planning Services

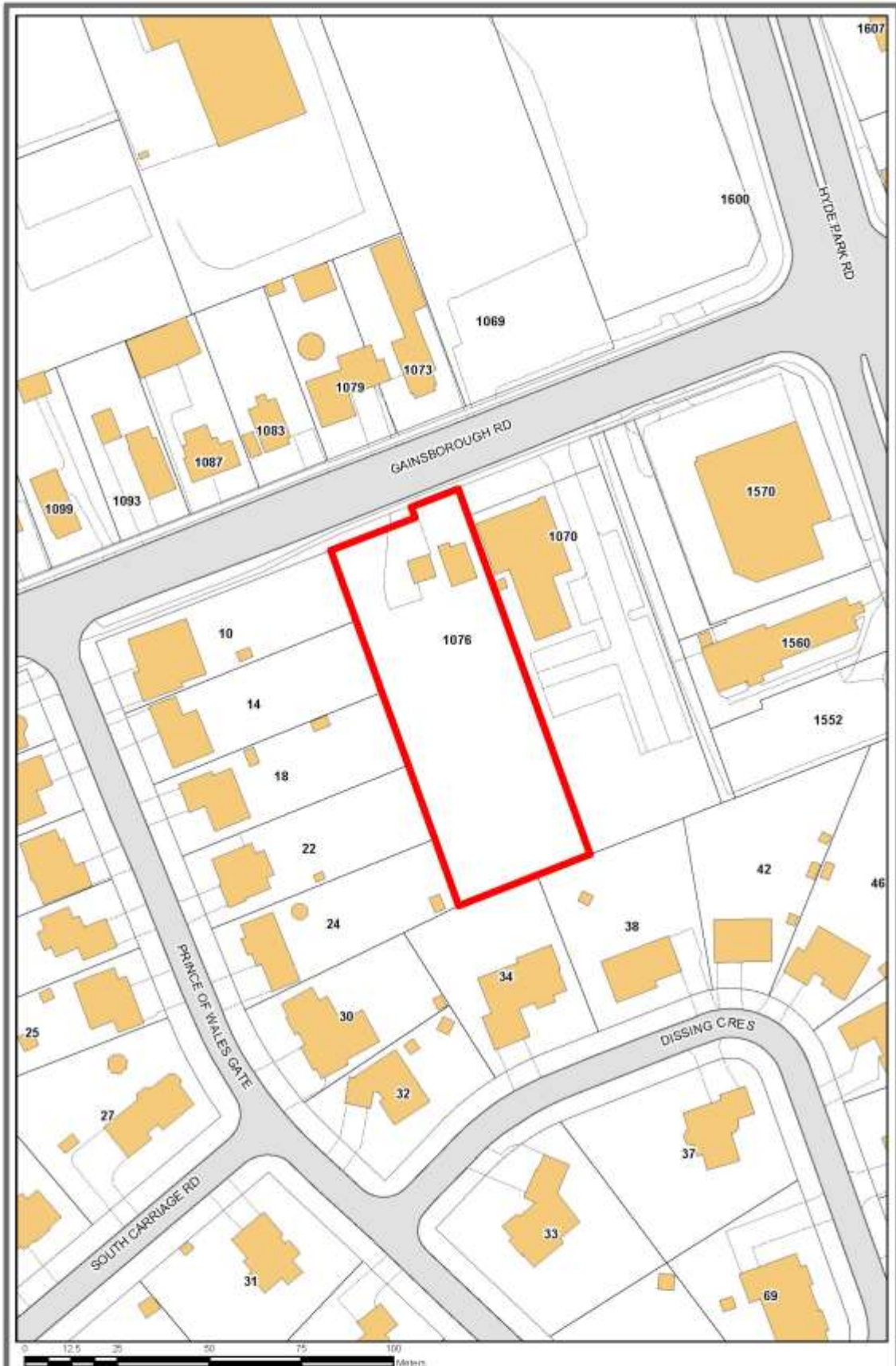


**File Number:** Z-9035

**Planner:** MC

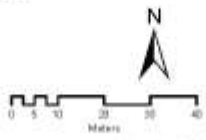
**Technician:** RC

**Date:** June 11, 2019



**LOCATION MAP**

Subject Site: 1076 Gainsborough Road  
Applicant: 2648822 Ontario Inc  
File Number: Z-9035  
Planner: Mike Corby  
Created By: RC  
Date: 11/06/2019



Scale 1:1250

Corporation of the City of London  
Prepared By: Planning and Development

**Legend**

-  Subject Site
-  Buildings
-  Driveways/Parking Lots
-  Parking Lot Edges
-  Draft Approved Subdivisions

## Appendix E – Urban Design Peer Review Panel Comments/Response

### Urban Design Peer Review Panel – May 15, 2019

The Panel provides the following feedback on the zoning by-law amendment application:

- The Panel commends the proponent for providing site plan level detail at this preliminary stage of development.
- The Panel is supportive of the mixed use building and scale of development as proposed, considering the siting of the building away from the southerly property line.
- The Panel is supportive of the parking layout, including the provision of parallel spaces where necessary to maintain an appropriate landscape buffer to adjacent properties.
- The Panel suggested that the proponent provide for common outdoor amenity area. The Panel commends the proponent for providing interior amenity room, and suggested that an exterior area to complement this space could be provided at either the rear of the building (adjacent the amenity room) or the frontage of the property (between the building and sidewalk).
- The Panel supports the siting of the building and provision of landscape buffer to respect the 'zone of sensitivity' identified in the Urban Design Brief relative to the westerly property line. The Panel suggested that the Zoning By-law could incorporate a special provision to ensure siting of the building is setback an appropriate distance from abutting properties to the west.

The Panel provides the following feedback on the anticipated future site plan application:

- The Panel identified a potential privacy conflict for private patios on the east side of the building and encouraged the proponent to consider access controls to limit permeability along the east edge of the building.
- The Panel is supportive of efforts to protect existing mature boundary trees and encourages the proponent to provide additional plantings to the extent possible.
- The Panel encouraged the proponent to emphasize the entrance doors on the west elevation of the building; to give these doors more prominence than utility/garbage room doors.
- The Panel encouraged the proponent to consolidate barrier-free parking with a continuous pathway.
- The Panel encouraged the proponent to consider softening the hard surface forecourt by introducing plantings and/or amenity space.
- In response to newer renderings and material samples presented at the meeting, the Panel acknowledged that the materiality is coming along, though encouraged the proponent to harmonizing the material choices of the base with the material choices of the upper floors.
- The Panel encouraged the proponent to provide a canopy over the entrance to the west commercial unit at grade (treatment similar to the canopy over the entrance to the east commercial unit). This could provide opportunity for signage for the second unit.
- The Panel commends the proponent on the contemporary planting palette which fits well with the architecture.
- The Panel encourages the proponent to use materiality for hardscape paving that complements the design objectives for the Gainsborough Road streetscape (similar to Hyde Park area).

#### **Concluding comments:**

The Panel supports the proposed mixed use building given its siting and scale relative to the surroundings, though encourages the proponent to give consideration to providing outdoor common amenity. The Panel provided several suggestions with respect to refinements of building elevations, parking and landscape details for consideration at the detailed Site Plan stage.



Applicants Response – June 20, 2019

<b>Comment:</b>
The Panel supports the siting of the building and provision of landscape buffer to respect the 'zone of sensitivity' identified in the Urban Design Brief relative to the westerly property line. The Panel suggested that the Zoning By-law could incorporate a special provision to ensure siting of the building is setback an appropriate distance from abutting properties to the west.
<b>Applicant Response:</b>
We have no issue with a site-specific westerly setback, however, the building location is already restricted to the easterly portion of the property due to entrance requirements by transportation staff.
<b>Comment:</b>
The Panel identified a potential privacy conflict for private patios on the east side of the building and encouraged the proponent to consider access controls to limit permeability along the east edge of the building.
<b>Applicant Response:</b>
The setback area from the easterly property line will be limited to a grassed area. Hard surfacing will be removed.
<b>Comment:</b>
The Panel is supportive of efforts to protect existing mature boundary trees and encourages the proponent to provide additional plantings to the extent possible.
<b>Applicant Response:</b>
The proposed landscape plan shows plantings that can be accommodated along the westerly property line. If additional plantings are required and cannot be accommodated on the subject lands, we have also spoken to an adjacent property owner to provide tree plantings on the adjacent residential properties as well.
<b>Comment:</b>
The Panel encouraged the proponent to emphasize the entrance doors on the west elevation of the building; to give these doors more prominence than utility/garbage room doors.
<b>Applicant Response:</b>
The westerly building elevation is currently being redesigned to accommodate an entrance feature for the westerly door to the apartment units.
<b>Comment:</b>
The Panel encouraged the proponent to consolidate barrier-free parking with a continuous pathway.
<b>Applicant Response:</b>
The barrier free parking spaces have been relocated closer to the main entrance. One barrier free space is required to remain separate as consolidating the spaces into one location will result in the loss of a parking space.
<b>Comment:</b>

<p>The Panel encouraged the proponent to consider softening the hard surface forecourt by introducing plantings and/or amenity space.</p>
<p><b>Applicant Response:</b></p>
<p>Amenity space is being accommodated in the forecourt.</p>
<p><b>Comment:</b></p>
<p>In response to newer renderings and material samples presented at the meeting, the Panel acknowledged that the materiality is coming along, though encouraged the proponent to harmonizing the material choices of the base with the material choices of the upper floors.</p>
<p><b>Applicant Response:</b></p>
<p>The material on the base of the building will be revised to remain consist around the building.</p>
<p><b>Comment:</b></p>
<p>The Panel encouraged the proponent to provide a canopy over the entrance to the west commercial unit at grade (treatment similar to the canopy over the entrance to the east commercial unit). This could provide opportunity for signage for the second unit.</p>
<p><b>Applicant Response:</b></p>
<p>A canopy over the westerly commercial unit is being considered.</p>
<p><b>Comment:</b></p>
<p>The Panel encourages the proponent to use materiality for hardscape paving that complements the design objectives for the Gainsborough Road streetscape (similar to Hyde Park area).</p>
<p><b>Applicant Response:</b></p>
<p>A textured hard surface will be used to remain consistent with the Hyde Park Business Improvement Area.</p>

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.8 PUBLIC PARTICIPATION MEETING – Application – 1076 Gainsborough Road (Z-9035)

- *(Councillor J. Morgan – indicating that one of things that came up was height and it was mentioned that the applications for height of fifteen point five meters had to be initiated as part of the zoning; enquiring if there is a current height that is allowed on this particular development, and if so, what would that be.); Mr. M. Tomazincic, Manager, Current Planning, indicating that he will look that information up; (Councillor J. Morgan – indicating that we can proceed with the rest the presentations on as long as he gets the answer it at some point; noting that he doesn't want to slow things down but he knows that it is something that is important to a number the residents who are listening in.)*
- M. Doornbosch, Brock Development Group – indicating that she is the owner of the property and the applicant of this application before the Committee this evening; stating that they held a neighborhood meeting with regards to the proposal, back in May, to have the open discussion with the neighbors with regards to what they are proposing here and the overall layout for the property; noting that through those discussions she was able to determine that the majority of the concerns raised by the public related to the height of the building, the parking and trees and fencing, so just to kind of cover those items off because she anticipates that the Committee will be hearing some of those comments this evening; indicating that with respect to the height under the current BDC's that is on the property, there is a twelve meter high permission; indicating that they can accommodate a four story building within that height and she thinks that is what is really important for the Committee to understand, that under the twelve metres we can accommodate a four story building that would allow for 9.8 feet per floor and then that could be within the twelve metres; noting that with urban design requirements and contemporary architectural features and things like that, that is the reason for the request for the additional building height, so that they can accommodate all of those features on the building, offer higher ceiling heights, and in and with respect to mechanical equipment, and things like that, in the hallway; noting that this just allows them to provide a more complimentary design for the tenants of the building; stating that, otherwise without that, they can still under the current zoning of the top metres we can still accommodate the four storey building; indicating that with regards to parking there is a parking reduction as part of the zoning request, as with many mixed use buildings, that is a common occurrence as you have parking requirements for the residential as well as parking requirements for the commercial; stating that, in order to address that, they will be accommodating on-site, once the building is occupied, there will be a specific number of parking spaces set aside during business hours for the commercial units; indicating that the residential will be granted the thirty-two units will have thirty-two parking spaces during business hours and then the remaining twenty-three parking spaces, because there is fifty-five in total, the remaining twenty-three parking spaces during business hours will be specifically allocated for the commercial use; noting that the commercial, itself, is only thirty-two hundred square feet so the twenty-three parking spaces that will be allocated during those times are more than sufficient to accommodate that and as well there is on street parking on the north side of Gainsborough Road; stating that this is their solution and then those additional twenty-three parking spaces, after business hours, they will be available to tenants of the building and things like that so at least we know with the off peak times between the various uses there will be more than sufficient parking on-site; indicating that with regards to trees and fencing, they are proposing a fence around the perimeter of the property; stating that they have had discussions with the adjacent property owners in terms of what their preference is so they are still open to those discussions with them and will be reaching out to them through the site plan approval process to determine exactly what their preferences are; noting that sometimes people prefer existing vegetation as opposed to new

fencing and things like that; stating that they are absolutely open to a coordinating in that respect; indicating that, with regards to the staff report, they have no concerns with what has been proposed by staff and are fully supportive of the recommendation before the Committee; stating that if the Committee has any questions she would be happy to answer them and would also appreciate an opportunity to respond to the public if there are any concerns that come forward that she hasn't spoken to already.

- Joseph Beukeboom, 39 Prince of Wales Gate – indicating that he lives on the street adjacent to this property; stating that his main concern is the number of units and the amount of traffic; stating that Prince of Wales Gate is already used for a lot of people commuting in and out from London to avoid the left turn on from Hyde Park to Gainsborough; indicating that they already have a lot of people coming through the neighborhood at quite a high speed; stating that they do not have sidewalks on that street, it was built back before was part of the city; noting that there are a lot of small children that live on the streets, including his own, and five or six houses as well; stating that there are lots of kids walking right on the streets and he thinks that with this new building there is going to be a lot more traffic, especially considering that if you take Prince of Wales Gate coming north to Gainsborough Road, all you have to do is a right turn and then a right turn into the building; indicating that he thinks a lot of residents are going to avoid that left turn from Hyde Park on to Gainsborough Road and then another left turn into the building where they can just do two right turns and go right into the building so they will be using that street a lot more; indicating that he knows it is zoned for twelve metre height and it is going to be at least to a fifteen and a half metre height; enquiring whether it affects the number of residential units, does it actually increase the number of units or do the units stay the same; (*Councillor A. Hopkins – indicating that we can get back to him on that if he would like to continue.*); stating that his main concern is just the safety on Prince of Wales Gate as there are no traffic calming measures there now and even without the building there now they probably should have traffic calming measures or possibly the street needs a sidewalk built; noting that he sees a lot more traffic coming through with this proposed building and that is his main concern.

- K. Drzymala – indicating that she is here on behalf of her mom and dad that live at 14 Prince of Wales Gate and their concerns are exactly what the gentleman just said; stating that the height is definitely a concern as the building is going right in her parents' backyard; stating that they have privacy right now and they have lived there since 2000; indicating that there is going to be windows facing right into their backyard and the road coming into the building is going to be right in their backyard so the noise is a concern; stating that, with commercial, there will be kind of a nine to five type of ordeal and with residential it is going to be twenty-four seven; stating that traffic is definitely a concern; noting that she visits her parents every day, she lives not too far away, and her three year old daughter almost got hit a couple of months ago because there is no sidewalks on that street; indicating that she does walk her to daycare, which is across Gainsborough, and traffic is already pretty bad and their concern is the same thing, people in that building are going to go right, right into the building instead of the left hand turn from Hyde Park on to Gainsborough; stating that sometimes you wait about seven minutes to make that turn so it is definitely going to be easier to go that way and she really does not think there is going to be enough parking spots; indicating that their last concern is people parking in front of their house and the traffic that is going to add to, now we have cars parked in front of the house and then cars driving by.

## 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:** Beco Developments  
447 Old Wonderland Road

**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions **BE TAKEN** with respect to the application of Beco Developments relating to the property located at 447 Old Wonderland Road:

- (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 a 4 storey, 41 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 four (4) storey 41 unit apartment building on the northeast corner of Wonderland Road South and Teeple Terrace. The site is to be developed with municipal services and vehicular access from Teeple Terrace. The development proposal is subject to a public site plan meeting in accordance with the holding (h-5) zone regulations set out in the Zoning By-law.

### 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 northeast corner of Wonderland Road South and Teeple Terrace. Wonderland Road South is classified as an Urban Thoroughfare in The London Plan and an Arterial Road in the 1989 Official Plan. Teeple Terrace is classified as a Neighbourhood Connector street 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 sparsely located on the northern portion of the property.

The land uses surrounding the subject lands are comprised of the following; to the west of the subject site is multi-family residential, to the north is Open Space (Wonderland Road Park), to the east is multi-family residential and single detached residential dwellings, and to the south of the site is an existing commercial shopping plaza.

A narrow, linear portion of the site extends to the east giving frontage on Old Wonderland Road. This portion of land does not provide adequate width for vehicular access, and functions as open space in association with the proposed development.

#### 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 R8, Restricted Office R8, (h-5 R8-4(45) RO2(33) with a maximum height of 15.5 metres

#### 1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 53m (Teeple Terrace)
- Depth – 130m (north-south)
- Area – 5,512m<sup>2</sup>
- Shape – Irregular

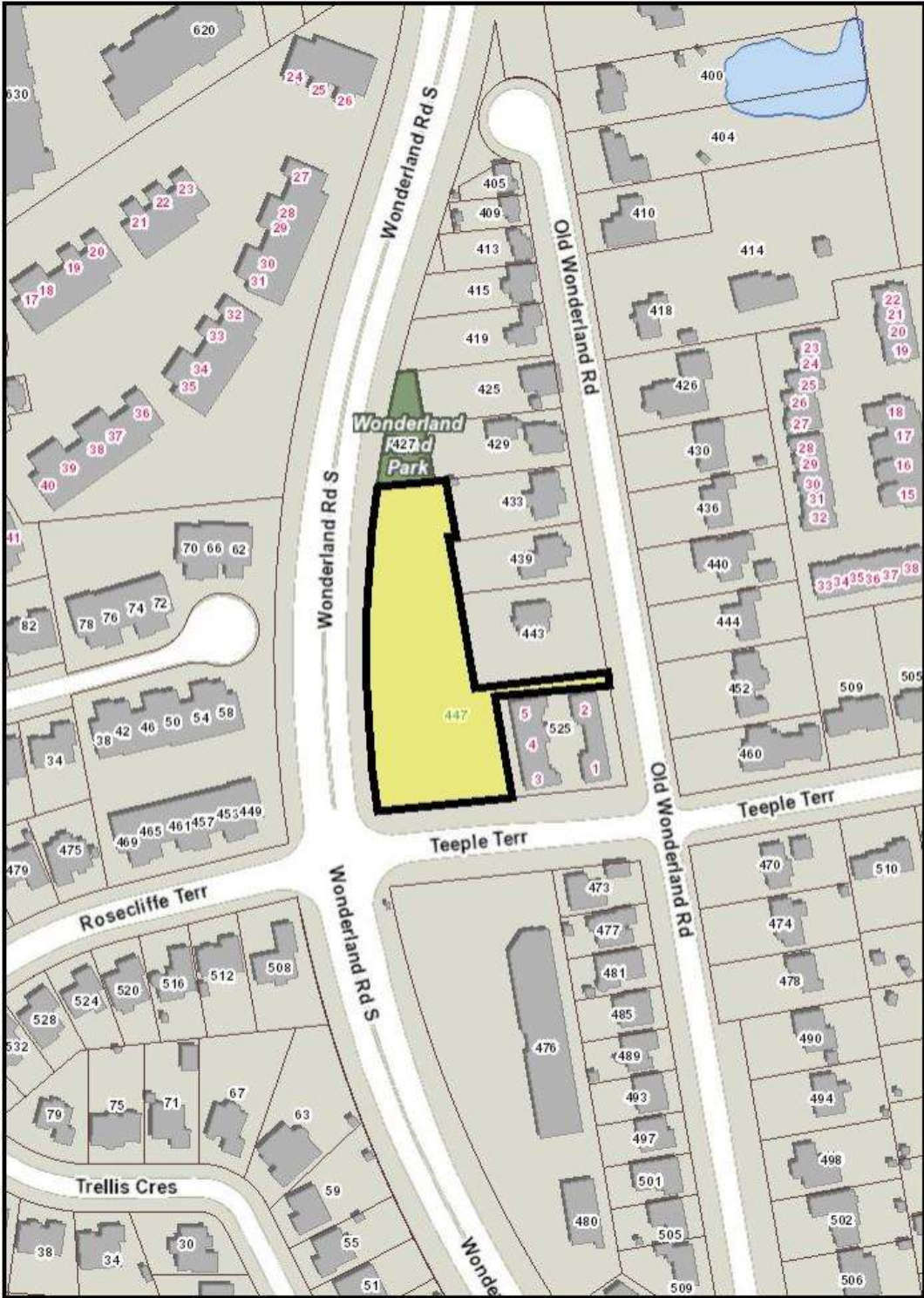
#### 1.4 Surrounding Land Uses



- North – Open Space (Wonderland Road Park)
- East – Low-rise Medium and Low Density Residential
- South – Commercial Shopping
- West – Low-rise Medium Density Residential

#### 1.5 Intensification

- The proposed apartment building is located inside the Primary Transit Area as identified in Figure 4.23 of the Zoning By-law.

1.6 Location Map



Location Map		Legend	
Subject Property:	447 Old Wonderland Road		Subject Property
Applicant:	Beco Developments (London) Inc.		Parks
File Number:	SPA19-021		Assessment Parcels
Created By:	Dan Murphy		Buildings
Date:	6/10/2019		Address Numbers
Scale:	1:2000		
Corporation of the City of London			

## 2.0 Description of Proposal

### 2.1 Development Proposal

The development for consideration is a four (4) storey, 41 unit apartment building on the northeast corner of Wonderland Road South and Teeple Terrace. Access to the site is provided from Teeple Terrace. The driveway into the development provides direct access to the principle entrance of the apartment building, and to the surface parking area. Sixty surface parking spaces (including three (3) accessible spaces) are provided at grade. The parking area is landscaped with sod and planting to create a continuous, visual green screening from Wonderland Road South. The main entrance to the apartment is located at the east side of the building. The apartment stands four storeys in height and is setback 3.4 metres from the south property line, 0.8 metres from the west property line, 5.2 metres from the east property line, and 59.6 metres from the north property line. Materials identified on the proposed elevations include black brick, stucco, aluminum siding, prefinished steel fascia and clear glazed windows.

Detailed plans of the development are contained in Appendix 'A' of this report.

## 3.0 Relevant Background

### 3.1 Planning History

#### *Zoning By-law Amendment Application (Z-8228)*

A Zoning By-law amendment application was submitted to the City of London in August 2013, by 2376563 Ontario Inc. The applicant requested an amendment to the Z.-1 Zoning By-law to facilitate the development of a Medical/Dental Office on the subject lands (Z-8228).

On March 25, 2014, a report to the Planning and Environment Committee recommended approval of a Zoning By-law amendment for the subject lands, permitting a land use change from an Open Space (OS1) Zone to a Holding Restricted Office Special Provision (h-5\*h-64\*RO2(\_)) Zone. City Council referred the application back to Staff for further considerations.

On April 16, 2014, the applicant appealed to the Ontario Municipal Board (OMB) on the basis of non-decision by Council within 120-days.

On August 26, 2014, Staff brought a report forward to the Planning and Environment Committee recommending approval of a Zoning By-law amendment to permit a modified form of development requiring a 6-metre landscaped buffer on the property line abutting residential uses to the east. This was provided as a means to address concerns raised by abutting neighbours. The recommendation also added additional site-specific items for the Site Plan Approval Authority to consider as well as holding provisions requiring a public site plan meeting and a holding provision to address ground water concerns.

Council agreed with Staff's recommendation and on September 2, 2014 advised the OMB that the recommend zoning be amended as per the Staff report dated August 26, 2014. The OMB hearing was held on February 3, 2015 (PL140366).

On March 5, 2015 the Ontario Municipal Board rendered its decision and allowed the appeal. Further, the Board opted to withhold the order pending the parties advising the Board that the Site Plan Approval process has been completed.

The Board also concluded that the City would be in a better position to determine whether a public site plan meeting should be conducted. On June 26, 2017 Council requested that the Site Plan Control Approval Authority host a public participation meeting before the Planning and Environment Committee.



On November 20, 2017 a public site plan meeting was held at the Planning and Environment Committee with respect to the proposed two storey medical/dental office building. The resolution of Council is appended as Appendix "C" to this report. Subsequent to the public site plan meeting, no further action was taken with the Site Plan Control application (SPA17-031), and the final order was never issued by the Board. As such, the zoning requested at that time has not yet come into full force and effect.

#### *Zoning By-law Amendment (Z-8962)*

In September 2018, a Zoning By-law amendment was submitted to the City of London by "Nest on Wonderland". The applicant requested an amendment to permit the development of a four (4) storey, 41 unit apartment building and to add the Restricted Office Special Provision (RO2(30)) Zone, which was approved by the Ontario Municipal Board subject to final site plan approval prior to issuance of the order.

On November 21, 2018, the applicant presented the design proposal before the Urban Design Peer Review Panel (UDPRP). Members of the panel provided comments relating to the orientation of the building, pedestrian circulation and vehicular circulation relating to the Zoning By-law amendment.

On February 19, 2019, a report to the Planning and Environment Committee recommended approval of a Zoning By-law amendment for the subject lands, permitting a land use change from an Open Space (OS1) Zone to a Holding Residential R8 and Restricted Office Special Provision (h-5 R8-4(45) RO2(33)). The Amendment was passed by City Council on March 5, 2019.

#### *Site Plan Control Application*

In March 2019, the subject application of this report, being a Site Plan Control Application (file SPA19-021) for a four (4) storey, 41 unit apartment building, was received by the City of London. Conditional approval was issued on April 25, 2019. A resubmission to address comments made as part of the City response to the application was provided on June 17, 2019. Comments have been provided at the time of this reports submission. Outstanding items are identified in Section 4 of this report.

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

#### Notice of Application

On April 25, 2019 Notice of Public Meeting was posted in the Londoner, and circulated to residents within 120m of the subject lands

#### Notice of Public Meeting

On July 4, 2019 Notice of Public Meeting was posted in the Londoner, and circulated by regular mail to 161 tenants within 120m of the subject lands.

#### Comments

At the time of this report, 1 email comment was received. Comments received can be summarized as follows:

- Privacy
- Lighting – Request to direct lighting away from adjacent residential uses
- Fencing – Request for an 8ft fence
- Noise Levels – Sound mitigation from roof-top mechanical
- Smoking Areas away from property lines
- Signage to be small and discrete and not obstruct traffic on Teeple Terrace
- Garbage
- Parking in proximity common property lines

Details with respect to the comments provided through circulation are found in Section 4 of this report.

### 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 proposed development is consistent with the policies of the PPS as it will facilitate the development of a vacant site within a settlement area. The proposed development introduces an efficient form of development within a mixed residential area, along an existing arterial roadway, proximate to transit. No new roads or infrastructure are required to service the site, therefore the development makes efficient use of existing services. As such, the recommended amendment is consistent with the policies of the PPS.

#### *The London Plan*

The subject site is located within the Neighbourhoods Place Type of The London Plan at the intersection of an Urban Thoroughfare (Wonderland Road South) and a Neighbourhood Connector (Teeple Terrace).

\*Table 10 - Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (\*921\_). \*Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted heights based on street classification (\*935\_1). Accordingly, \*Table 10 permits a range of low rise residential uses, including low-rise apartments, and \*Table 11 permits a maximum height of 4-storeys. As such, the proposed development is in conformity with The London Plan.

#### *1989 Official Plan*

The subject site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan, which permits multiple-unit residential developments having a low-rise profile, with a maximum height of 4-storeys and a density of 75 units per hectare (3.3.3 i) and ii)). As part of the Zoning By-law amendment application it was deemed appropriate to retain an existing Residential R1 (R1-10) Zone on the lands. This portion of the property currently applies to a small portion of the site extending towards Old Wonderland Road. Because zone boundaries are treated as lot lines, this portion of the site does not contribute to the site area for the purpose of calculating density. As such, the density of the site is approximately 77.3 units per hectare, exceeding the maximum permitted in the Multi-Family, Medium Density Residential designation. However, policies in the 1989 Official Plan give Council the ability to approve minor variations from numerical requirements in the Plan without an Official Plan amendment, in this case, Council approved a density of 78 units per hectare. The propose 41 unit apartment building (77.3 unit per hectare) at four (4) storeys in height is consistent with the intent of the 1989 Official Plan.

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

The subject lands are zoned Residential R8 (h-5 R8-4(45)) and site specific Restricted Office RO2(33)). For the purpose of this development, the R8 zone permits the proposed apartment building with a maximum height of 15.5 metres and maximum density of 78 units per hectare. Setback, coverage, parking, and area regulations of the By-law are also being met. The proposed development meets the requirements of the Z.-1 Zoning By-law.

## **4.0 Key Issues and Considerations**

### **4.1 Use**

The use is contemplated in The London Plan and 1989 Official Plan. 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 41 residential unit apartment, which is located at the intersection of an Urban Thoroughfare (Wonderland Road South) and a Neighbourhood Connector (Teeple Terrace). Access to transit, pathways, and green spaces are available to the site.

### **4.2 Intensity**

The Site Plan Control application proposes a 41 units (74.6 units per hectare), which is within the maximum permitted within the zoning for the lands (78 units per hectare). The intensity will not conflict with what was previously established the recent Zoning By-law amendment to permit the use.

### **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 –). Direct pedestrian access into the building and connection to City sidewalk are provided to address the policies of The London Plan. Additionally, Policy \*259\_ states that building should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

### **4.4 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 development proposes the removal of six (6) trees on-site. As part of the landscaping plan for the development, the applicant is proposing thirty-eight trees throughout the site. Along the easterly property line, 12 trees are proposed in various locations. The landscaping for the site meets the requirements of the Site Plan Control By-law.

### **4.5 Privacy and Fencing**

Fencing details were not provided as part of the most recent submission. Staff will request that 1.8m privacy fencing be provided along common property lines, in accordance with the Site Plan Control By-law, prior to Site Plan Control approval. It is noted that recent site visits have demonstrated that the applicant has constructed a board on board fence along the common property line with MCC502 at 525 Teeple Terrace. Details of this fence were not provided on the second submission drawings.

Smoking areas, as noted through public circulation, were of concern of one of the residents. The Site Plan Control By-law does not regulate smoking areas on development sites, rather defers to Provincial and Municipal legislation and By-laws.

#### **4.6 Garbage**

The applicant is proposing deep waste collection along the easterly side of the surface parking area. In accordance with Site Plan Control By-law, the applicant is to provide an internal garbage storage room as the primary storage area. The deep waste storage have been permitted in other instances for Apartment uses throughout the City as a secondary storage for garbage pick-up.

#### **4.7 Signage**

Signage is not regulated by the Site Plan Control. Rather, the placement of signs is regulated by the Sign By-law, and administered by the Building Division. The sign By-law acknowledges aims to ensure that signage minimize impacts on nearby private and public property, avoid public health and safety hazard, and that they are compatible with their surroundings. These are achieved through a number of regulations including, size, placement location, quantity, and brightness.

#### **4.8 Noise and Parking**

Grade changes from the parking area, in comparison to the rear yards of adjacent easterly residential uses, range from matching grades to the parking area being approximately one metre lower than the adjacent rear yard amenity area. Fencing, landscaping, and grade changes are anticipated to provide buffering and separation from the abutting residential areas.

In addition to grade changes, parking area setbacks from the easterly property line vary in width, from 1.6m to 5.6m. The setbacks conform to the requirements of the Site Plan Control By-law, where a minimum setback of 1.5m is required.

With respect to noise from mechanical equipment, rooftop mechanical is enclosed within a mechanical penthouse enclosure or are surrounded by rooftop parapets.

#### **4.9 Lighting**

The applicant submitted a photometric plan (lighting plan) as part of the second submission. The plans provided show that light infiltration on abutting easterly parcels is not occurring. Five light standards are located along the easterly edge of the parking area, adjacent to the rear yards of the abutting residential uses. The light fixtures proposed are downward facing and function in a manner which has limited light dispersion so as to reduce impact on abutting uses.

#### **4.10 Outstanding Site Plan Comments**

First submission site plan control comments were provided to the applicant in April 2019. The comments request that the applicant:

- Show fencing in accordance with the Site Plan Control By-law
- Locate the required long-term bicycle parking within the building, specifying location and access
- Provide details on garbage and recycling storage and set out a location for both
- Light standard locations on lighting plan do not match the site plan (minor deviations). Applicant to rectify.

## 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.

<b>Prepared by:</b>	<b>Michael Pease, MCIP, RPP Manager, Development Planning</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.Eng. Managing Director, Development and Compliance Services &amp; Chief Building Official</b>
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

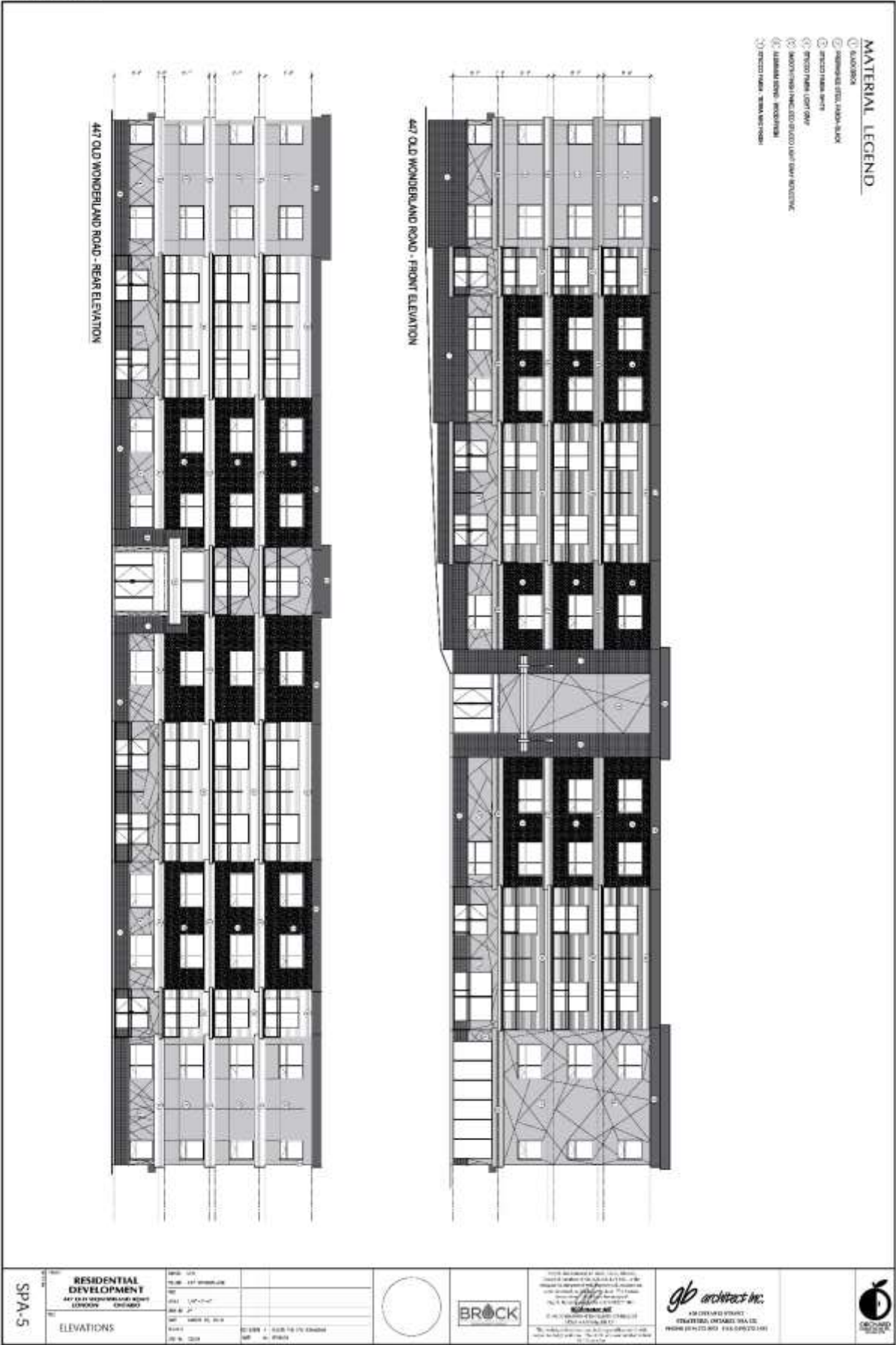
July 15, 2019  
DM/mp

CC: Heather McNeely, Manager, Development Services (Site Plan)  
Michael Pease, Manager, Development Planning





Front and Rear Elevation





Sides Elevations

447 OLD WONDERLAND ROAD - RIGHT SIDE ELEVATION

**MATERIAL LEGEND**

- ① STAINLESS STEEL
- ② HORIZONTAL SILLING
- ③ HORIZONTAL SILLING
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447 OLD WONDERLAND ROAD - LEFT SIDE ELEVATION

SPA-6	RESIDENTIAL DEVELOPMENT 447 OLD WONDERLAND ROAD LONDON ONTARIO	DATE: 04/19/2019							
	ELEVATIONS	DATE: 04/19/2019	SCALE: 1/8" = 1'-0"	PROJECT: 447 OLD WONDERLAND ROAD	CLIENT: M. PEASE	ARCHITECT: GJB ARCHITECT INC.	ENGINEER: BROCK ENGINEERING INC.	LANDSCAPE ARCHITECT: GJB ARCHITECT INC.	PLANNING: GJB ARCHITECT INC.

## **Appendix B – Public Engagement**

At the time of this report, staff received 1 email response with respect to this application:

To: Leif Maitland.

*As previously stated, I am the President for Middlesex Standard Condominium Corporation # 502 located at 525 Teeple Terrace which is adjacent property to the proposed Site Plan.*

*I will be representing all the owners of this Condominium Corporation.*

*These are the various concerns we have that will affect our Condominium Complex.*

### *Privacy*

*I cannot understate how important privacy is to our condominium homeowners. The majority of our residents...(seven out of the nine residents) have retired in this complex and want to live their lives out, in peace and privacy.*

### *Lighting*

*The glare of light from the parking lot would be evident from the light standards and proximity to the property line Perhaps baffles should be put on any light standard that stands near the property line, so light is forced away from the condo complex and not into there neighbouring yards.*

*I would also advocate that timers could control the number of light standards that would be left on during the night, thus reducing the amount of intrusive light into the neighbouring properties.*

### *Fencing*

*Standard height fences are not tall enough to block out the view of the building from our condo complex, considering the height of the proposed apartment.*

*The problem is that apartment building is four stories in height and the ground elevation approximately 6 ft higher at the condo complex. then that of the apartment building. If an 8 ft fence was constructed for privacy on the lot line between the condo and the apartment, you could still see 35 ft of exposure, of the apartment building or 2.8 floors. This means that anyone from the second, third or fourth-floor apartments have overlook into the back yards and facing windows, in turn affecting the personal privacy of the condo residence.*

*Perhaps a partial solution to this would be to require the developer to install an 8-foot fence along the property line, along with a number of mature trees to block out prying eyes.*

*We have talked to the applicant, and they have given us a verbal agreement that they would provide the fencing and the mature trees as described above to accomplish this goal.*

### *Noise Levels*

*It is understood that noise levels are always a concern of the residents. Potential sound levels may increase with the air conditioning units on the roof of the apartment. If you consider the height, size and our proximity to this much larger structure, we are especially concerned with the noise levels, that can affect our owner's privacy.*

*If this is deemed as a problem, could we suggest a sound deterrent barrier be employed around the heating or ac system, to reduce the possible noise levels?*

### *Smoking Areas*

*We recognize the need for an outside smoking area, especially with an apartment building with approximately 40 units. Our concern is to make sure that a smoking area would not be placed close to our property line. The reason for this, is the fear, of the*

*smell of cannabis or cigarette smoke, that could waft into the nearby backyards. This would be upsetting to the owners, not to mention the accompanying chatter of the smokers.*

#### *Signage*

*We would suggest that a discreetly lit sign can be placed on Teeple Terrace to mark the entrance, but anything larger and lit must be situated facing Wonderland Road.*

*This is important to curb unwanted light from entering our side and back yards windows during the night.*

*The entrance sign on Teeple Terrace, can't obstruct the line of view to oncoming traffic in either direction.*

*We would prefer not to see any signage, lit or otherwise on the east side of the apartment building that is facing the condominium residents. This would be the last thing that our residents would want to see.*

#### *Garbage*

*Outside storage of garbage during the summer month can be problematic in hot weather, because of the odors that 41 units of garbage will generate. I am under the impression that the apartment building will be utilizing an indoor garbage room that should be air-conditioned to help lessen the degree of odors and as such, they will not have to store bins outside. This is important for us to maintain to have a clean smelling environment.*

#### *Snow Removal Storage Area*

*The snow removal storage area must have adequate drainage so that the water runoff doesn't migrate to the adjacent green space property located to the north as it would be environmentally sensitive.*

#### *Parking*

*A row of 14 parking spaces is shown along our condominiums property line. This parking area would not have existed if the old setbacks (before zoning) had been applied.*

*As a result, the buffering that would have occurred would possibly have been bigger. This would protect our condo owners privacy, from noise, polluting exhaust fumes, from the accompanying vehicles, day or night. Not to speak of possible light pollution from possible light standards proposed in that area.*

*The ratio that is required, for the amount of parking, that is needed for a building of this size is 1.25 parking spaces per apartment unit.*

*Upon checking with the Planning Department, I have been told, that the number of parking spaces on the initial drawings is 60 spaces.*

*Therefore the minimum required parking spaces would be- 1.25 parking spaces x 41 apartment units, equals 51 parking spaces.*

*If you subtract 60 proposed parking spaces, from the required 51 required parking spaces, you end up with a difference of 9 parking spaces as surplus.*

*Solution: Using the reduction of 9 possible surplus parking spaces, to redesign the parking lot and eliminate 9 of the proposed 14 parking spaces.*

*With positive actions by the builder, they could solve a great portion of the problem as stated above.*

*I trust that these concerns will be addressed.*

*Yours truly,*

*David Rutherford*

*President of Middlesex Standard Cadmium Corporation 502*

*London, ON N6K 4Y1*

**Appendix C – Council Resolution from Site Plan Control Application SPA17-031 Public Site Plan Meeting**



November 29, 2017

M. Doombosch  
Zelinka Priamo Limited  
318 Wellington Road  
London, ON N6C 4P4

I hereby certify that the Municipal Council, at its meeting held on November 28, 2017 resolved:

16. That on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan control approval application relating to the property located at 447 Old Wonderland Road (proposed address 555 Teeple Terrace):

- a) the Approval Authority BE ADVISED that the following issues were raised at the public participation meeting with respect to the application for Site Plan Approval to permit the construction of a two storey medical office at the north east corner of Wonderland Road South and Teeple Terrace:
  - i) the loss of the trees approximately four years ago caused a significant loss of privacy and has scarred the community;
  - ii) the loss of privacy, as the condominiums will be located in close proximity to the proposed building;
  - iii) the light standard that is shown on the photometric plan is on the lot line and should be moved to the island in the parking lot, or further west on the property;
  - i) the grading where the hill is located, on city property, needs to have a noise attenuation barrier or be regraded;
  - ii) the tree in the northeast corner of the property is large and should be retained, noting that it is not shown on any of the plans;
  - iii) the buffer zone should be increased to six metres;
  - iv) the proposed location for the storage of the snow will have a negative impact on the vegetation, drainage, will cause erosion and will result in the loss of parking spaces;
  - v) the number of parking spaces has been reduced from ninety-seven to eighty-five without an explanation;
  - vi) traffic concerns related to trucks stopping along Teeple Terrace to unload supplies, as there is no provision for the trucks to enter the property;
  - vii) the lack of a provision for garbage storage as it has not been determined who will be picking up the garbage and depending on where the garbage is stored, the amount of odour that it will generate and affect neighbouring properties;
  - viii) the design of the building is not in keeping with the character of the neighbourhood;
  - ix) an eight foot property fence for increased privacy;
  - x) a sound attenuation barrier to decrease the noise from the top of the proposed building from air conditioning, heating, etc.;
  - xi) frosted windows across the back of the building to ensure privacy;
  - xii) the rear-lighting should be turned off or down at the back of the building at night;
  - xiii) any lighted signage be placed on the Wonderland Road South side of the building; and,
  - xiv) enhanced tree planting along the eastern boundary of the property between the parking lot and 525 Teeple Terrace be included in the plan; and,
- b) the Approval Authority BE ADVISED that the Municipal Council concurred in the concerns outlined by the public as noted in part a) above, and that the Municipal Council supports the Site Plan application subject to material measures addressing the concerns be undertaken,

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2017-D11) (16/22/PEC)

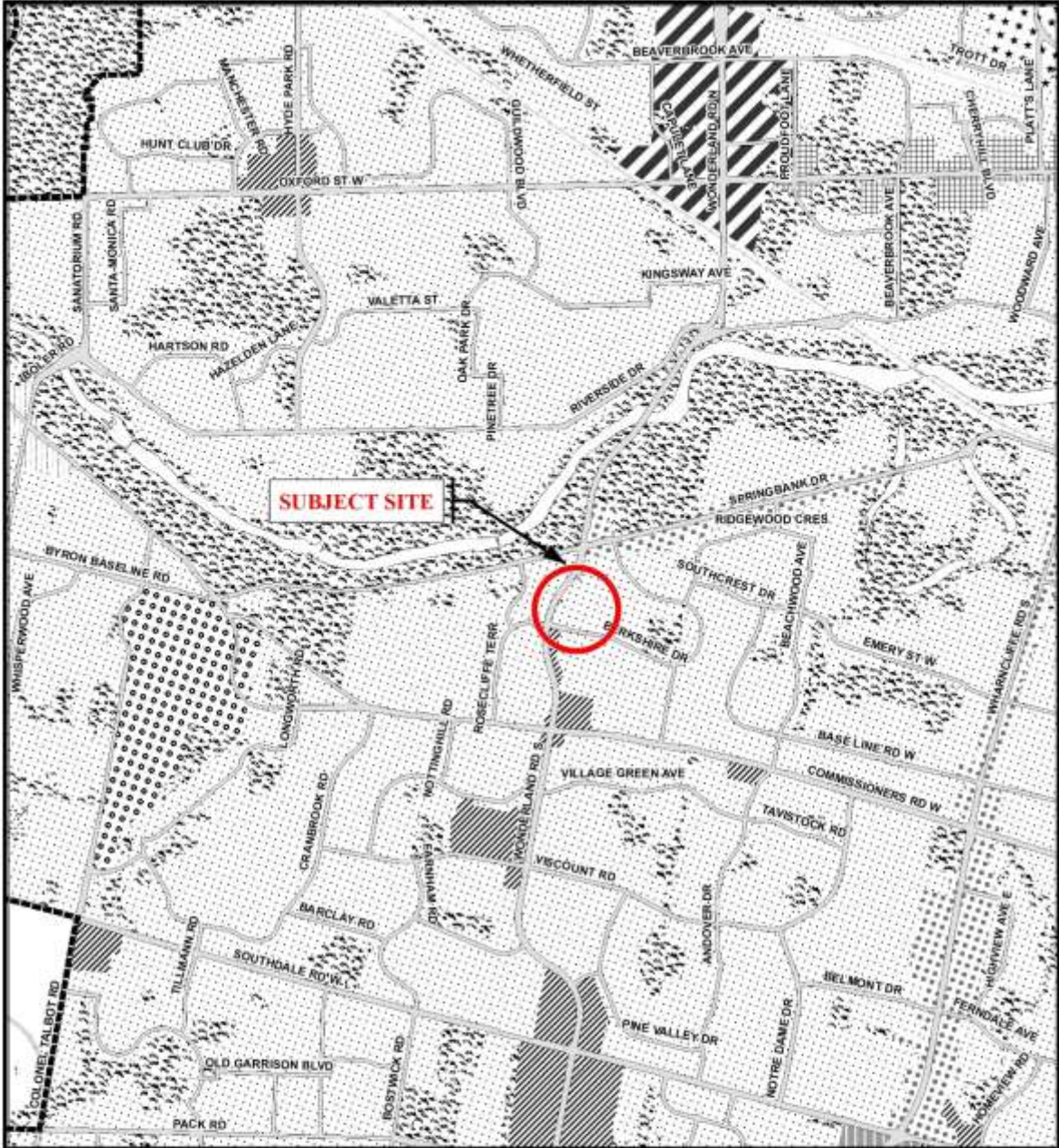


C. Saunders  
City Clerk  
/sk

cc: G. Kotsifas, Managing Director, Development and Compliance Services and  
Chief Building Official  
P. Yeoman, Director, Development Services  
M. Pease, Manager, Development Planning  
E. Conway, Landscape Planner  
J. Nethercott, Documentation Services Representative  
External cc List in the City Clerk's Office

**Appendix D –The London Plan, Official Plan Map and Zoning excerpts**

**The London Plan**



**Legend**

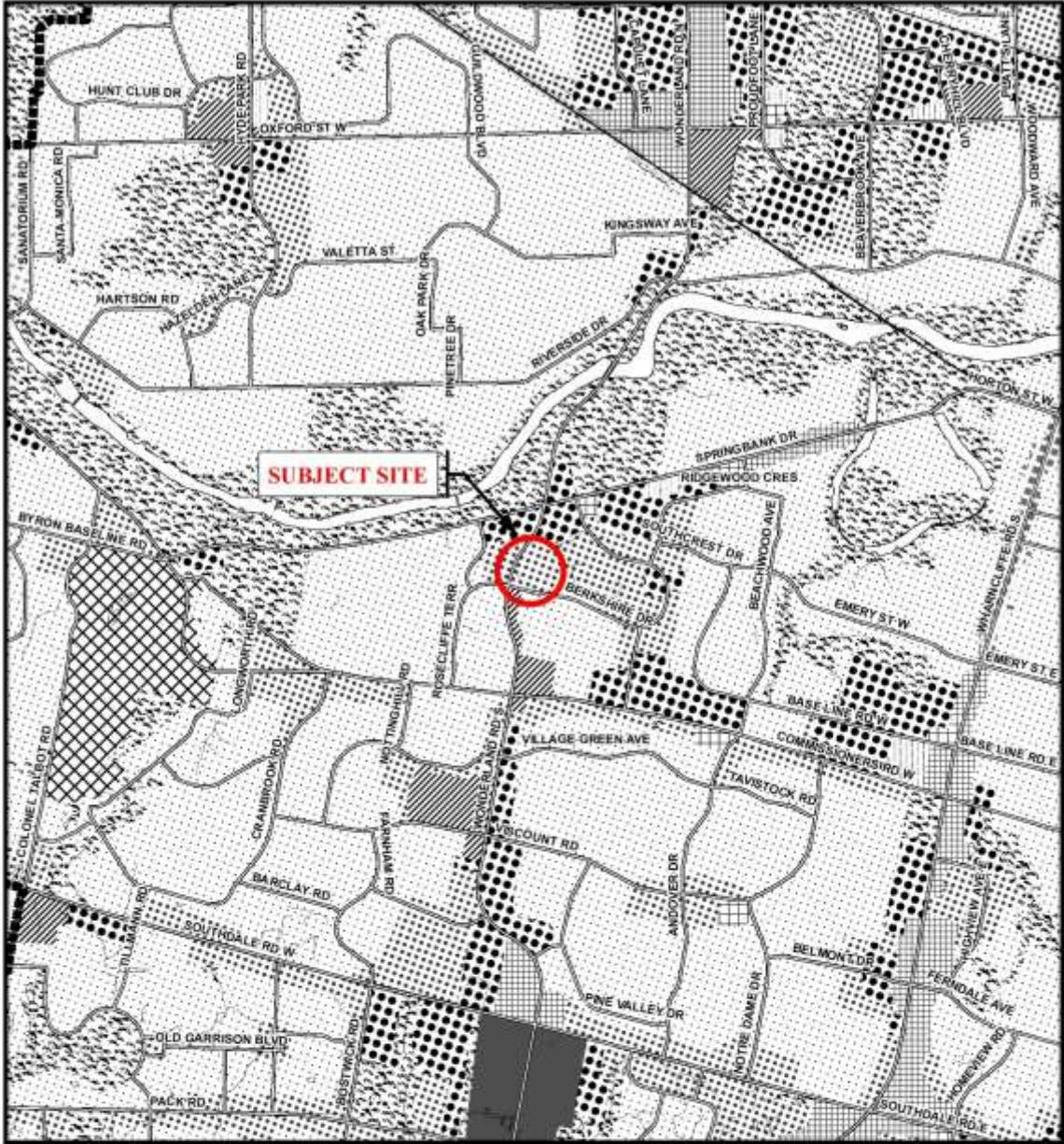
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street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

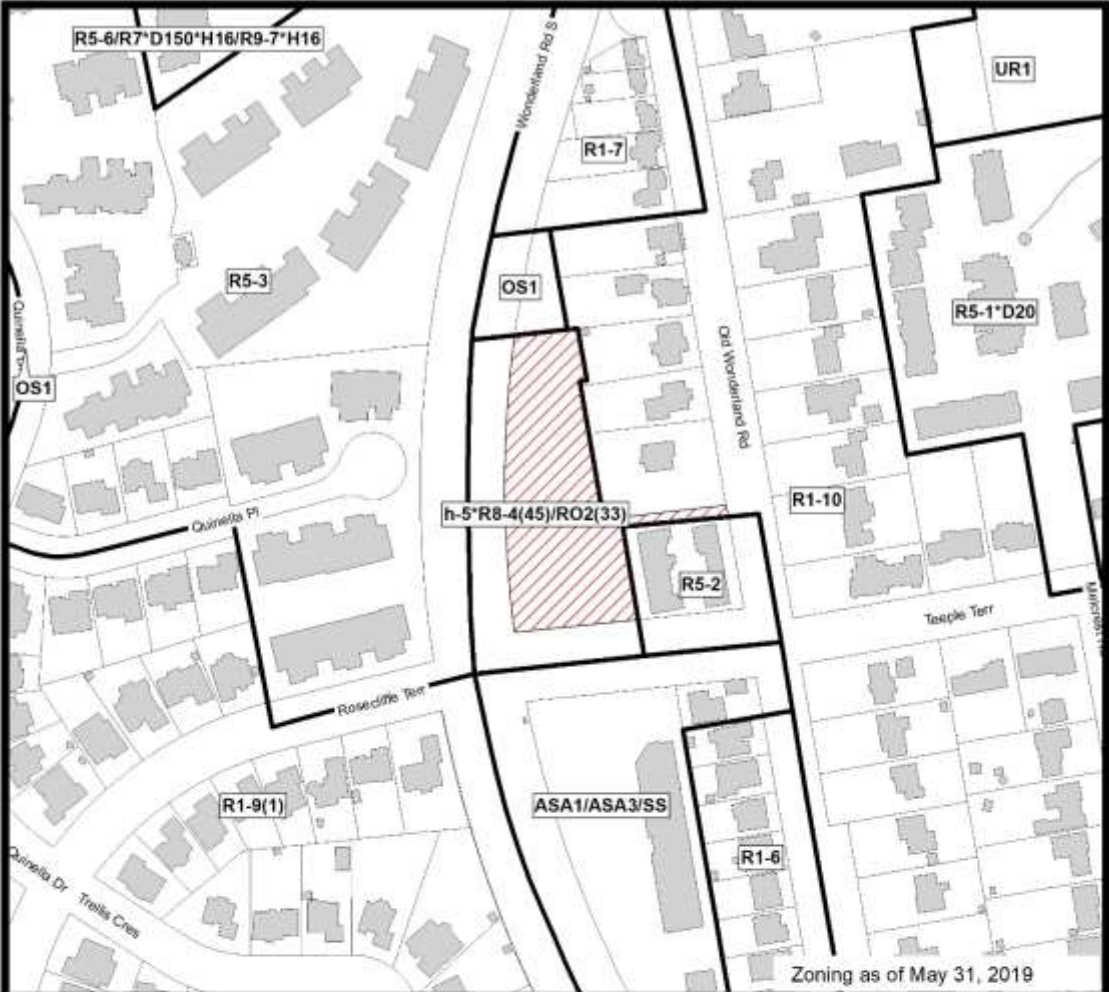
<p><b>CITY OF LONDON</b>  Planning Services /  Development Services</p> <p><b>LONDON PLAN MAP 1</b>  - PLACE TYPES -</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>File Number:</b> SPA19-021</p> <p><b>Planner:</b> MP</p> <p><b>Technician:</b> DM</p> <p><b>Date:</b> July 10, 2019</p>
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Official Plan Excerpt



<p><b>Legend</b></p>		
<ul style="list-style-type: none"> <li> Downtown</li> <li> Wonderland Road Community Enterprise Corridor</li> <li> Enclosed Regional Commercial Node</li> <li> New Format Regional Commercial Node</li> <li> Community Commercial Node</li> <li> Neighbourhood Commercial Node</li> <li> Main Street Commercial Corridor</li> <li> Auto-Oriented Commercial Corridor</li> <li> Multi-Family, High Density Residential</li> </ul>	<ul style="list-style-type: none"> <li> Multi-Family, Medium Density Residential</li> <li> Low Density Residential</li> <li> Office Area</li> <li> Office/Residential</li> <li> Regional Facility</li> <li> Community Facility</li> <li> Open Space</li> <li> Urban Reserve - Community Growth</li> <li> Urban Reserve - Industrial Growth</li> </ul>	<ul style="list-style-type: none"> <li> Office Business Park</li> <li> General Industrial</li> <li> Light Industrial</li> <li> Commercial Industrial</li> <li> Transitional Industrial</li> <li> Rural Settlement</li> <li> Environmental Review</li> <li> Agriculture</li> <li> Urban Growth Boundary</li> </ul>
<p><b>CITY OF LONDON</b>  <b>Planning Services /</b>  <b>Development Services</b>  <b>OFFICIAL PLAN SCHEDULE A</b>  <b>- LANDUSE -</b></p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p style="text-align: center;">   Scale 1:30,000    Meters </p>	<p><b>FILE NUMBER:</b> SPA19-021  <b>PLANNER:</b> MP  <b>TECHNICIAN:</b> DM  <b>DATE:</b> 2019/07/10</p>

**Zoning Excerpt**



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

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

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            | OS - OPEN SPACE                   |
| R7 - SENIOR'S HOUSING                     | CR - COMMERCIAL RECREATION        |
| R8 - MEDIUM DENSITY/LOW RISE APTS         | ER - ENVIRONMENTAL REVIEW         |
| R9 - MEDIUM TO HIGH DENSITY APTS          | OB - OFFICE BUSINESS PARK         |
| R10 - HIGH DENSITY APARTMENTS             | LI - LIGHT INDUSTRIAL             |
| R11 - LODGING HOUSE                       | GI - GENERAL INDUSTRIAL           |
| DA - DOWNTOWN AREA                        | HI - HEAVY INDUSTRIAL             |
| RSA - REGIONAL SHOPPING AREA              | EX - RESOURCE EXTRACTIVE          |
| CSA - COMMUNITY SHOPPING AREA             | UR - URBAN RESERVE                |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | AG - AGRICULTURAL                 |
| BDC - BUSINESS DISTRICT COMMERCIAL        | AGC - AGRICULTURAL COMMERCIAL     |
| AC - ARTERIAL COMMERCIAL                  | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL           | TGS - TEMPORARY GARDEN SUITE      |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RT - RAIL TRANSPORTATION          |
| CC - CONVENIENCE COMMERCIAL               |                                   |
| SS - AUTOMOBILE SERVICE STATION           | "H" - HOLDING SYMBOL              |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "D" - DENSITY SYMBOL              |
| OR - OFFICE/RESIDENTIAL                   | "H" - HEIGHT SYMBOL               |
| OC - OFFICE CONVERSION                    | "B" - BONUS SYMBOL                |
| RO - RESTRICTED OFFICE                    | "T" - TEMPORARY USE SYMBOL        |
| OF - OFFICE                               |                                   |

**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:  
 SPA19-021 MP

MAP PREPARED:  
 2019/07/10 DM

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## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.9 PUBLIC PARTICIPATION MEETING – Application – 447 Old Wonderland Road SPA19-021

- *(Councillor S. Turner enquiring about the deep storage itself, some issues were raised, he can see where the concern might lie in having that in proximity to the adjacent residential uses there; advising that he is not aware of how much odour those produce themselves, Mr. M. Pease, Manager, Development Planning, says it is less than the other options like just a general clipped in garbage storage but he would still imagine it does produce some odor and that adjacency close to the property line would be less preferred as to having it further from the property lines of the adjacent properties.); Mr. M. Pease, Manager, Development Planning, indicating that he can certainly appreciate that argument, the balance is trying to resolve a location on site for a deep waste collection system like this potentially at the end of the parking drive aisle, while it does become a little bit difficult from what they have seen with the trucks that have to access them because they usually do side access them and then they had have to back out as well; avoiding a full back up from the end of the parking area and having it mid parking lot is probably a suitable location; the odor aspect, it kind of works like a like a bin and there is a lock handle, a little bit more secure and more air tight than maybe an outdoor storage system where the bin can be left askew; and the collection, as well, the proper term is the leachate or the liquid that drains from it is usually just drain into the bottom of the pit so to speak so they do not leak on to the parking area so there are some benefits to this system and that being one of them and they found it a suitable compromise given the circumstances on site; (Councillor S. Turner wondering if it is necessary or can the residential garbage not be maintained on site within the garbage room up to collection day.); Mr. M. Pease, Manager, Development Planning, responding that the difficulty then becomes where does the bin get pulled out or pushed out to on garbage day and so then we get back into the discussion about a masonry enclosure because the trucks will have to access the garbage bins or the deep waste collection system and whatever the case may be; there has to be a place to bring the garbage out on garbage day and with them with forty-one units typically a bin is utilized for garbage collection and thus the balancing act here is what they are dealing with; (Councillor S. Turner apologizing for this because it raises a few more questions that go with that; thinking about the logistics of this, garbage in the apartment would go into bins, the traditional roll bins that then does it get transferred from the bins to the deep waste collection system or does what goes into the deep waste collection system and how does that work.); Mr. M. Pease, Manager, Development Planning, deferring some of the specifics about this to the applicant, this was their request and we have utilized this for other projects; advising that he would be happy to discuss it as we get further but he thinks that this may give the applicant a bit of a an opportunity to respond as well if that is suitable; (Councillor S. Turner appreciating that and it gives the opportunity for a nice heads up for when the applicant presents.)*
- Michelle Doornbosch – speaking about the garbage, typically the garbage is located internal to the building as you said with the bin but what they have found with other locations is that there are certain occasions in times throughout the year where you do not have enough spaces within the bins, Christmas is exceptional so essentially the outdoor bins are treated as overflow so if the bins internal to the building get full at least you have got somewhere else for the remainder of the garbage to be located as opposed to overflowing; stating that what they have experienced in the past literally overflowing onto the floor so this allows for a lot cleaner situation; in other locations they have had these bins are directly along property lines adjacent to low density residential and they have not received any complaints with regards to smell or noise or anything like that so it does provide for significant assistance in the odor issue with regards to the outdoor storage of garbage; pointing out that there was an email submitted to staff with regards to a number of items related to the application; thinking staff has done an exceptional job reviewing all



of those comments and outlining to the Committee how they have addressed those, there is one in particular that she just wanted to expand on with regards to the fence, there were notes that we do need to add to the plan but she does want to point out to the Committee that in preparation of the construction going on; noting that you can see it on the plan, the existing residential that is directly along Teeple Terrace they have actually constructed the eight foot wood privacy fence already, they have replaced landscaping and they have done that hoping to avoid and mitigate the noise from construction on those condo units because they are closer than the other dwelling so that is already in place and then the majority and the remaining easterly property line they will deal with through site plan approval; indicating the existing trees on the property and how they can accommodate that; pointing out that it was suggested by the resident that they reduce the number of parking spaces on site; stating that the parking requirement under the Zoning By-law does require 1.25 spaces per unit that would give them, based on what they have provided, that gives them a surplus of nine spaces but again the requirement is a bit lower we do find that typically they look more for a ratio of one and a half parking spaces per unit as that is what they find the demand of tenants are so it does become problematic for them to reduce the number of parking spaces from what they have shown; *(Councillor S. Turner, with respect to the garbage since we are here, the amount of space in what it looks like it takes up on this drawing here, if you were to move westward to the three southernmost parking spots right across from it, right next to the building, could you not put three parking spots in exchange up on the eastern side of the parking lot where the where the deep waste collection storage is and therefore have the deep waste collection storage closer to the building rather than further from it.);* Ms. M. Doornbosch responding that they cannot because of the angle of the drive aisle, the parking spaces are not deep enough so if we were to relocate the deep waste collection system or that the deep bins across on the other side of the drive aisle they would have to take out those spaces altogether and we that would be a reduction parking but the depths based on the requirement of five and a half meters we can accommodate the spaces on the other side; *(Councillor S. Turner providing another alternative perhaps to be explored is that if you just try recycling cans and cardboard were to be maintained there and free up the space in your interior storage for garbage alone, are those opportunities that were explored.);* Ms. M. Doornbosch responding that she is not sure she entirely understands Councillor S. Turner's question, the recycling, they actually have twice as many recycling bins because it is a greater demand in the buildings for recycling as opposed to garbage so that is also accommodated internal to the building, they do both, they have overflow for one of each; *(Councillor S. Turner indicating that more to his point there is no odors from recycling in the same way that there is from garbage and if the recycling were accommodated in overflow on the outside purely and that garbage was to be in the space that is allocated to recycling within the building allocated outside of the building so that all the garbage was maintained within the building is that a possibility.);* Ms. M. Doornbosch indicating that it is a possibility although she does know it starts to become problematic in terms of, again these are just all technical matters, but the sorting of recycling because you have to have a number of bins for different materials so that is where it starts to get a bit tricky it is hard to sort that and have tenants sort it; this is something that she can discuss with staff.

- Dave Rutherford - residing at the condominium complex which is directly east of this particular development that you're doing; advising that he is the President of Condominium Corporation 502 which is the condominium complex that we are going to be talking about and we are bordering on; advising that the Committee has written submissions by him on some of his concerns like that and just to start off with regards to the garbage situation that you were talking about, Councillor S. Turner, he is in full agreement with you, it makes a heck of a lot more sense than having raw garbage that close to anybody; realizing they are up at the farther end but they are still going to get a wafting situation with regards of smells if it does occur; pointing out one of the things he wants to establish, they have been fighting this thing since and a little bit of history they got from this gentleman down here since 2014 and as a result there has been a

variation of different buildings that have been proposed and this is what they basically have come up with and he is not so necessarily against it, it is just the process that they are going through; advising that last time he would say that he was very pleased with the Council, they turned around and they give us pretty well one hundred percent of everything that we asked for and you should be praised on that; unfortunately the rezoning kicked in and they decided to put up a different type of building and now this is what they are stuck with, the rezoning that has occurred, he should not say they are stuck with it, they have a new neighbor but this new neighbor happens be instead of a two story building happens to be four stories high and there some advantages to that because it is going to buffer them to a certain degree the certain amount of noise that is going to be accumulated coming down Wonderland Road etc., but there are disadvantages with it to and the garbage is one example of it; lighting is a very big concern and one of the things that you have to realize that this condominium complex only has five units in it and out of the five units, out of those nine people that are there, there are seven of them that are retired and they are very sensitive towards change and to have a situation where privacy is being invaded to a certain degree, rightly or wrongly; stating that there are several things that are mentioned down here and every time he mentions something, if you take a look at his notes, he always tries to give you something in return with regards to what can we do to solve the problem; lighting, for example, this is the first time he has been able to see the actual lighting situation and how many units are there; advising that they are stating that its compliance as far as because it is L.E.D. and it is shining down directly; wondering how much flood or over exacting light carries on from one end to the other, in other words, when you turn a light on it is going radiate a certain amount or it is going to reflect off of the surface below especially in the summertime etcetera; stating that the condominium complexes that are across the back with there, which are three, have their actual bedrooms that are facing towards there like that and that is one of the concerns; pointing out that one of the things they could do with regards to the lighting is, during the evening, is possibly cut down by having a timing set up and maybe that the lights are actually turned down or shut off periodically around the place so you do not have to have them on on a full-time basis; thanking Ms. M. Doornbosch for installing the eight foot fence; expressing appreciation for the fence from the standpoint that it is going to buffer a certain amount of sound; stating that noise levels are obviously one of the things they have a problem with and that goes with the air conditioning systems; advising that the units that he saw them build over in Byron, which he is assuming they are going to take the same type of cooling systems etc., like that, all of a sudden they have got the equivalent of let us say it is a forty-one; *(Councillor A. Hopkins advising that he is getting close to five minutes.)*; saying that maybe buffering the upper end would have to be done as a result to cut down the noise; smoking areas are very important because you do not want people smoking cannabis right in front of you right along their level; noting that at the other location, again, they saw a smoking set up that was crossing the lines and they are concerned with that; speaking to signage, obviously any lighting from the signage is a problem as they do not want more carry-over with regards to lighting; speaking to garbage, the Committee just had a discussion there; relating to snow removal, the areas for storage, do they have sufficient drainage, etc., do they have sufficient areas for that snow that is going to be put out there; parking, they are talking about reducing the parking by nine spaces based on 1.25 spaces, they are asking for sixty spaces around the drives and they only require fifty-one and the idea is because those nine parking spots, there is fourteen that right along directly just west of us and as a result that becomes a problem because if you have got cars idling, going in there, lights, slamming of doors, whatever the case may be, if they can reduce that by nine units out of the fourteen, then that is going to make a difference.

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** John M. Fleming  
Managing Director, Planning and City Planner  
**Subject:** Application By: City of London  
Lambeth Area Community Improvement Plan  
**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Lambeth Area Community Improvement Plan:

- (a) that the proposed by-law attached as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the 1989 Official Plan to designate the Lambeth Area Community Improvement Project Area pursuant to Section 28 of the Planning Act and as provided for under Section 14.2.2 of the 1989 Official Plan;
- (b) that the proposed by-law attached as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to adopt the Lambeth Area Community Improvement Plan;
- (c) that the proposed by-law attached as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to establish financial incentive programs for the Lambeth Area Community Improvement Project Area;
- (d) that the proposed by-law amendment attached as Appendix "D" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the 1989 Official Plan by adding Section 14.2.2 ii) Lambeth Village Core and Wharncliffe Road Corridor to the list of commercial areas eligible for community improvement under Section 14.2.2 ii), and adding the Lambeth Village Core and Wharncliffe Road Corridor to Figure 14-1 to recognize the commercial areas eligible for community improvement; and,
- (e) that the proposed by-law amendment attached as Appendix "E" **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan, 2016, The London Plan at such time as Map 8 – Community Improvement Project Areas is in full force and effect by **ADDING** the Lambeth Area Community Improvement Project Area.

**IT BEING NOTED** that the Civic Administration will consider the action items and initiatives included in the Lambeth Area Community Improvement Plan in any planning design, and budgeting of future municipal capital investments within the Lambeth Area CIP Project Area; and, that the funding for the financial incentive programs is accommodated within the existing budget.

## Executive Summary

### Summary of Request

This report recommends approval of three related but separate actions:

1. completing the required steps to formally adopt the Lambeth Area Community Improvement Plan (CIP) and the financial incentive programs offered through the CIP;
2. amending the *1989 Official Plan* to add the Lambeth Village Core Project Sub-Area and Wharncliffe Road Project Sub-Area to the list of commercial areas that are eligible for community improvement; and,
3. amending Map 8 – Community Improvement Project Areas of *The London Plan* to add the Lambeth Area Community Improvement Project Area boundary at a future date, as it is currently under appeal.

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

The purpose and effect of the recommended actions is to adopt the Lambeth Area CIP to use it as the Plan to set the vision for improvement in the Lambeth Area, establish goals and objectives for achieving that vision, identify key initiatives and actions for implementing the vision, and provide the framework for financial incentive and property improvements.

### **Rationale for Recommended Actions**

Through the project process, it was illustrated that the Lambeth Area meets the test for community improvement as defined under the *Planning Act*. Like many communities, the Lambeth Area is undergoing change which is impacting its existing form and function (e.g. residential development, infrastructure projects). The Lambeth Area CIP can be used as a tool to help move the community forward through this transition. Specifically, issues and needs in the areas of: businesses and the local economy; community and connections; mobility and safety; public realm and recreation opportunities; cultural heritage; and, natural heritage were identified by stakeholders as priorities for action. The Goals, Objectives and Action Items of the Lambeth Area CIP were developed to address these issues, and are within the scope of CIPs as defined by the *Planning Act*. The adoption of the Lambeth Area Community Improvement Plan and the approval of the requested Official Plan Amendment is also consistent with the *Provincial Policy Statement (PPS)* and supported by the policies in the *Southwest Area Plan (SWAP)*, the *1989 Official Plan* and *The London Plan*.

## **Background**

### **1.0 Subject Lands**

The Lambeth Area Community Improvement Project Area (“Project Area”) is generally defined as bounded by the Clayton Walk and Malpass Road subdivisions north of Kilbourne Road and west of Colonel Talbot Road, and the future Kilbourne Road extension to the Dingman Creek corridor to the north; the Dingman Creek corridor to the east; Greenhills Country Club to the south; and, Dingman Creek to the west.

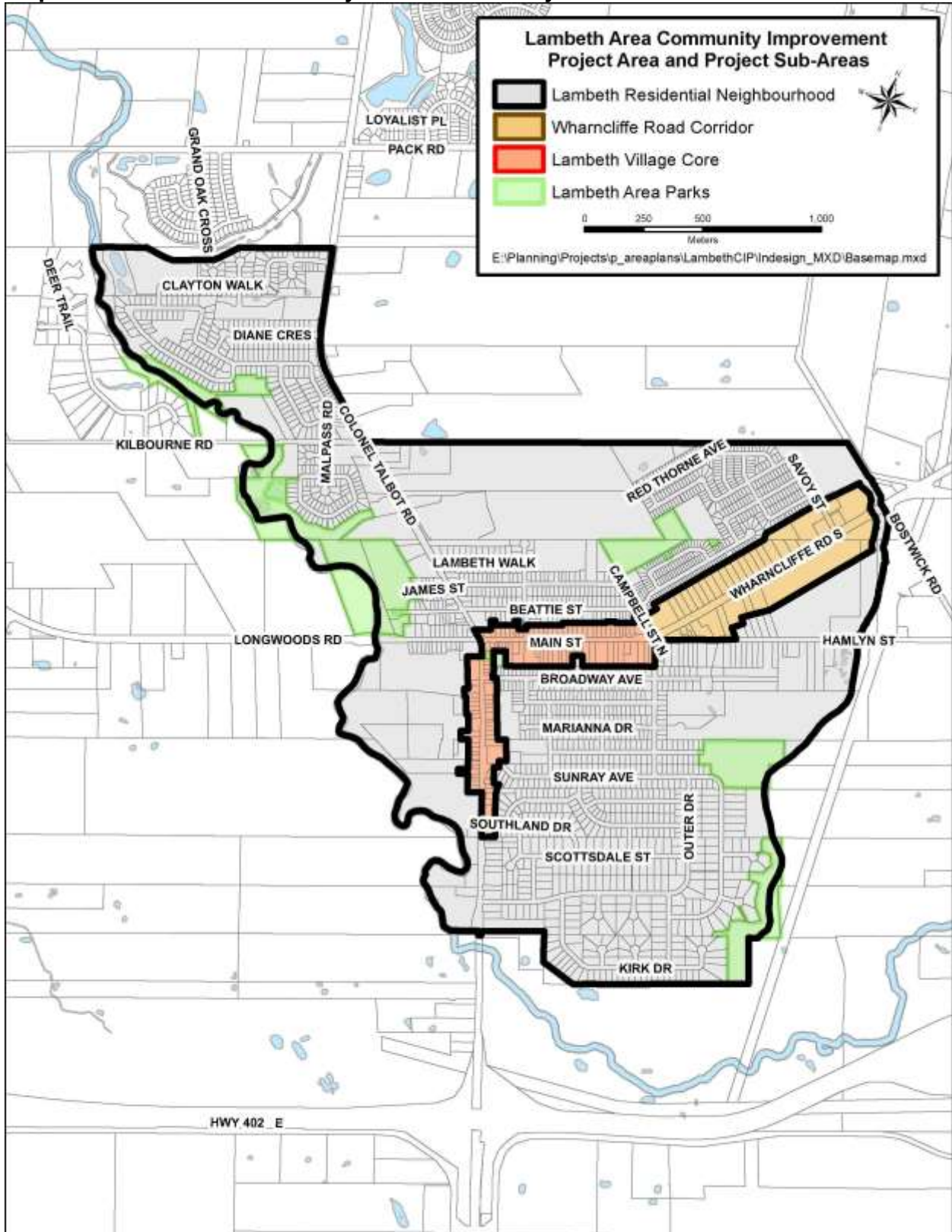
The Official Plan Amendment focuses on the Lambeth Area Village Core Project Sub-Area and Wharncliffe Road Corridor Project Sub-Area, as described below.

Lambeth Village Core is the hub of the community and functions as a community focal point and the “Main Street”. The area is comprised of properties along Main Street from Campbell Street to Colonel Talbot Road, and along Colonel Talbot Road from Main Street to just south of Outer Drive. Many of the existing buildings in the Lambeth Village Core are older residential buildings with distinctive architectural details. The area also contains purpose-built commercial buildings and plazas. The Lambeth Village Core provides a neighbourhood level of service within a comfortable walking and cycling distance of most residents in Lambeth. Uses include a variety of commercial establishments.

Wharncliffe Road Corridor contains land fronting onto Wharncliffe Road South from Colonel Talbot Road to east of Bostwick Road. Current land uses include an interior plaza at the Campbell Road / Wharncliffe Road intersection, detached residential units, and buildings of various sizes and styles accommodating commercial uses.

Map 1 illustrates the Lambeth Area CIP Project Area and three Project Sub-Areas: Lambeth Village Core, Wharncliffe Road Corridor, and Lambeth Residential Neighbourhood.

Map 1: Lambeth Area CIP Project Area and Project Sub-Areas



## 2.0 Planning History

At the February 17, 2015 Planning and Environment Committee (PEC) meeting, Councillor Anna Hopkins and Lambeth Community Association President Geoff Faul submitted a request asking the Civic Administration to prepare a CIP for the Lambeth Area. At its session on February 24, 2015, Municipal Council resolved:

That, the communications from Councillor A. Hopkins and G. Faul, President, Lambeth Community Association, with respect to the request for a Community Improvement Plan for the Lambeth area, BE REFERRED to the Civic Administration for incorporation into the Planning Department's Work Plan, the South West Area Plan and 2015 Budget and to report back at a future Planning and Environment Committee meeting.

The Lambeth Area CIP was placed on the Planning Department's Work Plan with a start date of Q4 2016, however at the request of Councillor Hopkins, the Planning Department reorganized the 2016 work plan and moved the start date up to Q2 2016.

To date, there have been two reports to PEC regarding the Lambeth Area CIP:

- August 22, 2016 - to approve the project Terms of Reference and Study Area; and,
- March 18, 2018 - to circulate the draft Lambeth Area CIP for feedback and comment.

## 3.0 Nature of Application

This CIP is intended to be used to set the vision for improvement in the Lambeth Area, establish the direction for achieving that vision, identify key initiatives and action items, and provide the framework for financial incentives and property improvements.

The combined Notice of Application and Notice of Public Meeting advised of the requested Official Plan Amendment to add a new policy to Section 14.2.2 ii) to add the Lambeth Village Core Project Sub-Area and Wharncliffe Road Project Sub-Area to the list of commercial areas eligible for community improvement, and to amend Figure 14-1 to recognize the Lambeth Village Core Project Sub-Area and Wharncliffe Road Project Sub-Area as commercial areas eligible for community improvement.

The intent of the Official Plan Amendment is to allow these areas to be eligible for commercial improvements and as a result, also be eligible for the financial incentives offered through the Lambeth Area CIP. Adding the entire Lambeth Area Community Improvement Project Area is not required.

Through by-laws, this report designates the Lambeth Area as a Community Improvement Project Area and adopts the Lambeth Area Community Improvement Plan. The Financial Incentive Program Guidelines for the Lambeth Village Project Sub-Area and Wharncliffe Road Corridor Project Sub-Area are also recommended for adoption.

The future amendment to *The London Plan* is to add the Lambeth Area Community Improvement Project Area to Map 8 - Community Improvement Project Areas. Amendments to *The London Plan* text are not required.

## Policy Context (see more detail in Appendix G)

### Planning Act

The *Planning Act* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled and how may control them. The *Planning Act* provides for the establishment of community improvement project areas where the municipality's Official Plan contains provisions relating to community improvement and

the Community Improvement Project Area is designated by a by-law pursuant to Section 28 of the *Planning Act*.

The Lambeth Area meets the test for community improvement as defined under the *Planning Act*. Specifically, Section 28 in the *Planning Act* defines community improvement is defined 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.”

Further, Section 28 of the *Planning Act* defines a Community Improvement Project Area to mean: “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.” The Lambeth Area CIP Project Area is consistent with this definition.

Adopting the Lambeth Area CIP pursuant to Section 28 of the *Planning Act* consists of designating the Lambeth Area CIP Project Area and adopting the CIP for the project area. Financial incentive guidelines are also included for adoption by Municipal Council.

### **Municipal Act, 2001**

The *Municipal Act, 2001* prohibits municipalities from providing assistance directly or indirectly to any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (Section 106(1)).

However, Section 106(3) of the *Municipal Act, 2001* provides an exception to the granting of bonuses. Municipalities can exercise powers under subsection 28(6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the *Municipal Act, 2001*. Section 28 of the *Planning Act* allows municipalities to prepare and adopt Community Improvement Plans if they have the appropriate provisions in their Official Plans.

Preparing and adopting the Lambeth Area CIP is consistent with Section 106(3) of the *Municipal Act, 2001*.

### **Provincial Policy Statement, 2014**

The PPS, 2014 provides policy direction on matters of provincial interest related to land use planning and development. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The vision for land use planning in Ontario in the PPS states that “the long-term prosperity and social well-being of Ontarians depends on planning for strong sustainable communities for people of all ages, a clean and healthy environment, and a strong competitive economy”. Further, the PPS promotes that “efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.” The PPS also supports the long-term economic prosperity of main streets.

Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” the PPS. Therefore, all municipal plans, including: Official Plans, Secondary Plans and CIPs must be consistent with all applicable provincial policies.

The Lambeth Area CIP is consistent with and implements the PPS by:

- sustaining healthy, livable and safe communities by accompanying an appropriate

- range and mix of uses;
- promoting vitality and regeneration;
  - identifying and promoting opportunities for intensification and redevelopment;
  - planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
  - planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources;
  - promoting multimodal transportation systems; and,
  - supporting long-term economic prosperity by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets.

### 1989 Official Plan

The *1989 Official Plan* for the City of London contains City Council's objectives and policies to guide the short and long-term physical development of all lands within the boundary of the municipality. While the objectives and policies in the *1989 Official Plan* primarily relate to land use and development of the municipality, they also have regard for relevant social, economic and environmental matters.

The policies of Chapter 14 provide a framework for the selection and designation of Community Improvement Project Areas, and for the preparation and implementation of Community Improvement Plans. These policies state that Municipal Council may designate, by by-law, community improvement project areas from the areas shown on Figure 14-1 – Areas Eligible for Community Improvement.

The Lambeth Area CIP is consistent with and implements policies of the *1989 Official Plan* by:

- promoting the long term stability and viability of the designated community improvement project area;
- stimulating private property maintenance and reinvestment activity;
- enhance the visual quality of the designated area through the recognition and protection of heritage buildings;
- promoting the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses within the designated community improvement project area;
- upgrading physical services and social and recreational facilities in the designated community improvement project area; and,
- supporting the retention of heritage properties or areas.

To provide the Lambeth Area CIP financial incentive programs, it is also necessary to amend the *1989 Official Plan* by adding the Lambeth Village Core and Wharncliffe Road Corridor to the list of areas eligible commercial areas for community improvement, and amend Figure 14-1 to recognize the Lambeth Village Core and Wharncliffe Road Corridor as commercial areas eligible for community improvement. This amendment does not change any permitted zoning and land uses in the areas. The existing zoning, *1989 Official Plan* designations, and *The London Plan* Place Types remain in place.

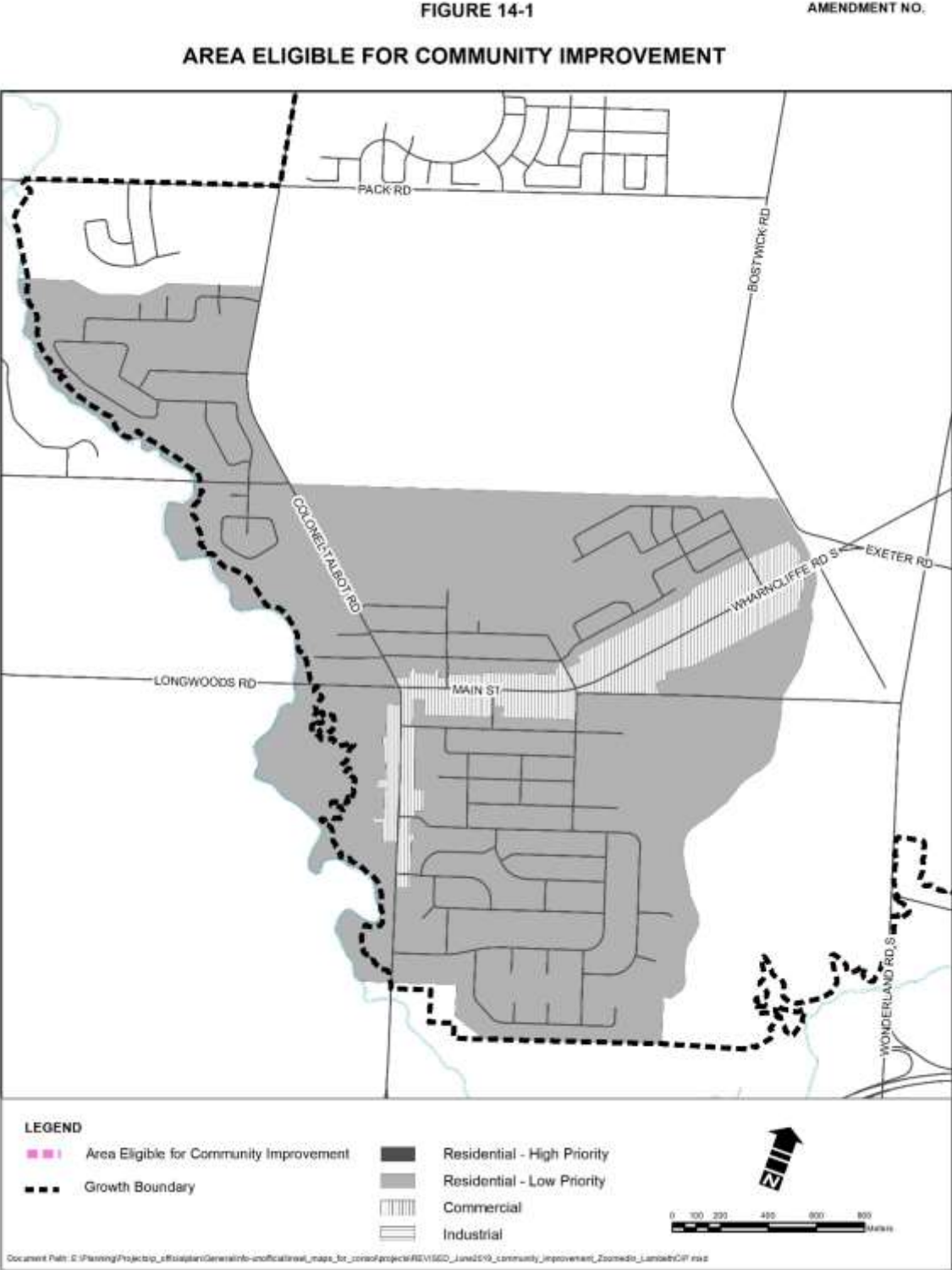
The *1989 Official Plan* (14.2.2 ii) recognizes the Downtown, Old East Village, SoHo and Hamilton Road as specific commercial areas eligible for community improvement. The *1989 Official Plan* also recognizes “Established Older Business Districts” as being eligible for community improvement which is defined as, “several older business districts which serve neighbourhood and, in some cases, broader retail markets have been delineated on the basis of their age and potential benefit from co-ordinated physical improvements.” The proposed Lambeth Village Core Commercial Area and Wharncliffe Road Corridor Commercial Area meet these criteria and, as such, it is recommended that the *1989 Official Plan* be amended to add the Lambeth Village Core Commercial Area and Wharncliffe Road Corridor Commercial Area to the list of



commercial areas eligible for community improvement, and Figure 14-1 be modified to show this change.

The Figure 14-1 excerpt below illustrates:

- Lambeth Village Core: eligible commercial area; and,
- Wharncliffe Road Corridor: eligible commercial area.



**The London Plan**

*The London Plan* is the new Official Plan for the City of London, adopted by Municipal Council in June 2016 and approved by the Ministry with modification in December 2016. At this time, portions of *The London Plan* are not yet in force and effect due to appeals to the Local Planning Appeals Tribunal. *The London Plan* sets new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years.

Urban Regeneration policies in the Our City part of *The London Plan* (policies 152 through 165) are about supporting sensitive growth and change within urban areas so that they are sustainable and prosperous over the long term. *The London Plan* contains numerous policies outlining urban regeneration efforts including encouraging the economic revitalization and enhancing the business attraction of urban main streets (154 4) and promoting the long-term sustainability of urban neighbourhoods throughout the built-up areas of our city, by striving to retain and enhance the viability of their built and natural assets, and their critical social and economic connections (154 6). Further, the Urban Regeneration section provides policies relating to community improvement plans including how to designate a new Community Improvement Project Area by by-law (164).

The Lambeth Area CIP implements the following policies of *The London Plan*:

- maintaining and improving the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings;
- maintaining and improving municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services;
- stimulating private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity;
- maintain and improving the physical and aesthetic amenities of streetscapes in both the public and private realms;
- encouraging the conservation, restoration, adaptive re-use and improvement of cultural heritage resources;
- fostering the revitalization and continued improvement of existing commercial districts;
- upgrading social and recreational facilities;
- promoting cultural and tourism development;
- facilitating and promoting community economic development;
- promoting and improving long-term community stability, safety and quality.

*The London Plan* does not have a map similar to Figure 14-1 in the *1989 Official Plan*. Under *The London Plan* it is no longer required to determine if a proposed Community Improvement Project Area falls within the boundaries of a high or low priority residential, commercial, or industrial improvement area. Instead, *The London Plan* states that subject to the Community Improvement Policies in the Our Tools part of this Plan (discussed in more detail in Section 4.1 of this report), City Council may designate, by by-law, Community Improvement Project Areas anywhere within the municipal boundary (Policy 164). The new Lambeth Area Community Improvement Project Area will be added by an amendment to Map 8 of *The London Plan*.

### **City of London Southwest Area Secondary Plan (SWAP), 2014**

The City of London adopted the *Southwest Area Secondary Plan* on April 29, 2014 (as amended by OMB PL130020). The *SWAP* establishes a vision, principles and policies for the development of the Southwest Planning Area, which includes Lambeth. Lambeth is identified as "...the cornerstone of the community..." in the *SWAP*, which "...has a historical presence and quaint village main street core."

The vision for the area is "...a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high quality urban design."

Consistent with this vision, Key Principles of the *SWAP* include:

- Creation of a Diverse and Connected Community;
- A Range of Housing Choices;
- A Competitive Place to Work and Invest;

- A Green and Attractive Environment; and,
- A Model of Sustainable Growth Management.

The *SWAP* provides a greater level of detail and direction than the general policies in the *1989 Official Plan*. The Lambeth Area CIP is consistent with the vision, key principles, and many of the policies in the *SWAP* including but not limited to:

- fostering a sense of community interaction through connecting land uses using park and open space systems and streets;
- enhancing the public realm;
- recognizing and enhancing cultural heritage resources;
- providing for and supporting the health of the local economy;
- protecting and enhancing natural heritage features;
- building a community with a walkable environment and at a pedestrian scale;
- establishing the Lambeth Village Core as the hub of the community and community focal point;
- enhancing the Lambeth Village Core character and defining an identifiable character; and,
- supporting walking and cycling as the primary modes of transportation within the Lambeth Village Core.

## Lambeth Area Community Improvement Plan Community Engagement and Feedback

The draft Lambeth Area Community Improvement Plan was tabled at the March 18, 2019 Planning and Environment Committee meeting for circulation. At its meeting on March 26, 2019, Municipal Council resolved:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the draft Lambeth Area Community Improvement Plan (CIP):

- a) the draft Lambeth Area Community Improvement Plan appended to the staff report dated March 18, 2019 BE RECEIVED AND BE CIRCULATED for public review and comment to the Lambeth Community Association, the Lambeth B2B Group, the Lambeth Citizens' Recreation Council, the London Transit Commission, the Upper Thames River Conservation Authority, the London Police Service, the Westminster Township Historical Society, Lambeth & Community Harvest Festival, the London Small Business Centre, the Urban League of London, all City advisory committees and stakeholders who have participated in the process to date, posted on the City's Get Involved website; and,
- b) based on the feedback received through the circulation process, the final Lambeth Community Improvement Plan and any associated Community Improvement Plan By-law(s) and Official Plan amendment(s) BE PRESENTED at a future meeting of the Planning and Environment Committee for consideration and approval.

The draft Lambeth Area CIP was circulated as per recommendation a) above.

As outlined in the March 18, 2019 Staff Report, developing relationships with stakeholders in the Lambeth Area was a key component of this project. Staff consulted with organizations, groups and individuals to ensure that the draft Lambeth Area CIP presented to PEC was as comprehensive as possible and captured community priorities. Consultation continued throughout the project, and City Planning Staff was available to meet with individuals and groups at their convenience.

Following the presentation to the PEC on March 18, 2019, Staff forwarded the draft Lambeth Area CIP to the City's advisory committees, stakeholders who had participated in the project to date, the Lambeth B2B Group, the Lambeth Citizens' Recreation Council (LCRC), the London Transit Commission, the Upper Thames River

Conservation Authority, the London Police Service, the Westminster Township Historical Society, Lambeth & Community Harvest Festival, the London Small Business Centre, and the Urban League of London.

The majority of questions and comments received were related to vehicular traffic in the larger Lambeth area (not only within the proposed Lambeth Area CIP Project Area) and the Main Street Infrastructure Renewal Project. The LCRC also submitted a written response with specific requests regarding parks and recreation infrastructure and programs.

On March 21, 2019, City Planning staff facilitated a Community Update & Showcase to provide an update on the Draft Lambeth Area CIP, host a showcase of local organizations and groups, and provide attendees with the opportunity to network with community members and learn about local organizations. Key components of the draft Lambeth Area CIP were illustrated on display boards and Staff gave a presentation to summarize the project status and outline next steps. Attendees were invited to provide feedback on the draft Lambeth Area CIP using a variety of methods, including:

- writing on the display boards;
- filling out comment cards;
- speaking with staff; and,
- following up with staff via email or telephone.

The table in Appendix F summarizes the comments and feedback received from the initial circulation and the March 21, 2019 Community Update & Showcase meeting.

Due to a high level of interest and questions regarding the Main Street Infrastructure Renewal Project, City Planning Staff set up a separate table and provided separate comment forms for the Main Street Infrastructure Renewal Project for people to fill out. Completed comment forms were forwarded to the Transportation Management & Design Division for their follow up as required.

The comments received from this event regarding the Lambeth Area CIP are summarized in Appendix F. The majority of the comments had already been identified and addressed as best as possible through specific Action Items in the draft Lambeth Area CIP. As per notes in the table, feedback outside of the purview of the CIP was sent to the appropriate City Staff representative / Service Area for follow up.

The combined Notice of Application and Notice of Public Meeting was sent to 1970 property owners in the Lambeth Area on June 3, 2019 and advertised in *The Londoner* on June 6, 2019 and July 4, 2019. The Notice advised of the possible amendment to the *1989 Official Plan* to add a new policy to Section 14.2.2 ii), the possible designation of the community improvement project area, adoption of the Lambeth Area CIP and adoption of financial incentive guidelines for the Lambeth Area CIP, all pursuant to Section 28 of the *Planning Act* and Chapter 14 of the *1989 Official Plan*.

Staff received thirteen (13) written responses and nine (9) telephone calls following the circulation of the Notice of Application and Notice of Public Meeting. Most respondents were seeking clarification on the amendment (i.e. “How will this affect my property?”, “How do I find more information?”) or asking questions about the Lambeth community in general. Individuals reiterated concerns that had been raised throughout the project, particularly regarding vehicular traffic and the Main Street Infrastructure Renewal Project. These items have been addressed as best as possible in the Lambeth Area CIP through proposed Action Items (Section 6 of the Lambeth Area CIP). If items were not within the purview of a CIP, forwarded them to the appropriate City Service Area for follow-up. The feedback received is summarized in Appendix F.

To ensure that the proposed Goals, Objectives, and Action Items in the final Lambeth Area CIP were correct and aligned with existing corporate projects and priorities, internal discussions with the following divisions occurred on an ongoing basis: Stormwater Management; Financial Planning & Policy; Neighbourhood Development & Support; Neighbourhood Strategic Initiatives & Funding; Parks & Recreation – Administration &

Attractions; Parks & Recreation – Culture, Special Events & Sport Services; Transportation Planning & Design; Wastewater & Drainage Engineering; and, Parks & Recreation – Parks Planning & Operations; and, City Planning – Long Range Planning & Sustainability.

## Key Changes to the Draft Lambeth Area Community Improvement Plan

The final Lambeth Area CIP remains very similar to the draft Lambeth Area CIP circulated in March 2019. Based on feedback received, the following four changes were deemed substantive, and correlating changes were made to the CIP.

1. Wharncliffe Road Corridor Sign Loan Program: The original recommendation was to limit the professional fees for drawings to the lesser of a maximum of \$5000 or 10% of the loan. However, as the maximum loan is capped at \$5000, **the maximum for professional fees was adjusted to \$500.** (Municipal Actions)
2. Action Item 1.4 originally recommended that local sanitary sewers be constructed as part of the City's Growth Management and Implementation Strategy (GMIS). However, Transportation Demand Management (TDM) staff commented that local sanitary sewers on Wharncliffe Road and Colonel Talbot Road are not eligible to be constructed as part of the City's GMIS. As part of a future roads project, the City will install a sanitary sewer along Wharncliffe Road. However, timing for a roads reconstruction project on Wharncliffe Road is not identified for within the next 20 years. In the meantime, the process for obtaining local sanitary sewers is through the Local Improvement process. Therefore, Action Item 1.4 was changed to: **Extend local municipal stormwater, sanitary and water services to all areas within the Lambeth Area CIP Project Area in accordance with the Local Improvement process.** (Municipal Actions)
3. As per the Environmental & Ecological Planning Advisory Committee's (EEPAC) recommendation from its May 16, 2019 meeting, the following Action Item was added to the Enhancing & Conserving Natural Heritage category: **Develop a Conservation Master Plan for the East Lambeth Forest Environmentally Significant Area when funding becomes available.** (Municipal Actions)
4. A request was received to add an Action Item about the Lambeth Airport to the Strengthening & Conserving Cultural Heritage section. Although the location of the Lambeth Airport is outside of the Lambeth Area CIP Project Area, the role that the Lambeth Airport played during World War II is part of Lambeth's cultural heritage and identity, which can be recognized in many ways (e.g. education, plaque). An Action Item was added to **Recognize Lambeth's first Airport** (Community Opportunities).

The remainder of the changes are minor in nature and consisted of: correcting spelling and grammatical errors; clarifying awkward or unclear sentences; combining Action Items to remove redundancy; ensuring that Action Items are in the appropriate category; adding, removing or revising suggested Leads or Suggested Partners for Action Items; and, changing the overall organization and presentation of the document for clarity.

## Conclusion

Community Improvement Plans have a track record of success in supporting and contributing to the ongoing revitalization of neighbourhoods in the City of London (e.g. Old East Village, Downtown, Hamilton Road). Although the Hamilton Road CIP was only approved in Q2 2018, Action Items are already underway and having a positive effect on the appearance and perception of the community (financial incentive programs, Hamilton Road Corridor Planning Study).

Based on the policy analysis demonstrated in this report and the community

engagement process over the past four years, the Lambeth Area meets the tests for the adoption of a community improvement project area and a Community Improvement Plan. The ability to offer two variations of the Façade Improvement Loan financial incentive program through the CIP should help incentivize property owners to further invest in improving their buildings and properties.

In summary, the Lambeth Area Community Improvement Plan provides a tool for initiating and implementing improvements to the community.

Prepared by:	<b>Laurel Davies Snyder, MCIP, RPP</b> <b>Planner II, Urban Regeneration</b>
Submitted by:	<b>Britt O'Hagan, MCIP, RPP</b> <b>Manager, Urban Regeneration</b>
Recommended by:	<b>John M. Fleming, MCIP, RPP</b> <b>Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

July 15, 2019  
LDS/lDs

**Appendix A**

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

By-law No. C.P. XXXX

A by-law to designate the Lambeth  
Area Community Improvement Project  
Area.

WHEREAS by subsection 28(2) of the *Planning Act*, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS the 1989 Official Plan for the City of London contains provisions relating to community improvement within the City of London;

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

1. The Lambeth Area Community Improvement Project Area, as contained in Schedule 1, attached hereto and forming part of this by-law, is designated.
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.

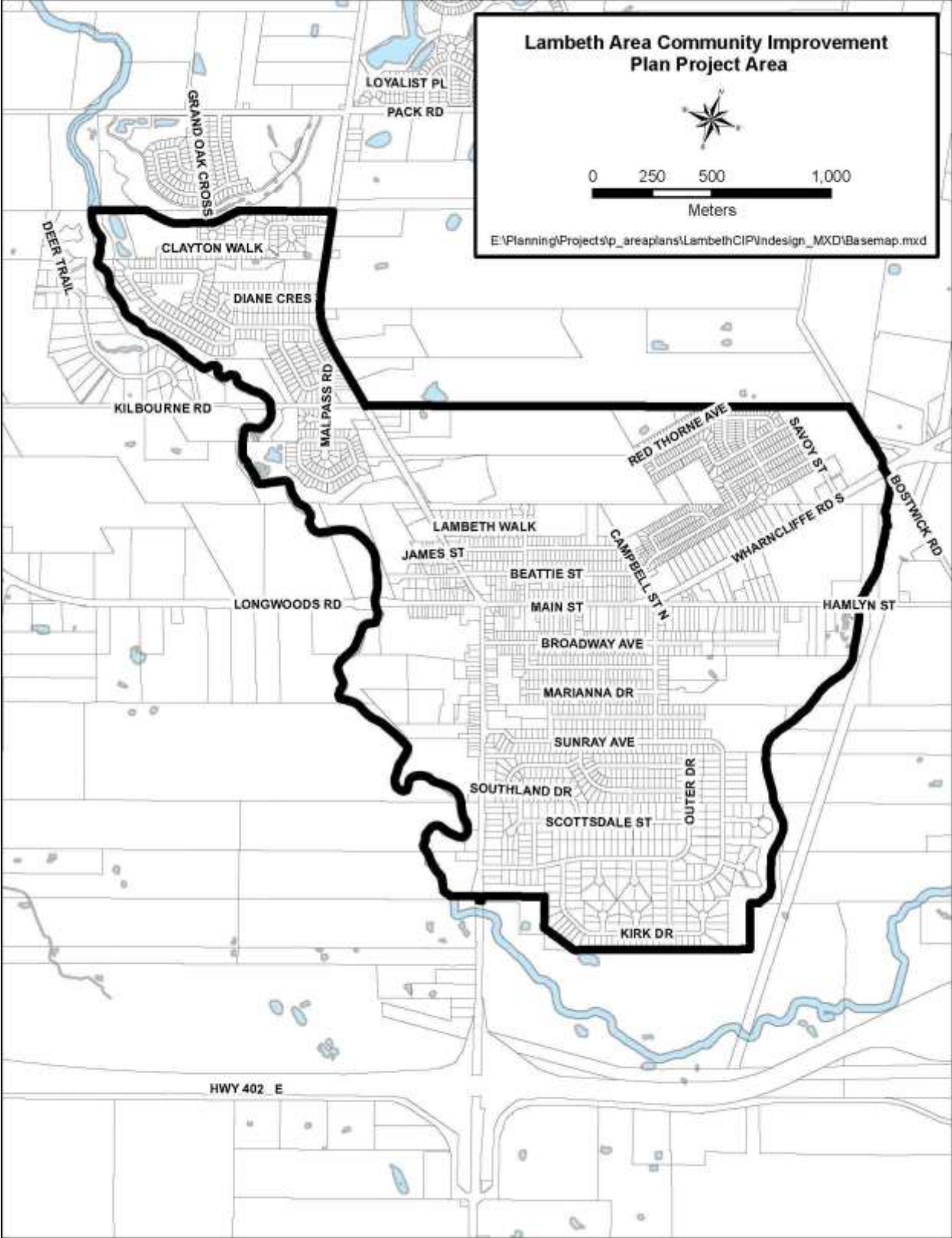
PASSED in Open Council on XXXX.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**Schedule 1 – Lambeth Area Community Improvement Project Area**





## Appendix B – Adoption of the Community Improvement Plan

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

By-law No. C.P. XXXX

A by-law to adopt the Lambeth Area  
Community Improvement Plan.

WHEREAS by subsection 28(4) of the *Planning Act* enables the Council of a municipal corporation may to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Lambeth Area Community Improvement Project Area;

AND WHEREAS the Lambeth Area Community Improvement Project Area is in conformity with the 1989 Official Plan;

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

1. The Lambeth Area Community Improvement Plan, attached hereto, is hereby adopted as the Community Improvement Plan for the area defined therein;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on (Insert Council Meeting Date).

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

**Schedule 1 – Lambeth Area Community Improvement Plan**

# DRAFT

## City of London

# Lambeth Area Community Improvement Plan





# Acknowledgments

The *Lambeth Area Community Improvement Plan* was prepared by City of London Planning Services' staff with assistance from representatives from other City Divisions and many community stakeholders and organizations.

The following people and organizations played an instrumental role in preparing this *CIP*.

Robin Armistead  
Donna Baxter  
Besim Begovic  
Mark Boulger  
Jeff Bruin  
Shawna Chambers  
Ryan Craven  
Matt Davenport  
Larry Davidson  
Laurel Davies Snyder  
Mark Drewe  
Geoffrey Faul  
Kyle Gonyou  
Karl Grabowski  
Lila Huron-Albinger  
Councillor Anna Hopkins  
Lambeth B2B Group  
Lambeth Citizens' Recreation Council (LCRC)  
Vanessa Kinsley  
Lambeth Community Association (LCA)  
Liz MacKinnon  
London Small Business Centre  
Andrew Macpherson  
Nicole Musicco  
Ryan Nemis  
Britt O'Hagan  
Karen Oldham  
James Scott  
PULSE Team  
The Urban League of London  
Brian Tschirsow  
Amanda-Brea Watson  
Elli Westeinde  
Westminster Township Historical Society  
Jim Yanchula

And everyone who participated in the community meetings and contributed throughout the preparation of this *Plan*.

# Lambeth Area Community Improvement Plan

Adopted pursuant to Section 28 of the *Planning Act*.

## **1 Introduction**

- 2 Community Improvement Plan Overview
- 4 Lambeth Area
- 5 Study Area
- 6 Lambeth Area Profile

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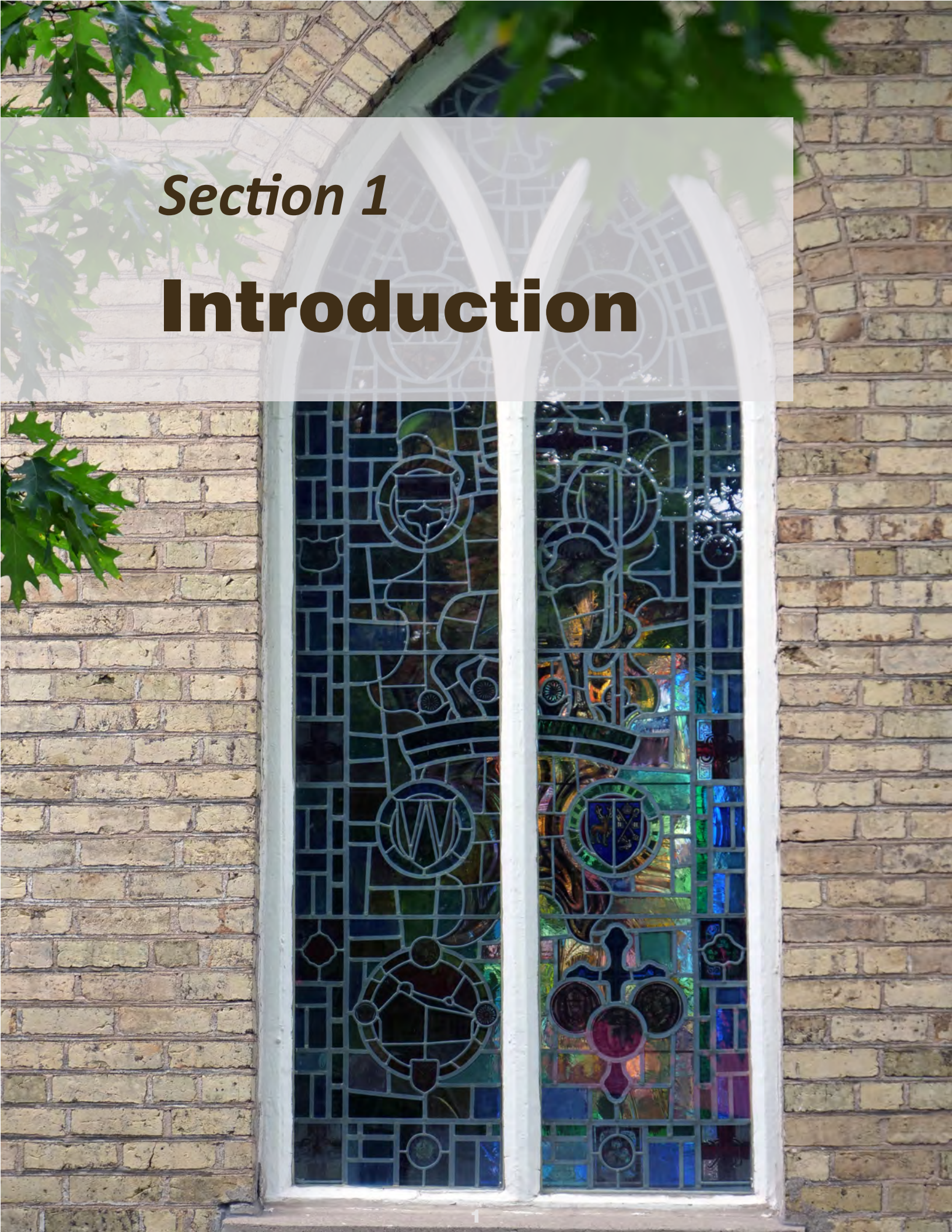
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*Section 1*

**Introduction**





# Community Improvement Plan Overview

## What is a Community Improvement Plan?

A Community Improvement Plan (CIP) is a tool that allows a municipality to take actions to support improvements and redevelopment within a specifically defined project area. Section 28 of the *Planning Act* gives municipalities the ability to prepare CIPs. Through a CIP, municipalities can:

- identify changes needed to land use planning policies, zoning, and/or other by-laws, policies, and practices;
- direct funds for improvements to public infrastructure and public space;
- acquire, rehabilitate, and dispose of land;
- provide grants and loans to owners and tenants for specific actions; and,
- establish a vision, goals, and objectives to provide focus and direction for continuous community improvement.



## Purpose of this Community Improvement Plan

Development of the *Lambeth Area CIP* was initiated by both the Ward Councillor and the Lambeth Community Association in 2014. The purpose of this *CIP* is to:

- establish a vision, goals, and objectives for the *Lambeth Area CIP*;
- identify the strengths, weaknesses, opportunities and threats to the *Lambeth Area CIP* Project Area;
- illustrate how existing strategies, plans and initiatives tie into the *Lambeth Area CIP* vision, goals, and objectives;
- record and prioritize actions for how the *Lambeth Area CIP* Project Area will be improved;
- identify stakeholders and their roles in implementation; and,
- propose incentive programs to encourage and support private-sector investment in existing buildings.

In addition to CIPs having many immediate and long-term positive impacts on an area, the process of creating a CIP brings stakeholders together to talk about issues and concerns, and to share ideas and goals for improving their community. This process builds capacity and connections, which creates a stable foundation for future action.

## How This Plan Was Prepared

The following key tasks were completed to build a comprehensive foundation for preparing the *Lambeth Area CIP*:

- review of relevant Provincial and City policy documents and evaluation of consistency with the *Lambeth Area CIP* Goals, Objectives and Action Items;
- review of existing City of London Community Improvement Plans and incentive programs;
- review of best practices used in CIPs provided by other Ontario municipalities;
- analysis of the Lambeth Area based on:
  - visual audit and first-hand data collection; and,
  - input received from the Project Team.



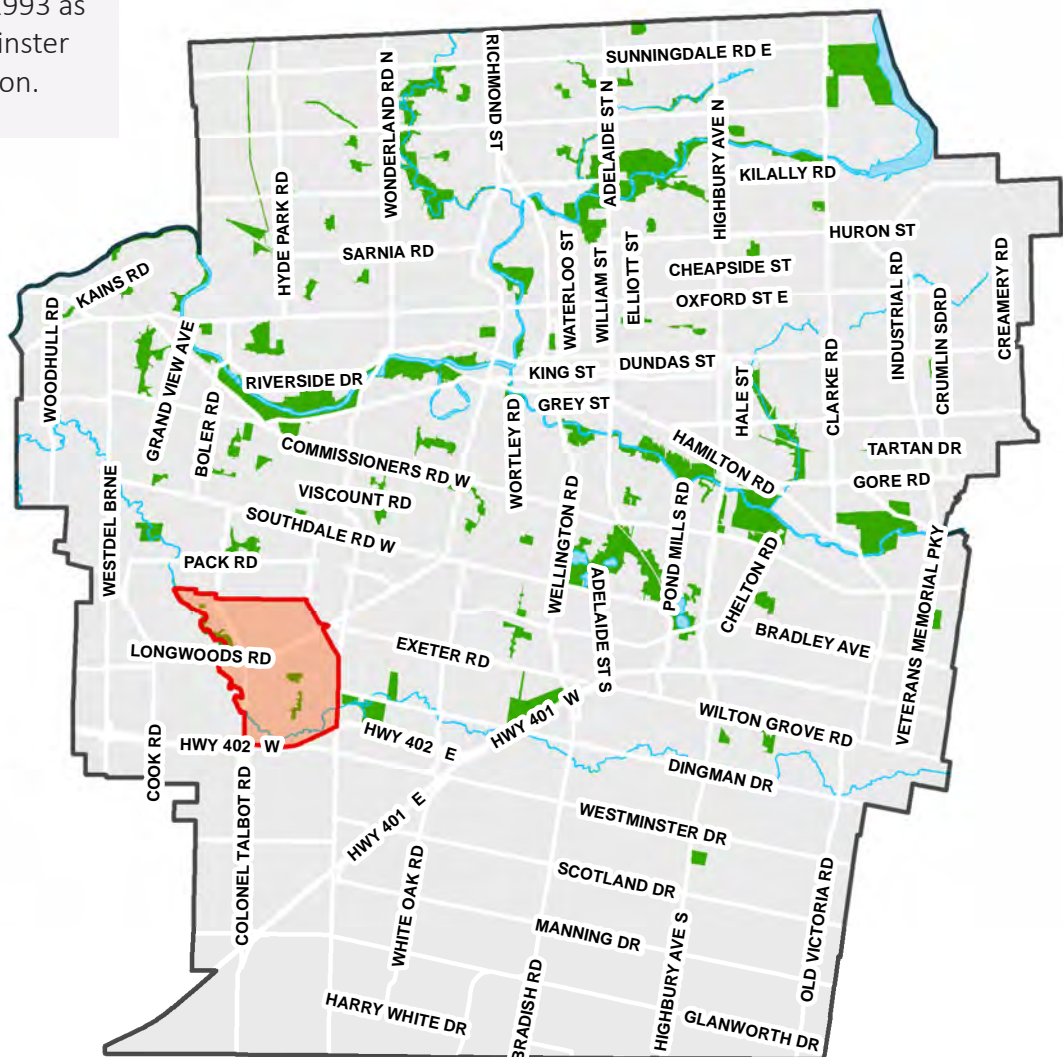
# Lambeth Area

## Background Information

The community of Lambeth, population 4170, is similar to other rural villages in Ontario in that it developed as a compact, walkable community with a traditional main street at its core along Main Street and Colonel Talbot Road. The village core contains a diverse mix of small-scale and independent retail shops, restaurants, and service establishments, and a number of civic, institutional, and community anchors which draw people to the area. These include the post office, places of worship, the community centre, and banks. The core is surrounded by established low-density residential areas. Also similar to other Ontario communities, the Lambeth Area has lost some original buildings and has adapted to accommodate auto-oriented development. This has resulted in newer residential subdivisions located throughout the Lambeth Area and a commercial “strip” located along Wharncliffe Road.

Lambeth was incorporated into the City of London in 1993 as part of the Westminster Township annexation.

Figure 1: City of London and the Lambeth Area



# Study Area

When a CIP is being prepared, a Study Area is established early in the process to maintain focus and to help avoid scope creep as the project moves forward. From the Study Area, a Project Area is then identified as the specific area requiring improvement. The Project Area is included in the final CIP document which is then adopted by Municipal Council. Provincial regulations state that the Project Area is to be based on an area that in the opinion of Municipal Council, improvement is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reason.

**Figure 2: Lambeth Area Community Improvement Plan Study Area**



The *Lambeth Area CIP* Study Area as identified for this Community Improvement Plan is located in the southwest area of the City of London. The Study Area is generally defined as the following: Kilbourne Road and the future Kilbourne Road extension to Wonderland Road to the north; Wonderland Road, Hamlyn Street and Dingman Creek to the east; Greenhills Country Club to the south; and, Dingman Creek to the west.

# Lambeth Area Profile

## Population

The current population in the *Lambeth Area CIP Study Area* is approximately 4170 people; a decrease of 5% from 2011 to 2016 (240 people). In comparison, the City-wide population increased by 4.8% during the same timeframe.

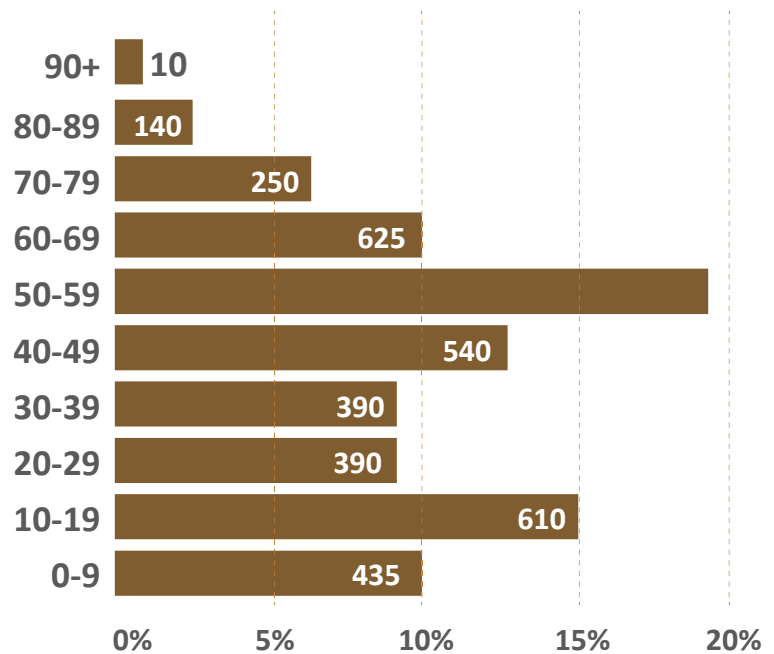


The population in the Lambeth Area decreased by 5% between 2011 and 2016.

The largest population segment in the *Lambeth Area CIP Study Area* is the 50-69 year age range, known as the Baby Boomer generation. This group comprises 34% of the total.

The next largest population segment is the 0-19 age range, known as the iGen/GenZ/Centennial generation, comprising 25% of the total.

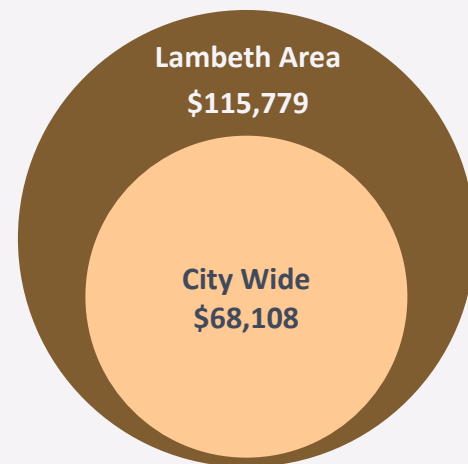
## Age Structure



## Household Income

58% of the households have an annual after-tax household income of \$100,000 or more. The average after-tax household income in the Lambeth Area is \$115,779, just over 58% higher than the City-wide average of \$68,108.

### Average Annual After-Tax Household Income, Lambeth Area CIP Study Area & City Wide



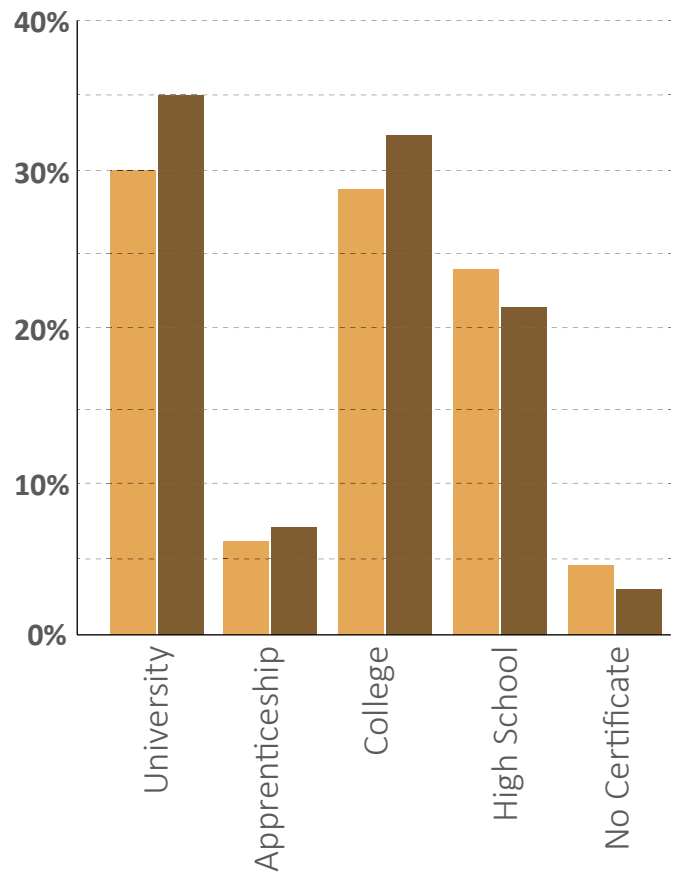
# Lambeth Area Profile

## Education

The Educational Attainment profile for the *Lambeth Area CIP* Study Area is very similar to the City-wide profile. The most frequent credential earned is a University education (diploma, degree at bachelor level or above) for just over 35% of the population compared with just over 30% City-wide. Thirty-three percent (33%) of the population have a college level education compared with 29.23% City-wide. Thirty-three percent (33%) of the population have a college level education compared with 29.23% City-wide.

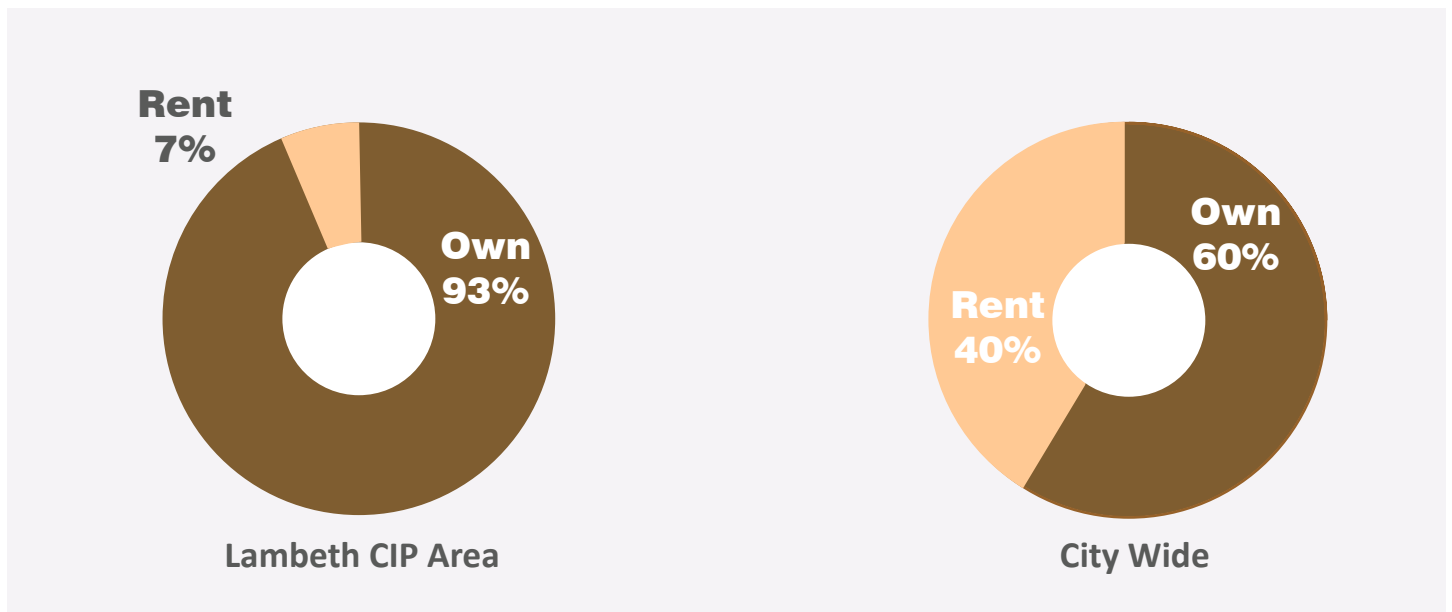


## Education Attainment



## Housing Tenure

The main form of housing tenure in the *Lambeth Area CIP* Study Area is home ownership which totals 93%, compared to 60% City-wide.

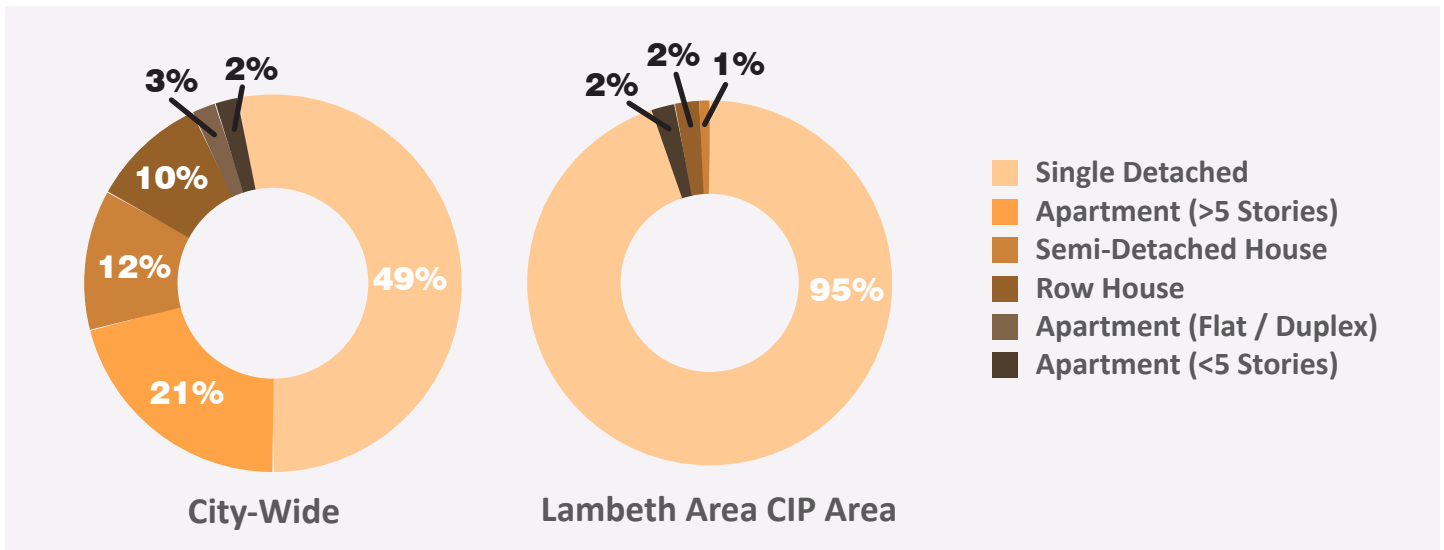


# Lambeth Area Profile

## Dwelling Types

Approximately ninety-five percent (95%) of dwellings in the *Lambeth Area CIP* Study Area are single detached residential units (1465 residential units) compared to 49% City-wide. The remaining five percent (5%) of dwelling types in the *CIP* Study Area is comprised of Semi-Detached (10 units, just over 1%), Row House (30 units, approx. 2%), and Apartments in a building with fewer than five storeys (30 units, approx. 2%). City-wide, almost 21% of the dwellings are Apartments in buildings of 5 or more storeys, however, none of these buildings are in the Lambeth Area.

### Dwelling Type Composition



## Parkland

There are eleven (11) public parks in the *Lambeth Area CIP* Study Area. This equals a total of 37.3 hectares of parkland, or 8.8% of the area. Based on a population of 4170 people from Census data, the *Lambeth Area CIP* Study Area has 9.1 hectares of parkland per 1000 people. City-wide, there are 7 hectares of parkland per 1000 people.

### Hectares of Parkland per 1000 People







*Section 2*

**Stakeholder  
Input: Areas for  
Improvement,  
Priorities & Key  
Principles**





## What We Heard:

### Strengths, Weaknesses, Opportunities, and Threats

Items seen as strengths, weaknesses, opportunities and threats (SWOT) in the Lambeth Study Area that require action and/or improvement were identified through consultation with stakeholders throughout this project (community members, groups, organizations). These items are summarized in the following Section.

## Strengths

- There is a broad range of uses that serve the day-to-day needs of the local residents.
- Most businesses are independently owned and operated, and well-supported by the community.
- Lambeth still feels like a small country village and not like a suburb within the City.
- The area is a “real” village and complete community; maintaining the authentic feel and landmarks is important.
- There is a strong sense of community and history in Lambeth.
- Lambeth is well-maintained and people believe it is a safe area.
- There is a wide range of heritage features within the community.



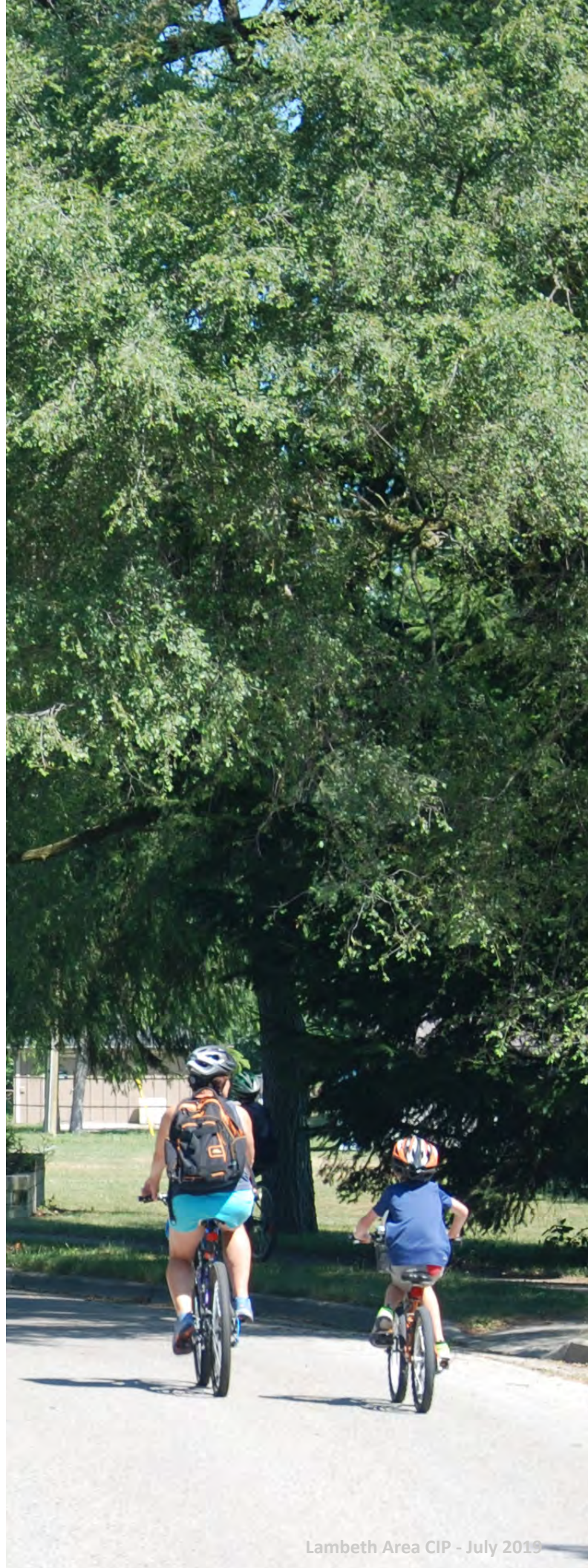
## Weaknesses

- Need to create a sense of place and identity.
- Community branding needed.
- Not a good first impression for visitors entering downtown.
- Arts and culture is lacking.
- Need to document, promote, and celebrate cultural heritage.
- Need to foster a broad range of uses and activities on Main Street and Colonel Talbot Road that activate these areas throughout the day and at all times throughout the year.
- Medical clinic needed.
- Better coordination of business activities and promotion of shopping opportunities is needed.
- Provide more parking opportunities to encourage people to get out of their cars.
- Business facades and signs are dated and tired.
- Main Street is the focus for improvements while other areas are overlooked.
- Lack of municipal sanitary services has been a barrier for development and small businesses.
- Add parks, recreation amenities, and programming.
- Limited activities particularly for youth, a skate park is needed.
- Lack of a central gathering space for residents, visitors and events.
- Need pedestrian amenities- few amenities along major streets (bike racks, benches, waste receptacles, lighting, wide sidewalks).
- Need to assess accessibility and safety.
- Need safe pedestrian, pathway and cycling connections, routes and facilities, traffic calming, crosswalks, improved intersections, etc.
- Lack of foot traffic.
- No pedestrian access to Dingman Creek corridor.
- Main Street and Colonel Talbot Road function as highway corridors (through-traffic does not stop).
- Need improved connection to City Hall and better understand municipal processes and policies (e.g. planning process, development process).
- Volume, speed and congestion of vehicular traffic.



## Opportunities

- Infill development/redevelopment.
- Establishing and promoting a clear identity; promoting destinations.
- Maintaining culture and heritage quality is important (buildings, branding, activities, understanding).
- Lambeth Village could become a traditional downtown pedestrian-focused environment.
- Main Street provides a good focal point for the community and events.
- The intersection of Colonel Talbot Road and Longwoods Road has a strong cultural heritage value.
- Proximity to the highways is an asset (401 and 402).
- The Community Centre, Library and Service Clubs are key strengths and assets.
- The Arena and Splash Pad are great.
- Sustainability is important; Lambeth could be known for being a “green” community.
- Dingman Creek has important historic and environmental features; celebrate Dingman Creek as a significant water and ravine corridor.
- Develop Dingman Creek as a green space like Springbank Park.
- Create a strong visual and physical relationship with the Dingman Creek.





## Threats

- Threat of competition from development along Southdale Road and the Wonderland corridor.
- Need to keep small businesses inviting and attractive to other Londoners.
- City support for small businesses and entrepreneurs needed.
- New development pressures.
- Losing businesses (e.g. financial institutions).
- Bus services are too indirect and limited between Lambeth and the rest of London.
- Loss of heritage and character.
- Ensure that Carolinian Forest is conserved where possible.



## Priorities for Improvements

At the third community meeting, participants were asked to identify and prioritize items and areas for improvement. This activity resulted in the following list (not presented in any particular order):

- Support Small Business
- Traffic Calming
- Improve Bus Services / Amenities
- Enhance Dingman Creek Corridor
- Improve Accessibility
- More Sports /Recreation Opportunities
- Maintain Heritage
- Local Medical Clinics
- Retain Financial Institutions
- Boost Lambeth's Identity
- Improve Connectivity to the City
- Arts & Culture Lacking
- Improve Parking

# Key Principles

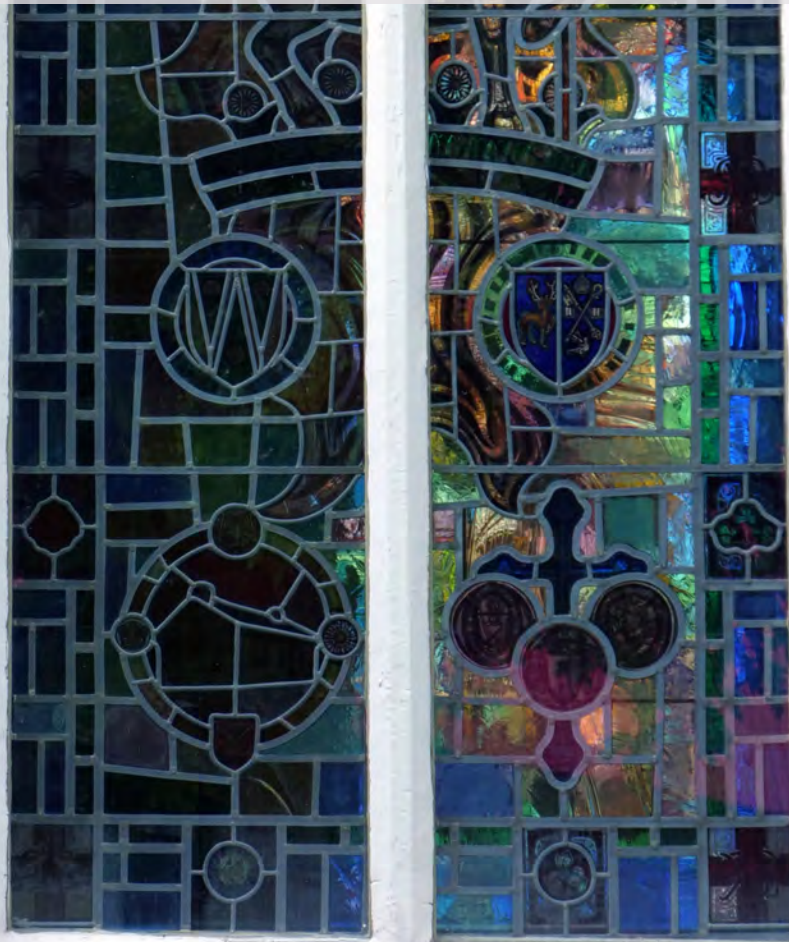
From the SWOT analysis and subsequent discussions, the following eight (8) Key Principles were identified by stakeholders as the framework to guide the Vision, Goals, Objectives, and Action Items for the *Lambeth Area CIP*.

- 1** Lambeth will be a great place to be; a destination; the Lambeth village core is the distinct downtown of the community, it is pedestrian-friendly, attractive and a preferred location for community events.
- 2** Lambeth will have an authentic and strong sense of place and identity; the distinct sense of place reflects and supports local cultural heritage values and a strong sense of community.
- 3** There will be a high level of community pride in Lambeth; local businesses are unique and successful. Residents and visitors prefer to purchase services and goods from local establishments, and regularly participate in community events at a local level.
- 4** Lambeth will be a diverse and welcoming community; the community is connected and supportive of businesses, residents, and visitors.
- 5** Lambeth will have an environment and activities that are family-friendly; community amenities like the Community Centre, Library, parks and programs are well-supported.
- 6** Lambeth will be a safe and healthy community; active streets, sidewalks, trails, and public spaces are connected through a safe community network.
- 7** Lambeth will be sustainable and green; it will be known for prioritizing and celebrating natural features.
- 8** Lambeth will have a quiet, small-town feel enhanced by the Lambeth village core and pedestrian-oriented networks; this will be part of its unique character and sense of place.

These Key Principles align with the Principles of the *Southwest Area Secondary Plan*, and are supported by the proposed *Lambeth Area CIP* Action Items in Section 6.0 of this *CIP*.

*Section 3*

**Community  
Improvement  
Project Area &  
Sub-Areas**







## **The *Lambeth Area CIP* Project Area**

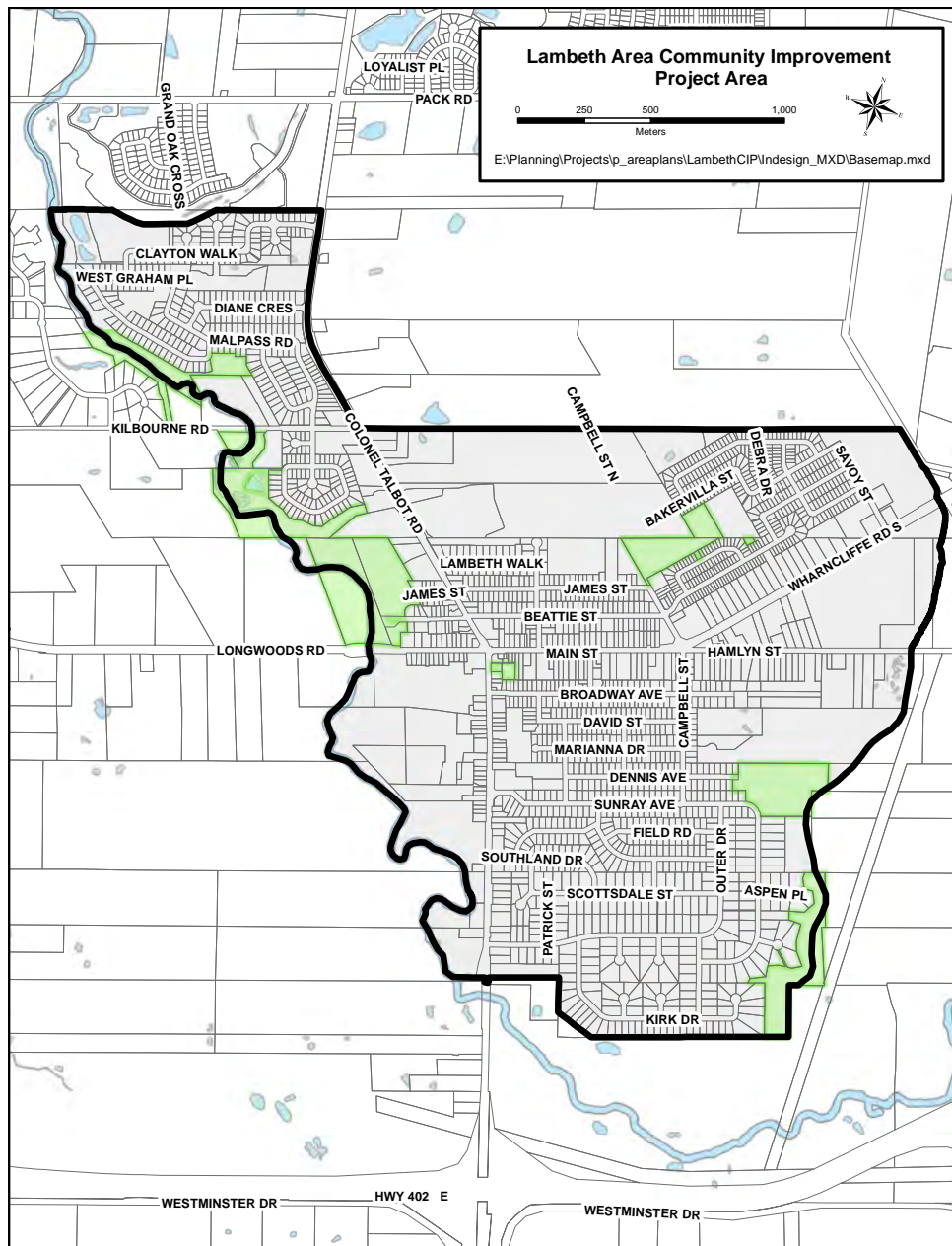
Ontario's *Planning Act* defines a community improvement project area as "a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason." This area, also referred to in this *Plan* as the Project Area, is shown in Figure 3 below.

All community improvement activities described in this *CIP*, including financial incentive programs, will only be undertaken within the area designated as the *Lambeth CIP* Project Area. The *CIP* Project Area is designated by a By-law passed by Municipal Council, in accordance with Section 28 of the *Planning Act*.

# Project Area Description

Figure 3 illustrates the Project Area included in the *Lambeth Area CIP*. The Project Area is based on a combination of consultation and research and is therefore slightly different than the Study Area. Specifically, the Project Area includes the Clayton Walk and Malpass Road subdivisions north of Kilbourne Road and west of Colonel Talbot Road; it does not include the area north of the future Kilbourne Road extension east of Colonel Talbot Road; and, it is bound by the Dingman Creek corridor on the east (i.e. does not continue to Wonderland Road).

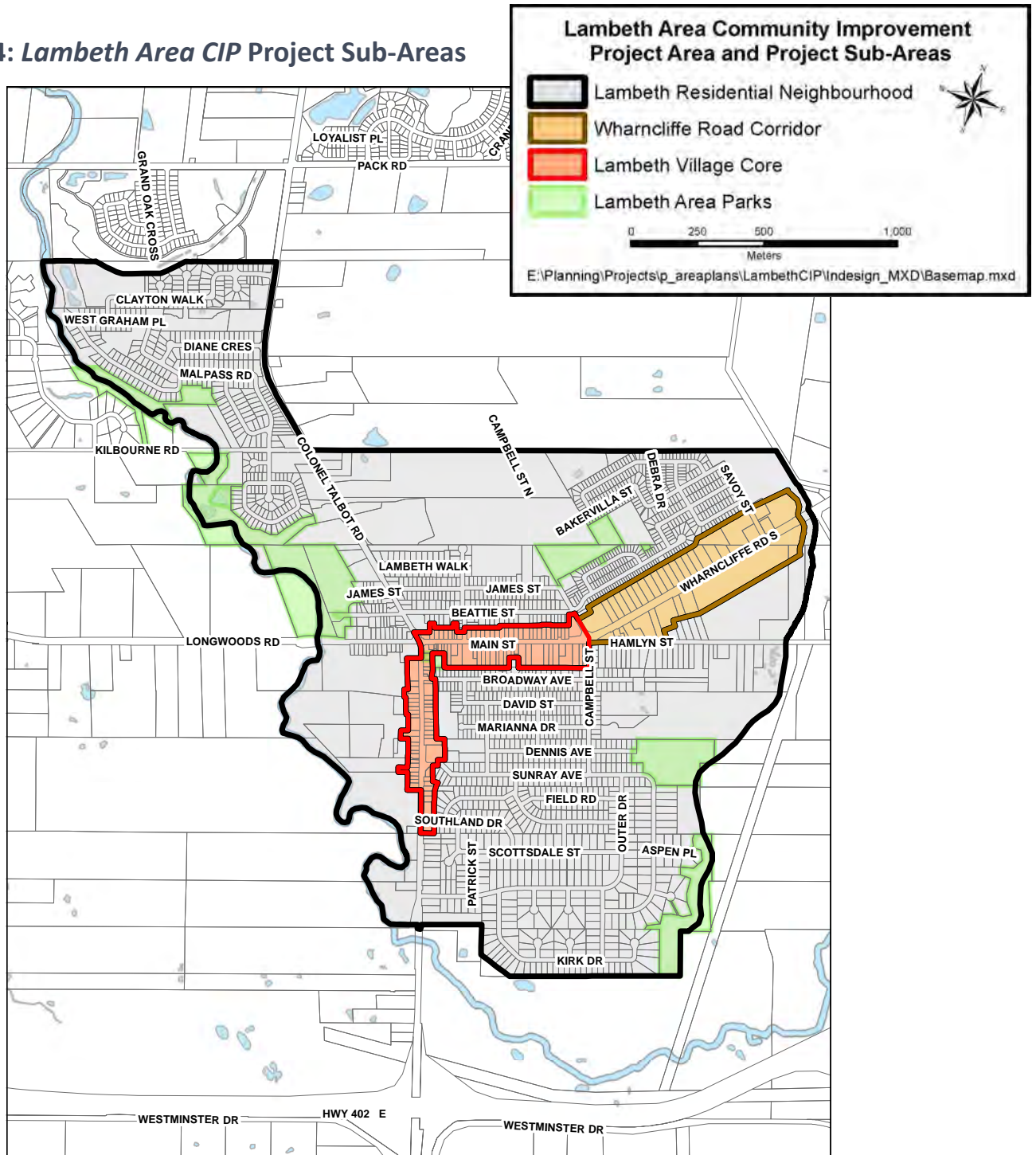
**Figure 3: Lambeth Area CIP Project Area**



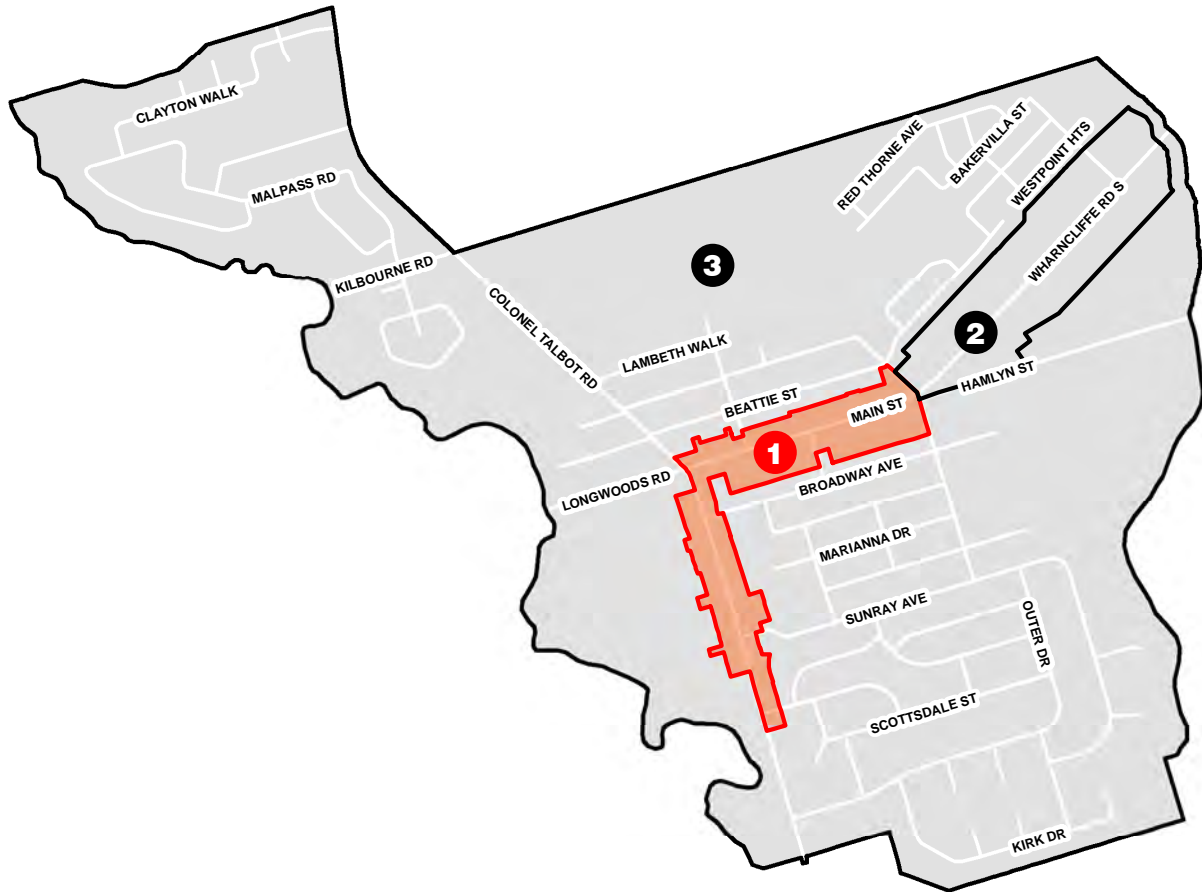
# Project Sub-Areas

To recognize the unique characteristics and specific needs, the *Lambeth Area CIP* Project Area is divided into three Project Sub-Areas, illustrated in Figures 4, 5, 6, and 7. The boundaries of the Project Sub-Areas are based on current conditions and characteristics observed during the preparation of the *Lambeth Area CIP*, and on policy directions of the *SWAP*.

Figure 4: *Lambeth Area CIP* Project Sub-Areas



**Figure 5: Lambeth Village Core**



## 1. Lambeth Village Core

Lambeth Village is the core of Lambeth and functions as a community focal point and the “Main Street”. The area is comprised of properties along Main Street from Campbell Street to Colonel Talbot Road, and along Colonel Talbot Road from Main Street to just south of Outer Drive. These areas are defined as Main Street Lambeth North and Main Street Lambeth South in the *SWAP*. Many of the existing buildings in the Lambeth Village Core are older and have distinctive architectural details. Parking for customers and visitors is largely provided on-site both in front and behind buildings.

The Lambeth Village Core provides a neighbourhood level of service within a comfortable walking and cycling distance of most residents in Lambeth. Uses include a variety of commercial establishments (e.g. retail, restaurant, office, services). It is intended that walking and cycling will be the primary modes of transportation, however the built environment is currently more oriented to cars than to pedestrians. Both Main Street and Colonel Talbot Road are major vehicular traffic routes through the community,

providing access to Highway 402 and Highway 401. One of the goals of the Main Street Infrastructure Renewal Project- initiated in 2017- is to create a pedestrian-friendly environment that supports walking, cycling, and pedestrian activity along Main Street between Colonel Talbot Road and Campbell Road. Through this project, new sidewalks, pedestrian-scale lighting, on-street parking, landscaping, street trees, and space for public art will support the development of a pedestrian-oriented area.

The legislative framework in the Lambeth Village Core allows for a mix of uses and civic functions, including live-work units, commercial and residential uses, and public gathering spaces. New buildings and redeveloped buildings will be street-oriented with setbacks and roof lines consistent with the existing streetscape character. There is an emphasis on maintaining and enhancing high-quality architectural design consistent with the character of the area.

## Lambeth Village Core North

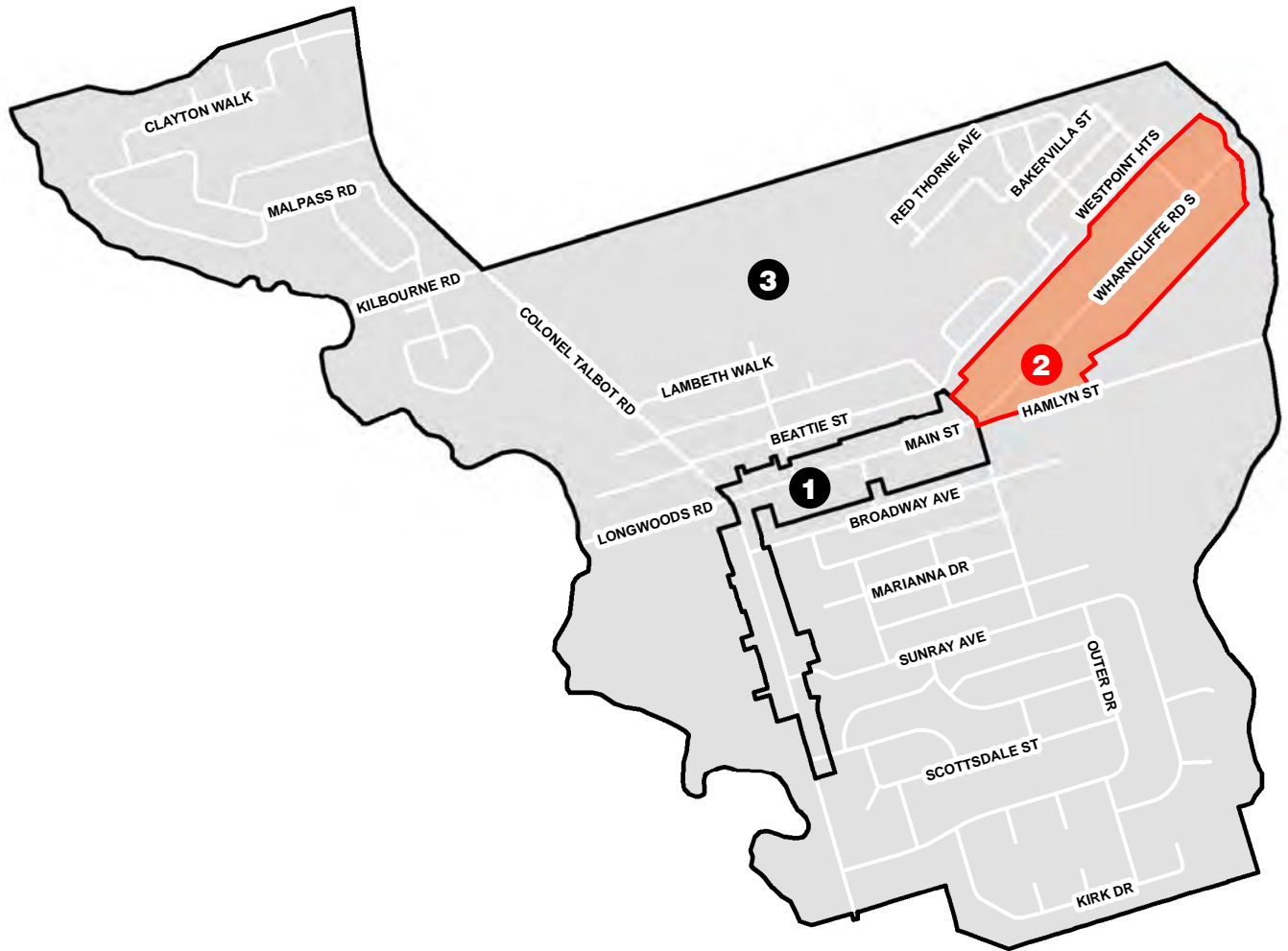
Lambeth Village Core North is designated the Main Street Place Type in *The London Plan*. Mixed-use buildings will be encouraged along Main Street from Campbell Street to Colonel Talbot Road. As redevelopment occurs, sidewalks and on-street parking will be incorporated to support and augment the Main Street development pattern and encourage pedestrianization.

## Lambeth Village Core South

The lands along Colonel Talbot Road in Lambeth Village Core South are designated either the Main Street or Neighbourhood Place Type in *The London Plan*. Essentially, this area currently acts as a transition between the “Main Street” and residential and rural areas to the south.



Figure 6: Wharncliffe Road Corridor

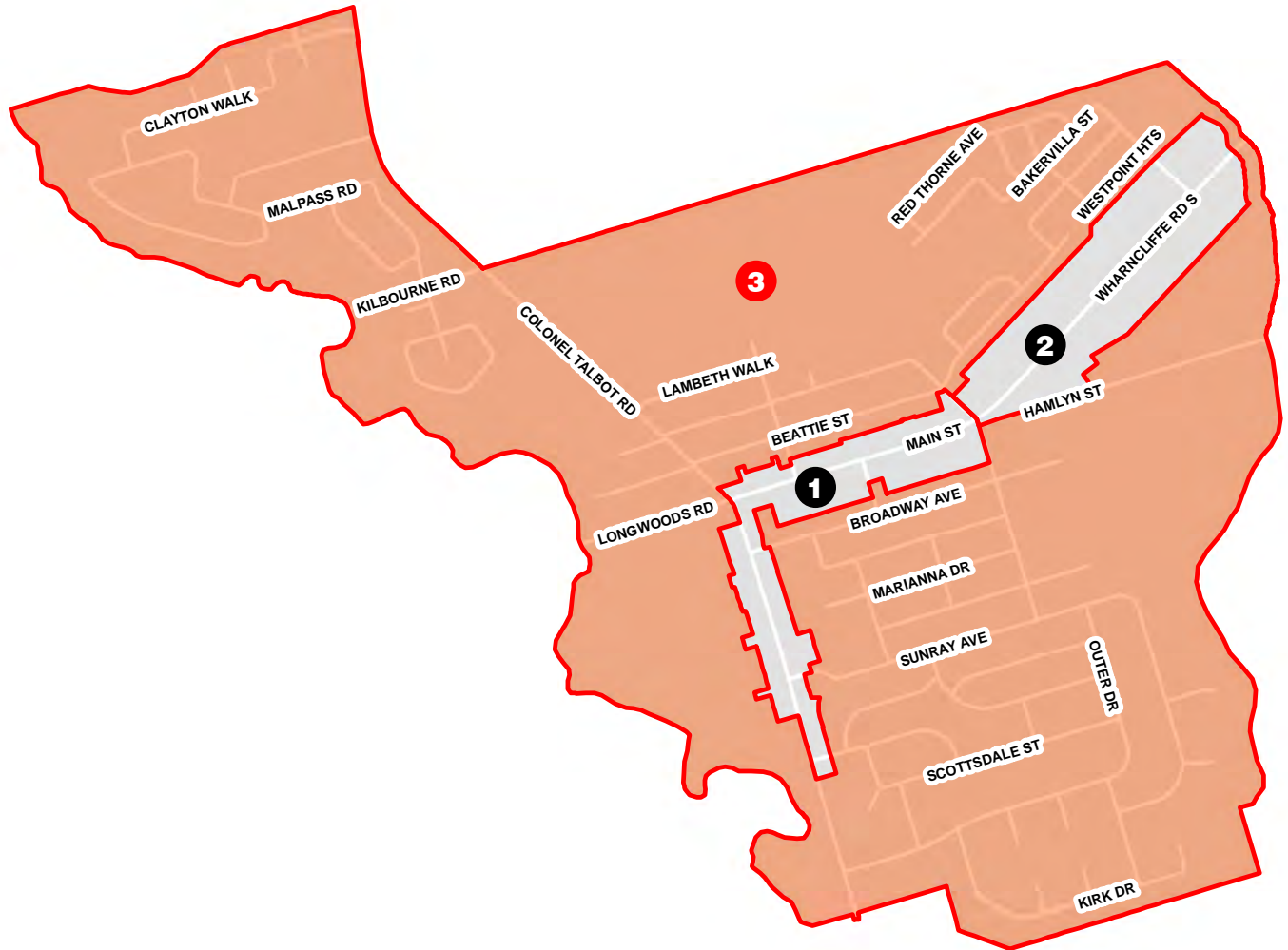


## 2. Wharncliffe Road Corridor

The Wharncliffe Road Corridor contains lands fronting onto Wharncliffe Road South from Colonel Talbot Road to just east of Bostwick Road. Current land uses include an interior plaza at the Campbell Road / Wharncliffe Road intersection, detached residential units, and buildings of various sizes and styles accommodating commercial uses. There is a cluster of buildings containing businesses at the Campbell Road / Wharncliffe Road intersection; moving towards Bostwick Road, buildings are more dispersed. In addition to the variety of building styles, there is an abundance of signage along the Wharncliffe Road Corridor; neither of which contribute to a unique sense of place or identity.

Long-term (re)development goals include additional commercial uses to support and complement the Lambeth Village Core, mixed-use development, opportunities for dwelling conversions, and creating a major gateway into the community. Goals also include high quality design and construction standards, and incorporating walking and cycling infrastructure.

**Figure 7: Lambeth Residential Neighbourhood**



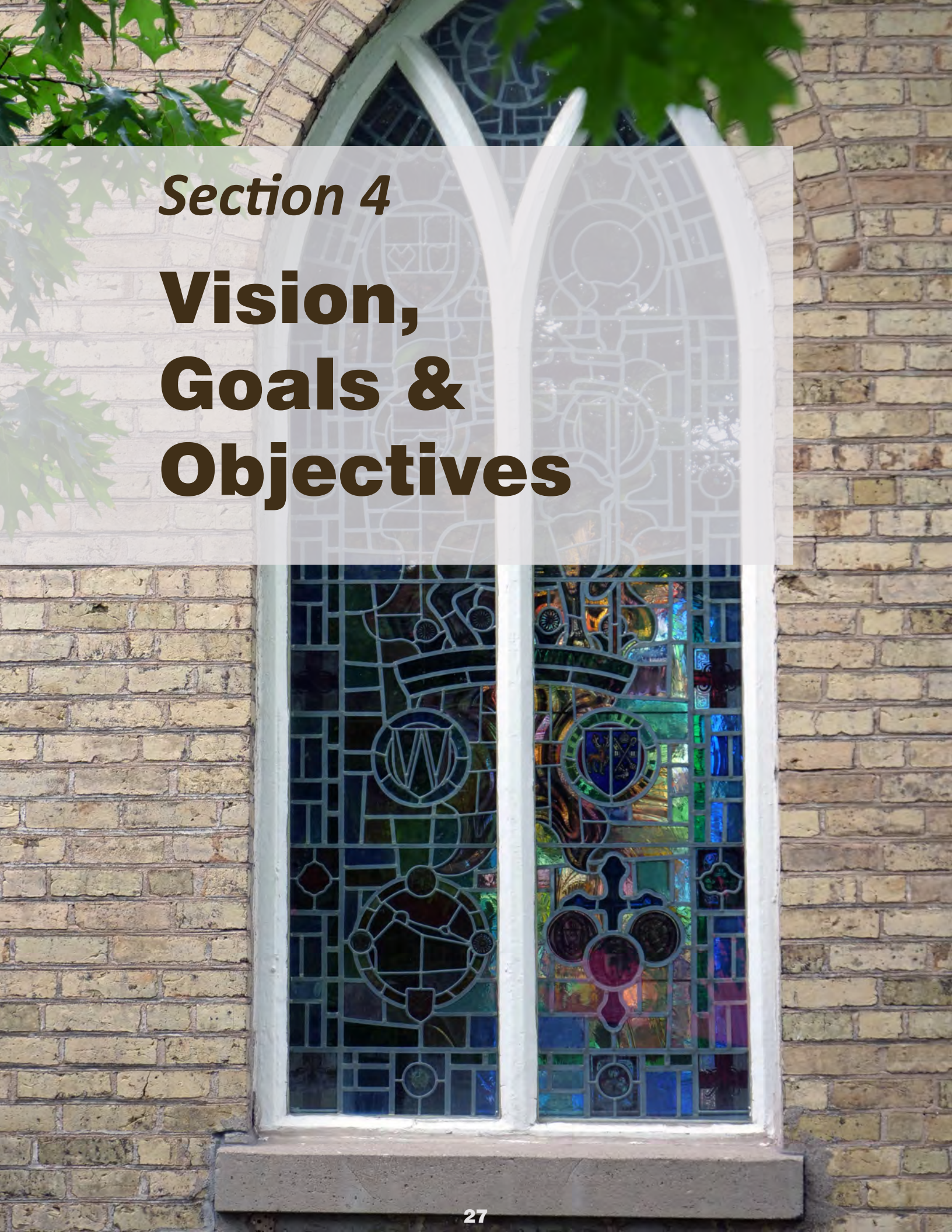
### **3. Lambeth Residential Neighbourhood**

The Lambeth Residential Neighbourhood Sub-Area provides a potential population base to support the businesses in the Lambeth Village Core and the Wharnccliffe Road Corridor. Ninety-five percent (95%) of dwellings in the Lambeth Area are single detached residential units (1465 residential units) compared to 49% City-wide. The remaining six percent (5%) of dwelling types in the Lambeth Area is comprised of Semi-Detached (10 units, just over 1%), Row House (30 units, approx. 2%), and Apartments in a building with fewer than five storeys (30 units, approx. 2%). Most of the residential subdivisions are organized by the loops and lollipops design framework. Subdivisions immediately north and south of Main Street are organized by the grid pattern design framework.

Additional uses within the Lambeth Residential Neighbourhod Sub-Area include Lambeth Arena, Lambeth Library, Lambeth Community Centre, parks, businesses, churches and a private golf club.







*Section 4*  
**Vision,  
Goals &  
Objectives**

# Vision

The analysis and policies in the *SWAP* regarding purpose/intent, form, function/uses, character, and intensity provide clear direction for Lambeth. The *SWAP* presents the following vision for the Lambeth area:

*Lambeth, the cornerstone of the community, has a historical presence and quaint village main street core. The picturesque tree-lined streetscapes of Lambeth serve as a backdrop for new residential neighbourhoods in the southwest part of the city. (City of London. Southwest Area Plan. London, 2014. 4.)*

Through community consultation, the following Vision statement for the *Lambeth Area CIP* was created:

*“ Our Lambeth will be a place for others to visit and well-known for its history. Lambeth comes alive through the charming historic main streets, unique shops and services, the Dingman Creek, parkland, and community events. ”*

A **vision** is a long-term strategic statement that identifies the preferred future; how the community would look, feel and function if the goals and objectives were achieved. Establishing a vision is an important component of the CIP process as it provides the overarching foundation for the Action Items contained in the CIP. A vision also helps to focus and direct proposed public realm improvements, investment, and incentive programs.



# Goals & Objectives

Based on feedback received during consultation, the following six (6) categories were highlighted as priorities for improvement. Specific Goals and Objectives were developed for each category.



## Supporting Businesses & the Local Economy



## Strengthening Community & Connections



## Improved Mobility & Safety



## Developing High Quality Public Realm and Recreation Opportunities



## Strengthening & Conserving Cultural Heritage



## Enhancing & Conserving Natural Heritage

A **goal** is a long-term and broad aim aligned to achieve a defined vision. Having clearly defined goals allows people to see how actions are aligned and related to the community vision. Clearly defined goals can unite people to work together to achieve a shared vision.

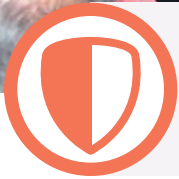
**Objectives** are specific, measurable, achievable, realistic, and timely targets that measure the accomplishment of a goal. Having clear objectives helps to illustrate that things are changing and being accomplished over time.



## Supporting Businesses & the Local Economy

Lambeth will have a resilient, strong, connected and diverse business environment and businesses that serve the local community, attract visitors, and support business retention, expansion & investment.

- 1** Infrastructure and facilities that encourage and support business attraction, retention & expansion and interest and ease of frequenting local businesses, attractions & amenities including strong communications and information technology.
- 2** Legislative framework and processes that support an appropriate and desirable mix and form of uses, and a wide range of economic opportunities.
- 3** Connected, informed and business-friendly environment that supports business attraction, retention and expansion.
- 4** Development and revitalization of properties and buildings with a focus on sustainable building practices and enhancing community identity and cultural heritage.



## Strengthening Community & Connections

The Lambeth community will continue to develop and maintain strong connections within the community and the City, and build capacity to work strategically with stakeholders to achieve community goals.

- 1** Continue to implement the City's Community Engagement Policy to engage the Lambeth community and stakeholders in working together to plan and implement projects & initiatives, and to maintain clear connections to keep the community informed with plans and projects that may affect Lambeth.
- 2** Access funding opportunities for projects and initiatives that will benefit the Lambeth Community.



## Improved Mobility & Safety

Lambeth will have an interconnected community-wide transportation network that is safe, multi-modal and prioritizes walking and cycling.

1

Continue to implement the Council-approved *Cycling Master Plan* to improve the quality, connectivity, safety, and navigability of the pedestrian and cycling environments throughout the *Lambeth Area CIP* Project Area and to the rest of the city.

2

As per the *Cycling Master Plan*, include recreational cycling infrastructure in the Parks / Open Space system and increase the amount of cycling lanes and dedicated cycling routes.

3

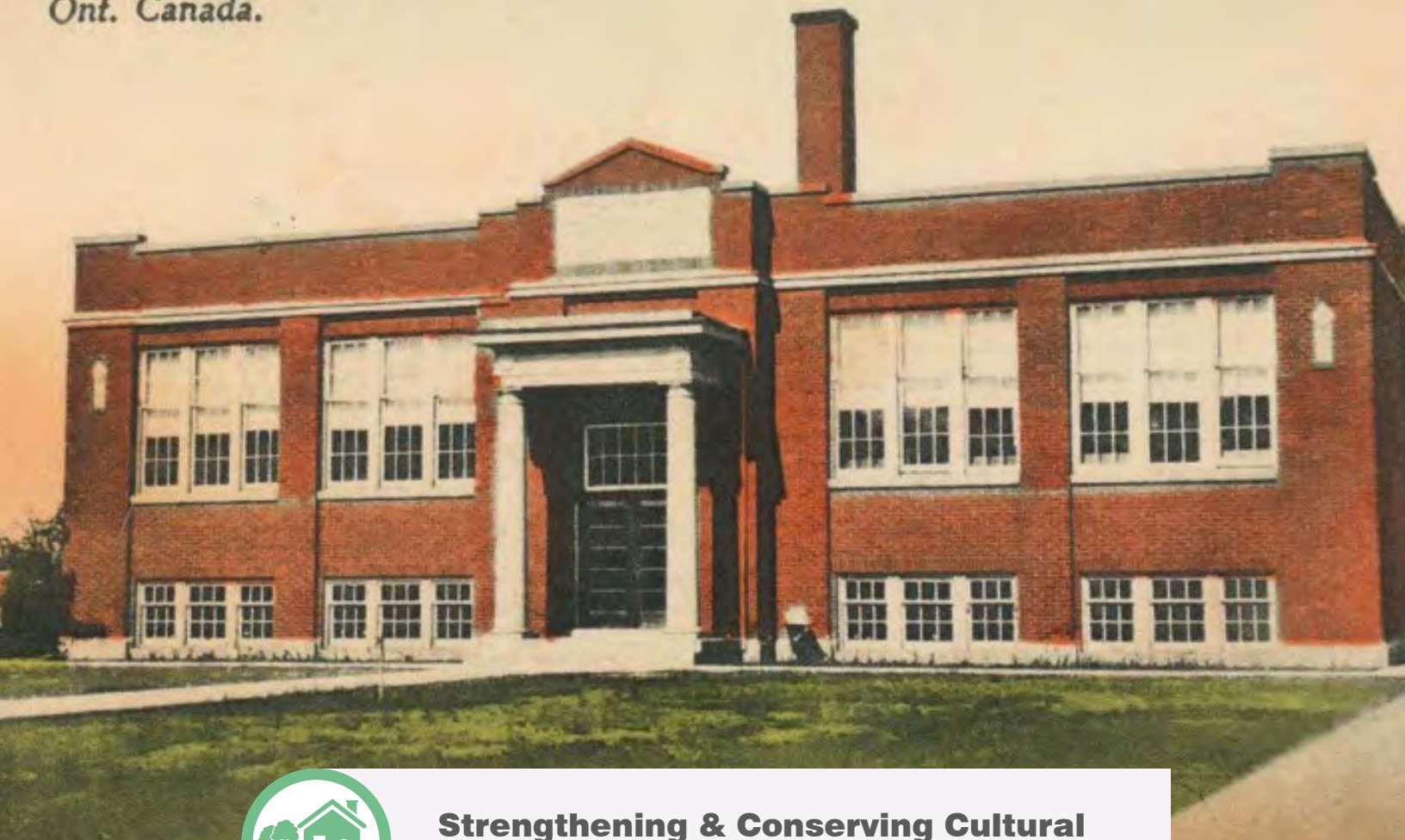
As per the *Transportation Master Plan* and the SWAP, continue to support strong physical connections with other parts of the City of London and in particular, areas within the *Southwest Area Secondary Plan*.



## Developing High Quality Public Realm and Recreation Opportunities

Lambeth will have a range of recreational amenities, programs and supporting infrastructure, and a connected network of pedestrian-oriented streetscapes and public spaces that are interesting, accessible, safe, beautiful and clean.

- 1 As per the recommendations of the Parks & Recreation Master Plan and *The London Plan*, provide a wide range of quality recreational programs and opportunities.
- 2 Continue to develop an interconnected network of parks, trails and pathways.
- 3 Integrate principles of sustainability and incorporate “green” products and systems into the budgeting, planning, and design of streets, streetscapes, and the public realm.
- 4 Create and maintain safe, pedestrian-oriented, beautiful, and environmentally sustainable streetscapes including public spaces in the public right-of-way.
- 5 Consistent with the Parks & Recreation Master Plan and *Cycling Master Plan*, identify opportunities for strategic property acquisition for public squares, plazas, community gardens, plazas, green spaces, and connecting links.
- 6 Support the development of Lambeth Village Core as a hub of the community.



## Strengthening & Conserving Cultural Heritage

Lambeth will have a sense of place that reflects and supports local cultural heritage values.

1

Support a sense of place that celebrates Lambeth's unique identity.

2

Increase people's knowledge and appreciation of cultural heritage resources in Lambeth.

3

Recognize and plan for Main Street and Colonel Talbot Road (south of Main Street) as the downtown / main street and core of Lambeth.

4

Identify and support the protection, retention and conservation of cultural heritage resources in Lambeth.





## Enhancing & Conserving Natural Heritage

Natural features and systems are a defining feature of Lambeth and are enhanced, conserved and celebrated.

- 1** Identify, protect, and enhance the natural features in Lambeth, including the Dingman Creek Corridor and its tributaries.
- 2** Add pathways, trails, walkways and connections within the *Lambeth Area CIP* Project Area through the following:
  - *Cycling Master Plan*;
  - Planning & Development process as development occurs; and,
  - Opportunities identified through the Dingman Creek Subwatershed Environmental Assessment Master Plan to create corridors on some of the tributaries of Dingman Creek in the *Lambeth CIP Area* Project Area.
- 3** Incorporate Low Impact (LID) standards and items into public projects.



*Section 5*

**Incentive  
Programs**



## Incentive Programs

An important part of supporting community improvement in Lambeth is engaging the private sector. One method of achieving this is by providing Financial Incentive Programs to stimulate private investment in fixing up properties and buildings.

Community Improvement Plans (CIPs) enable municipalities to establish financial incentive programs to target different community needs. In accordance with the *Planning Act* and the City's 1989 *Official Plan*, the City may offer grants or loans to property owners and tenants to help cover eligible costs and advance community improvement goals. Once a CIP is adopted and approved, City Council is able to fund, activate and implement financial incentive programs. It is important to note that programs are subject to the availability of funding, and Municipal Council can choose to implement, suspend, or discontinue an incentive program. The *Lambeth Area CIP* is an enabling document, which means that Municipal Council is under no obligation to activate and implement any part of a CIP including financial incentive programs.

In the 2017 report Service Review of Community Improvement Plan Incentives, it was recommended that the Façade Improvement Loan Program be considered for the *Lambeth Area CIP*. This program is designed to encourage and support private sector investment for rehabilitation, adaptive reuse, redevelopment, and construction of existing buildings. Providing this program can help to address a number of issues identified through research and analysis, and implement key principles of the *Southwest Area Secondary Plan*.

It is recommended that two variations of this overall program are considered- a Façade Improvement Loan Program for the Lambeth Village Core and a Sign Loan Program for the Wharnccliffe Road Corridor. The Façade Improvement Loan Program will assist property owners in the Lambeth Village Core with making changes to buildings to reflect the character of the new streetscape design elements and overall feel along Main Street (resulting from the Main Street Infrastructure Renewal Project). The many freestanding signs along the Wharnccliffe Road Corridor do not contribute to a sense of place or complement the vision for the Lambeth Area. The Sign Loan Program will support changes to sign-related components to improve the visual identity of the area.

These initiatives may be considered for funding, alongside other priorities, through the 2019-2023 Strategic Plan and 2020-2023 Multi-Year Budget processes.

# Lambeth Village Core Façade Improvement Loan Program

## Description:

Matching financial assistance for eligible exterior façade works to improve buildings, and bring participating properties into conformity with the Property Standards By-law and applicable City Design Guidelines.

## Funding:

The City may provide no-interest loans that are paid back to the City over a 10-year period. A maximum of \$50,000 per eligible property for up to 50% of eligible works can be provided.

## Program Duration:

As directed by Municipal Council.

## Eligible Works:

Eligible works include but are not limited to:

- Exterior street front renovations compliant with City Design Guidelines;
- Portions of non-street front buildings, visible from adjacent streets;
- Non-street front visible portions may only be eligible for funding after the street front façade has been improved or street front improvements have been deemed unnecessary by the Managing Director, Planning and City Planner, or designate;
- Awnings that are affixed to the exterior street front of a building which are used to keep the sun or rain off a storefront, window, doorway, or sidewalk, and/or to provide signage for a commercial tenant;
- Business name signage that is affixed to the exterior street front of a building;
- Decorative lighting which is affixed to the exterior street front of a building that is ornamental and installed for aesthetic effect;
- Eaves troughs, rain gutters, soffits, fascia, bargeboard, and other materials that direct rain water;
- Doors, windows, and their finished framing; and,
- Professional fees for the preparation of drawings and technical specifications required for eligible works (limited to the lesser of a maximum of \$5,000 or 10% of the loan).



# Wharncliffe Road Corridor Sign Loan Program

## Description:

Matching financial assistance for eligible signage works to improve building signage, and bring participating properties into conformity with the Property Standards By-law, Sign By-law and applicable City Design Guidelines.

## Funding:

The City may provide no-interest loans that are paid back to the City over a 10-year period. A maximum of \$5000 per eligible property for up to 50% of eligible works can be provided.

## Program Duration:

As directed by Municipal Council.

## Eligible Works:

Eligible works include but are not limited to:

- Exterior sign-related renovations compliant with City Design Guidelines;
- Portions of non-street front sign renovations, visible from adjacent streets;
- Awnings that are affixed to the exterior street front of a building which are used to keep the sun or rain off a storefront, window, doorway, or sidewalk, and/or to provide signage for a commercial tenant;
- Business name signage that is affixed to the exterior street front of a building; and,
- Professional fees for the preparation of drawings and technical specifications required for eligible works (limited to the lesser of a maximum of \$5,000 or 10% of the loan).



# Brownfield and Heritage Incentive Programs

In addition to the incentive programs contained in this *CIP*, the City of London also provides incentive programs in both Brownfield and Heritage CIPs. Therefore, depending on the specific project, a property owner may be eligible for a number of financial incentive programs. The following table provides a summary of these incentive programs; specific program information is included in the related CIPs.

## Summary of City Wide CIP Incentive Programs

CIP	Incentive Programs
Brownfield	<ul style="list-style-type: none"><li>• Contamination Assessment Study Grant Program</li><li>• Property Tax Assistance Program</li><li>• Development Charge Rebate</li><li>• Tax Increment Equivalent Grant</li></ul>
Heritage	<ul style="list-style-type: none"><li>• Tax Increment Grant</li><li>• Development Charge Equivalent Grant</li></ul>





*Section 6*

**Implementing  
the Lambeth  
Area  
Community  
Improvement  
Plan**



# How to Read the Action Items Table

The *Lambeth Area Community Improvement Plan (CIP)* Action Items Table is a list of community-, stakeholder- and City-identified Goals and Action Items. Action Items are aligned with the Objectives, Goals, and Vision defined through the *Lambeth Area CIP* process. The Action Items Table is organized into the six (6) Improvement Categories identified through this project:



## Supporting Businesses & the Local Economy



## Strengthening Community & Connections



## Improved Mobility & Safety



## Developing High Quality Public Realm and Recreation Opportunities



## Strengthening & Conserving Cultural Heritage



## Enhancing & Conserving Natural Heritage

Where applicable, the table also identifies the guiding Legislation, Policy or Plan, proposed lead(s) and partners, suggested priority for implementation, and relative funding requirements (high, medium, low, no cost) for each Action Item. The actions in each section are divided into the following three categories:

**1. Municipal Actions:** These Action Items are the responsibility of the Municipality. Many of these items are part of an existing project or program.

**2. Community Opportunities:** These Action Items are the responsibility of a community stakeholder (individuals or groups).

**3. Action Items Identified & Completed during the *Lambeth Area CIP* Project:** These items were completed as part of an existing project (e.g. Main Street Infrastructure Project, Parks & Recreation Master Plan), part of an ongoing Program (e.g. Lifecycle Renewal), or completed during the *Lambeth Area CIP* Project by City Planning Staff.

## Stakeholders

The success of the *Lambeth Area CIP* requires the coordination of the efforts of many stakeholders over time. There is not one person or organization which has the sole responsibility of managing and implementing initiatives or ensuring success. Ideally, champions will emerge to coordinate, lead, manage, and implement identified actions.

## Timing for Implementation

Implementation of Action Items is contingent on a number of factors including costs, availability of funding, priorities, and willingness and motivation of the stakeholders and community to manage and lead projects. The Cost column helps to scope expectations for:

- a relative budget amount (high, medium, low, no cost);
- if funding is available in an existing City budget or if funding would need to come from a future City budget; and,
- if funding would come from a non-City budget.

In terms of general implementation, Municipal Action Items identified as 1st priorities can be implemented with existing resources. Municipal Action Items identified as 2nd and 3rd priorities have higher costs and may require future budget considerations, longer-term implementation plans and/or coordination with stakeholders.





## Supporting Businesses & the Local Economy

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Municipal Actions</b>					
1.1	<b>Provide information about Business Improvement Areas (BIAs) and Business Attraction, Retention &amp; Expansion Strategies</b>	<i>Municipal Act</i> , Section 204	1	<i>Lead:</i> City Planning  <i>Suggested Partners:</i> Lambeth B2B Group	No Cost
1.2	<b>Create business support initiatives</b> to help businesses and entrepreneurs understand planning and development processes, and how to navigate City Hall.		1	<i>Lead:</i> City Planning  <i>Suggested Partners:</i> Lambeth B2B Group; City Planning; Service London Business; Development Services	Low
1.3	<b>Provide and promote financial incentives</b> including a Façade Improvement Loan Program for the Lambeth Village Core and a Sign Loan Program for the Wharncliffe Road Corridor.	<i>Planning Act</i> , Section 28	1	<i>Lead:</i> City Planning  <i>Suggested Partners:</i> Lambeth B2B Group	High (future budget)
1.4	<b>Extend municipal stormwater and sanitary services</b> to all areas within the <i>Lambeth Area CIP</i> Project Area through local improvements.	Local Improvement Charges	1	<i>Lead:</i> Wastewater & Drainage Engineering	High

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
1.5	<b>Extend municipal water services</b> to all areas within the <i>Lambeth Area CIP</i> Project Area in accordance with the GMIS and supporting DC Background Study, or through local improvements.	Growth Management Implementation Strategy (GMIS)  Development Charges (DC) Background Study	1	<i>Lead:</i> Water Engineering	High
1.6	<b>Implement greater mixed-use zoning &amp; range of uses</b> to help facilitate redevelopment in the Lambeth Village Core and Wharncliffe Road Corridor.	SWAP  <i>The London Plan</i>	2	<i>Lead:</i> City Planning	No cost
1.7	<b>Reduce and/or remove parking requirements</b> for commercial and mixed-use properties along Main Street, Colonel Talbot Road, and Wharncliffe Road where parking cannot be accommodated on-site.	SWAP	2	<i>Lead:</i> City Planning	No cost
1.8	<b>Implement on-street parking</b> in the Lambeth Village Core as opportunities arise (e.g. through Site Plan, redevelopment, infrastructure projects).	Main Street Infrastructure Renewal Project: Streetscape Master Plan	2	<i>Leads:</i> EESD, Development Services	Medium
1.9	<b>Consider creating off-street parking</b> to support local businesses and customers / visitors as redevelopment and infrastructure/capital projects arise.	SWAP	2	<i>Lead:</i> Development Services	High
1.10	<b>Incorporate Information, Communications &amp; Technology (ICT) infrastructure</b> to “Future ready” the <i>Lambeth Area CIP</i> Project Area.		2	<i>Lead:</i>	High

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Community Opportunities</b>					
1.11	Develop a Lambeth brand and communications plan that when implemented, will strengthen the area's sense of place, stimulate investment and attract customers and visitors.		1	<i>Lead:</i> Community	Medium
1.12	Conduct tours of successful small downtowns to make contacts, build relationships and understand what works and why.		2	<i>Lead:</i> Community  <i>Suggested Partners:</i> City Planning	Low
1.13	Establish a Lambeth BIA to provide coordinated support, strategy, direction and secure funding for business attraction, retention & expansion.	<i>Municipal Act,</i> Section 204		<i>Lead:</i> Community  <i>Suggested Partners:</i> City Planning	Low
1.14	Undertake a Business Attraction, Retention & Expansion Strategy			<i>Lead:</i> Community  <i>Suggested Partners:</i> Service London Business	Low
<b>Priorities Identified &amp; Completed during the <i>Lambeth CIP</i> process</b>					
1.15	Identify the primary point of contact & establish a relationship between the Lambeth B2B Group and the City Service Area responsible for providing business support.		1	<i>Lead:</i> City Planning	No cost

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
1.16	Establish a relationship between the Lambeth B2B Group and the London Small Business Centre (SBC).		1	<i>Leads:</i> EESD; City Planning	No cost
1.17	Establish a relationship between the Lambeth B2B Group and the Project Manager for the 2018 Main Street Infrastructure Renewal Project.		1	<i>Leads:</i> EESD; City Planning	No cost
1.18	Implement on-street parking in the Lambeth Village Core to support local businesses and customers / visitors.	2018 Main Street Infrastructure Renewal Project <ul style="list-style-type: none"> <li>• 9 on-street parking spaces added to Main Street.</li> </ul>	1	<i>Lead:</i> EESD	Included in project budget
1.19	Improve the sense of place, identity and add community beautification features in the Lambeth Village Core.	2018 Main Street Infrastructure Renewal Project: <ul style="list-style-type: none"> <li>• Fixed planters at Main Street &amp; Campbell Street and Mail Street &amp; Colonel Talbot Road;</li> <li>• Trees on both sides of Main Street;</li> <li>• Seat walls in intersection plaza spaces at the Colonel Talbot /Main and Campbell/Main intersections.</li> </ul>	1	<i>Lead:</i> EESD	Included in Project budget



## Strengthening Community & Connections

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Municipal Actions</b>					
2.1	<b>Create &amp; communicate an inventory of facilities</b> which are available for community meetings and events.		1	<i>Lead:</i> City Planning  <i>Suggested Partners:</i> NCFS	No cost
2.2	<b>Create &amp; communicate a list of resources</b> that can help support the development, management, and implementation of community projects (e.g. funding sources).		1	<i>Lead:</i> City Planning  <i>Suggested Partners:</i> NCFS	No cost
2.3	<b>Communicate</b> information on planned and approved development and infrastructure projects in Lambeth.		1	<i>Leads:</i> City Planning; EESD, etc. (project-dependant)  <i>Suggested Partners:</i> LCA, Lambeth B2B	No cost
2.4	<b>Increase awareness &amp; promote identity</b> of Lambeth through building and installing unique gateways / entranceways into the community.	SWAP  City Design Guidelines (forthcoming)	2	<i>Lead:</i> City Planning	High

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
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## Community Opportunities

2.5	<b>Submit funding applications</b> for programs that support improvements, enhancements and/or events in the Lambeth area.	2019 Neighborhood Decision-Making Program  London Community Grants Program Neighbourhood Small Events Fund	1	<i>Lead:</i> Community  <i>Suggested Partners:</i> NCFS	No cost
2.6	<b>Hold regular community stakeholder discussions/sessions/events</b> to strengthen connections, build relationships, learn, share information about City & community projects, and increase participation in Lambeth organizations and events.	Project-dependant	1	<i>Lead:</i> Community  <i>Suggested Partners:</i> project-dependant	Low

## Action Items Identified & Completed during the *Lambeth CIP* process

2.7	<b>Establish a relationship</b> with the Lambeth Citizens' Recreation Council (LCRC) and the Staff responsible for the Neighbourhood Decision Making Program.		1	<i>Lead:</i> City Planning  <i>Partner:</i> NCFS	No cost
2.8	<b>Establish a relationship</b> between the Lambeth Community Association (LCA) and Development Services so that the LCA is aware of Planning Applications.		1	<i>Lead:</i> City Planning  <i>Partner:</i> Development Services	No cost
2.9	<b>Establish Lambeth Community Harvest Festival's eligibility for City funding</b>		1	<i>Lead:</i> City Planning  <i>Partner:</i> NCFS	No cost





## Improved Mobility & Safety

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Municipal Actions</b>					
3.1	<b>Provide information</b> regarding planned road improvement projects in Lambeth and information about the <i>Transportation Master Plan</i> (timing, process, etc.).	<i>Transportation Master Plan (TMP)</i>	1	<i>Lead:</i> EESD	No cost
3.2	<b>Install a new marked pedestrian crossings and signage</b> on Colonel Talbot Road near James Street to provide for safe pedestrian crossing and travel between neighbourhoods and the Lambeth Community Centre.		1	<i>Lead:</i> EESD	Medium
3.3	<b>Dedicate cycling routes on Collector Roads</b> as infrastructure projects arise.	<i>Cycling Master Plan</i>	1	<i>Lead:</i> EESD	Medium
3.4	<b>Install pedestrian and cycling infrastructure and amenities</b> including signage through area road improvement projects, parks improvement projects and as redevelopment of the <i>CIP</i> Project Area occurs in accordance with the Parks & Recreation Master Plan and the approved <i>Cycling Master Plan</i> .	<i>Cycling Master Plan</i>  Parks & Recreation Master Plan	1	<i>Leads:</i> Environmental & Parks Planning; EESD (project-dependant)	High

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
3.5	<p><b>Develop connected cycling and pedestrian networks</b> (with signage) in the Lambeth CIP Project Area in accordance with the Parks &amp; Recreation Master Plan and the approved Cycling Master Plan, to link neighbourhoods/areas, amenities, landmarks, and facilities using neighbourhood streets, sidewalks, pathways, parks and trails. Key goals:</p> <ul style="list-style-type: none"> <li>• limiting pedestrian routes along highways/main roads;</li> <li>• ensuring connection between the Southwinds neighbourhoods and the rest of Lambeth; and,</li> <li>• ensuring the road system connects with the parks system.</li> </ul>	<p><i>Cycling Master Plan</i></p> <p>Parks and Recreation Master Plan</p>	1	<p><i>Lead:</i> Environmental &amp; Parks Planning</p>	High
3.6	<p><b>Continue to build physical connections</b> between the Lambeth Area and the rest of London using roads, parks, trails, and recreational pathways in accordance with the <i>Transportation Master Plan</i>, Parks &amp; Recreation Master Plan and the approved <i>Cycling Master Plan</i>.</p>	<p><i>Cycling Master Plan</i></p> <p>Parks &amp; Recreation Master Plan</p> <p><i>Transportation Master Plan</i></p>	1	<p><i>Lead:</i> EESD</p> <p><i>Suggested Partner:</i> Environmental &amp; Parks Planning</p>	High
3.7	<p><b>Undertake road improvements on Kilbourne Road</b> (Colonel Talbot Road to Longwoods Drive).</p>	<p>Road improvements are scheduled for 2019.</p>	1	<p><i>Lead:</i> EESD</p>	High
3.8	<p><b>Undertake road improvements on Bainard Street.</b></p>	<p>Road improvements are scheduled for 2020.</p>	1	<p><i>Lead:</i> Transportation Planning &amp; Design</p>	High

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
3.9	<b>Improve the safety</b> of the Kilbourne Road and Colonel Talbot Road intersection (e.g. traffic lights).	The intersection of Kilbourne Road and Colonel Talbot Road will be monitored to evaluate when improvements are necessary.	1	<i>Lead:</i> Transportation Planning & Design	High
3.10	<b>Install a new marked pedestrian crossover and signage</b> on Colonel Talbot Road between Main Street and Sunray Avenue to provide for safe pedestrian crossing and travel between neighbourhoods.		2	<i>Lead:</i> EESD	Medium
3.11	<b>Undertake an Infrastructure Renewal Project Needs Assessment</b> for Colonel Talbot Road within the <i>Lambeth Area CIP</i> Project Area.		2	<i>Lead:</i> Transportation Planning & Design	High

## Community Opportunities

3.12	<b>Undertake a Safety Audit and/or Crime Prevention Through Environmental Design (CPTED)</b> session to identify and document specific safety concerns in the <i>Lambeth Area CIP</i> Project Area.		2	<i>Lead:</i> Community  <i>Suggested Partners:</i> Police; City Planning; NCFS	No cost
3.13	<b>Identify and document specific concerns that may require traffic calming initiatives.</b>		2	<i>Lead:</i> Community	No cost

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
3.14	<p><b>Request that London Transit Commission (LTC):</b></p> <p>a) identify opportunities to increase bus service connections with other parts of the City with a focus on areas in the <i>Southwest Area Secondary Plan</i> area; and,</p> <p>b) ensure that bus stops have required infrastructure and amenities.</p>		1	<p><i>Lead:</i> Community</p> <p><i>Suggested Partners:</i> London Transit Commission (LTC)</p>	Medium

## Action Items Identified & Completed during the Lambeth CIP process

3.15	<p><b>Increase pedestrian safety and sense of place on Main Street</b> by installing pedestrian-scale lighting.</p>	2018 Main Street Infrastructure Renewal Project	1	<i>Lead:</i> EESD	Part of project budget
3.16	<p><b>Reduce traffic speed on Main Street</b> by reducing the number of driving lanes, reducing lane widths, adding pedestrian islands/medians, and other streetscaping elements.</p>	2018 Main Street Infrastructure Renewal Project	1	<i>Lead:</i> EESD	Part of project budget
3.17	<p><b>Facilitate safe crossing of Main Street by installing a new marked pedestrian crossover</b> on Main Street, between South Rutledge Road and Bainard Street to facilitate safe pedestrian crossing of Main Street.</p>	2018 Main Street Infrastructure Renewal Project	1	<i>Lead:</i> EESD	Part of project budget
3.18	<p><b>Ensure safe road crossing by pedestrians by adjusting signal timing</b> at the Colonel Talbot Road and Main Street intersection to ensure safe crossing by pedestrians.</p>	2018 Main Street Infrastructure Renewal Project	1	<i>Lead:</i> EESD	Part of project budget

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
3.19	<b>Address safety concerns</b> with turning lanes on Wharncliffe Road.	2018 Main Street Infrastructure Renewal Project.	1	<i>Lead:</i> EESD	Part of project budget
3.20	<b>Establish relationship</b> between the Lambeth Community Association and the Service Area responsible for Safety Audits.		1	<i>Lead:</i> City Planning  <i>Partners:</i> NCFS	No cost
3.21	<b>Provide information regarding the City's Traffic Calming process and initiatives.</b>		1	<i>Lead:</i> City Planning  <i>Partner:</i> Transportation Planning & Design	No cost





## Developing a High Quality Public Realm & Recreation Opportunities

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Municipal Actions</b>					
4.1	<b>Create &amp; communicate a map/graphic</b> of existing, approved and planned public space, trails, cycling routes, and pathways in the <i>Lambeth Area CIP</i> Project Area.	<i>Cycling Master Plan</i>  Parks & Recreation Master Plan  <i>SWAP</i>	1	<i>Lead:</i> City Planning  <i>Suggested Partners:</i> Environmental & Parks Planning, NCFS	Low
4.2	<b>Improve Lambeth Veterans Park</b> and consider expanding the park entrance to expand the space. Improvements could include landscaping, amenities, accessibility, parking, traffic movement, and safety.	Parks & Recreation Master Plan	1	<i>Lead:</i> Culture Office	Medium
4.3	<b>Plant trees</b> in Lambeth as per the forthcoming Parks & Recreation Master Plan and Site Plan policies.	Parks & Recreation Master Plan	1	<i>Lead:</i> Environmental & Parks Planning  <i>Suggested Partner:</i> Development Services	Medium
4.4	<b>Develop public space (e.g. parks, civic squares), trails and pathways</b> as per the approved <i>Cycling Master Plan</i> , <i>SWAP</i> , and the forthcoming Parks & Recreation Master Plan.	<i>Cycling Master Plan</i>  Parks & Recreation Master Plan  <i>SWAP</i>	1	<i>Lead:</i> Environmental & Parks Planning  <i>Suggested Partner:</i> City Planning	High

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
4.5	<b>Implement Low Impact Development (LID)</b> items.		2	<i>Lead:</i> Development Services	project-dependant
4.6	<b>Develop a Streetscape Master Plan</b> for the Wharncliffe Corridor to support businesses, develop a pedestrian-friendly environment & infrastructure, manage vehicular traffic concerns, strengthen the sense of place and establish a gateway into the Lambeth Village Core.	City Design Guidelines  <i>SWAP</i>	2	<i>Lead:</i> EESD  <i>Suggested Partner:</i> City Planning	Medium
4.7	<b>Develop a wayfinding strategy for key landmarks and destinations</b> within the <i>CIP</i> Project Area; ensure consistency with the Lambeth Village Core brand / brand guidelines.	City Design Guidelines	2	<i>Lead:</i> Culture Office  <i>Suggested Partner:</i> City Planning	Medium

## Community Opportunities

4.8	<b>Develop an outdoor multi-use court</b> , consistent with the forthcoming Parks & Recreation Master Plan.	Parks & Recreation Master Plan	2	<i>Lead:</i> Community to participate in Parks & Recreation Master Plan process.	High
4.9	<b>Provide additional and enhanced recreational programs.</b>	Parks & Recreation Master Plan	2	<i>Lead:</i> Community to participate in Parks & Recreation Master Plan process.	Medium
4.10	<b>Install places to fill up water bottles.</b>	Parks & Recreation Master Plan	2	<i>Lead:</i> Community to participate in Parks & Recreation Master Plan process.	Medium

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
4.11	<b>Install and maintain planting boxes and banners</b> in the Lambeth Village Core to support the area's identity, and promote and beautify Lambeth.		2	<i>Lead:</i> Community  <i>Suggested Partners:</i> London Hydro, Transportation & Roadside Operations; Community sponsors	Medium
4.12	<b>Increase the usability of the Lambeth Arena</b> (e.g. removable flooring, acoustic panels, sound system).	Parks & Recreation Master Plan	2	<i>Lead:</i> Community to participate in Parks & Recreation Master Plan process.	High
4.13	<b>Install decorations and/or decorative lighting</b> along: a) Main Street from Campbell Street to Colonel Talbot Road; and, b) Colonel Talbot Road from Main Street to Outer Drive.		2	<i>Lead:</i> Community  <i>Suggested Partners:</i> London Hydro, Community sponsors	High

## Action Items Identified & Completed during the Lambeth CIP process

4.14	<b>Establish a relationship</b> between <i>Lambeth Area CIP</i> Project Participants and the Service Team responsible for the Parks & Recreation Master Plan.		1	<i>Lead:</i> City Planning	No cost
4.15	<b>Provide information</b> on how to participate in the Parks & Recreation Maser Plan on-line survey and groups.	Information provided at the June 18, 2018 LCA AGM and sent via email to a number of community stakeholders.	1	<i>Lead:</i> City Planning  <i>Partners:</i> LCA, LCRC	No cost



No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
4.16	<b>Review the recreational facilities</b> at Optimist Park.	The facilities are included in the Lifecycle Renewal Program. Lambeth Area CIP Participants were advised that their concerns about the facilities at Optimist Park could be communicated through the Parks & Recreation Master Plan survey.	1	<i>Lead:</i> Environmental & Parks Planning	No cost
4.17	<b>Develop soccer fields</b> for competitive play.	In 2018, a study to evaluate soccer needs was completed with the Soccer Association. The Soccer Association did not identify any specific needs. The results of this study will be incorporated into the Parks & Recreation Master Plan.	1	<i>Lead:</i> Soccer Association  <i>Suggested Partner:</i> Environmental & Parks Planning	No cost
4.18	<b>Install seat walls</b> in intersection plaza spaces at the Colonel Talbot /Main and Campbell/Main intersections.	2018 Main Street Infrastructure Renewal Project		<i>Lead:</i> EESD	Part of project budget



## Strengthening & Conserving Cultural Heritage

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Municipal Actions</b>					
5.1	<b>Initiate the London Commemorative Street Sign Program.</b>		2	<i>Lead:</i> NCFS	No cost
5.2	<b>Identify locations</b> for municipal cultural heritage interpretive signs.		2	<i>Lead:</i> Culture Office	No cost
5.3	<b>Recognize already-designated heritage properties</b> with blue City of London Heritage Property plaques.	<i>Ontario Heritage Act</i>	2	<i>Lead:</i> City Planning	Medium
5.4	<b>Create &amp; communicate</b> information regarding services, projects and programs that provide support for developing public awareness and fostering support for Lambeth's cultural heritage.		2	<i>Lead:</i> City Planning  <i>Suggested Partner:</i> London Community Foundation	No cost
5.5	<b>Conduct research</b> to establish the original date of crossing at the Kilbourne Bridge on Kilbourne Road and erect a sign as part of the Original Date of Crossing Program.		2	<i>Lead:</i> City Planning	Low
<b>Community Actions</b>					
5.6	<b>Increase awareness and participation</b> in the Westminster Historical Society.		1	<i>Lead:</i> Westminster Historical Society	Low

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
5.7	<b>Participate in events</b> like Doors Open, Jane's Walk, and 100 in 1 Day Canada to promote cultural heritage in Lambeth.		2	<i>Lead:</i> Community	Low
5.8	<b>Recognize Lambeth's first airport.</b>		2	<i>Lead:</i> Community  <i>Suggested Partner:</i> Westminster Historical Society	
5.9	<b>Recognize properties</b> through the Plaques for Historic Sites Program.		2	<i>Lead:</i> Community  <i>Suggested Partner:</i> London Public Library	Low
5.10	<b>Recognize properties</b> through Original Occupant signs.		2	<i>Lead:</i> Community (property owner)  <i>Suggested Partner:</i> ACO	Low
5.11	<b>Update <u>Live in Lovely Lambeth</u></b> (1998, Westminster Historical Society).		2	<i>Lead:</i> Community	Medium

## Action Items Identified & Completed during the Lambeth CIP process

5.12	<b>Add the Lambeth Cenotaph</b> to the City's Public Art & Monument Lifecycle Capital Maintenance Program.	Public Art & Monument Lifecycle Capital Maintenance Program	2	<i>Lead:</i> Culture office	No cost
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## Enhancing & Conserving Natural Heritage

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
<b>Municipal Actions</b>					
6.1	<b>Develop a Conservation Master Plan</b> for the East Lambeth Forest Environmentally Significant Area when funding becomes available.		2	<i>Lead:</i> EESD  <i>Suggested Partner:</i> Environmental & Parks Planning	Medium
6.2	<b>Identify opportunities to create corridors on Dingman Creek tributaries</b> through the Dingman Creek Subwatershed Stormwater Servicing Municipal Class Environmental Assessment project to provide pedestrian access.	Dingman Creek Subwatershed EA	1	<i>Lead:</i> EESD  <i>Suggested Partner:</i> Environmental & Parks Planning	High
<b>Community Opportunities</b>					
6.3	<b>Apply for the TreeME Tree Matching Fund</b> program to secure funding for trees for private property.	Urban Forest Strategy- Enhancing the Forest City	1	<i>Lead:</i> Community (individuals and groups can apply)	Low
6.4	<b>Participate in ReForest London and City of London</b> programs including Park Naturalizations and Neighbourhood ReLeaf Programs to enhance Lambeth's natural environment.		2	<i>Lead:</i> Community  <i>Suggested Partner:</i> ReForest London	Low

No.	Action	Guiding Legislation, Policy, Plan	Priority	Lead & Partners	Cost
6.5	<b>Participate in the ReForest London Volunteer Training Program.</b>		2	<i>Lead:</i> Community  <i>Suggested Partner:</i> ReForest London	No cost
6.6	<b>Participate in community events, environmental education and stewardship.</b>		2	<i>Lead:</i> Community  <i>Suggested Partner:</i> Upper Thames River Conservation Authority (UTRCA)	
6.6	<b>Participate in events</b> like Earth Day and Trails Open London to promote trail use, natural heritage conservation, physical activity, stewardship, and environmental education.	London Heritage Council: Trails Open London event	2	<i>Lead:</i> Community  <i>Suggested Partners:</i> Nature London, Local Environmental Network, UTRCA	Low







*Section 7*

**Monitoring &  
Evaluation**

# Determining the Success of the Lambeth Area CIP

The *Lambeth Area CIP* was created to further the goals identified in the *SWAP* and address specific priorities as outlined in Section 2.0 of this *CIP*. Evaluating the success of the *CIP* will be based on the Action Items undertaken, achievement of associated Objectives, consistency of results with stated Goals and priorities, and consistency with the *SWAP*. A Monitoring Report will be used to provide an update on the implementation of the *CIP*.

The following chart provides potential targets and suggested indicators of success for the *Lambeth Area CIP*.

## Success Measures

Target	Indicators of Success
<p><b>Main Street is the distinct hub and core of the community; it is pedestrian-friendly, attractive, and a preferred location for community events.</b></p>	<ul style="list-style-type: none"> <li>• Increased pedestrian traffic</li> <li>• Harvest Fest events take place on Main Street</li> <li>• Main Street is clean and well-maintained</li> <li>• Individual properties invest in storefront decorating (e.g. flowers, seasonal decor)</li> <li>• Uptake of Façade Improvement Loan Program</li> <li>• Gateway feature</li> </ul>
<p><b>Local businesses are unique and successful; residents and visitors purchase services and goods from local businesses on a regular basis</b></p>	<ul style="list-style-type: none"> <li>• Vacancies are low and storefronts are well occupied</li> <li>• On-street parking is well-used by people patronizing local businesses</li> <li>• Lambeth is known for having one-of-a-kind destination businesses</li> <li>• Quality uses in key storefronts</li> <li>• Businesses invest in beautification / improvement to ensure quality facades and storefronts (e.g. signage, landscaping)</li> <li>• Uptake of Façade Improvement Program</li> <li>• Increase in building permit activity</li> </ul>



## Target

**The Lambeth business community is connected, serves the local community, and supports business attraction, retention and expansion.**

## Indicators of Success

- New businesses are welcomed and thrive
- Increased activity by the Lambeth B2B Group focused on attracting and retaining customers
- Marketing material
- Low/no vacancy

**The *Lambeth Area CIP* Project Area has a positive and distinct identity and sense of place that reflects and supports local cultural heritage values.**

- Events are held to celebrate Lambeth's unique cultural heritage
- More properties and events are recognized for their cultural heritage value (e.g. through signage, designation, and other methods)
- Lambeth's distinct brand reflects the community's cultural and natural heritage
- Uptake of Façade Improvement Loan Program

**Active streets, sidewalks, trails, pathways and public spaces are connected through a safe community-wide network.**

- Number of bicycle routes, sidewalks, connections, trails, pathways increases over time
- Increased use of parks, trails, and pathways
- Increased number of public spaces over time

**Lambeth is known for its natural features and systems.**

- Dingman Creek Subwatershed Environmental Assessment Master Plan completed
- Increased tree planting and naturalization within the *CIP* Project Area



## Baseline Conditions

A number of Baseline Conditions were determined during the preparation of the *Lambeth Area CIP* against which future information can be compared. This provides a consistent framework for evaluating the ongoing change in the *Lambeth Area CIP* Project Area. Variables/measures may be added to the Baseline Conditions.

### Lambeth Area CIP Baseline Conditions

Measure / Variable	Status
Photo inventory of the condition of existing streetscapes	Streetscapes documented July 2018.
Estimated vacancy rates at street level in Lambeth Village Core and Wharnccliffe Road Corridor (residential, retail, office)	Not measured
Estimated vacancy rates at upper levels in Lambeth Village Core and Wharnccliffe Road Corridor (residential, retail, office)	Not measured
Building Rating Lambeth Village Core: Poor Condition	1
Building Rating Lambeth Village Core: Fair Condition	28
Building Rating Lambeth Village Core: Good Condition	88
Number of activity generators in Lambeth Village Core	Harvest Fest

Measure / Variable	Status
Number of activity generators related to cultural heritage	Not measured
Number of activity generators related to natural heritage	Not measured
Number of designated properties on the Heritage Inventory	2
Number of listed properties on the Heritage Inventory	45
Number of parks	11
Hectares of parkland	37.3
Hectares of parkland in Lambeth compared to City	Lambeth: 8.8%; City: 7.2%
Kilometres of trails	2.7
Kilometres of trails per 1000 people (Lambeth)	0.64
Kilometres of trails per 1000 people (City)	0.4
Kilometres of sidewalks	16.9
Kilometres of sidewalks per 1000 people (Lambeth)	4
Kilometres of sidewalks per 1000 people (City-wide)	0.4
Number of on-street public parking spaces in Lambeth Village Core	There were no on-street parking spaces.
Financial Incentive Program activity	There was no activity as no incentive programs were available. Three inquiries regarding timing of incentive programs were documented.
Total Building Permit activity*	2017: 187; 2018 (to July 19):72
Residential Permit activity*	2017: 180; 2018 (to July 19): 70
Commercial Permit activity*	2017: 7; 2018 (to July 19): 2
Industrial Permit activity*	2017: 0; 2018 (to July 19): 0
Number of new businesses	The number of new businesses was not measured.
Number of Members in the Lambeth B2B Group	16

\*Permit Activity includes: erect new structures, additions to existing structures, alterations, and installations of infrastructure (e.g. plumbing)



## ***Lambeth Area CIP Evaluation and Monitoring Report***

A Monitoring Report will be prepared to evaluate the status of the *Lambeth Area CIP* and its individual programs. The report and evaluation will be based on the changes to the Baseline Conditions identified above, feedback from stakeholders, and any new issues/conditions/opportunities that have emerged. The report will recommend required adjustments to the *CIP* and recommendations regarding the financial incentive program budget (based on performance of the program).

The Monitoring Report will cover a four-year period. Based on experience administering other CIPs in London, this timespan is long enough to:

- accumulate sufficient information on the uptake and monitoring of the *Lambeth Area CIP* incentive program;
- start, execute and assess impacts of most individual capital projects and community actions;
- incorporate projects into staff work plans; and,
- complement the four-year budgeting cycle.

## Financial Incentive Program Monitoring

As part of the evaluation of the impact of the *CIP*, City staff will develop a database to monitor the implementation of the financial incentive programs. This information can be used to allow for periodic adjustments to the incentive programs to ensure that they continue to be relevant and meet the needs of property participants. Regular reports to Council will provide this information and data on the amount of private sector investment being leveraged by the municipal incentive programs and the economic benefits associated with these private sector projects.

### Façade Improvement Loan Program Monitoring

- Number of inquiries and applications (approved and denied)
- Approved/denied value of the funding and the total value of construction (the total public investment versus private investment)
- Type and cost of total facade improvements
- Total cost of other building improvements/construction (value of Building Permit if required)
- Increase in assessed value of participating property
- Increase in municipal (City and Region) and education property taxes of participating property
- Number and cost/value of program defaults

## Data Collection

In addition to the quantitative, economic-based measures, monitoring of the *Lambeth Area CIP* will include qualitative measures that characterize social and community benefits of implementing the *CIP* Action Items. Qualitative information illustrating the individual and cumulative impact of both public- and private-sector *CIP* projects should be collected on a regular basis. This could include the impact of public realm improvement projects on existing businesses and on community identity and pride. Data can take many forms, including comments received by Staff from business owners, property owners and residents. The qualitative information should be reported to Council with the quantitative information to provide a more holistic picture of the impact of the *CIP*.



# Evaluation Outcomes

## 1. Amendments to the *Lambeth Area Community Improvement Plan*

Changes to any of the content of this *CIP*, including Vision, Goals, Objectives, boundaries of the Project Area or Project Sub-areas, additions, deletions, or clarifications to the Action Items table or financial incentive programs must follow the process described in the *Planning Act*. Consequential amendments to *The London Plan* and/or Zoning By-law may be required.

## 2. Adjustments to the Financial Incentive Program

Changes to the terms, conditions, processes, and requirements associated with the financial incentive program may be made without amending the *Lambeth Area CIP*. This includes the elimination of the financial incentive programs. In accordance with Section 28 of the *Planning Act*, the addition of a new Incentive Program would require an amendment to this *Plan*.

## 3. Adjustments to Funding

Municipal Council has the authority to approve funding for financial incentive programs specified in London's CIPs, and may approve budgets necessary to carry out other CIP actions. Budgets supporting the implementation of the *Lambeth Area CIP* will be based on a comprehensive review undertaken by City staff with the assistance of the Monitoring and Evaluation Strategy described in this section. Funding will be timed to occur as part of multi-year budget requests or any requested amendments made in consultation with the City Treasurer to approve four-year budgets.

# City of London

## Lambeth Area Community Improvement Plan

# Background Information



# Background Information

Background documentation from the preparation of the *Lambeth Area Community Improvement Plan*, supporting but not forming a part of the *Plan*.



# Appendix A: Legislative Framework

This section provides a summary of the legislative authority for preparing and adopting the Lambeth Area Community Improvement Plan (CIP).

## ***Municipal Act, 2001***

Section 106 (1) and (2) of the *Municipal Act, 2001* prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses. This prohibition is generally known as the “bonusing rule”. Prohibited actions include:

- giving or lending any property of the municipality, including money;
- guaranteeing borrowing;
- leasing or selling any municipal property at below fair market value; and,
- giving a total or partial exemption from any levy, charge or fee.

However, Section 106 (3) of the *Municipal Act, 2001* provides an exception to this “bonusing rule” for municipalities exercising powers under Subsection 28(6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the *Municipal Act, 2001*. This legislation states that Municipalities are allowed to prepare and adopt Community Improvement Plans (CIPs) if they have the appropriate provisions in their Official Plan.

Subject to Section 106 of the *Municipal Act, 2001*, Section 107 of the *Municipal Act, 2001* describes the powers of a municipality to make a grant, including the power to make a grant by way of a loan or guaranteeing a loan. In addition to the power to make a grant or loan, the municipality also has the powers to:

- sell or lease land for nominal consideration or to make a grant of land;
- provide for the use by any person of land owned or occupied by the municipality upon such terms as may be fixed by council; and,
- sell, lease or otherwise dispose of at a nominal price, or make a grant of, any personal property of the municipality or to provide for the use of the personal property on such terms as may be fixed by council.

Section 365.1 of the *Municipal Act, 2001* operates within the framework of Section 28 of the *Planning Act*. A municipality with an approved community improvement plan in place that contains provisions specifying tax assistance for environmental remediation costs will be permitted to provide said tax assistance for municipal property taxes. Municipalities may also apply to the Province to provide matching education property tax assistance through the Province’s Brownfields Financial Tax Incentive Program (BFTIP).

## **Planning Act**

The *Planning Act* sets out the framework and ground rules for land use planning in Ontario, and describes how land uses may be controlled and who may control them. Section 28 of the *Planning Act* provides for the establishment of Community Improvement Project Areas where the municipality's Official Plan contains provisions relating to community improvement and the Community Improvement Project Area is designated by a By-law pursuant to Section 28 of the *Planning Act*.

Section 28 (1) of the *Planning Act*, defines a Community Improvement Project Area to mean “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. There are a variety of reasons that an areas can be designated as an area in need of community improvement”. Criteria for designation includes physical deterioration, faulty arrangement, unsuitability of buildings, and other social or community economic development reasons.

Section 28 (1) of the *Planning Act*, also defines “community improvement” to mean “the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a Community Improvement Project Area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary”.

Once a Community Improvement Plan (CIP) has come into effect, the municipality may:

- i. acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28 (3) of the *Planning Act*);
- ii. construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28 (6));
- iii. sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan (Section 28 (6)); and,
- iv. make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of land and buildings within the Community Improvement Project Area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the Community Improvement Plan (Section 28 (7)).

### **Eligible Costs - Section 28 (7.1)**

The *Planning Act* specifies that eligible costs for the purposes of carrying out a municipality's Community Improvement Plan may include costs related to: environmental site assessment; environmental remediation; and, development, redevelopment, construction and reconstruction

of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

### Maximum Amount - Section 28 (7.3)

Section 28 (7.3) restricts the maximum amounts for grants and loans made under the *Planning Act* from exceeding the eligible costs defined in the CIP. Specifically, the *Planning Act* directs that the “total of the grants and loans made in respect of particular lands and buildings under subsections (7) and (7.2) and the tax assistance as defined in section 365.1 of the *Municipal Act, 2001* or section 333 of the *City of Toronto Act, 2006*, as the case may be, that is provided in respect of the lands and buildings shall not exceed the eligible cost of the Community Improvement Plan with respect to those lands and buildings”.

### Registration of Agreement - Section 28 (11)

The *Planning Act* allows the City of London to register an Agreement concerning a grant or loan made under subsection (7) or an Agreement entered into under subsection (10) against the land to which it applies. The municipality shall be entitled to enforce the provisions thereof against any party to the Agreement and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners or tenants of the land.

### Tariff of Fees – Section 69

The *Planning Act* allows the City of London reduce or waive the amount of a fee in respect of a planning application where it feels payment is unreasonable. Municipalities can use this tool to wave all matter of planning application fees to promote community improvement without the use of a CIP. Alternately, a municipality can collect fees and then provide a rebated of fees in the form of a grant through a CIP.

## **Ontario Heritage Act**

The purpose of the *Ontario Heritage Act* is to give municipalities and the provincial government powers to conserve, protect and preserve heritage buildings and archaeological sites in Ontario. While the Heritage Property Tax Relief Program under Section 365.2 (1) of the *Municipal Act, 2001* is designed to assist property owners in maintaining and conserving heritage properties, Section 39 (1) of the *Ontario Heritage Act* allows the Council of a municipality to make grants or loans (up-front or tax-increment basis) to owners of designated heritage properties to pay for all or part of the cost of alteration of such designated property on such terms and conditions as the Council may prescribe. In order to provide these grants and loans, the municipality must pass a By-law providing for the grant or loan. Grants and loans for heritage restoration and improvement can also be provided under a CIP. One of the key administrative advantages of Section 39 of the *Ontario Heritage Act* is that it requires only the passing of a By-law by the local Council rather than the formal public meeting process under Section 17 of the *Planning Act* required for a CIP. One of the disadvantages of the *Ontario Heritage Act* is that unlike the *Planning Act*, it does not allow municipalities to make grants or loans to assignees who wish to undertake heritage improvements (e.g. tenants).

A second advantage of the *Ontario Heritage Act* is that the interpretation of Section 39 (1) suggests that grants and loans are not restricted to heritage features. Section 39 (1) of the *Ontario Heritage Act* refers to “...paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe.” Consultations with provincial Staff and legal experts have confirmed that this section of the Act does not restrict grants and loans to heritage features.

Section 39 (1) of the *Ontario Heritage Act* can also be used to provide grants and loans for the undertaking of professional design studies as these can be considered “part of the cost of alteration”. A design study is certainly an important precursor to, and key component of any alterations to major heritage features. Section 39 (2) of the *Ontario Heritage Act* allows the Council of a municipality to add the amount of any loan (including interest) to the tax roll and collect said loan in the same way that taxes are collected, for a period of up to 5 years. This section of the Act also allows the municipality to register the loan as a lien or charge against the land.

### ***Development Charges Act***

Section 5 of the *Development Charges Act* allows a municipality to exempt types of development from a Development Charge, but any resulting shortfall cannot be made up through higher Development Charges for other types of development. This allows upper and lower tier municipalities to offer partial or total exemption from municipal Development Charges (also known as a reduction of Development Charges) in order to promote community improvement. Because this financial incentive is normally offered before construction, it is very attractive to developers and is a very powerful community improvement tool.

# Appendix B: Policy Review

This section of the report references the key Provincial, Regional and City policies that are relevant to the Lambeth Area CIP.

## Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) was issued under Section 3 of the *Planning Act* and provides direction on key matters of provincial significance related to land use planning and development. Section 3 of the *Planning Act* requires that “decisions affecting planning matters shall be “consistent with” the PPS. All municipal plans, including Official Plans, Secondary Plans, and Community Improvement Plans must be consistent with all applicable provincial policies.

The Province of Ontario updated the PPS on February 24, 2014 and the policies took effect on April 30, 2014. The vision for land use planning in Ontario as per the PPS states that “the long-term prosperity and social well-being of Ontarians depends on planning for strong sustainable communities for people of all ages, a clean and healthy environment, and a strong competitive economy”. To this end, the PPS:

- Promotes efficient development and land use patterns (Section 1.1.1);
- Accommodates an appropriate mix of different land use types (residential, employment, institutional, recreation, park, open space) (Section 1.1.1);
- Promotes cost-effective development patterns and standards, environmentally sensitive development practices, accessible neighbourhoods, and available infrastructure and public facilities to minimize land consumption and servicing cost (Section 1.1.1);
- Strives to avoid development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas (Section 1.1.1);
- Directs planning authorities to identify appropriate locations and opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected need (Section 1.1.3.3);
- Directs that major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from outdoor, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities (Section 1.2.56.1);

- Directs planning authorities to promote economic development and competitiveness by:
  - providing an appropriate mix and range of employment and institutional uses to meet long-term needs;
  - providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - encouraging compact and mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and,
  - ensuring the necessary infrastructure is provided to support current and projected needs (Section 1.3.1).
  
- Directs planning authorities to provide for an appropriate range of housing types and densities that accommodate current and future users, that efficiently use the land, services and facilities, and that support alternative transportation modes to the automobile, such as public transit (Section 1.4.3);
  
- Promotes healthy, active communities including planning public streets, parks, public spaces and trails that meet the needs of pedestrians, foster social interaction, facilitate active transportation (multi-modal), and offer a range of different recreation opportunities (Section 1.5.1);
  
- Promotes long-term prosperity through the maintenance and enhancement of downtown and main streets (Section 1.7.1 c);
  
- Encourages a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (Section 1.7.1 d); and,
  
- Conserves significant built heritage resources and cultural heritage resources and landscapes (Section 2.6.1).

## **City of London 1989 Official Plan**

An Official Plan (OP) provides the general land use framework and policies for a municipality by identifying generally how, where and when a municipality will develop over time. The City of London's current *Official Plan* was adopted by City Council in 1989. The *Official Plan* contains City Council's objectives and policies to guide the short-term and long-term physical development of all lands within the boundary of the municipality. It provides direction for the allocation of land use, provision of municipal services and facilities, and preparation of regulatory By-laws to control the development and use of land. These types of policies are considered necessary to promote orderly urban growth and compatibility among land uses. While the objectives and policies in the *Official Plan* primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

### *1989 Official Plan: Land Use*

The *Official Plan* includes the land use designations that guide the short-term and long-term physical development of land in the City of London. Key designations in the Lambeth Area include: Main Street Commercial Corridor designation; Auto-oriented Commercial Corridor designation; and, Low/Medium Density Residential. There are also significant pockets of Environmental Review and Open Space designations close to water courses.

## **The London Plan, 2016**

*The London Plan* is the new Official Plan for the City of London, adopted by Municipal Council in June 2016 and approved by the Ministry with modification in December 2016. *The London Plan* sets new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years. At this time, portions of the Plan are not yet in force and effect due to appeals to the Local Planning Appeals Tribunal (LPAT).

### *The London Plan: Land Use & Urban Design Policies*

In *The London Plan*, all lands within the City are assigned a Place Type that establishes policies to regulate permitted development. The properties fronting Colonel Talbot Road from approximately Southland Drive to Main Street, and on Main Street from Colonel Talbot Road to Campbell Street are assigned the Main Street Place Type. Main Streets are some of London's most cherished historic business areas and neighbourhood focal points. Regeneration efforts will be directed to enhancing historic Main Streets.

Outside of the Main Street Place Type areas, the Lambeth Area is generally assigned a Neighbourhoods Place Type. The Neighbourhoods Place Type supports vibrant, exciting places to live, which have a sense of community well-being and high quality of life, and help people connect with one another.

The Lambeth Area also has significant tracts of land identified as both Green Space and Environmental Review Place Types. The vision for the Green Space Place Type is to create new green linkages throughout the city and increase the tree canopy. The lands identified as Environmental Review Place Type are areas that may contain natural heritage features and areas that have not been adequately assessed to determine whether or not they are significant.

### *The London Plan: Community Improvement Plan Policies*

Community Improvement Plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision. Council

may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development permitted by legislation.

Paragraph 1727 outlines the objectives that community improvement is intended to meet; several of these objectives relate to the Lambeth Area, including the following:

- maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings;
- maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services;
- stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity;
- maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms;
- encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources;
- foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts;
- upgrade social and recreational facilities and support the creation of affordable housing;
- facilitate and promote community economic development.; and,
- promote and improve long-term community stability, safety and quality.

### **Southwest Area Secondary Plan (SWAP)**

The City of London adopted the *Southwest Area Secondary Plan* on April 29, 2014 (as amended by OMB PL130020). The *SWAP* established a vision, principles and policies for the development of the Southwest Planning Area, which includes the Lambeth Area. This Plan provides a greater level of detail than the general policies in the *Official Plan* and serves as a basis for the review of planning applications which will be used in conjunction with the other policies of the *Official Plan*. While the Lambeth Area CIP contains references to the *SWAP*, it does not replace the *SWAP*; the *Southwest Area Secondary Plan* is to be read and applied in its entirety.

### **City of London Zoning By-law**

As established under Zoning By-law (No. Z-1) the Lambeth Area has a mix of zoning designations that is reflected in the range of existing and permitted uses, which include:

- Arterial Commercial
- Business District Commercial
- Community Facility
- Environmental Review
- Low-density Residential
- Medium-density Residential



- Neighbourhood Facility
- Open Space
- Urban Reserve

## **Existing City of London Community Improvement Plans (CIPs)**

The City of London has numerous CIPs which are intended to stimulate targeted reinvestment, reveal and inspire select infill and intensification opportunities, coordinate planning efforts, preserve neighbourhood and heritage character, enhance industrial and other business opportunities, and aid in the cleanup of contaminated sites. At present, the City of London has eight (8) CIPs that have been adopted by Council. The geographically-based CIPs include: the Airport, Downtown, Hamilton Road, Old East Village and SOHO CIPs; the criteria-based CIPs include the Brownfield, Heritage and Industrial CIPs.

### **Brownfield Community Improvement Plan**

The Brownfield CIP was adopted in May 2007. The Brownfield CIP contains a package of financial incentive programs and a municipal leadership strategy to promote the redevelopment of brownfield sites in the City. The Brownfield CIP Financial Incentive Programs include:

- Contamination Assessment Study Grant;
- Development Charge Rebate;
- Property Tax Assistance Program; and,
- Tax Increment Equivalent Grant.

### **Heritage Community Improvement Plan**

The Heritage CIP was adopted in March 2007. The Heritage CIP contains a package of financial incentive programs and a municipal leadership strategy to maintain the unique identity of our City by preserving the inventory of distinctive heritage buildings, establishing a sense of place by preserving local heritage structures, and ensuring that the City's history is retained for future generations to enjoy. The Heritage CIP Financial Incentive Programs include:

- Development Charge Equivalent Grant; and,
- Tax Increment Grant.

## **Other Considerations**

During the preparation of the Lambeth Area CIP, the City of London was also in the process of undertaking three significant projects: the Main Street Infrastructure Renewal Project, the Dingman Creek Environmental Assessment, and the Parks & Recreation Master Plan Review. All of these projects may impact the Lambeth Area CIP.

# Appendix C: Consultation

Preparation of the Lambeth Area CIP was guided by and benefitted from consultation with City Staff, stakeholders and groups including the Pulse Team, the Lambeth Community Association, and participants at the various community meetings and workshops.

## City Website Project Page

<http://www.london.ca/business/Planning-Development/secondary-plans/Pages/Lambeth-CIP.aspx>

City Planning Staff established a Lambeth Area CIP page on the City's website to provide regular project updates. The project page includes the following information:

- definition of a CIP and why they are used;
- summary of consultation completed to date, community meeting notices, presentations and meeting summaries;
- staff reports and Council resolutions;
- next steps; and,
- information and links for other Municipal projects taking place in Lambeth.

## Get Involved London Website Project Page

<https://getinvolved.london.ca/LambethCIP>

City Planning Staff established a Lambeth Area CIP Page on the City's Get Involved London website to provide: project background and status; clarification of roles and responsibilities; opportunities for feedback, answers to Frequently Asked Questions (FAQs); notice of upcoming meetings; the project timeline; and, contact information.

## Project Contact List

Planning Staff created an email list for the Lambeth Area CIP using information gathered at Community Meetings, from comment cards, and from people who contacted Staff directly. Project update emails included information about upcoming Community Meetings, Meeting Summaries, and City Council Approvals (such as the Terms of Reference and Study Area). Emails also provided links to the City's Lambeth Area CIP project page.

## PULSE Team

A Pulse Team was formed to help guide the preparation of the Lambeth Area CIP. The Team was comprised of residents, business owners and members of the Lambeth Community Association. Planning Staff engaged the Pulse Team using email, telephone conversations and in-person meetings until the end of November 2016. This consultation allowed City staff to:

- provide the Pulse Team with progress updates;
- coordinate Public Meetings and other steps required to complete the CIP;
- discuss key components of the project including: Strengths, Weaknesses, Opportunities, Threats (SWOT); the visioning and objectives exercise; and, potential financial incentive programs; and,
- obtain comments and input on the Draft Interim Report and the Draft Lambeth Area CIP.

There were two City-organized Pulse Team meetings held between Community Meetings No. 1 and No. 2 to discuss the status of the project. Pulse Team members resigned on November 29, 2016.

## **Community Information Meetings, Workshops and Updates**

### **Community Meeting and Workshop No. 1, July 7, 2016**

The first Community Meeting and Workshop was held on July 7, 2016 to:

1. kick-off the Lambeth Area CIP project;
2. provide basic information on the purpose and rationale for preparing the CIP;
3. work with stakeholders to identify strengths, community needs, improvements, and a vision for the Lambeth Area CIP Study Area;
4. obtain input on the Lambeth Area CIP Study Area and the Term of Reference for the CIP Project; and,
5. discuss the concept of using a Pulse Team as a method of keeping stakeholders engaged and informed.

Most people in attendance at the Community Meeting stayed for the Workshop session. During the Workshop, participants were asked to answer the following questions:

- Where do you think the CIP Project Area for Lambeth should be?
- What is great or is a strength in the Lambeth Area CIP Study Area?
- What needs improvement or is a weakness in the Lambeth Area CIP Study Area?
- In one word, describe “your Lambeth”?

The feedback and discussion at the Community Meeting and Workshop No. 1 was used to develop the Terms of Reference and Study Area for the Lambeth Area CIP.

### **City of London Planning and Environmental Committee (PEC) Meeting, August 22, 2016**

On August 22, 2016 Planning Staff presented a report to the Planning and Environment Committee (PEC) recommending a Terms of Reference and Study Area for the Lambeth Area CIP. The report included a copy of the Community Meeting No. 1 Summary. The PEC supported the report and unanimously passed motions directing that that the Lambeth Area CIP Terms of Reference and the Study Area be approved.

## City of London Council Meeting, August 30, 2016

Subsequent to the August 22, 2016 PEC meeting, City Council approved the Lambeth Area CIP Terms of Reference and Study Area at the regular City Council meeting of August 30, 2016.

## Lambeth & Community Harvest Festival, September 10, 2016

Planning Staff attended the Lambeth & Community Harvest Festival at the Lambeth Community Centre on September 10, 2016 from 1-4 pm to host a casual outreach session about the Lambeth Area CIP process. The August 22, 2016 Staff Report, Terms of Reference and approved Lambeth Area CIP Study Area, Meeting No. 1 Summary, posters for City projects impacting Lambeth and contact information for each of the project leads were available. Comment cards and business cards were also distributed. Nearly all the questions received were either “What is the Community Improvement Plan?” and “Where can I find more information?” Concerns expressed included a lack of available public parking and the desire to expand bike path networks.

## Community Meeting and Workshop No. 2, October 18, 2016

A second Community Meeting and Workshop was held on October 18, 2016 to:

1. define Objectives for the Lambeth Area CIP;
2. establish a Vision for the Lambeth Area CIP;
3. confirm what stakeholders identified as requiring improvement; and,
4. prioritize the identified improvements.

Workshop participants were asked to answer the following questions:

- Do you agree with the proposed objectives for the Lambeth Area CIP?
- Do you agree with the proposed Vision for the Lambeth Area CIP?
- Did we miss anything?
- What are the priorities for improvement?

## Community Meeting and Workshop No. 3, March 28, 2017

A third Community Meeting and Workshop was held on March 28, 2017 to:

1. discuss the Strategic Initiatives drafted for the Lambeth Area CIP; and,
2. conduct a workshop session to review and prioritize proposed Action Items, and discuss potential leads, supporters, and champions for identified actions.

At the end of the meeting Planning Staff facilitated a Rapid-Fire visual survey which allowed participants to review each proposed CIP Action Item and vote in real time on whether or not they agree with the Action Item and what priority it should be given. This format allowed for all attendees to participate and share thoughts. Lambeth Area CIP Workbooks were also provided and the intent was for participants to complete the Workbooks after the workshop. The Workbooks focused on:

- confirming that the proposed Lambeth Area CIP Action Items reflect stakeholder comments;
- understanding how the Action Items were prioritized;

- identifying community champions for Action Items; and,
- identifying which Action Items require a CIP and which do not.

### Presentation at the Lambeth Community Association Annual General Meeting (AGM), June 18, 2018

Planning Staff was invited to the Lambeth Community Association's AGM to provide an update on the progress of the Lambeth Area CIP. Staff's PowerPoint presentation highlighted:

- work completed to date;
- categories for the Lambeth Area CIP Implementation Plan;
- goals and objectives for the Lambeth Area CIP;
- Action Items that have been completed through other projects;
- plans and projects in addition to the CIP that will enable implementation of Action Items;
- next steps; and,
- call to action to participate in the Parks & Recreation Master Plan community survey and stakeholder sessions.

After the presentation, Staff answered questions from attendees. Questions and comments were focused on increased vehicular traffic in Lambeth due to construction and/or accidents on the highways, and increased vehicular traffic in Lambeth due to new residents living in Lambeth.

### Lambeth Business-to-Business Group (B2B) Meeting, December 13, 2018

Staff from City Planning, Service London Business and Environmental & Engineering Services provided an update on the Lambeth Area CIP and Main Street Infrastructure Renewal Project.

### March 21, 2109 Community Update & Showcase

On March 21, 2019, at the request of Councillor Hopkins, City Planning staff facilitated a Community Update & Showcase to provide an update on the Draft Lambeth Area CIP, host a showcase of local organizations and groups, and provide attendees with the opportunity to network with community members and learn about local organizations. Key components of the draft Lambeth Area CIP were presented on display boards and Staff gave a presentation to summarize the project status and outline next steps. This meeting was advertised through the Lambeth Villager, signs, and emails sent to the contact list, City Staff, and local groups and organizations. A link to the draft Lambeth Area CIP and all supporting documents was included with the invitation. Attendees were invited to provide feedback in a number of ways, including:

- writing on the display boards;
- drawing on the maps;
- filling out a comment form at the meeting;
- contacting City Staff directly;
- contacting Councillor Hopkins; and,
- submitting feedback via the Get Involved London web page for the Lambeth Area CIP project.

# Appendix D: Study Area & Project Area

## Lambeth Area CIP Study Area

At the start of the Lambeth Area CIP project, a Study Area was established to geographically focus the CIP process and help avoid scope creep as the project progressed.

### Initial Study Area

The initial Study Area for the CIP was established as a result of the information gathered during Community Meeting No. 1. The initial Study Area is generally described as following Dingman Creek south from Hamlyn Street and north to Kilbourne Road, continuing east along Kilbourne Road, continuing from the intersection of Kilbourne Road and Colonel Talbot Road directly to the intersection of Exeter Road and Wharncliffe Road South, along Exeter Road to Wonderland Road South, south along Wonderland Road South to Hamlyn Street, and then westerly on Hamlyn Street to Dingman Creek. The Terms of Reference for the preparation of the Lambeth Area CIP established this as the Study Area.

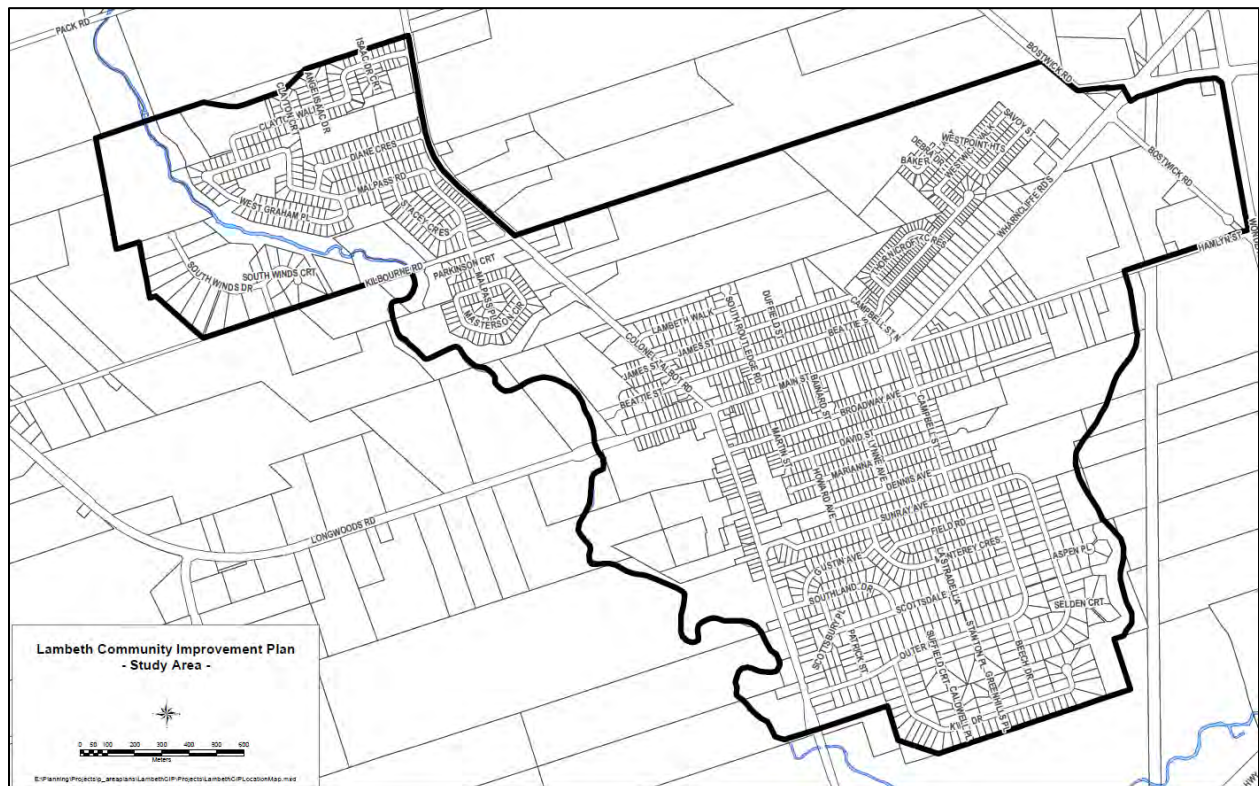
Initial Lambeth Area CIP Study Area (boundary shown in black)



## Revised Study Area

The initial Study Area was amended following Community Meeting No. 2 as a result of comments received from both the Pulse Team and Lambeth Community Association. Specifically, stakeholders expressed interest in including established residential areas to the northwest (such as Southwinds) as residents currently feel disconnected from the rest of the Lambeth community. It was felt that concerns of those residents should be incorporated in the CIP, particularly regarding pedestrian and bicycle access and safety.

### Revised Lambeth Area CIP Study Area (boundary shown in black)



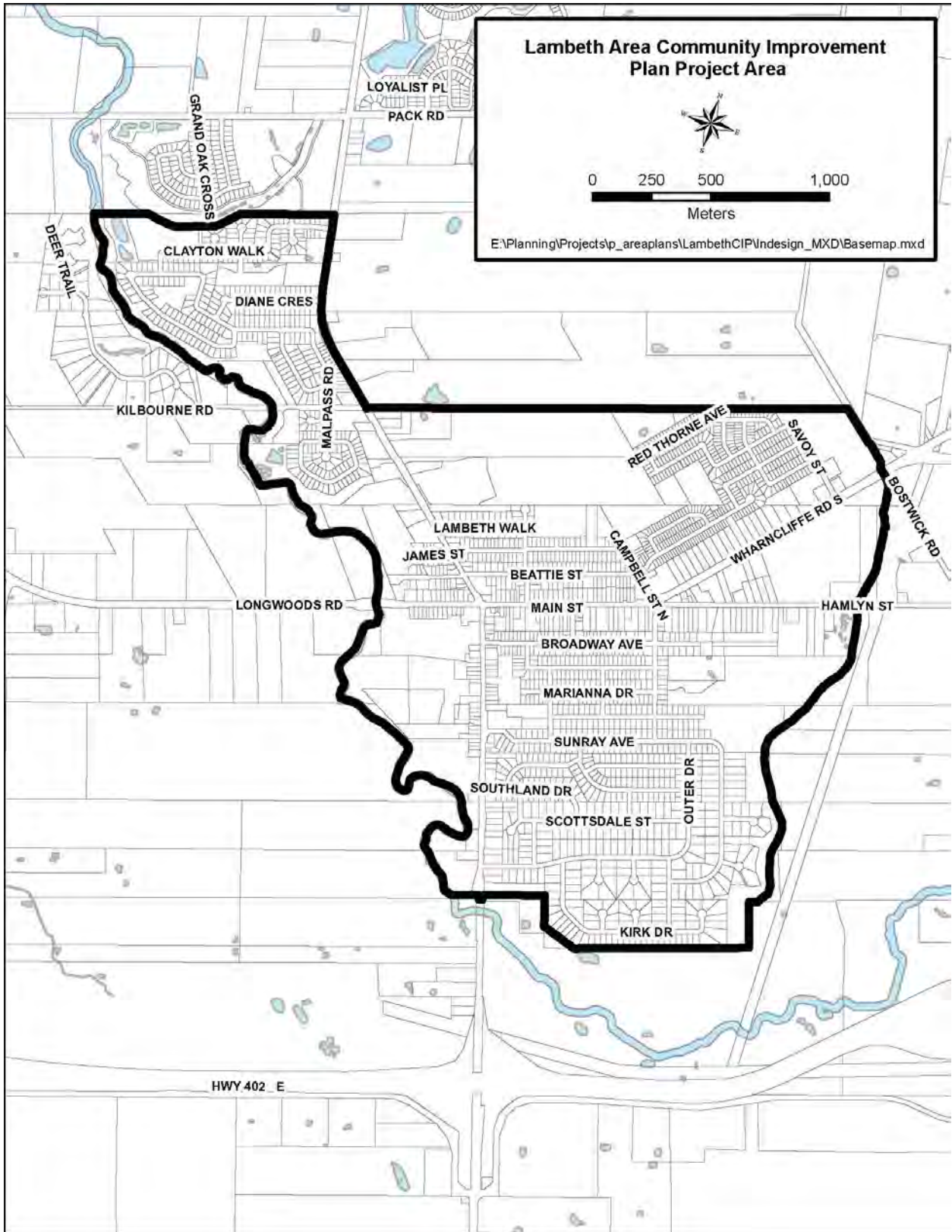
## Project Area

The recommended Lambeth Area CIP Project Area is the area that is determined as in need of community improvement; it is the area where public realm improvement efforts will be focused and where financial incentive programs will be offered. Based on the information gathered through the CIP process, it was determined that the Project Area should include:

- lands along Wharncliffe Road;
- lands designated as Main Street Place Type in the London Plan (also within the Main Street land use Designation of SWAP); and,
- lands within the Medium Density Residential land use Designation of SWAP.

The Lambeth Area CIP Project Area is established by a By-law passed by Municipal Council.

Approved Lambeth Area CIP Project Area (boundary shown in black)





# Appendix E: Analysis

## General Approach

A number of tasks were completed in order to provide a comprehensive foundation for the preparation of this CIP, including:

- a review of relevant legislation, provincial and City of London planning policy;
- a review of the Zoning and Official Plan designations in the Study Area;
- a community improvement needs analysis including an assessment of the physical and economic characteristics in the area based on walking tours, public input, and community meetings and workshops held July 7 2016, October 18 2016, and March 28 2017;
- a review of best practices used for CIPs in Ontario municipalities;
- using the Visions and Principles contained in the *Southwest Areas Secondary Plan* to analyze how they can shape and guide redevelopment activities;
- revising the draft CIP Action Items and Incentive Programs based on comments received during the third community meeting and workshops held on March 28, 2017 and March 21, 2019; and,
- preparation of the final Lambeth Area CIP for Municipal Council approval.

## Getting Started

The analysis of community improvement needs started with City staff undertaking a review of the relevant planning and policy documents including the 1989 *Official Plan*, *The London Plan*, the Zoning By-law, and the *Southwest Area Secondary Plan (SWAP)* which establishes the function, purpose, character and design goals for the Lambeth Area. In addition, aerial photographs of the Study Area were examined and walking tours were conducted on a regular basis.

## Data Collection

On the September 9, 2016 Walking Tour, approximately 170 photographs were taken to record different aspects and characteristics of the Lambeth Area. Staff used a “community improvement lens” when making observations and taking notes on aspects of land use, building and property conditions, design and heritage elements, and business activity that may require community improvement.

Research was also conducted in Lambeth through walking tours and driving tours on April 11, 2018, June 12, 2018 and July 10, 2018.

## **Data Confirmation**

In July 2016, a Community Meeting was held to launch the Lambeth Area CIP project and share information about the CIP process. The workshop allowed participants to identify things within the community perceived as “great”, identify items that need improvement, and establish the CIP Study Area.

In October 2016, a second Community Meeting was held to talk about the identified items for improvement and clarify what might have been missed. The workshop included a visioning exercise and discussions about potential strategies and initiatives to be included in the Lambeth Area CIP. Information provided by participants at both workshops were added to the data gathered by City staff and included in the analysis.

Planning Staff presented an information report to the City’s Planning and Environment Committee (PEC) in August 2016 to seek approval for the Study Area and Term of Reference for the Lambeth Area CIP.

In March 2017, a third Community Meeting was held to discuss the Draft Lambeth Area CIP and Draft Incentive Program.

## **Strengths, Weaknesses, Opportunities, Threats (SWOT) Analysis**

A Strengths, Weaknesses, Opportunities, Threats (SWOT) analysis of the critical community improvement needs was undertaken to gain an understanding of the key issues in the Lambeth Area and identify the important community improvement needs that should be addressed by a Lambeth Area CIP. This section of the plan provides an overview of the analysis undertaken and foundation for the preparation of this CIP and recommended incentive programs.

## **Existing Condition and Characteristics of the Lambeth Area CIP Study Area**

The Lambeth Area CIP Project Area has been divided into three (3) Project Sub-Areas based on the distinguishable characteristics of each area and identified through the *Southwest Area Secondary Plan (SWAP)*. The Sub-areas include: Lambeth Village Core, Wharncliffe Road Corridor, and Lambeth Residential Neighbourhood.

Lambeth is similar to rural villages in Ontario as it developed around natural resources and a transportation hub into a compact and walkable community along a main street. The settlement contains a diverse mix of small-scale and independent retail shops, restaurants and service establishments. Over time, the area has lost some original buildings and has also adapted to accommodate auto-oriented development. The core contains a number of civic, institutional, and community anchors which draw people to the area. These include the post office, places of worship and banks. Lambeth Village Core is generally surrounded by low-density residential uses with some home-based businesses, schools, retirement homes and parks.

## Land Use Conditions

### Lambeth Village Core

Established along a major traffic route with frontage on Main Street and Colonel Talbot Road, this area serves as a community focal point. There is a mix of residential and commercial uses throughout the Lambeth Village Core and in many cases, the original buildings are intact. There are three internal plazas along Main Street which break up the continuity of the form, however there is opportunity to link them to the pedestrian environment through walkways, lighting, signage, and landscaping. The area also provides civic functions and public/private gathering spaces. The Main Street Infrastructure Renewal Project will improve the pedestrian realm in the Lambeth Village Core along Main Street by improving sidewalks, adding landscaping features, and adding on-street parking. The area along Colonel Talbot Road south of Main Street was established along a major traffic route. The area has mixed-use live-work uses, newer forms of stand-alone commercial, and some undeveloped properties. Although pedestrian activity is desired in this area, the lack of a clearly defined pedestrian realm and continual sidewalks is a deterrent.

### Wharncliffe Corridor

This Project Sub-Area contains lands fronting onto Wharncliffe Road South, from Colonel Talbot Road to just east of Bostwick Road. This commercial strip supports and complements the Lambeth Village Core, provides opportunity for mixed-use development, and has the potential to be a major gateway into the community. Long-term (re)development goals include higher intensity mixed-use residential buildings with office or commercial uses at grade on the north side of Wharncliffe Road South, and new commercial development and medium density residential development on the south side of Wharncliffe Road South. Currently, there is a plaza at the Campbell Road / Wharncliffe Road intersection. There are also detached residences and individual buildings of various sizes and styles located along Wharncliffe Road housing independent businesses. In addition to the variety of building styles, there is an abundance of signage that does not contribute to a sense of place or a cohesive identity for the community.

### Lambeth Residential Area

This area is predominantly residential and comprised of single detached dwellings. There are also several schools, churches, community centre, library, arena, splash pad and soccer fields. The residential area close to the Lambeth Village core was developed by subdivision after the post-war boom of the 1950s in a grid-like street pattern with ranch-style homes on large lots. More recent residential development has occurred in the northwest, and new subdivisions have been approved for the undeveloped lands in the north portion of this area.

## **Building Conditions**

The majority of the buildings within the Lambeth Village Core are of older stock typical of the early 1900s. While few properties have a Heritage Designation, the buildings have been kept in good repair and many original architectural elements have been preserved. The majority of the buildings appear to be occupied and well-maintained.

### **Lambeth Village Core**

The area along Main Street has a strong sense of place and contains some of the oldest buildings in the Lambeth Area CIP Project Area. The majority of the buildings appear to be in relatively good condition, however some of the business façades and signage are dated and tired looking.

The area along Colonel Talbot Road south of Main Street also provides a sense of place, however due to the combination of very old and newer buildings, this area seems to be in transition. Generally, the buildings appear to be in relatively good condition. There are a number of undeveloped sites and some vacant buildings in the area.

### **Wharncliffe Road Corridor**

This area has a mix of building forms and styles and an abundance of signage. Overall, buildings appear to be maintained. There are many opportunities for redevelopment; the plaza at the northeast corner of Main Street and Campbell Road is one example where the building form can make better use of the space and the strategic corner location. This entire Project Sub-Area would benefit from a streetscaping plan / landscaping plan to tie the elements together to form a cohesive landscape.

### **Lambeth Residential Area**

The majority of the buildings in this area are residential. The age and style of homes and related street patterns vary, as neighbourhoods were built over time. The majority of the buildings appear to be in very good condition, occupied and well-maintained. As expected, street widths, lot sizes, and other elements vary, creating different residential landscapes throughout Lambeth. The non-residential buildings in this area appear to be in fair condition (churches, community spaces, arena, library, etc.).

## **Heritage**

The overall Lambeth Area contains a great deal of cultural and natural heritage. The *SWAP* identified the Lambeth Village Core as an area to be recognized as a potential Heritage Conservation District.

The Lambeth Area still contains many ties to its past and there are many stories that could be told through buildings that have existed for over 100 years. However, there are opportunities to further recognize Lambeth's cultural heritage. For example, there is little signage on existing

buildings or recognition of significant buildings that have been lost over time. While not yet exhibiting evidence of widespread loss, there are early signs of deterioration to the Lambeth Area CIP Project Area's image in terms of its cultural heritage with respect to protecting the unique buildings that contribute to its unique character.

## **Public Realm & Streetscape Conditions**

Overall, there is great potential for the streetscaping in the Lambeth Area CIP Project Area to be more oriented to pedestrians and cyclists. This was one of the most frequently identified topics and requests for improvement. Issues relating to safety and accessibility included: lack of sidewalks and/or multi-use pathways, need for crosswalks on major streets, and, existing sidewalks being too narrow, obstructed and in poor condition.

### **Lambeth Village Core**

Buildings in the Lambeth Village Core are generally street-oriented with curbs separating the structures from the road. The area is serviced by London Transit. Lighting in this area was originally designed and provided for motor vehicles and not for pedestrian activity (i.e. not at the human scale) although the Main Street Infrastructure Renewal Project is addressing this by installing some pedestrian lighting along Main Street. There are challenges for pedestrians crossing Main Street, Colonel Talbot Road and at the intersection of the two roads.

The area along Colonel Talbot Road south of Main Street is similar to the Main Street section of the Lambeth Village Core in that it has developed as an urban mixed-use environment at a pedestrian scale with sidewalks extending along both sides of the road. The sidewalks, raised shoulders and curbs provide a separation between the traffic on the road until it ends on the west side at 4499 Colonel Talbot Street. There is no on street parking, bicycle facilities or other elements providing a barrier between pedestrians and vehicular traffic. Bus stops are difficult to identify, in poor condition and lack amenities. Lighting in this area is designed and provided for motor vehicles and not for pedestrians. There are challenges for pedestrians crossing Colonel Talbot Road and no infrastructure/facilities to facilitate safe crossings (i.e. specific pedestrian crossings).

### **Wharnccliffe Road Corridor**

The Wharnccliffe Road Corridor has a mix of building types and functions. In terms of land use, the north side of Wharnccliffe Road is zoned for a mix of commercial and medium-density residential. The south side is zoned for commercial uses and some land is zoned as Urban Reserve (this zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development on those lands).

### **Lambeth Residential Neighbourhood**

Generally residential in nature, this sub-area varies with respect to walkability. The majority of this area is within a short walk to the Lambeth Village Core (some areas are about a 20-minute walk). The presence of sidewalks is inconsistent; there are some roads with sidewalks on both

sides and some road with no sidewalks at all. Bus stops lack amenities. Overall, lighting appears to be for motor vehicles and not pedestrians. There are no bicycle amenities within the road allowance or provided as part of trail system. This area also includes a substantial amount of Open Space and Environmental Review lands.

## **Vehicular Traffic & Parking**

Lambeth has grown around the intersection of what is now known as Colonel Talbot Road and Longwoods Road, which at one time was nicknamed The Junction due to the significance of both of these roads in connecting people and transporting goods. Today, these roads continue to play a vital role as they are well-used routes for traffic flowing in and out of the City of London via the 402 and 401.

Current concerns of community members (residents, property owners, business owners, etc.) include: the volume of traffic creating delays in reaching destinations; the speed of traffic; the need to use alternative routes (due to volume and construction); and the use of “side streets” to avoid other streets. Community members attribute the increasing volumes of traffic to: accidents and construction on Highways 401 and 402; the Main Street Infrastructure Renewal Project; the increased number of students at the Lambeth Public School; and, the increasing residential population in the Lambeth Area.

The City’s Transportation Master Plan (TMP) provides a long-term transportation strategy that will guide the transportation and land use decisions through to 2030 and beyond. The TMP is focused on improving mobility for all residents of the City by providing viable choices through all modes of transportation. Details regarding improvements to the City road network and associated timing are provided in the TMP.

Information regarding the City’s Traffic Calming policies and procedures can be found at:

[www.london.ca/residents/Roads-Transportation/traffic-management/Pages/Traffic-Calming.aspx](http://www.london.ca/residents/Roads-Transportation/traffic-management/Pages/Traffic-Calming.aspx).

### **Lambeth Village Core**

The Lambeth Village Core is currently not a major destination for visitors and/or tourism, although stakeholders have expressed that increasing the number of visitors to Lambeth’s unique stores, services, and festivals is a key goal. At present, the two types of traffic are: 1. local community members (residents, business owners, employees, etc.) who patronize local businesses (and drive to the Lambeth Village Core) and, 2. commuters driving through the area who do not typically stop and park their vehicles. Traffic through the Lambeth Village Core is steady, as Main Street is en-route to direct access to the 401 and 402 via Colonel Talbot Road. Parking is provided in the front yard of most properties. It is evident that the need for parking has increased over time and on the smaller work-live properties in particular as it appears that parking has replaced gardens, walkways and trees.

Similar to the area along Main Street, the area along Colonel Talbot Road south of Main Street appears to be impacted by the same two distinct types of vehicular traffic, and parking is provided in the front yard of most properties. On-street parking is not permitted along Colonel Talbot Road. In addition to highway delays, the Main Street Infrastructure Renewal Project, increasing residential population, increased traffic and traffic build-up is attributed to on-site parking lots being at capacity. Vehicular traffic is also noted as the cause of delays in making left turns onto Colonel Talbot Road.

### Wharncliffe Road Corridor

The Wharncliffe Road Corridor functions as a connection between the Wonderland Road corridor and the Lambeth Village Core. It is not a pedestrian-oriented environment, does not have sidewalks or on-street parking; it is clearly oriented to vehicular traffic. There is opportunity to develop a plan for this area to create a gateway feature to the Lambeth Village Core which would slow traffic and reinforce the image of the Lambeth Village Core as a traditional main street and a hub of the community.

### Lambeth Residential Neighbourhood

On street parking is not clearly identified in the Lambeth Residential Neighbourhood Project Sub-Area. Most residential properties have a private driveway and garage to accommodate on-site parking. However, the lots are smaller in newer subdivisions and there is therefore less room to accommodate on-site parking. This results in a greater incidence of on-street parking.

## Economic Conditions

Compared to the City-wide average incomes and home values, the Lambeth Area CIP Project Area is in a higher income and value bracket. Businesses are mainly small owner-operated restaurants, offices, boutique shops and services that use the local post office and various banks. The community supports a grocery store, two pharmacies and several convenient stores. Patronage of businesses appears to be mostly by local residents who prefer to shop close to home. There are a number of vacant stores along Main Street, some in standalone buildings and some in plazas.

Obtaining and analyzing detailed North American Industry Classification System (NAICS) Canada data would help to identify the Lambeth Area economy's strengths, growth opportunities, trends (sectors, jobs), etc.

## Servicing

### Water & Sewer

Properties within the Lambeth Area CIP Project Area are generally serviced by municipal storm and water, however many are on private sanitary systems. The lack of municipal sanitary services has been cited as a barrier to (re)development and business expansion. The extension of municipal sanitary services is part of the City's Main Street Infrastructure Renewal Project which is

allowing abutting property owners with the opportunity to tie-in to municipal sanitary services. Access to municipal services will provide new opportunities to redevelop properties at a higher intensity that will support a compact and walkable community.

Local sanitary sewers on Wharncliffe Road and Colonel Talbot Road do not provide a regional benefit and are not eligible to be constructed as part of the City’s Growth Management and Implementation Strategy (GMIS). As part of a future roads project, the City will install a sanitary sewer along Wharncliffe Road. However, timing for a roads reconstruction project on Wharncliffe Road is not identified for within the next 20 years. In the meantime, the process for obtaining for obtaining local sanitary sewers is through the Local Improvement process.

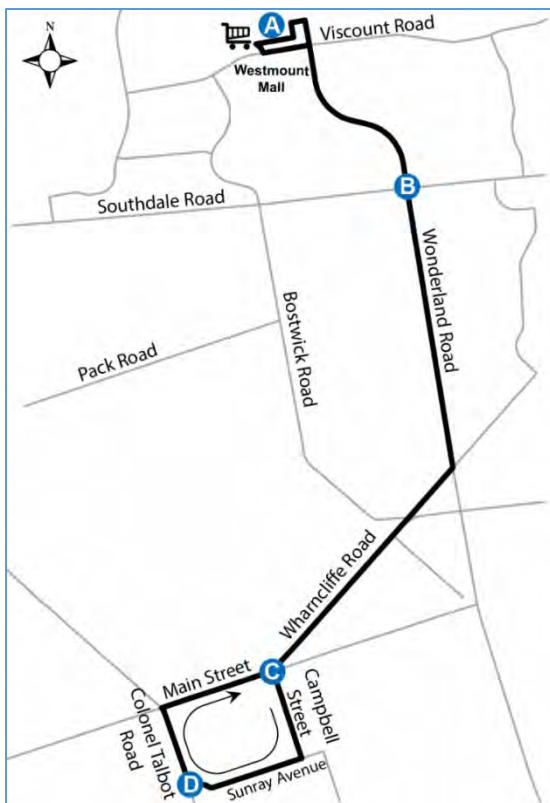
A property owner can petition for a local improvement for the construction of a sanitary sewer. Information regarding Local Improvements can be found on the City’s website at:

<http://www.london.ca/residents/neighbourhoods/NeighbourGood-London/Pages/Local-Improvements.aspx>.

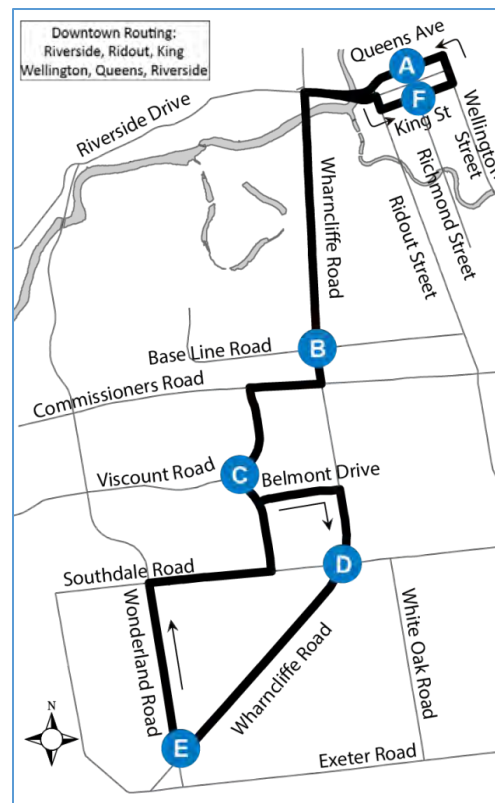
## London Transit

There are currently two bus routes to the Lambeth Area CIP Project Area, illustrated below.

**Route 28**  
Westmount Mall – Lambeth



**Route 12**  
Downtown – Wharncliffe & Wonderland





## Appendix C – Establishment of Financial Incentives

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

By-law No. C.P.- XXXX

A by-law to establish financial incentives  
for the Lambeth Area Community  
Improvement Project Area.

WHEREAS by subsection 28(2) of the *Planning Act*, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS by subsection 28(4) of the *Planning Act* enables Council of a municipal corporation to adopt a community improvement plan for the community improvement project area;

AND WHEREAS the 1989 Official Plan for the City of London contains provisions relating to community improvement within the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has by By-law designated a community improvement project area identified as the Lambeth Area Community Improvement Project Area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has by By-law adopted the Lambeth Area Community Improvement Plan for the area identified as the Lambeth Area Community Improvement Project Area;

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

1. The Lambeth Area Community Improvement Plan - Financial Incentive Program Guidelines attached hereto as Schedule 1 is hereby adopted;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on x

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

## Schedule 1 – Lambeth Area Community Improvement Plan – Financial Incentive Program Guidelines

This program guideline package provides details on the financial incentive programs provided by the City of London through the Lambeth Area Community Improvement Plan (CIP), which includes:

- Lambeth Village Core Façade Improvement Loan Program (including non-street façades); and,
- Wharncliffe Road Corridor Sign Loan Program.;

### How to Read this Document

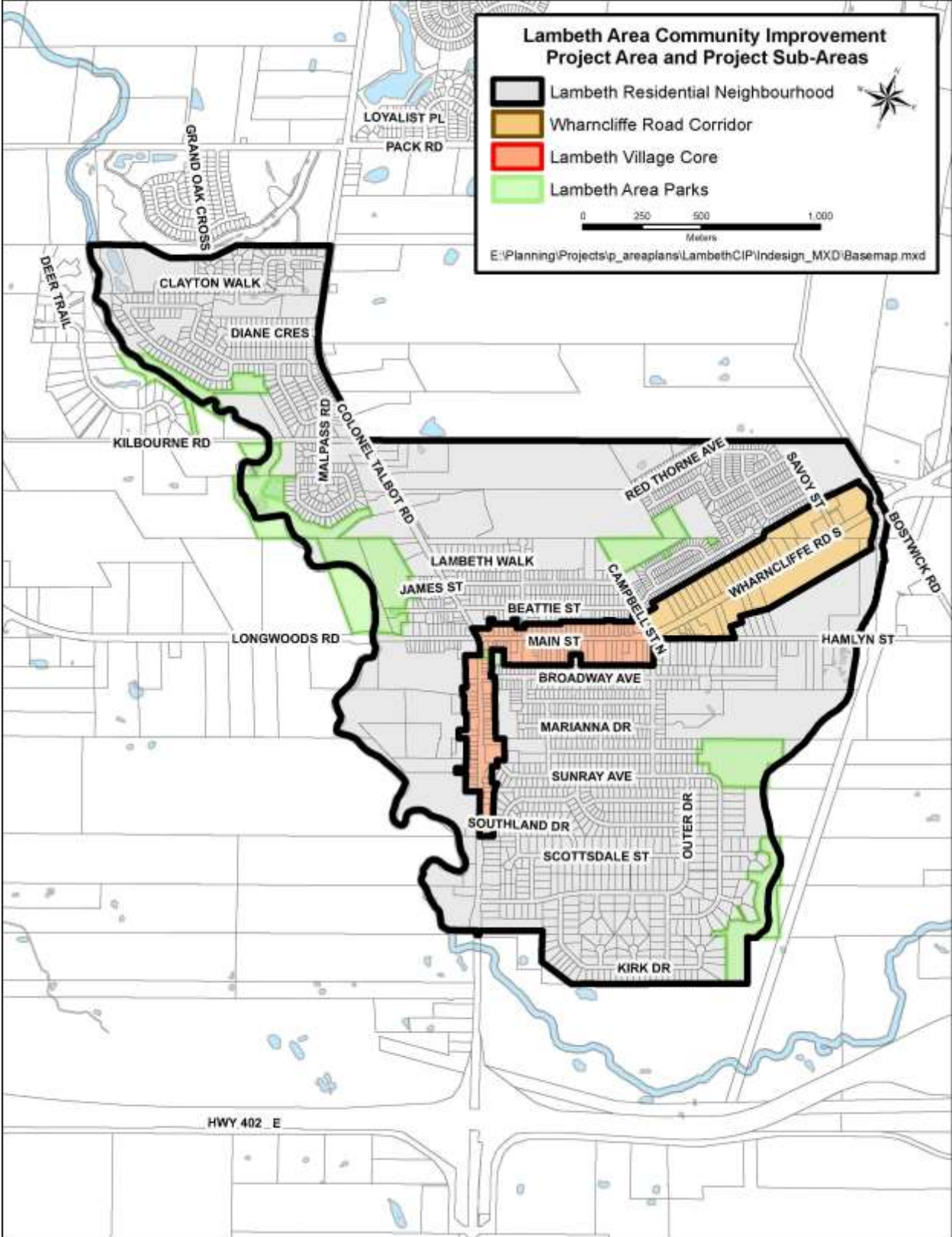
Each of the financial incentive programs has its own specific Purpose, Program Objectives and Eligible Improvements. However, many components of the programs are shared, including: Definitions; Eligibility Criteria; Targeted & Non-Targeted Uses; Appeal of Refusal Section; Relationship to other Financial Incentive Programs; and, Monitoring & Discontinuation of Programs. Therefore, these program guidelines are arranged so that the shared Program information is set out at the beginning, and the details specific to individual programs are outlined in the program specific sections.

This document helps to identify the responsibilities of each stakeholder in the incentive program process. The initials **PO** indicate the Property Owner (or agent acting on behalf of the property owner) is responsible for completing that task or action, whereas the initials **CL** indicates that a City of London staff member holds the responsibility for that task or action.

**PO** – Check the map to locate your property in the Lambeth Area Community Improvement Project Area – Lambeth Village Core Project Sub-Area or Wharncliffe Road Corridor Project Sub-Area. After verifying the property location on the map, check Table 1 to verify the applicable program(s). Then proceed to review the rest of the program guidelines or use the Table of Contents to skip directly to a program to learn more about it and its eligibility information.

Map 1 – Lambeth Area Community Improvement Project Area

Only properties located in the Lambeth Village Core and Wharncliffe Road Corridor are eligible for financial incentives.



**Table 1 – Financial Incentive Programs Offered in the Lambeth Village Core and Wharncliffe Road Corridor**

Financial Incentive Program	Lambeth Village Core Project Sub-Area (see Map 1)	Wharncliffe Road Corridor Project Sub-Area (see Map 1)
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 Program		

**1. Definitions**

Active Occupancy – The space being used by a business that is open, in operation and serving customers.

Annual Grant Amount – The annual grant is defined as the grant amount that would be given to the applicant in any one year of the ten-year grant period.

- For Tax Grant, this means each property owner will be given ten annual grants and the annual grant amount will change over this period depending upon year and grant level;
- For Forgivable Loans, this means the amount that would be given each year based on the *Yearly Grant Value* set out in the agreement and *Pro-rated Yearly Grant Percentage* which is based on ground floor occupancy;
- For the Combined Development Charge (DC)/Tax Grant, this means the amount that would be given to the applicant in any one year of the grant period. Each property owner will be given annual grants until such time as the value of Residential DCs have been repaid. The annual grant amount may change over the term of the grant period depending upon year and grant level.

Annual Grant Calculation – The annual grant for any single year will be calculated as follows, the *Annual Tax Increment* multiplied by the *Year/Level Factor*.

Annual Tax Increment – The incremental difference between the municipal portion of property taxes that would be paid for a full year before the improvement versus after the improvement. This can also be considered the tax increase that is directly related to the renovation or redevelopment project. This amount is fixed based on the tax rate at the time of pre-improved assessed value.

Annual Tax Increment Calculation – The annual tax increment will be calculated as follows, the annual taxes based on the post-improved assessed value less the annual taxes based on the pre-improved assessed value. This annual tax increment is fixed for the ten-year duration of the grant schedule. Changes to the tax rate, general reassessments or changes in tax legislation will not be considered for the purpose of calculating the annual tax increment.

Example:

Annual tax based on post-improved assessed value	\$100,000
- <u>Annual tax based on pre-improved assessed value</u>	<u>- \$25,000</u>
= <i>Annual Tax Increment</i>	= \$75,000

Approved Works – The materials, labour and/or effort made to improve a property that are determined to meet eligibility criteria under the incentive program requirements.

Applicant – The person who makes a formal application for a financial incentive program offered through the City’s Community Improvement Plans. The person may be the owner of the subject property, or an agent, including a business owner who is occupying space

on the subject property or contractor who has been retained to undertake improvements on the subject property. If the *Applicant* is not a registered owner of the property subject to the incentive program the *Applicant* will be required to provide authorization in writing from the registered owner as part of a complete application.

Calendar Year – The 12 months of the year commencing January 1 and ending December 31.

Commitment Letter – A document prepared by the City of London outlining its agreement with a property owner, to provide a future financial incentive – loan(s) and/or grant(s) – to a property owner, based on a redevelopment, rehabilitation and/or renovation project that the applicant has yet to undertake. The letter describes the specific scope of approved works that the property owner will undertake in order to receive the grant or loan.

Complete Application – Includes a completed application form for financial incentive program(s) with the property owner(s) signature and date, which is accompanied by:

- Complete drawings of the works to be undertaken (including a façade drawing for façade projects);
- Itemized list of specific improvements;
- Two (2) comparable quotations by qualified contractors showing cost estimates for each of the proposed works which are required to be included in the incentive program. In general, the lower of the two estimates will be taken as the cost of the eligible works. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);
- A cover letter that summarizes the work to be completed and summarizes the provided quotations;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the Managing Director of Planning and City Planner, or designate.

Development Charge – Means any Development Charge (DC) that may be imposed pursuant to the City of London's Development Charge By-law under the Development Charges Act, 1997.

Discrete Building – Means any permanent structure which is separated from other structures by a solid party wall and is used or intended to be used for the shelter, accommodation, or enclosure of persons. To be a discrete building, the structure will have a distinct municipal address.

Dwelling unit – Means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.

First storey – The storey that has its floor closest to grade and its underside of finished ceiling more than 1.8 m above the average grade.

Grant Cap – The maximum amount of money that the City will provide as a grant back to the property owner.

Maximum Yearly Grant Value – Grant values are established in the payment schedule which is included in the agreement between the City and the property owner. With respect to the forgivable loans the annual grant equals the yearly loan repayments multiplied by a percentage, to a cap, as shown below:

Program	Loan Amount	Forgivable Loan Portion	Considerations for Yearly Grant
Upgrade to Building Code	\$200,000 maximum	The lesser of a maximum of \$25,000 or 12.5% of the loan is eligible to be paid back in the form of grants over the term of the loan.	<ul style="list-style-type: none"> <li>• Number of payments made in the previous <i>Calendar Year</i></li> <li>• Number of months the main floor was actively occupied with a targeted use in previous <i>Calendar Year</i></li> </ul>
Façade Improvement	\$50,000 maximum	The lesser of a maximum of \$12,500 or 25% of the loan is eligible to be paid back in the form of grants over the term of the loan.	<ul style="list-style-type: none"> <li>• Number of payments made in the previous <i>Calendar Year</i></li> <li>• Number of months the main floor was actively occupied with a targeted use in previous <i>Calendar Year</i></li> </ul>

Municipal Portion of Property Tax – For the purposes of the Tax Grant program, property taxes refer only to the municipal portion of the property taxes paid, and does not include such charges/taxes/levies as education, water, sewer, transit or phase-in.

Non-Targeted Area – Lands within the Hamilton Road Area Community Improvement Plan Project Area which are eligible for incentive programs however are not eligible for consideration of Forgivable Loans.

Non-Targeted Uses – The use occupying the ground floor of a building which is permitted under the land use zone but not listed as a targeted use. Please refer to Section #2 for a full list of *Targeted* and *Non-Targeted Uses*.

Post-Improved Assessed Value – For the purpose of calculating the *Annual Tax Increment*, the *Post-Improved Assessed Value* of the property will be established based on:

- i. Completion of the project as identified by the applicant; and
- ii. Completion of the reassessment of the property by the Municipal Property Assessment Corporation (MPAC) such that the work done at the project completion date (defined in i. above) is recognized. Note: Receiving the *Post-Improved Assessed Value* from MPAC may take one to two years or longer.

Pre-improved Assessed Value – For the purpose of calculating the *Annual Tax Increment*, the pre-improved assessed value of the property will be established as the earlier of the following:

- i. Date of application for building permit;
- ii. Date of application for demolition permit; or
- iii. Date of application for the Rehabilitation and Redevelopment Tax Grant Program.

Future increases in taxes that may be phased in AFTER the *Post-Improved Assessment Date* (as defined above) will not be eligible for grant calculation.

Pro-rated Yearly Grant Percentage – The percentage of months in the *Calendar Year* where the ground floor is actively occupied by a targeted use and can be used in calculating the value of a yearly grant payment on the forgivable portion of a loan.

Rehabilitation Project – For the purpose of the incentive programs shall mean the restoration or reconstruction of buildings, structures or parts thereof to modern building standards without the removal of the building or structure from the lot.

Redevelopment Project – For the purpose of the incentive programs shall mean the development of lands, which are vacant, planned for demolition, in part or in whole, or which will have the building or structure removed from the lot.

Relevant Tax Class Rate – For the purpose of the incentive program means the applicable tax class as of the date of the corresponding grant year.

Targeted Area – Lands within a defined area of the Hamilton Road Area Community Improvement Plan Project Area which are eligible for incentive programs including consideration of Forgivable Loans. **At this time, Forgivable Loans are not available in the Hamilton Road Area.**

Targeted Uses – The use occupying the ground floor of a building which is permitted under the land use zone and has a key role in achieving the goals of the City’s Strategic Plan, the Business Improvement Area, the Community Improvement Plan, and any other current or future related plans. Please refer to Section #2 for a full list of *Targeted* and *Non-Targeted Uses*.

Year 1 – The first full calendar year that taxes are paid after the project is completed and reassessed. This becomes the first of the ten years of grant payments.

Yearly Grant Value – Means the amount of money granted back to the applicant which may change from year to year based on the calculation of the *Yearly Loan Repayments* multiplied by 25% (for Façade Improvement loan) or 12.5% (for Upgrade to Building Code loan) to give the *Maximum Yearly Grant Value* that is multiplied by the *Pro-rated Yearly Grant Percentage*.

Example (Upgrade to Building Code Loan with the ground floor occupied for six months of the *Calendar Year*):

$$\text{Yearly Loan Repayments multiplied by 12.5\% = Maximum Yearly Grant Value}$$

$$\$60,000 \times 12.5\% = \$7500$$

$$\text{Maximum Yearly Grant Value multiplied by Pro-rated Yearly Grant Percentage}$$

$$= \text{Yearly Grant Value}$$

$$\$7500 \times 50\% = \$3750$$

Yearly Loan Repayments – The total value of the loan payment made by the applicant to the City in a *Calendar Year*. The loan agreement includes a loan schedule which provides details on the terms of loan including when loan repayment begins as well as the amount of monthly repayments.

Year/Level Factor – The following tables illustrate the *Year/Level Factor* that is used for each of the Tax Grant levels. The appropriate table will be populated based on the *Annual Tax Increment Calculation* and the *Annual Grant Calculation* and will be included as part of the Grant Agreement between the property owner and the City of London:

Part IV Heritage Designated		Existing Buildings		Vacant or Cleared Land	
Year	Level 1	Year	Level 2	Year	Level 3
1	100 %	1	70 %	1	60 %
2	100 %	2	70 %	2	60 %
3	100 %	3	60%	3	50 %
4	90 %	4	50%	4	40 %
5	80 %	5	40%	5	30 %
6	70 %	6	30%	6	20 %
7	60 %	7	20%	7	10 %
8	50 %	8	10%	8	10 %
9	40 %	9	10%	9	10 %
10	30 %	10	10%	10	10 %

## 2. Eligibility Criteria for Financial Incentive Programs

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Managing Director, Planning and City Planner, or designate.***

To be eligible for any Financial Incentive Program, the applicant, property and project must meet all conditions detailed in this program description.

### Property Owner Considerations

- The applicant must be the registered owner of the property or an agent (including building tenant or contractor who has been retained to undertake improvements). If the applicant is not a registered owner of the subject property, the applicant will be required to provide authorization in writing from the registered owner as part of a complete application;
- All mortgages and charges, including the subject financial incentive(s), must not exceed 90% of the post-rehabilitation appraised value of the property (i.e. the owner must maintain 10% equity in the property post-improvement);
- All City of London realty taxes must be paid in full when the loan and/or grant is issued and remain so for the lifetime of the loan and/or grant;
- The registered owner of the property must have no outstanding debts to the City of London;
- The property owner and/or applicant, must not have ever defaulted on any City loan or grant program, including by way of individual affiliation with any company or group of people authorized to act as a single entity such as a corporation;
- The Financial Incentive Programs will not apply retroactively to work completed prior to the approval of the application by the Managing Director of Planning and City Planner, or designate.

### Property Considerations

- The property must be located within the Lambeth Village Core Project Sub-Area or Wharncliffe Road Corridor Project Sub-Area as identified in the Lambeth Area Community Improvement Project Area (see Map 1);
- There are no City of London Building Division orders or deficiencies relating to the subject property at the time the loan or grant is issued;
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example, applications for an Upgrade to Building Code Loan, Facade Improvement Loan, and Tax Grant can be made at the same time).

### Building Considerations

- Separate applications must be submitted for each *discrete building* (as defined) on a single property;
- The property must contain an existing buildings (occupied or unoccupied) located within an identified area for improvement under the Lambeth Area CIP (for the Residential Development Charge Grant & Tax Grant Programs, the property may also be vacant);
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of the incentive programs;
- Where a building is within a contiguous group of buildings, a *discrete building* will be interpreted as any structure which is separated from other structures by a solid party wall (and a distinct municipal address);
- Each *discrete building* on each property is eligible for financial incentive programs;
- Each *discrete building* is eligible for multiple Upgrade to Building Code loans provided the total of all loans do not exceed the maximum amount allowable under the program



guidelines (\$200,000), additional Upgrade to Building Code loans may be considered after the previous loan(s) is repaid;

- Each *discrete building* is eligible for multiple Façade Improvement loans provided the total of all loans do not exceed the maximum amount allowable under the program guidelines (\$50,000), additional Façade Improvement loans may be considered after the previous loan(s) is repaid;
- Each property is eligible for a Rehabilitation and Redevelopment Tax Grant;
- Each *discrete building* is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example applications for an Upgrade to Building Code Loan, Façade Improvement Loan, and Tax Grant can be made at the same time);
- There must be no City of London Building Division orders or deficiencies and no by-law infractions when the loan or grant is issued.

### 3. Application Process

#### Expression of Interest

**PO** – It is suggested to meet with City Planning Staff or the Business Improvement Area (BIA) if/when one exists regarding an Expression of Interest or Proposal before any financial incentive application is made to the City of London. While City Planning staff are often involved in meeting with the BIA and a property owner, no records are formally kept until a complete incentive application, accompanied by appropriate drawings and estimates, is submitted to City Planning.

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Managing Director, Planning and City Planner, or designate.***

#### Consultation Phase

**Step 1 – PO** – The Applicant contacts City of London and/or the BIA who will arrange a meeting to share ideas for the proposed project, information about incentive programs, provide application form(s) and assist with the application process. This meeting will also help to identify what permits or permissions may be required to complete the proposed improvement project. Consultation with an Urban Designer and/or Heritage Planner may be necessary. Where possible, the City will make appropriate staff available for this meeting, which is usually on site at the property where the proposed work is planned.

Applications made for financial incentive programs do not in any way replace the need for obtaining any necessary approvals. Prior to undertaking building improvements, the property owner (**PO**) is required to obtain any necessary approvals and/or permits. Heritage Alteration Permits (for properties requiring them) will be required before financial incentive applications are accepted. Discussions with City staff and the BIA are encouraged early in the conceptual phase to ensure proposed façade improvements comply with City regulations and guidelines, and the proposed improvements are eligible under the incentive program criteria. Service London staff are also available to help with clarifying/applying for applicable permits.

#### Concept Phase

**Step 2 – PO** – A *Complete Application* (see Definition Section) for incentive programs is submitted to the City of London.

For the Tax Grant and Residential Development Charge Grant programs, the applicant must also obtain a building permit and make full payment of Residential Development Charges.

Residential Development Charge Grants are processed by City Planning in conjunction with Development and Compliance Services (Building Division). Application to the

Residential Development Charge (DC) Grant program is triggered when the full payment of Residential DCs is made to the Building Division. **PO – After making the DC payment, applicants must contact City Planning to complete the application process.**

**Step 3 – CL** – City of London City Planning Staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a *Commitment Letter* which outlines the approved works, related costs, and monetary commitment that the City is making to the project. The letter will also state whether the commitment is for a Forgivable Loan. For the Residential DC Grant, the residential DCs must be paid prior to the City's issuance of a *Commitment Letter*. For the Loan Programs, the City's commitment is valid for one year from the date of issuance of the *Commitment Letter*. The City's commitment applies only to the project as submitted. **PO – Any subsequent changes to the project will require review and approval by appropriate City staff.**

**Step 4 – CL** – City Planning Staff may visit the subject property and take photographs, both before and after the subject work is completed. When considering forgivable loans, staff will also confirm that the intended use meets the eligibility requirements of the program.

### Construction Phase

**Step 5 – PO** – Having obtaining all necessary approvals and/or permits and receiving a *Commitment Letter* from the City for approved works, the applicant may start to undertake eligible improvements. With respect to the Residential DC Grant, there is an additional requirement that the DCs have been paid.

***Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Managing Director, Planning and City Planner, or designate.***

### Confirmation Phase

**Step 6 – PO** – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. For Loans, the applicant will submit paid receipts (as proof of payment in full). Confirmation that related building permits are closed is also required so that the City may begin drafting an agreement. With respect to Tax Grant and Residential DC Grant, when the project is complete or following the re-assessment of the property, the applicant will notify City Planning in writing that the project is complete for the purpose of calculating the *Post-Improved Assessed Value*.

**Step 7 – CL** – Before setting up any agreement, City Planning staff must ensure the improvements as described in the City's *Commitment Letter* are completed and other criteria as set out in the respective program guidelines, have been met. Generally speaking, this includes:

- The loan must be in good standing with no arrears owing;
- All City of London property taxes must be paid in full and the account deemed in good standing by the Taxation Division;
- There must be no outstanding debts to the City of London;
- The property owner must not have defaulted on any City loans or grants;
- There must be no outstanding City of London Building Division orders or deficiencies against the subject property.

**Step 7. i (Grants) – CL** – Upon written notice from the applicant, City Planning will request the City's Finance and Corporate Services Taxation Division to provide a grant schedule that establishes the value of the annual grant over the term of the grant program.

**Step 7. ii (Grants) – CL** – Upon request by City Planning, the Finance and Corporate Services Taxation Division will establish a *Post-Improved Assessed Value*. To do this they will review the assessed value of the property and determine whether this is the final assessment relating to the completion of the renovation or development project. If this is not the final assessment, the Finance and Corporate Services Taxation Division will contact the Municipal Property Assessment Corporation (MPAC) and request that the final assessment be prepared.

**Step 7. iii (Grants) – CL** – The Finance and Corporate Services Taxation Division will prepare and note the annual tax increment for the purpose of calculating the grant schedule. The Finance and Corporate Services Taxation Division will then prepare a schedule for the first year that the new taxes were levied for the full year.

**Step 7. iv (Grants) – CL** – At the completion of the *Calendar Year*, City Planning staff will ask Finance and Corporate Services Taxation Division staff to confirm that all taxes have been paid for that year and that the tax account is in good standing with a zero balance. Upon receiving confirmation, a grant agreement can be drafted.

### Agreement Phase

**Step 8 (Loans) – CL** – Once the approved works are verified by City Planning, staff will draft the loan agreement.

**Step 8 (Grants) – CL** – Once the eligible works are verified and the grant schedule is complete, City Planning staff will draft the grant agreement and provide a draft copy of the grant agreement to the applicant for review.

**Step 9 (Loans) – CL** – City Planning staff will request a cheque, and the Document General to place a lien on the property in the amount of the loan is prepared.

**Step 9 (Grants) – CL** – After the applicant has approved the grant agreement, City Planning staff can prepare two hard copies of the agreement to be signed.

**Step 10 – CL** – When all the documentation is ready, City Planning staff will contact the applicant to arrange for a meeting to sign the documents (and in the case of a loan, exchange a loan cheque for the first 12 post-dated repayment cheques provided by the property owner or applicant (**PO**)).

Full loan repayment can be made at any time without penalty. **PO** – To make a full or partial repayment above the standard monthly payment, please contact City Planning or Accounts Receivable.

**Step 11** – City Planning staff will have two original copies of the agreement available for signing. One original signed copy is kept by the applicant and one is retained by the City.

**PO** – Please note that loan cheque distribution cannot occur in December due to financial year-end. Instead, all loan cheques requested in the Agreement phase in December will be processed in January.

## 4. Financial Incentive Approval

Once all eligibility criteria and conditions are met, and provided that funds are available in the supporting Reserve Fund, the Managing Director, Planning and City Planner or designate will approve the incentive application. Approval by means of a letter to the applicant will represent a commitment by the City of London. Loan commitments will be valid for one year and will expire if the work is not completed within that time period. The Managing Director, Planning and City Planner may, at his/her discretion, provide a written time extension of up to one year. **PO – It is important to note that the consideration of such an extension will require a written request from the applicant detailing the reasons the extension is being sought.**

**5. Additional Rehabilitation and Demolition**

Additional work to the interior of the building can be undertaken without City Planning approval subject to obtaining a building and/or heritage alteration permit, when required. The loan programs do not impose any specific restrictions on demolition except that any outstanding loan amount must be repaid to the City prior to the issuance of a demolition permit.

**6. Inspection of Completed Works**

The loan will be paid to the property owner (or designate) following City receipt of invoices for all completed work and after the City inspection of all completed improvements has taken place. The City will inspect the work completed to verify that the proposed improvements have been completed as described in the application.

**7. Incentive Application Refusal and Appeal**

If an application is refused, the applicant may, in writing, appeal the decision of the Managing Director, Planning and City Planner to the City Clerk’s Office who will provide direction to have the matter heard before Municipal Council through the Planning and Environment Committee (PEC).

**8. Relationship to other Financial Incentive Programs**

It is intended that the Loan and Grant Programs will complement other incentive programs offered by the City of London. Property owners may also qualify for financial assistance under those programs specifically detailed within the program guidelines. However, the funding from these programs cannot be used to subsidize the property owner’s share of the total cost of the loan programs property improvements.

**9. Monitoring & Discontinuation of Programs**

As part of the program administration, City Planning staff will monitor all of the financial incentive programs. In receiving and processing applications, staff will enter relevant information into a Monitoring Database. This information will be included in Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease to issue any new commitments. Each program is monitored to ensure it implements the goals and objectives of the Community Improvement Plan within which the program applies. The City may discontinue the Financial Incentive Programs at any time; however, any existing loan or grant will continue in accordance with the agreement. A program’s success in implementing a Community Improvement Plan’s goals will be based on the ongoing monitoring and measurement of a series of identified targets that represent indicators of the CIP’s goals and objectives, as noted in the Program Monitoring Data section.

**10. Program Monitoring Data**

The following information will be collected and serve as indicators to monitor the financial incentive programs offered through the Lambeth Area Community Improvement Plan. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the CIP have been met.

<b>Program</b>	<b>Indicators</b>
<b>Façade Improvement Loan Program Monitoring</b>	<ul style="list-style-type: none"> <li>• Number of Applications (approved and denied)</li> <li>• Approved value of the loan and the total construction cost (i.e. total public investment and private investment)</li> <li>• Pre-Assessment Value</li> <li>• Total Value of Building Permit (if required)</li> <li>• Location of façade being improved (Street Front, Non-Street Front)</li> <li>• Post-Assessment Value</li> <li>• Use Type (Targeted or Non-Targeted)</li> </ul>

Program	Indicators
	<ul style="list-style-type: none"> <li>• Increase in assessed value of participating property</li> <li>• Total Loan Amount</li> <li>• Number of forgivable loans</li> <li>• Number of loan defaults</li> <li>• Cost/Value of loan defaults</li> </ul>
<b>Upgrade to Building Code Loan Program Monitoring</b>	<ul style="list-style-type: none"> <li>• Number of Applications (approved and denied)</li> <li>• Approved value of the loan and the total construction cost (i.e. total public investment and private investment)</li> <li>• Pre-Assessment Value</li> <li>• Total Value of Building Permit</li> <li>• Post-Assessment Value</li> <li>• Use Type (Targeted or Non-Targeted)</li> <li>• Increase in assessed value of participating property</li> <li>• Total Loan Amount</li> <li>• Number of forgivable loans</li> <li>• Number of loan defaults</li> <li>• Cost/Value of loan defaults</li> </ul>
<b>Tax Grant Program Monitoring</b>	<ul style="list-style-type: none"> <li>• Number of Applications (approved and denied)</li> <li>• Pre-Assessment Value</li> <li>• Total Value of Building Permit</li> <li>• Level of Grant (Type 1, Type 2 or Type 3)</li> <li>• Post-Assessment Value</li> <li>• Use Type (Targeted or Non-Targeted)</li> <li>• Number of residential units created</li> <li>• Increase in assessed value of participating property</li> <li>• Total Grant Amount</li> <li>• Number of grant defaults</li> <li>• Cost/Value of grant defaults</li> </ul>
<b>Development Charge Program Monitoring</b>	<ul style="list-style-type: none"> <li>• Number of Applications (approved and denied)</li> <li>• Pre-Assessment Value</li> <li>• Total Value of Building Permit</li> <li>• Number of residential units created</li> <li>• Post-Assessment Value</li> <li>• Type (Targeted or Non-Targeted Industrial) Use</li> <li>• Increase in assessed value of participating property</li> <li>• Total Grant Amount</li> <li>• Number of grant defaults</li> <li>• Cost/Value of grant defaults</li> </ul>

## 11. Activity Monitoring Reports

Annual Activity Reports will measure the following variables:

- Number of applications by type;
- Increase in assessment value of properties;
- Value of the tax increment (i.e. increase in property tax after the construction activity);
- Value of construction and building permits issued;
- Number of units created (by type, ownership/rental);
- Number and value of incentive program defaults; and,
- Ground floor occupancy rates within the CIP area where the program(s) is in effect.

**COMMON PROGRAM INFORMATION SECTION ENDS HERE  
INDIVIDUAL PROGRAM INFORMATION BEGINS NOW**

## 12. Façade Improvement Loan Programs

### a) Lambeth Village Core Façade Improvement Loan Program

**Purpose:** The Lambeth Village Core Façade Improvement Loan Program is intended to assist property owners in identified community improvement project areas with façade improvements and to bring participating buildings and properties within the identified community improvement areas into conformity with the SWAP, City of London Property Standards By-law and applicable City Design Guidelines. Through this program, the City provides a no-interest 10-year loan. Loans will be issued to cover 50% of the cost of the eligible works to a maximum of \$50,000.

**Objectives:** The overarching goals of this Program are to:

- Support the maintenance, improvement and beautification of the exterior appearance of buildings in the Lambeth Village Core;
- Encourage reinvestment in the Lambeth Area;
- Help make the Lambeth Area environment interesting and aesthetically pleasing for residents, patrons and visitors alike;
- Bring participating buildings and properties into conformity with the City of London Property Standards By-law.

**Eligible Works:** Eligible works that will be financed through this program include improvements that are demonstrated to enhance the appearance of building exteriors in compliance with applicable Urban Design Guidelines. Examples of works that may be eligible under this program are listed below.

- Exterior street front renovations;
- Portions of non-street front buildings, visible from adjacent streets. Non-street front visible portions may only be eligible for funding after the street front façade has been improved or street front improvements have been deemed unnecessary by the Managing Director, Planning and City Planner, or designate;
- Awnings that are affixed to the exterior street front of a building which are used to keep the sun or rain off a storefront, window, doorway, or sidewalk, and/or to provide signage for a commercial tenant;
- Business name signage that is affixed to the exterior street front of a building;
- Decorative lighting which is affixed to the exterior street front of a building that is ornamental and installed for aesthetic effect;
- Eaves troughs, rain gutters, soffits, fascia, bargeboard, and other materials that direct rain water;
- Doors, windows, and their finished framing;
- Professional fees for the preparation of drawings and technical specifications required for eligible works (limited to the lesser of a maximum of \$5000 or 10% of the loan).

**Note:** A Heritage Alteration Permit is required for heritage designated properties in the Lambeth Area CIP Project Area.

**Works Not Eligible:** The following provides examples, but not a complete list of works that are not eligible to be financed through this program:

- New stucco building materials;
- Back lit signs;
- Any other materials that at the discretion of the Managing Director, Planning, and City Planner, or designate, are deemed ineligible or inauthentic.

**Loan Terms:** A complete application must be received and a City *Commitment Letter* issued before any work can commence.

**Period:** The loan will be interest free and will be amortized over a 10-year period.

**Loan Amount:** Loans will be issued to cover the lesser of:

- 50% of the cost of the eligible works per building; or,
- a maximum of \$50,000 per building.

While more than one *discrete building* on a single property may be eligible for a loan, loans will not exceed 50% of the cost of the eligible works that related to each *discrete building*.

More than one loan may be issued for each *discrete building* on each property, but the sum of these loans must not exceed the maximum loan amount of \$50,000 per *discrete building*.

**Determination of Eligible Non-Street Front Façade Improvements:** The Managing Director, Planning and City Planner or designate will decide when this program can be applied to a building façade that is not street facing. Typically this consideration is made when the street-front façade is deemed to be in compliance with applicable City Design guidelines and Building and Fire Codes.

**Determination of Façade Improvements where there are two Street Frontages:** If a building has both the front and rear façade facing a municipal street (not a private street or a laneway), then the building is eligible for a Façade Improvement Loan for each unique street fronting façade. Further, if a building is on a corner property where two or more façades face a municipal street (not a private street or laneway), then the building is eligible for two or more Façade Improvement Loans. All façade designs must be deemed in compliance with applicable City Design guidelines and the Building and Fire Codes, to be eligible for loans.

**Loan Distribution:** The City will provide the applicant with one cheque in the full amount of the approved loan after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the loan; (2) the Loan Agreement has been signed; and, (3) the first 12 months of post-dated cheques (to be used for the first year repayment of the loan) are received. City of London Accounts Receivable staff will contact the applicant annually to request a supply of cheques in subsequent years. **PO** – The applicant will notify the City about any changes to their banking arrangements and replace cheques as appropriate over the term of the loan.

**The City will not provide partial loan amounts or progress payments.**

**Loan Security and Postponement:** Loans will be secured through the registration of a lien placed on property title for the total amount of the loan. Liens will be noted on the tax roll and will be registered and discharged by the City. The Managing Director, Planning and City Planner or designate may postpone the lien (subordination of a lien to another lien on the same property) which is given as security for the loan in circumstances where any of the registered mortgages are being replaced, consolidated or renewed and the total value of all mortgages and charges including the City's lien does not exceed 90% of the appraised value of the property.

**Loan Agreement:** Participating property owners in the financial incentive programs shall be required to enter into a loan agreement with the City. This agreement shall specify such items as (but not limited to) the loan amount, the duration of the loan, and the owner's obligation to repay the City for any monies received if the property is demolished before the loan period elapses. The agreement shall include the terms and conditions included in the program guidelines.

**Repayment Provisions:** Loan repayments will begin six months after the advancement of funds. Repayment of the loan will be on a monthly basis and does not include interest. The monthly payment amount will be calculated based on the total loan amount divided by **114 payments**. Full repayment can be made at any time without penalty.

**Transferable Loans:** At the discretion of the City, loans may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the loan. The new owner must enter into a new loan agreement with the City for the outstanding loan value at the time of purchase. Otherwise, where the ownership is transferred the outstanding balance of the loan shall immediately become due and payable by the selling property owner.

#### **b) Wharncliffe Road Corridor Sign Loan Program**

**Purpose:** The Wharncliffe Road Corridor Sign Loan Program is intended to assist property owners with eligible signage works to improve building signage and bring participating signs into conformity with the Property Standards By-law and applicable City Design Guidelines.

Through this program, the City provides a no-interest 10-year loan. Loans will be issued to cover 50% of the cost of the eligible works to a maximum of \$5000.

**Objectives:** The overarching goals of this Program are to:

- Support the maintenance, improvement and beautification of sign-related items in the Wharncliffe Road Corridor;
- Encourage reinvestment in the Lambeth Area;
- Help make the Lambeth Area environment interesting and aesthetically pleasing for residents, patrons and visitors alike;
- Bring participating buildings and properties into conformity with the City of London Property Standards By-law.

**Eligible Works:** Eligible works that will be financed through this program include improvements that are demonstrated to enhance the appearance of sign-related items in compliance with applicable City Design Guidelines. Examples of works that may be eligible under this program are listed below.

- Exterior sign-related renovations in compliance with City Design Guidelines;
- Portions of non-street front sign renovations, visible from adjacent streets.
- Awnings that are affixed to the exterior street front of a building which are used to keep the sun or rain off of a storefront window, doorway or sidewalk and/or to provide signage for a commercial tenant.
- Business name signage that is affixed to the exterior street front of a building.
- Professional fees for the preparation of drawings and technical specifications required for eligible works (limited to the lesser of a maximum of \$500 or 10% of the loan).

**Note:** A Heritage Alteration Permit is required for heritage designated properties in the Lambeth Area.

**Works Not Eligible:** The following provides examples, but not a complete list of works that are not eligible to be financed through this program:

- new stucco building materials;
- back lit signs; and,
- any other materials that at the discretion of the Managing Director, Planning, and City Planner, or designate, are deemed ineligible or inauthentic.

**Loan Terms:** **A complete application must be received and a City *Commitment Letter* issued before any work can commence.**

**Period:** The loan will be interest free and will be amortized over a 10-year period.

**Loan Amount:** Loans will be issued to cover the lesser of:

- 50% of the cost of the eligible works per property; or,
- a maximum of \$5000 per property.



While more than one *discrete building* on a single property may be eligible for a loan, loans will not exceed 50% of the cost of the eligible works that related to each *discrete building*.

More than one loan may be issued for each *discrete building* on each property, but the sum of these loans must not exceed the maximum loan amount of \$5000 per *discrete building*.

**Determination of Eligible Improvements:** The Managing Director, Planning and City Planner or designate will decide when this program can be applied to work that is not street facing. Typically this consideration is made when the street front façade is deemed to be in compliance with applicable City Design guidelines and Building and Fire Codes.

**Determination of Improvements where there are two street frontages:** If a building has both the front and rear façade facing a municipal street (not a private street or a laneway), then the building is eligible for a Sign Loan for each unique street fronting façade. Further, if a building is on a corner property where two or more façades face a municipal street (not a private street or laneway), then the building is eligible for two or more Sign Loans. To be eligible for loans, all designs must be deemed in compliance with applicable City Design Guidelines and the Building and Fire Codes.

**Loan Distribution:** The City will provide the applicant with one cheque in the full amount of the approved loan after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the loan; (2) the Loan Agreement has been signed; and, (3) the first 12 months of post-dated cheques (to be used for the first year repayment of the loan) have been received. In subsequent years, City of London Accounts Receivable staff will contact the applicant annually to request a supply of cheques. **PO** – The applicant will notify the City about any changes to their banking arrangements and replace cheques as appropriate over the term of the loan.

**The City will not provide partial loan amounts or progress payments.**

**Loan Security and Postponement:** Loans will be secured through the registration of a lien placed on property title for the total amount of the loan. Liens will be noted on the tax roll and will be registered and discharged by the City. The Managing Director, Planning and City Planner or designate may postpone the lien (subordination of a lien to another lien on the same property) which is given as security for the loan in circumstances where any of the registered mortgages are being replaced, consolidated or renewed and the total value of all mortgages and charges including the City's lien does not exceed 90% of the appraised value of the property.

**Loan Agreement:** Participating property owners in the financial incentive programs shall be required to enter into a loan agreement with the City. This agreement shall specify such items as (but not limited to) the loan amount, the duration of the loan, and the owner's obligation to repay the City for any monies received if the property is demolished before the loan period elapses. The agreement shall include the terms and conditions included in the program guidelines.

**Repayment Provisions:** Loan repayments will begin six months after the advancement of funds. Repayment of the loan will be on a monthly basis and does not include interest. The monthly payment amount will be calculated based on the total loan amount divided by **114 payments**. Full repayment can be made at any time without penalty.

**Transferable Loans:** At the discretion of the City, loans may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the loan. The new owner must enter into a new loan agreement with the City for the outstanding loan value at the time of purchase. Otherwise, where the ownership is transferred the outstanding balance of the loan shall immediately become due and payable by the selling property owner.

**Appendix D – Amendment to 1989 Official Plan – Areas Eligible for  
Community Improvement**

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

By-law No. C.P.-XXXX

A by-law to amend the 1989 Official  
Plan for the City of London relating to  
the Lambeth Area Community  
Improvement Project Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the 1989 Official Plan for the City of London Planning Area, as contained in Schedule 1 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 XXXX.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**1989 OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. to add a new clause to Section 14.2.2 ii) of the 1989 Official Plan to include the Lambeth Area Village Core Commercial Area and Wharncliffe Road Corridor Commercial Area to the list of commercial areas eligible for community improvement; and,
2. to amend Figure 14-1 that will recognize the entire Lambeth Village Core Project Sub-Area and Wharncliffe Road Corridor Project Sub-Area as commercial areas eligible for community improvement.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands in the City of London generally described as follows:

Lambeth Village Core Commercial Area: properties having frontage on Main Street from Campbell Street to Colonel Talbot Road, and having frontage on Colonel Talbot Road from Main Street to just south of Outer Drive; and,

Wharncliffe Road Corridor: properties having frontage on Wharncliffe Road South from Colonel Talbot Road to east of Bostwick Road.

C. BASIS OF THE AMENDMENT

This Amendment will allow the entire Lambeth Village Core Project Sub-Area and the Wharncliffe Road Corridor Project Sub-Area to be eligible for the financial incentives offered through the Lambeth Area Community Improvement Plan.

D. THE AMENDMENT

The 1989 Official Plan for the City of London is hereby amended as follows:

14.2.2 ii)

(f) Lambeth Village Core

This is the hub of the community designated as the Lambeth Village Core Project Sub-Area of the Lambeth Area Community Improvement Project Area. The area functions as a community focal point and the “Main Street”. Many of the existing buildings in the Lambeth Village Core are older residential buildings with distinctive architectural details. Lambeth Village Core provides a neighbourhood level of service within a comfortable walking and cycling distance of most residents in Lambeth. In general, these are the properties having frontage on Main Street from Campbell Street to Colonel Talbot Road, and having frontage on Colonel Talbot Road from Main Street to just south of Outer Drive; and,

(g) Wharncliffe Road Corridor

This area is one of the main entrances and gateways to the Lambeth Village Core and Lambeth community. It contains a mix of commercial and residential uses in buildings of various sizes and styles. In general, these are the properties contains land fronting onto Wharncliffe Road South from Colonel Talbot Road to east of Bostwick Road.

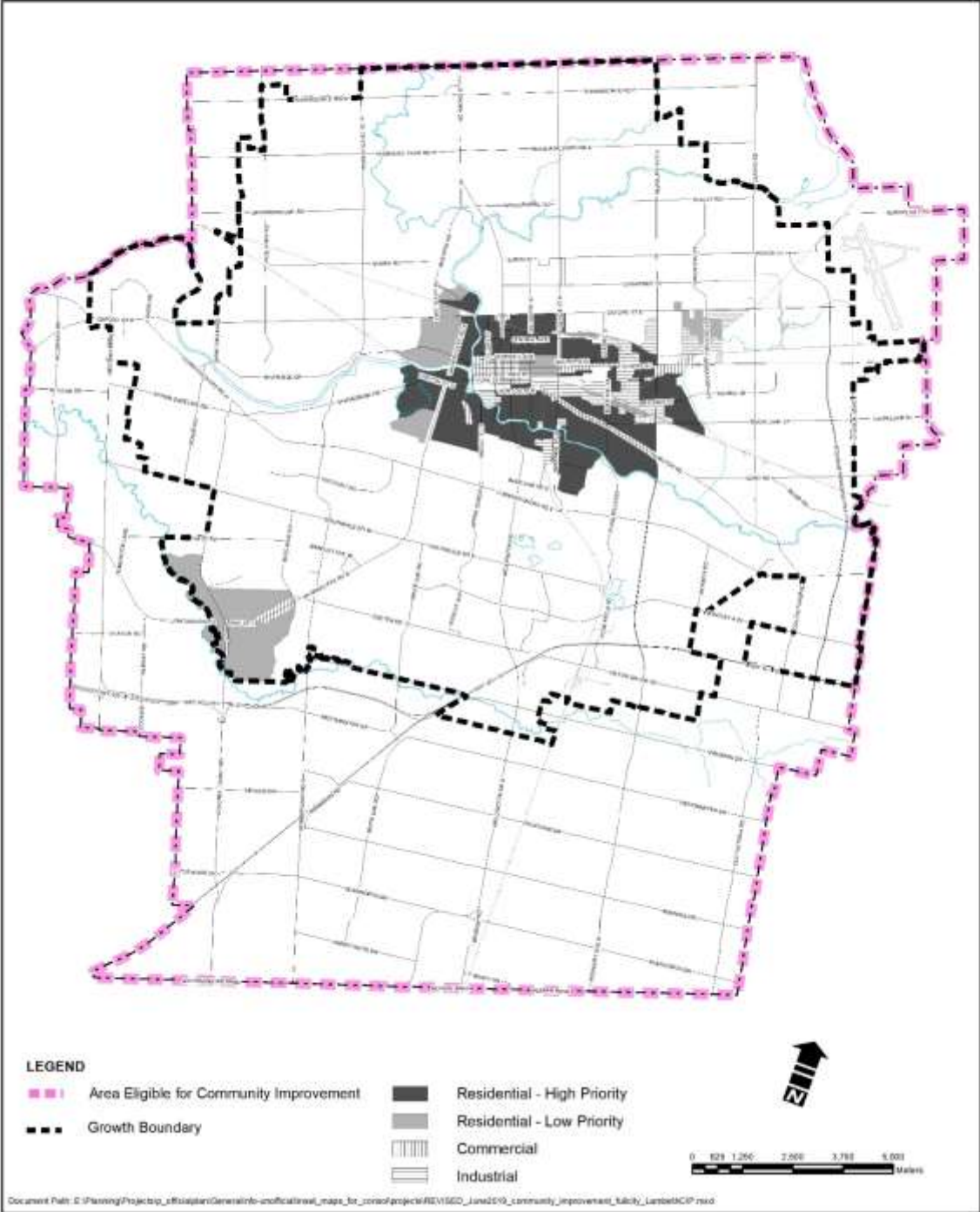
Figure 14-1, Areas Eligible for Community Improvement, to the 1989 Official Plan for the City of London Planning Area is amended by adding the boundary of the Lambeth Area Community Improvement Project Area as indicated on "Schedule 1" attached hereto.

**Schedule 1 – Areas Eligible for Community Improvement**

FIGURE 14-1

AMENDMENT NO.

**AREA ELIGIBLE FOR COMMUNITY IMPROVEMENT**



**Appendix E – Amendment to Map 8 – Community Improvement  
Project Area**

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

By-law No. C.P.-XXXX

A by-law to amend The London Plan for the City of London to add the Lambeth Area Community Improvement Project Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on XXXX.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) of The London Plan for the City of London to add the Lambeth Area Community Improvement Project Area.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally defined as bounded by the Clayton Walk and Malpass Road subdivisions north of Kilbourne Road and west of Colonel Talbot Road, and the future Kilbourne Road extension to the Dingman Creek corridor to the north; the Dingman Creek corridor to the east; Greenhills Country Club to the south; and, Dingman Creek to the west in the City of London.

C. BASIS OF THE AMENDMENT

This Amendment is to facilitate a multifaceted strategy to establish a long-term vision for improvement for the Lambeth Area through the preparation of a Community Improvement Plan within the area outlined in this amendment.

D. THE AMENDMENT

The Official Plan, 2016, The London Plan is hereby amended as follows:

Map 8 – Community Improvement Project Areas is amended by adding the boundary of the Lambeth Area Community Improvement Project Area, as indicated on “Schedule 1” attached hereto.





**Appendix F: Public Engagement**

**Community Engagement**

**March 21, 2109 Community Update & Showcase:** On March 21, 2019, City Planning staff facilitated a Community Update & Showcase to provide an update on the Draft Lambeth Area CIP, host a showcase of local organizations and groups, and provide attendees with the opportunity to network with community members and learn about local organizations. Key components of the draft Lambeth Area CIP were presented on display boards and Staff gave a presentation to summarize the project status and outline next steps. This meeting was advertised through the Lambeth Villager, signs, and emails sent to the contact list, City Staff, and local groups and organizations. A link to the draft Lambeth Area CIP and all supporting documents was included with the invitation. Attendees were invited to provide feedback in a number of ways, including:

- writing on the display boards;
- drawing on the maps;
- filling out a comment form at the meeting;
- contacting City Staff directly;
- contacting Councillor Hopkins; and,
- submitting feedback via the Get Involved web page for the Lambeth Area CIP project.

A summary of the comments received from the March 21, 2019 event is provided in the following table.

Comment & Feedback	Analysis	Recommended Changes to the CIP
<b>Supporting Businesses &amp; the Local Economy</b>		
Sanitary Sewers: provide sanitary sewers to all properties; inform businesses of next steps and process.	<p>Local sanitary sewers on Wharncliffe Road and Colonel Talbot Road do not provide a regional benefit and is not eligible to be constructed as part of the City’s Growth Management and Implementation Strategy (GMIS). As part of a future roads project, the City will install a sanitary sewer along Wharncliffe Road. However, timing for a roads reconstruction project on Wharncliffe Road is not identified for within the next 20 years. In the meantime, the process for obtaining for obtaining local sanitary sewers is through the Local Improvement process.</p> <p>A property owner can petition for a local improvement for the construction of a sanitary sewer. Information regarding Local Improvements can be found on the City’s website at:  <a href="http://www.london.ca/residents/neighbourhoods/NeighbourGood-London/Pages/Local-Improvements.aspx">http://www.london.ca/residents/neighbourhoods/NeighbourGood-London/Pages/Local-Improvements.aspx</a>.</p>	<p>Change Action Item to: Extend local municipal stormwater, sanitary and water services to all areas within the Lambeth Area CIP Project Area in accordance with the Local Improvement process.</p> <p>(The reference to the GMIS was removed)</p>
<b>Improved Mobility &amp; Safety</b>		

Comment & Feedback	Analysis	Recommended Changes to the CIP
<p>Request to address transportation planning, vehicular traffic speed, volume and congestion within the Lambeth Area CIP Project Area and in Lambeth overall (specific references to Colonel Talbot Road, Main Street, Beattie Street, Campbell Street, Southdale Road, Sunray Avenue).</p> <p>Suggestions include: traffic cameras, reduction in speed limits, signage, adding speed bumps, installing roundabouts, and increasing the number of driving lanes.</p>	<p>Transportation design and management is beyond the scope of the Lambeth Area CIP, however, many CIP Action Items address traffic issues and highlight the following transportation goals:</p> <ul style="list-style-type: none"> <li>• increase walkability and connections;</li> <li>• create pedestrian-oriented environments;</li> <li>• increase opportunity for multiple modes of transportation;</li> <li>• reduce the reliance on the private vehicle;</li> <li>• reduce the need to commute; and,</li> <li>• increase the use of public transit.</li> </ul> <p>Specific Action Items include:</p> <ul style="list-style-type: none"> <li>• developing and installing traffic calming;</li> <li>• adding on-street parking on Main Street;</li> <li>• adding off-street parking in Lambeth Village;</li> <li>• installing new marked pedestrian crossovers;</li> <li>• increasing walkability within and between neighbourhoods and areas;</li> <li>• developing additional trails and pathways;</li> <li>• increasing road connections;</li> <li>• increasing pedestrian safety;</li> <li>• undertaking road improvements (intersection improvements, turning lanes);</li> <li>• undertaking safety audits;</li> <li>• adding cycling and walking infrastructure and routes;</li> <li>• creating and disseminate communication of existing, approved, and planned transportation;</li> <li>• developing a streetscape master plan for the Wharncliffe Corridor; and,</li> <li>• providing Lambeth Area stakeholders with City staff contacts and information about the Transportation Master Plan and projects that may affect vehicular traffic in Lambeth.</li> </ul>	<p>None</p>

Comment & Feedback	Analysis	Recommended Changes to the CIP
	<p>Concerns, questions, and comments regarding transportation planning and management were forwarded to Transportation, Planning &amp; Design (TPD) Staff who provided the following comments:</p> <p>The City's Transportation Master Plan (TMP) provides a long-term transportation strategy that will guide the transportation and land use decisions through to 2030 and beyond. The TMP is focused on improving mobility for all residents of the City by providing viable choices through all modes of transportation. Details regarding improvements to the City road network and associated timing are provided in the TMP.</p> <p>There are no traffic volume capacity issues on the subject roads based on City records. All arterials and secondary collectors and local streets are functioning as intended. The City's Transportation Master Plan (TMP) did not identify any road widening in the area except Southdale Road which will be widened to 4 lanes as schedule in the 2019 DC.</p> <p>Information regarding the City's Traffic Calming policies and procedures can be found at: <a href="http://www.london.ca/residents/Roads-Transportation/traffic-management/Pages/Traffic-Calming.aspx">www.london.ca/residents/Roads-Transportation/traffic-management/Pages/Traffic-Calming.aspx</a>.</p>	
Request to clearly state that connections between Lambeth and the rest of the City through cycling and pedestrian infrastructure is a priority.	Identified in Action Item 3.8 (Priority 1).	None.
Request for walking paths through nature areas.	Identified in Action Items 3.4, 3.8, 4.3, 6.1.	None.
Requests for sidewalks: west side of Colonel Talbot Road to the Southwinds area; Wharncliffe Road (increase in pedestrian traffic due to new homes north of Wharncliffe Road).	<p>Identified in Action Items 3.4 and 4.5.</p> <p>The requests for sidewalks in these locations will be reviewed as part of the City's new sidewalk program.</p>	None.
London Transit	Identified in Action Item 3.6.	None.

Comment & Feedback	Analysis	Recommended Changes to the CIP
<ul style="list-style-type: none"> <li>• Request for daily service and extended hours.</li> <li>• Request for analysis of planned route changes.</li> </ul>		
Request for separated and buffered cycling bicycle lane on Main Street.	<p>Main Street Infrastructure Renewal Project is beyond the scope of the Lambeth Area CIP; inquiry forwarded to the Main Street Infrastructure Renewal Project Manager who provided the following comments:</p> <p>Due to the narrow right of way, opportunities for separated cycling lanes are currently limited but will be reviewed as part of future development proposals along Main Street.</p>	None.
Beattie Street, Broadway Avenue, Campbell Street, Sunray Avenue and other roadways being used as bypass routes for Main Street and cars and buses are driving over the speed limit.	<p>Transportation design and management is beyond the scope of the Lambeth Area CIP, however, traffic calming and the Transportation Master Plan (TMP) identified in Action Items 3.1 and 3.16.</p> <p>Information regarding City's Traffic Calming tools and processes, and connections to City Staff were provided to the Lambeth Community Association, Lambeth Citizens' Recreation Council (LCRC), and other interested stakeholders.</p> <p>TPD Staff provided the following comments:</p> <p>Temporary traffic control measures were implemented on James street during the Main Street Infrastructure Renewal Project construction. As this work nears completion, it is expected that cut-through traffic on area streets will be reduced.</p>	None.
On-Street Parking should be on the south side of Main Street.	<p>Main Street Infrastructure Renewal Project is beyond the scope of the Lambeth Area CIP; inquiry forwarded to the Project Manager who provided the following comments:</p> <p>This was completed as part of the Main Street Infrastructure Renewal Project, on-street</p>	None.

Comment & Feedback	Analysis	Recommended Changes to the CIP
	parking was provided along Main Street wherever possible.	
Request to provide pedestrian crossovers on Main Street (Post Office Mall, Spicer's store) Colonel Talbot (James Street, McEachren School, Southland Drive, Beattie Street).	<p>Identified in Action Items:</p> <ul style="list-style-type: none"> <li>• Main Street: 3.2, 3.20 (completed);</li> <li>• Colonel Talbot Road: 3.13; and,</li> <li>• Pedestrian Safety: 3.15, 3.16., 3.21.</li> </ul> <p>Inquiry forwarded to TPD staff who provided the following comments:</p> <p>As part of the Main Street Infrastructure Renewal Project, new pedestrian crossovers were installed near South Routledge Road and on Longwoods Road near Dingman Creek. Additional locations will be monitored to determine if warrants are met in the future.</p>	None.
Request for better signage on Wharncliffe Avenue regarding changes to lanes.	Completed. Identified in Action Item 3.22.	None.
Request to adjust signal timing at Main Street & Colonel Talbot.	Completed. Identified in Action Item 3.21.	None
Overhead signage requested at Main Street & Campbell intersection (required because drivers are still confused due to changes).	<p>Main Street Infrastructure Renewal Project is beyond the scope of the Lambeth Area CIP; inquiry forwarded to the Project Manager who provided the following comments:</p> <p>As this intersection has recently been reconstructed, Staff will continue to monitor traffic operations to determine if any signage changes are warranted.</p>	None.
<b>Developing High Quality Public Realm &amp; Recreation Opportunities</b>		
Requests: Improve acoustics in Lambeth Community Centre; new multi-use court; benches; shaded seating; include LCRC in planning process for new parks and revisions to existing parks; parking; water stations; storage for user groups, programs for older children.	<p>Items included as Community Opportunities in Action Items table and information sent to appropriate City Staff.</p> <p>Information regarding the Parks &amp; Recreation Master Plan process and invitations to participate was circulated.</p> <p>Key stakeholder groups connected to the Staff managing the Parks &amp; Recreation Master Plan process.</p>	None.

Comment & Feedback	Analysis	Recommended Changes to the CIP
Create a gateway on Wharncliffe Road; it is the gateway to Lambeth Village.	Identified in Action Item 4.5	None.
<b>Strengthening &amp; Conserving Cultural Heritage</b>		
Request to recognize Lambeth's first airport.	Although the airport was located outside of the Lambeth Area CIP Project Area, this is significant to the cultural heritage and identity of Lambeth.	Action Item added to the Strengthening & Conserving Cultural Heritage section.
<b>Enhancing &amp; Conserving Natural Heritage</b>		
Preserve Dingman Creek Corridor	Identified as a key goal.	None.

### Notice of Application and Notice of Public Meeting

On June 3, 2019 a Notice of Application and Notice of Public Meeting was sent to 1970 property owners in the proposed Lambeth Area CIP Project Area and surrounding area. Notice of Application and Notice of Public Meeting was also publicized in the Public Notices and Bidding Opportunities section of the Londoner on June 6, 2019 and July 4, 2019.

The purpose and effect of the requested Official Plan amendment is to implement the Community Improvement Plan to establish a long-term vision for improvement in the Lambeth Area. Once adopted by Council, the Actions and financial incentives become available to use and initiate. The amendments are summarized below:

- Possible amendment to the 1989 Official Plan by adding a clause to Section 14.2.2 ii) to add the Lambeth Village Core Project Sub-area and Lambeth Wharncliffe Road Corridor Project Sub-area to the list of commercial areas eligible for improvement
- Possible amendment to The London Plan Map 8 – Community Improvement Project Areas – by adding the Lambeth Area community improvement project area
- Possible passing of a by-law to designate the Lambeth Area as a community improvement project area pursuant to the provisions of Section 28 of the *Planning Act* and Chapter 14 of the 1989 City of London Official Plan.
- Possible adoption of the Lambeth Area Community Improvement Plan pursuant to the provisions in Section 28 of the *Planning Act* and Chapter 14 of the City of London 1989 Official Plan.
- Possible adoption of the Lambeth Area Community Improvement Plan Financial Incentive Guidelines pursuant to the provisions in Section 28 of the *Planning Act* and Chapter 14 of the 1989 City of London Official Plan.

Staff did not receive comments related to specific items in the Lambeth Area CIP in response to the Notice of Application and Notice of Public Meeting. The feedback received was about the Lambeth Area in general, vehicular traffic (speed, volume, congestion), and the Main Street Infrastructure Renewal Project, summarized below.

- Concern that there are ticks in Lambeth Centennial Park.
- Concern for pedestrian safety around the Lambeth Public School (increased number of vehicles driving on James Street; number of school buses has increased; speed of traffic along James Street; there is only one vehicular access to the school).
- Concerns regarding vehicular traffic in the overall area -speed, volume, congestion – and not limited to the Lambeth Area CIP Project Area.
- Questions about the Main Street Infrastructure Renewal Project and concerns about the design and placement of the medians.

- Concerns that there are people gathering at the new concrete areas at the Main Street intersection and doing bicycle tricks and skateboarding. Concern that this will lead to graffiti and large groups hanging out in the Lambeth Village Core.

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

Telephone	Written
Patrick Santagapita	Lubna Arja
Louise Hord	Ahmed and Yvonne Sandid
Janeen Stewart	Brad Lewis
Tom Stewart	Jody Di Trolio
Margaret Stewart	Louise Hord
Pam Reynolds	David Bawden
Mike Bell	Chris Korzycki
No name provided	Dave Farrell
Charles Grube	Chris Sitarz
	Nicholas Cavaliere
	William Vernon
	Jennifer McEwan
	Stuart Bevan
	Judy Ann Sadler

**From:** Lubna Arja  
**Sent:** Wednesday, June 5, 2019 5:48 PM  
**To:** Snyder, Laurel  
**Cc:** Hopkins, Anna; shadi Masri  
**Subject:** [EXTERNAL] Lambeth Area CIP

Hello Laurel,

We received a notice of a Development Application that’s is under review for the Lambeth area. I will not be in town to attend the meeting on 22nd July and wanted to read the application online. I searched by file number O-9044 and no file was found in London.ca/planapps. Can you please guide me on where I can find the application details. Per the letter I received this proposal will have an impact 120 m from my property, hence I’m very interested in getting full visibility.

Thank you, Lubna Arja

**From:** a sandid  
**Sent:** Thursday, June 6, 2019 6:06 PM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth Are Community Improvement Plan

Dear Laura:

I am responding to your notice of planning application. We have lived on [REDACTED] since 1987, may we suggest that the city replaces street lighting with a modern looking and brighter lights. Also promoting hospitality businesses (Restaurants, cafes and bars) on Main Street much like in Byron.

Best Regards, Ahmed and Yvonne Sandid

**From:** Brad Lewis | Streamline RG  
**Sent:** Friday, June 7, 2019 9:18 AM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] RE: Lambeth Area Community Improvement Plan

Hi Laurel,

Thank-you for sending this through. Love what you have done on Main Street!

Kind regards, Brad Lewis

**From:** Jody Di Trolio  
**Sent:** Friday, June 7, 2019 9:55 AM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth  
Hi Laurel,

I attended a meeting regarding Lambeth a while back. At the meeting we were told that properties who need to apply for a permit for their property will be forced to turn over ownership of 18' from the sidewalk. Can you please provide insight? If you are not able please pass me in to someone who can provide answers.  
Thank you, Jody

**From:** Ihord Ihord  
**Sent:** Friday, June 7, 2019 10:45 AM  
**To:** Snyder, Laurel  
**Cc:** Hopkins, Anna  
**Subject:** [EXTERNAL] O-9044

Please clarify for me What Effect the "Lambeth Area Community Plan Project" will have on me personally. "YOU have received this Notice because the City of London has applied to change the Official Plan within 120 metres of a property you own". MY address is [REDACTED]. All the discussion about Sections and Chapters is not well understood by me. The map attached with a dark black line doesn't help me know what is planned. Would you please look at my address and tell me exactly what is proposed and how it will affect my well-being. I have lived in my home in Applegate Village for 17 years. I hope I will continue to find this address pleasing and quiet.  
Thank you, Louise Hord

**From:** Sheba Imports  
**Sent:** Monday, June 10, 2019 12:46 PM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth CIP Website Inquiry

Laurel, I hope you are enjoying the warmer weather and staying safe. I am asking about the position of the traffic island on Main Street at the Post office plaza and why it appears that if you are driving West on Main Street and want to turn into the plaza, the original entrance is now partially blocked by the island? Does this mean you can only access the plaza if you are driving East on Main street? David.  
From the desk of David S A Bawden

**From:** Chris Korzycki  
**Sent:** Tuesday, June 11, 2019 12:19 PM  
**To:** Snyder, Laurel  
**Cc:** `Paul Korzycki  
**Subject:** [EXTERNAL] Lambeth Area Improvement (File O-9044)

Laurel,  
We own a business property in Lambeth. Recently, we received a notice of public meeting regarding the Lambeth Official Plan Amendment. We would like to review the details of the "Improvement Plan". I was not able to access the application-specific page at london.ca/planapps. Could you please provide a link to this page?  
Thank you, Chris Korzycki, Elkor Technologies Inc.



**From:** Dave Farrell  
**Sent:** Friday, June 14, 2019 10:57 AM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth Area Community Improvement Plan information  
Dear Laurel  
I received an invitation to the Public Meeting for the Lambeth CIP on July 22. There was not much information in the mailing about the actual plan. Is there any information you can provide ahead of the meeting, or can you point me somewhere where I can find it?  
Thanks, Dave Farrell

**From:** chris sitarz  
**Sent:** Sunday, June 16, 2019 3:24 PM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth area community improvement plan  
Hi Laurel  
I'm a resident in the Lambeth area and have received a letter showing a meeting on July 22 can you please send me what the plan entails for our area. This letter basically only shows the area of the improvement plan, no proposals or designated work projects. Any information would help to understand what is happening in the area as well it would help to be informed before the meeting on the 22nd.  
Thanks again, Chris

**From:** Nicholas Cavaliere  
**Sent:** Monday, June 17, 2019 10:34 AM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] File: O-9044 Public Meeting  
Good morning Laurel,  
I received this notice in the mail, but the contents don't seem to say what this public hearing will be about specifically. Could you please provide some context and detail so I can determine if I should join or not?  
Thanks, Nic

**From:** WILLIAM VERNON  
**Sent:** Wednesday, June 26, 2019 10:05 AM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth community plan  
Good morning. I would like to attend and offer my input on the proposed CIP. July 22, 2019, City Hall. I wish to address, derelict buildings on Main St, Col Talbot Rd in Lambeth, the traffic volume, including heavy vehicles on Hamlyn St, the intersection of Campbell, Main and Hamlyn Rd. The need for photo radar and red light cameras in the area. Thank you for your attention, if there is anything further that I need to do to address the committee, please let me know. Bill. Bill Vernon

**From:** jennifer mcewen  
**Sent:** Tuesday, July 2, 2019 12:28 PM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] File 0-9044  
Hello Laurel,  
I am writing to you to gain access to more information about the upcoming Public Meeting on Monday July 22, 2019. I am wondering what part of Lambeth is going to be discussed, and what the Official Plans and amendments are. I you could give me a little information, and I'll see if this meeting is one I'd like to attend. Thanks for your input.  
Jennifer McEwen

**From:** Judy Ann Sadler]  
**Sent:** Tuesday, July 9, 2019 3:26 PM  
**To:** Snyder, Laurel  
**Subject:** [EXTERNAL] Lambeth

Hello Laurel,

I'm not sure if you're the right person to be in touch with, but I just want to say how thrilled we are with the work that's been done on Main Street in Lambeth. We knew what changes were going to be made, but didn't realize how lovely it would look with all the new trees, shrubs and perennials as well as the creative cement work at the corners. We feel the city has gone above and beyond what we expected and we thank you and everyone involved. Main Street feels much safer now and it is less busy. We're so grateful!

Warmest thanks, Judy Ann Sadler

Thursday, June 6, 2019

Re: Lambeth CIP and Transportation Issues

Sent via email to O'Hagan, Britt bohagan@london.ca

Ms. O'Hagan

Thank you very much for your painstaking reply to the April 30 submission. It's clear that a lot of work went into your documentation; it's also clear from the details you kindly provide that the City has and continues to undertake a large volume of work, of effort to accommodate transportation requirements.

Unfortunately your reply doesn't meet any of the issues raised in the submission of April 30. For clarity I've attached a copy of said submission with this emailed letter. I wish to point out that the original submission, was sent to Ms. Davies Synder. Hence Ms. Davies Synder has been the main contact on this matter.

An example of the shortcomings of the City reply is that all cited examples stop at Southdale, as a Southerly boundary of illustrations.

All cited examples in the submission stop at Southdale as a Northerly boundary of illustrations.

Hence the examples of the extensive works undertaken by the City, totally ignores the problems cited in the submission. Thereby arguably giving even more weight to the concerns, the frustrations, the complaints cited both in the submission but also in the meeting cited in the submission.

For additional clarity you letter addresses traffic volumes on Main Street, an issue which the submission specifically ignores.

The submission addresses:

- the current traffic issues on Col Talbot, Wonderland, Wharncliffe and to some extent Southdale. For the record Wharncliffe now has the dubious distinction of being the worst road in SW Ontario with Wonderland ranked as the fifth worst! (<https://www.cbc.ca/news/canada/london/wharncliffe-road-south-worst-road-western-voted-london-ontario-1.5157612>);
- that future growth in the South West will only exacerbate these already unacceptable transportation headaches. Detailed Statistics were provided in the submission, to buttress this argument - along with specific references to the SWAP;

- furthermore in addition to both current traffic issues and future growth plans – which plans appear to be accelerating – additional concepts such as
  - the Casino
  - the Byron Gravel Pit
  - the Commissioners Road West issue

all were highlighted as potential exacerbating factors to an already chronically if not ubiquitously under planned infrastructure issue in this area of the City of London.

The issue isn't that the CIP is not a TMP. This point again completely sidesteps, or ignores the main argument of the submission. Which main argument is that the impact of traffic flows has to be factored into the CIP. The LCA of which I'm a member agrees that Main Street is coming along nicely. That stipulated your replies to both questions of the submission, fail to address the fundamental issues raised in the submission.

As you suggest, we at LCA would like to meet with you in order to discuss these issues. We will contact your office to arrange a meeting with you and also with Mr. Fleming and any other involved persons at the City.

Yours Truly



### **Agency/Departmental Comments**

#### Environmental & Ecological Planning Advisory Committee (EEPAC)

That, the following actions be taken with respect to the 6th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on May 16, 2019:

- e) the Civic Administration BE REQUESTED to consider including funding for a Conservation Master Plan for the East Lambeth Forest Environmentally Significant Area, as part of the Lambeth Area Community Improvement Plan (CIP), in order to create trails consistent with City guidelines; it being noted that one of the goals of the CIP is "Enhancing & Conserving Natural Heritage: Natural features and systems are a defining feature of Lambeth and are enhanced, conserved and celebrated."

#### London Heritage Advisory Committee (LHAC)

That the following actions be taken with respect to the 6th Report of the London Advisory Committee on Heritage, from its meeting held on May 8, 2019:

- c) 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.

#### City Planning - Long Range Planning and Sustainability

Completion of the Dingman Creek Subwatershed: Environmental Assessment is a better measure for page 68 as it covers the whole watershed and is already underway. It is now being called the Dingman Creek Subwatershed Environmental Assessment Master Plan which is close to the indicator of success listed on page 68.

#### Parks & Recreation – Culture Office

Action Item 4.6. Wayfinding is tied to the Music Entertainment and Culture Districts. Consider that City Planning should be the lead with the Culture Office as a Partner.

Action Item 6.4. London Heritage Council is no longer doing Trails Open London. Groups that are involved with trails are Nature London, LEN and the Conservation Authorities. Include City Planning Ecologists for trails.

#### City Planning - Urban Regeneration

Wharncliffe Road Corridor Sign Loan Program: the professional fees for drawings are limited to the lesser of a maximum of \$5,000 or 10% of the loan, however the maximum loan is \$5,000, maybe just say the maximum for professional fees is \$500.

#### Parks & Recreation Services – Parks Planning & Operations

The LCRC was invited to participate in the Parks & Recreation Plan process. Their requests received through the Lambeth Area CIP process are fairly specific and likely outside of the CIP mandate. It is appropriate to state in the Staff Report and/or Lambeth Area CIP that the ideas are being referred to Parks & Recreation to consider within future projects.

Parks & Recreation will contact the LCRC when there is a planning process for a park project starting up. At this time, there are only minor works in Lambeth Optimist Park (as a result of receiving new lands from the subdivision to the north).

Parks Staff recently met with representatives from the Lambeth Community Association about pathways and trails.

#### London Economic Development Corporation (LEDC)

No questions or comments at this time.

Ministry of Municipal Affairs and Housing (MMAH)

**Ministry of  
Municipal Affairs  
and Housing**

Municipal Services Office  
Western Ontario  
2<sup>nd</sup> Floor  
659 Exeter Road  
London ON N6E 1L3  
Tel: 519-873-4020  
Toll Free: 1 800-265-4736  
Fax: 519-873-4018

**Ministère des  
Affaires municipales  
et du Logement**

Bureau des services aux municipalités  
de l'Ouest de l'Ontario  
2<sup>e</sup> étage  
659 Exeter Road  
London ON N6E 1L3  
Tél. : 519-873-4020  
Sans frais : 1 800-265-4736  
Télé. : 519-873-4018



Laurel Davis Snyder  
lsnyder@london.ca  
(By E-mail Only)

Re: Draft Lambeth Community Improvement Plan (CIP)

Thank you for submitting the draft Lambeth Community Improvement Plan (CIP) for review. The new CIP is intended to establish a vision for Lambeth, identify potential actions to achieve the vision, and to enable the City to provide financial incentives. CIP provisions set out in Section 28 of the Planning Act generally give municipalities the opportunity to redevelop areas identified as Community Improvement Project Areas including through land acquisition, land clearing or grading, and grants and/or loan programs.

We have reviewed the draft CIP and offer the following comments.

**Existing CIP programs**

Brownfield CIP and Heritage CIP Incentive programs currently exist for the entire City, including the Lambeth Area. The Lambeth CIP identifies these existing incentive programs and could also identify the extent to which properties within the CIP area would be eligible. This would help to gauge the potential impacts and opportunities of existing programs.

**Lambeth Village Core Façade Improvement Loan Program**

Baseline Conditions described in Section 7 categorize the current conditions of buildings in the Village Core. It notes that only 1 property in the Lambeth Village Core is rated as 'poor' condition while 28 are in 'fair' condition and 88 are 'good'. It does not detail if the buildings are in conformity with the Property Standards By-law or City Design Guidelines, both of which are described as part of the loan program. It would be beneficial to clearly state the need and expected outcome of the Façade Loan program.

**Wharnccliffe Road Corridor Sign Loan Program**

There is limited mention of the concerns with Wharnccliffe road signage in the CIP. The CIP does twice refer to the "... abundance of signage" (pages 89 & 90) on Wharnccliffe road. The accompanying report does identify that the many freestanding signs do not contribute to a sense of place or complement the vision for Lambeth (Appendix B). The body of the CIP should clearly identify what the concern with signage is and how the Loan program will remedy it. It would also be helpful to identify if the existing signs are

in compliance with the City Design Guidelines identified as one of the eligibility requirements or if new sign guidelines will be established for Lambeth to achieve the CIP goals.

**Lambeth Residential Neighbourhood Sub-Area**

A Residential Area was identified as an area for community improvement, however, there are no direct funding or projects specific to that area identified in the CIP. If the City intends to amend the CIP once wastewater services are extended to include funding programs or improvements for affordable housing, a brief explanation would help clarify the purpose of the inclusion of the residential neighbourhood.

**Scope**

A number of the actions identified could be considered community improvement in a broad sense of the term, however, they are not clearly connected to the concept of a community improvement plan as set out in the Planning Act and identified in The London Plan. The CIP should articulate how it is consistent with the Act and the OP.

The Planning Act describes Community Improvement Project Areas as selected by municipal council because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of building or other environmental, social or community economic development reason. The CIP should clearly identify the needs of the Lambeth community and why it was selected by City council.

**Conclusion**

This concludes the Ministry's comments. Ministry staff appreciate the opportunity to comment on the draft Lambeth CIP.

Kind regards,

Anneleis Eckert  
Planner  
T: 519-873-4768  
E: [Anneleis.Eckert@ontario.ca](mailto:Anneleis.Eckert@ontario.ca)

Cc: John Fleming (by Email only)

Thames Valley District School Board

**From:** Christie KENT  
**Sent:** Friday, June 21, 2019  
**To:** Snyder, Laurel

Good Afternoon Laurel,

I apologize for the delayed response.

At this point in time, TVDSB does not have any additional comments to offer. Currently there are no planned connections (pedestrian or vehicular) from Lambeth PS to surrounding neighbourhoods. That being said, southwest London, including Lambeth, has been identified as a priority area and staff will be undertaking detailed evaluation and analysis of this particular area over the coming months. Through this strategic planning exercise, we will ensure that the comments outlined below are considered in their entirety. Please do not hesitate to reach out should additional information be required. Thank you for the opportunity to review and comment.

Christie

**Christie Kent MPI, MCIP, RPP**

Planner

Thames Valley District School Board

951 Leathorne Street, London, ON, N5Z 3M7

Office: (519) 452-2000 Ext. 21033

Email: [c.kent@tvdsb.ca](mailto:c.kent@tvdsb.ca)

Upper Thames River Conservation Authority (UTRCA)



*"Inspiring a Healthy Environment"*

June 13, 2019

City of London - City Planning  
206 Dundas Street  
London, Ontario N6A 1G7

**Attention: Laurel Davies Snyder** (sent via email)

Dear Ms. Davies Snyder:

**Re: File No. O-9044 - UTRCA Review of Lambeth Area Community Improvement Plan**

Thank you for the opportunity to review the Lambeth Area Community Improvement Plan (CIP). The Upper Thames River Conservation Authority offers the following comments on the Lambeth CIP -

**CONSERVATION AUTHORITIES ACT**

As shown on the enclosed mapping, there are lands within the study area/CIP which are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Conservation Authority has jurisdiction over these lands and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

**DINGMAN EA/SCREENING MAP**

A key consideration for the Lambeth area is that it is situated in the Dingman Creek Subwatershed which is the focus of an ongoing Environmental Assessment (EA) to evaluate Stormwater Servicing and includes an update to existing flood plain modeling by the Conservation Authority. A Dingman Subwatershed Screening Area Map has been developed to help guide planning decisions until the EA has been completed. Please refer to the enclosed mapping which shows the impacted lands within the study area keeping in mind that this is a work in progress.

**COMMENTS ON THE CIP**

The Plan includes several references to the need for safe pedestrian, pathway and cycling connections and developing and expanding an interconnected network of parks, trails and pathways in the community. Please ensure that these connections are located outside of natural hazard lands and natural heritage features including the respective allowances and buffers.

P. 14 presents a list of opportunities which includes "celebrate Dingman Creek as a significant water and ravine corridor". Please consider rewording – celebrate Dingman Creek as a significant valleyland corridor which is consistent with terminology in the London Plan.

1424 Clarke Road, London, Ont. N6V 5B9 · Phone: 519.451.2900 · Fax: 519.451.1198 · Email: [info@thamesriver.on.ca](mailto:info@thamesriver.on.ca) [www.thamesriver.on.ca](http://www.thamesriver.on.ca)





## Appendix G: POLICY CONTEXT

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. For the Lambeth Area CIP, the most relevant policies, by-laws, and legislation are summarized below.

### Planning Act

Community improvement in Section 28 of the *Planning Act* is 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.”

Further, Section 28 of the *Planning Act* defines a community improvement project area to mean: “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

### Provincial Policy Statement (PPS), 2014

Provincial Policy Statement policy 1.1.1 a) sustains healthy, liveable and safe communities by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs. The Lambeth Area CIP contains numerous Action Items (1.6, 4.3, 4.4, 6.1, 6.2) to support an appropriate range of uses in the Lambeth Area.

Provincial Policy Statement policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The purpose of the Official Plan amendment is to better promote opportunities for regeneration and improvement in the Lambeth Area, and particularly within the Lambeth Village Core Project Sub-Area and Wharnccliffe Road Project Sub-Area.

Provincial Policy Statement policy 1.1.3.3 of the PPS directs municipalities to identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public services facilities required to accommodate projected needs. The Lambeth Area CIP contains numerous Action Items (1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.10, 1.13, 1.14) to support appropriate intensification and redevelopment within the Project Area.

Provincial Policy Statement policy 1.5.1 of the PPS promotes healthy, active communities by:

- Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and,
- Planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources.

Provincial Policy Statement policy 1.6.7.3 promotes multimodal transportation systems, connectivity within and among transportation systems and modes, and including improved connections which cross jurisdictional boundaries.

The Action Items in the Developing a High Quality Public Realm & Recreation Opportunities and Improved Mobility & Safety categories in Section 6 are consistent

with these policies. Specifically, they encourage the improvement of the existing pedestrian environment through the consideration of new sidewalks, new pedestrian cross overs, new trails and pathways, new public spaces, and enhanced amenities around bus stops.

Provincial Policy Statement policy 1.7.1 c) of the PPS states that long-term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets. The Lambeth Area CIP and the proposed Official Plan amendment is consistent with this policy as it will help allow for a financial incentive program to enhance the vitality and viability of the Lambeth Village Core Project Sub-Area and Wharncliffe Road Project Sub-Area – both main commercial corridors in the Lambeth Area. In addition, a number of Action Items are designed to support business retention, attraction and expansion in the Lambeth Area. In summary, the proposed Lambeth Area CIP is consistent with these policies of the Provincial Policy Statement.

The following sections of the PPS were reviewed in preparation of the Lambeth Area CIP:

- 1.1.1 a) – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3.1 – Settlement Areas
- 1.1.3.3 – Settlement Areas
- 1.5.1 – Public Spaces, Recreation, Parks, Trails and Open Space
- 1.7.1 c) – Long-Term Economic Prosperity
- 6.0 – Definitions

### **1989 Official Plan**

The *1989 Official Plan* includes policies to guide the development of CIPs for lands within the City as deemed eligible by Chapter 14. Consistent with these policies, the City may use CIPs as a planning mechanism access a variety of provincial cost-sharing programs in order to address deficiencies within designated areas in a coordinated and comprehensive fashion. CIPs can also encourage private investment activity in these areas. Chapter 14 of the City of London *1989 Official Plan* allows for CIPs to be prepared to:

- Promote the long term stability and viability of the designated community improvement project area;
- Encourage the coordination of municipal expenditures and planning and development activity;
- Stimulate private property maintenance and reinvestment activity;
- Enhance the visual quality of the designated area through the recognition and protection of heritage buildings;
- Reduce the detrimental effects of incompatible land uses in the designated community improvement project area;
- Upgrade physical services and social and recreational facilities in the designated community improvement project area;
- Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses within the designated community improvement project area;
- Support the creation of Affordable Housing by considering any municipally-owned, undeclared surplus land for Affordable housing before any other use is considered subject to policy 12.12.2.2. ix) of the 1989 Official Plan;
- Support the implementation of measures that will assist in achieving sustainable development and sustainable living;
- Support the retention of heritage properties or areas.

Several of these criteria relate to the Lambeth Area CIP and a result, the adoption of the Lambeth Area CIP is supported by the policies of the *1989 Official Plan*.

The following sections of the *1989 Official Plan* were reviewed in preparation of the Lambeth Area CIP:

- 2.2.1 v) – Official Plan Vision Statement, Official Plan Vision Statement
- 14.1 – Community Improvement Policies, Community Improvement Objectives
- 14.2 – Community Improvement Policies, Selection and Phasing of Community Improvement Areas
  - 14.2.1 – Community Improvement Policies, Selection and Phasing of Community Improvement Areas, Areas Eligible for Community Improvement
  - 14.2.2 – Community Improvement Policies, Selection and Phasing of Community Improvement Areas, Designation of Community Improvement Project Areas
- 14.3 – Community Improvement Policies, Implementation

## **The London Plan**

Urban Regeneration policies in the Our City part of *The London Plan* (policies 152 through 165) are about supporting sensitive growth and change within urban areas so that they are sustainable and prosperous over the long term. *The London Plan* contains numerous policies outlining urban regeneration efforts including encouraging the economic revitalization and enhancing the business attraction of urban main streets (154 4) and promoting the long-term sustainability of urban neighbourhoods throughout the built-up areas of our city, by striving to retain and enhance the viability of their built and natural assets, and their critical social and economic connections (154 6). Further, the Urban Regeneration section provides policies relating to community improvement plans including how to designate a new Community Improvement Project Area by by-law (164).

Further, the Main Street Place Type which applies to a segment of Lambeth Village Core Project Sub-Area states that the City will realize our vision for Main Streets by working toward the regeneration of Main Streets, utilizing community improvement plan programs (907 4).

Similar to Chapter 14 in the *1989 Official Plan*, *The London Plan* also contains policies related to Community Improvement Plans (1723 to 1728) and the criteria by which City Council shall consider when identifying an area for community improvement.

Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in *The London Plan*. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

Policy 1727 outlines the objectives community improvement is intended to meet. Several of these objectives relate to the Lambeth Area including:

- Maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings;
- Maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services;
- Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity;
- Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms;
- Encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources;

- Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts;
- Upgrade social and recreational facilities and support the creation of affordable housing;
- Promote cultural and tourism development;
- Facilitate and promote community economic development;
- Promote and improve long-term community stability, safety and quality.
- Policy 1728 outlines the criteria used to identify an area for community improvement. Several of these criteria apply to the Lambeth Area including:
  - Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;
  - Commercial, residential, industrial and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building façades, building condition, streetscapes, public amenity areas and urban design;
  - A demonstrated interest in community improvement by the private firms within an area;
  - Presence of potential or recognised cultural heritage resources;
  - Traffic and/or parking problems or deficiencies;
  - Other significant environmental, social or community economic development reasons for community improvement.

In summary, the adoption of the Lambeth Area CIP is supported by the policies of *The London Plan*.

Staff reviewed the following specific sections in *The London Plan* to prepare the Lambeth Area CIP:

152 to 165 – Urban Regeneration

570 – General Cultural Heritage Policies – Strategies / Programs

633 – Smart City Infrastructure

907 4 – Main Street Place Type – How Will We Realize Our Vision?

1723 to 1728 – Community Improvement Plans

## **SWAP**

Staff reviewed the following sections of the *SWAP* to prepare the Lambeth Area CIP:

20.5.1.3 – Vision

20.5.1.4 – Principles of the Secondary Plan

20.5.3 – General Policies

20.5.4 – General Land Use Policies

20.5.7 – Lambeth Neighbourhood

20.5.8 – Lambeth Village Core Neighbourhood

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.10 PUBLIC PARTICIPATION MEETING – Application – Lambeth Area Community Improvement Plan (O-9044)

- C. Guimond, 3256 Maidstone Lane – stating that he lives in Talbot Village in the newer part of Lambeth; indicating that he has been a resident there since 2005; stating that he has three children, one is 25 one is 12 one is 10; expressing thanks to Council for hearing him and to Mayor Ed Holder and to all of the other community members here tonight; indicating that to give some context, he is just like most people here, he is a community member and he has a family; stating that his son went to Lambeth, his oldest son, and his two sons now play sports there; stating that he is quite grateful for all the infrastructure money that has gone into this and thank you very much for all the planning and hard work that he has seen to date; indicating that he thinks that it has been a long road and much appreciated; noting that he thinks there is still work to do and we got a ways to go; stating that he has a major concern about the intersection at Campbell Street and Wharncliffe Road, as it comes in and turns into a main street; stating that for years it has been four lanes all the way through and with this change now four lanes to west bound to east bound turns into three lanes; indicating that there have been two people have gone to hospital because of an accident that has happened there and one of the community members that is with him tonight was also staring; stating that those who live there kind of know what is supposed to happen but he was sitting in the middle lane waiting to take a turn and somebody was coming in hot and swerves to avoid him and he saw his life flash before his eyes; stating that his big issue that he wants to have addressed as soon as possible is for everybody's safety is to implement some sort of a change; indicating that he has written down a couple of suggestions do something about or increase the signage in at that intersection, he is not sure exactly what that would look like but he is sure that the city planners would have some good input; noting that speed signage, as you are heading into Lambeth down Wharncliffe, that shows you how fast you are going so that people can slow down; indicating that the posted limit now is around eighty kilometers an hour or at least seventy so he thinks that it would be helpful; stating that he knows it is affective when he is traveling through the city and he sees those signs flashing at him; indicating that maybe having traffic heading into Lambeth slow down sooner, maybe as early as Bostwick Road, and then, maybe, in conjunction with these changes, have frequent police presence just to get people to note take note; indicating that he does believe that this is quite important; that that his kids are going to be cycling around, they go to school in Lambeth, they are going to be cycling around; stating that he walks across that intersection and he commutes there and he travels through there and he does business there; stating that he thinks that is the most important one that needs to be addressed; indicating that at South Routledge to Main Street there has been a concrete planter that was put up in the middle, he believes that is what is going to be in there, and he thinks it has a good traffic calming measure, but where it is placed is causing major disruption with the traffic going in and out of that parking lot; stating that there is a post office there, there is an LCBO, there is an ice cream shop as well and he thinks a coffee shop, so it gets used frequently and just how people can enter and exit that he thinks needs to be better controlled; noting that he does not know what would have to happen there but that is another point of concern so maybe change the way that island is extended, maybe make it block more of that parking lot so that you can only enter it if you are heading east and probably signage as well, because right now it is signed to be a one way out and one way in and people are using both the exit of the parking lot they are using it to go in and out of which, with the signage the way that it is; indicating that he would like to know what the next steps are or feedback is about making these changes; *(Councillor A. Hopkins suggesting that he take some of his concerns to the Civic*

*Works Committee and there are staff here from Transportation, as well, making notes on the concerns.)*

- Mark Drew - indicating that he is local president of the Lambeth B&B group and he also owns a business within the proposed community improvement plan subzone for the Main Street and Colonel Talbot area and is also a resident of the Talbot Village neighbourhood, which is also within Lambeth and he has a few comments, concerns, questions for both the Committee and the planners involved; expressing thanks to everybody for taking the comments, this is a lot of work and sometimes it feels like not a lot of reward; stating that he will not harp too much on the Main Street issue as, like it was said, it is not a part of it but his one comment is that when I look at the community improvement plan and what it is suggesting, and he looks at the actual work that has been done so far on the main street construction, it does not add up as being something where the city necessarily is focused on improving the community, so to speak; indicating that he feels that a lot of issues that were brought up in that planning from the community were not addressed in now we do have those issues and if we are being expected to get involved with the city again in a way to develop our community that we all care about, and the Main Street construction is the first introduction to Lambeth residents as what it is going to be like to work with the city, he does not think you will be surprised if you find there is a lot of push back and negative feedback on some of the ideas that come forward because he thinks the general consensus is that Lambeth was its own community before London annexed it in 1993, so it did develop its own culture and its own type of identity and up for a lot of residents when the CIP is coming in and the city is essentially making a pitch to that community to work with them, it is going to be difficult to convince them if the work that is being done, like the Main Street construction, is the way to introduce that; indicating that in his opinion, the issue with that work is that there was nobody held accountable for problems that happened during that construction; stating that for him it is hard to trust the city to do other projects in that community when something happens on another job in that community and nobody takes accountability, either through the city or through the contractor that was making the mistake; noting that he would also like to suggest, with the CIP, is essentially, if it is approved tonight and city goes to do these things, engage with the community, is to start with a non-major project or small sub-project within any of those areas because it will give you an opportunity to work with the community; stating that he is suggesting something along the lines of a park the, plaque for the London airport does make sense to put at the Cenotaph because it is already a monument to World Wars and to the veterans of that community and since the airport, itself, has a connection to the World War II and the industry and Lambeth community, it makes sense to put that there and he thinks it would provide an opportunity for the city and for the people that they are hiring to do the work to have a non-major, non-threatening start and then he thinks the city will learn through those types of interactions what the community of Lambeth really prioritize and values and then with the CIP he thinks there is enough flexibility built in that you can take the ideas of the community on the ground and put them into practice by putting the things people actually want to see and essentially you will have the opportunity to learn more about what Lambeth this is like in a format that is not standing up here in meetings and holding committees at events where the city is set those things up; stating that he thinks there is a lot of value to going to the community events in a "non-formal" way, as a city official or community member or something like that, because you will meet people in the community that go to those events and care a lot about the community but are not necessarily the kind of people that show up to these types of meetings and put their comments in that way; indicating that there is a lot of value to those types of people's comments in that community and he thinks that if the CIP goes forward and works with that in mind that is probably the most positive way to start a relationship with the veterans and the old Lambeth guard.

- Cathy Melo, Member, Lambeth Community Executive Association, 1538 Thornley Street - indicating that they found the Lambeth Community Improvement Plan very vague and she has some questions about what is not in the Plan; stating

that they have been asking for a number of years for a crosswalk on Colonel Talbot Road as they have a unique situation where the houses are on one side of Colonel Talbot Road and the facilities such as the arena, the library and the splash pad are on the other side; advising that Colonel Talbot Road is going to be a four lane highway and they do not have any way of getting across so that is a concern that they have; pointing out the other thing about the Lambeth Community Improvement Plan is that it talked about connections and they have been asking for years for a sidewalk from Main Street all the way down to Diana Crescent in Southwinds; noting that Southwinds has never been connected to the main part of Lambeth; mentioning that the gentleman that was over there that was talking about the corner of Campbell and Main Street, what the corner actually needs is an advanced light because there is a bit of a curve there in front of where the daycare centre is and that is why there are so many accidents is that they need to get the left hand vehicles out of the way so that people can see, it has to transition.

- Joy Bevin, 15-7222 Clayton Walk – expressing concern that their community is a fair distance away from the shopping districts and what she sees or does not see is comprehensive system planning in terms of increasing traffic flow within the area; advising that they have so many developments being built up in this surrounding area that are going to affect long-term ability for people to be able to get around; noting that there is a lot of focus on bikes and walking and that is great, they love the walking paths but many of them are senior citizens and they are not going to be able to bike to the Foodland or to the No Frills; asking for better road systems to improve flow; expressing frustration when she hears that that is not part of the Lambeth Area Community Improvement Plan because she thinks we need, as a city, to look at it systemically.

- Arlene Carroll, 6720 James Street – indicating that she has been a member of the Lambeth community for over fifty years and over this time she has found that, especially since they have become part of the city, Lambeth has been neglected and now with this Improvement Plan, it does not even seem to touch on what really needs to go on in our town; believing that if they are going to be part of this city, and they pay their property taxes as part of this city, they need busing for the kids, they need more things for their kids to do; noting that her daughter does not live in London anymore, she lives in Toronto but all these younger kids need something more to do in our community, there needs to be more done for them; advising that she lives where the new Campbell Street is being pulled through, where they are putting the houses between Pack Road and James Street and we need to make sure that there is a safe way for the kids coming from the Lambeth new Beattie Street when they walk to school that one side gets pulled through, there is a safe way for them to cross the street; pointing out that you do not know how many times they have seen kids almost hit, people blow through the sign at the baseball diamond, especially the construction workers, they blow through that stop sign and she does not know how many times they have had near misses, people getting hit, car accidents and something needs to be done about that right away; expressing agreement with the gentleman who spoke about the flower boxes on Main Street, other than once the flowers are established, they might look pretty, but number one, they are an eyesore and the one he spoke about near the liquor store, there have been accidents, somebody is going to lose their life trying to turn into that area, it is too dangerous, it needs to come out; indicating that she has been driving that road for approximately thirty-five years and with that in the way, it is hard to see, it really is; something needs to be done, even if it is lowered or made longer, but the height it is at really blocks people seeing oncoming traffic; outlining that it is mentioned in the Community Improvement Plan about drainage and sewers; indicating that this is all new to her because they have been fighting for the twenty-five years that she has owned a house in Lambeth, for sewers and they keep being told there is no room, there is no room, there is no room; advising that in the meantime they are building all these new subdivisions around them and they are all on sewers but she still has a septic tank; indicating that she pays her taxes like everybody else; wondering why she has to have a septic tank and they have proper sewers; indicating that her

basement floods because of the topography, the land has changed over time of all this new construction, it is going to flood even more; something needs to be done, all of these things need to be kept in mind for all of use that live in the older part of town.



## 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:** Gateway Casinos and Entertainment Ltd.  
3334 and 3354 Wonderland Road South

**Public Participation Meeting on:** July 22, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Gateway Casinos and Entertainment Ltd. relating to the property located at 3334 and 3354 Wonderland Road South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the Official Plan to change the designation of the subject lands **FROM** Multi-Family, Medium Density Residential **TO** Wonderland Road Community Enterprise Corridor;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the Southwest Area Secondary Plan to change the designation of the subject lands **FROM** Medium Density Residential **TO** Wonderland Road Community Enterprise Corridor;
- (c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend the Southwest Area Secondary Plan policies for the Wonderland Boulevard Neighbourhood by **ADDING** a Section 20.5.6.6, 3334 and 3354 Wonderland Road South;
- (d) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan, 2016, The London Plan at such time as Map 1 is in full force and effect to change the Place Type of the subject lands **FROM** Neighbourhoods **TO** Shopping Area;
- (e) the proposed by-law attached hereto as Appendix "D" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) through (d) above, to change the zoning of the subject property **FROM** a Holding Light Industrial (h-17-LI1/LI7) Zone and Environmental Review (ER) Zone, **TO** a Commercial Recreation Special Provision (CR(\*)) Zone and an Open Space Special Provision (OS4(\*)) Zone;
- (f) **IT BEING NOTED** the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the design of the space between the Casino building and the City sidewalk as a unique space that functions as a forecourt to the building and also permits a limited amount of parking. The following design elements achieve the principles discussed in detail Subsection 4.1 of this report:
  - i) A flush surface that extends from the main north-south driveway to the City sidewalk along the Wonderland Road frontage;
  - ii) Include wide pedestrian walkways, with landscaping from the City sidewalk to the building on both the north and south edges of the forecourt;

- iii) Provide continuous built form elements, such as a canopies, to delineate the forecourt space and to provide for pedestrian amenity along the walkways on north and south edges of the forecourt;
- iv) Differentiate the approach to tree planting and tree locations; pedestrian scale lighting and site furniture; and landscaping scheme; between the forecourt and the general parking field. Include a similar level of trees that would be required through the City's Site Plan Control By-law;
- v) Differentiate the approach to the surface treatment between the forecourt and the general parking field, either by using an alternate paving material, colour or use a combination of materials and colours; and
- vi) Include similar elements, used in the forecourt design, in the area between the main north-south driveway up to the front building façade within the drop off area and restaurant patio.

## Executive Summary

### Summary of Request

The applicant has requested amendments to *The London Plan*, the *1989 Official Plan* and the *Southwest Area Secondary Plan* ("SWAP") to permit entertainment uses on a greater portion of the subject lands than is currently contemplated by policy. The requested amendments would change the current Place Type and designation on the easterly (rear) portion of the subject lands to include, and expand, the Shopping Area Place Type in *The London Plan* and the Wonderland Road Community Enterprise Corridor ("WRCEC") designation in the *1989 Official Plan* and in the *SWAP*. The requested amendment to the *SWAP* would also add a site-specific policy to permit parking between the building and the City sidewalk where parking is currently not allowed.

The applicant has requested a zone change for the subject lands to explicitly permit a Casino and accessory uses on the subject lands and to protect the Pincombe Drain. The requested Commercial Recreation Special Provision (CR(\*)) Zone would permit a Casino as an additional permitted use; would provide a definition for a Casino specific to the subject lands; and would provide a minimum parking rate requirement for a Casino. The special provision would also permit an increase in the maximum building height; and permit a reduction in the minimum landscape open space. The requested Open Space Special Provision (OS4(\*)) Zone would permit stormwater pipe outlets as an additional permitted use. Through discussions with City staff, the applicant has agreed to modification to the magnitude of the requested minimum parking rate requirement for a Casino and has agreed to a modification to the requested special provision to the OS4 Zone to limit the range of permitted uses to low-impact uses and to recognize a lot with no minimum frontage requirement.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Official Plan Amendments and zone change is to permit the development of a Casino and accessory uses on the subject lands and to protect the Pincombe Drain. The recommended amendment to *The London Plan* Place Type on the easterly (rear) portion of the subject lands from Neighbourhoods to Shopping Area; the *1989 Official Plan* from Multi-Family, Medium Density Residential ("MFMDR") to WRCEC; and the *SWAP* from Medium Density Residential ("MDR") to WRCEC would permit entertainment uses on greater portion of the subject lands than would currently contemplated by policy. The recommended amendment to the *SWAP* would also add a site specific policy to permit parking, between the building and the City sidewalk, where parking is currently not permitted.

The recommended amendment would change the zoning from a Holding Light Industrial (h-17-LI1/LI7) Zone and an Environmental Review (ER) Zone to a Commercial Recreation Special Provision (CR(\*)) Zone and an Open Space Special Provision (OS4(\*)) Zone. The recommended special provision for the Commercial Recreation (CR(\*)) Zone would permit a Casino as an additional permitted use; would provide a

definition for a Casino specific to the subject lands; and would provide a minimum parking rate requirement for a Casino. The recommended special provision would also increase the maximum building height and reduce the minimum landscape open space. The recommended special provision for the Open Space (OS4(\*)) Zone would permit only low-impact uses associated with passive recreation, conservation and ecosystem management to protect the Pincombe Drain along with stormwater pipe outlets for the Casino, and a lot with no minimum lot frontage.

The recommended amendment would also remove the h-17 holding provision which previously indicated the limited use of the subject lands for dry uses on individual sanitary facilities, until full municipal sanitary sewer and water services are available to service the subject lands.

### **Rationale of Recommended Action**

1. The recommended Official Plan Amendment and zone change are consistent with the *2014 Provincial Policy Statement ("PPS")* and will contribute to a broad range and mix of land uses within the City and the Southwest Area in the interest of long-term economic prosperity. The development of the subject lands for the proposed Casino adjacent to other developed and developing lands in the Southwest Area is an efficient use of land and infrastructure in an area intended for urban development consistent with the *PPS*. The proposed Casino will function as an entertainment destination that has a City-wide or broader service area that will support sustainable tourism in the City consistent with the *PPS*. The recommended zone change will protect the natural heritage features and ecological functions of the Natural Heritage System and will direct development outside of hazardous lands consistent with the *PPS*.
2. The recommended Official Plan Amendment to change the current Place Type and designation on the easterly (rear) portion of the subject lands to include, and expand, the Shopping Area Place Type in *The London Plan* and the WRCEC designation in the *1989 Official Plan* and the *SWAP* will not fundamentally change the land use patterns in the Wonderland Road South corridor and is a reasonable extension of the Shopping Area Place Type and the WRCEC designation.
3. The recommended Official Plan Amendment to the Wonderland Boulevard Neighbourhood policies in the *SWAP* to add a site specific policy to permit parking between the proposed building and the City sidewalk would permit a specific site design that includes a forecourt that is street-oriented, pedestrian-friendly and transit supportive and conforms to the general intent of the *SWAP*.
4. The proposed Casino would function as an entertainment use and the recommended zone change to permit a Casino on the subject lands, conforms to the in-force policies of *The London Plan* including the permitted uses that are contemplated in the Shopping Area Place Type and the WRCEC designation in the *1989 Official Plan* and the *SWAP*. The proposed, 2-storey height of the proposed Casino conforms to the maximum building height of 4-storeys (without Bonus Zoning) contemplated in the Shopping Area Place Type in *The London Plan* and in the WRCEC destination in the *SWAP*. The gross floor area maximum or "cap" for commercial development in the WRCEC designation does not apply to entertainment uses. The proposed form of the Casino building is consistent with the existing large format retail stores in the immediate area and thereby is a good fit and compatible with its context and conforms to *The London Plan*. The site design would include elements that are street-oriented, pedestrian-friendly and transit supportive and would conform to the general intent of the *SWAP*.
5. The recommended zone change conforms to *The London Plan* and the *1989 Official Plan* and will limit development to areas outside of natural hazards and to areas that are appropriately buffered from the natural heritage features and ecological functions of the Natural Heritage System.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject lands are located on the east side of Wonderland Road South between Bradley Avenue to the north and Wharnccliffe Road South to the south. The subject lands are rectangular in shape and comprised of two parcels of land that are proposed to be consolidated into one parcel, approximately 6.88 hectares (17 acres) in size, for the purpose of this application. The subject lands are municipally known as 3334 and 3354 Wonderland Road South (Figure 1 through 3). The subject lands are currently used for a concrete batching plant and automobiles sales establishment. The subject lands are relatively flat, gradually sloping from west to east, and are largely disturbed/developed.

To the north and the west of the subject lands are large-format shopping centres and vacant future development lands; to the east is the Pincombe Drain corridor and vacant future development lands; and to the south is an industrial park and the London Transit Commission (“LTC”) operations facility (Figure 4 and 5). In addition to the Pincombe Drain corridor, there is an unevaluated wetland located to the northeast of the subject lands on adjacent lands. Lands within, and adjacent to, the Pincombe Drain and unevaluated wetland, are regulated by the Upper Thames River Conservation Authority (“UTRCA”).

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

- Official Plan Designation – Wonderland Road Community Enterprise Corridor and Multi-Family, Medium Density Residential
- The London Plan Place Type – Shopping Area and Neighbourhoods
- Southwest Area Secondary Plan – Wonderland Road Community Enterprise Corridor and Medium Density Residential
- Existing Zoning – Holding Light Industrial (h-17-LI1/LI7) Zone

#### 1.3 Site Characteristics

- Current Land Use – commercial and light industrial
- Frontage – 175 metres (574 feet)
- Depth – 390 metres (1280 feet)
- Area – 6.88 hectares (17 acres)
- Shape – rectangular

#### 1.4 Surrounding Land Uses

- North – Commercial
- East – Open Space
- South – Commercial/Light Industrial
- West – Commercial

1.5 Location Map

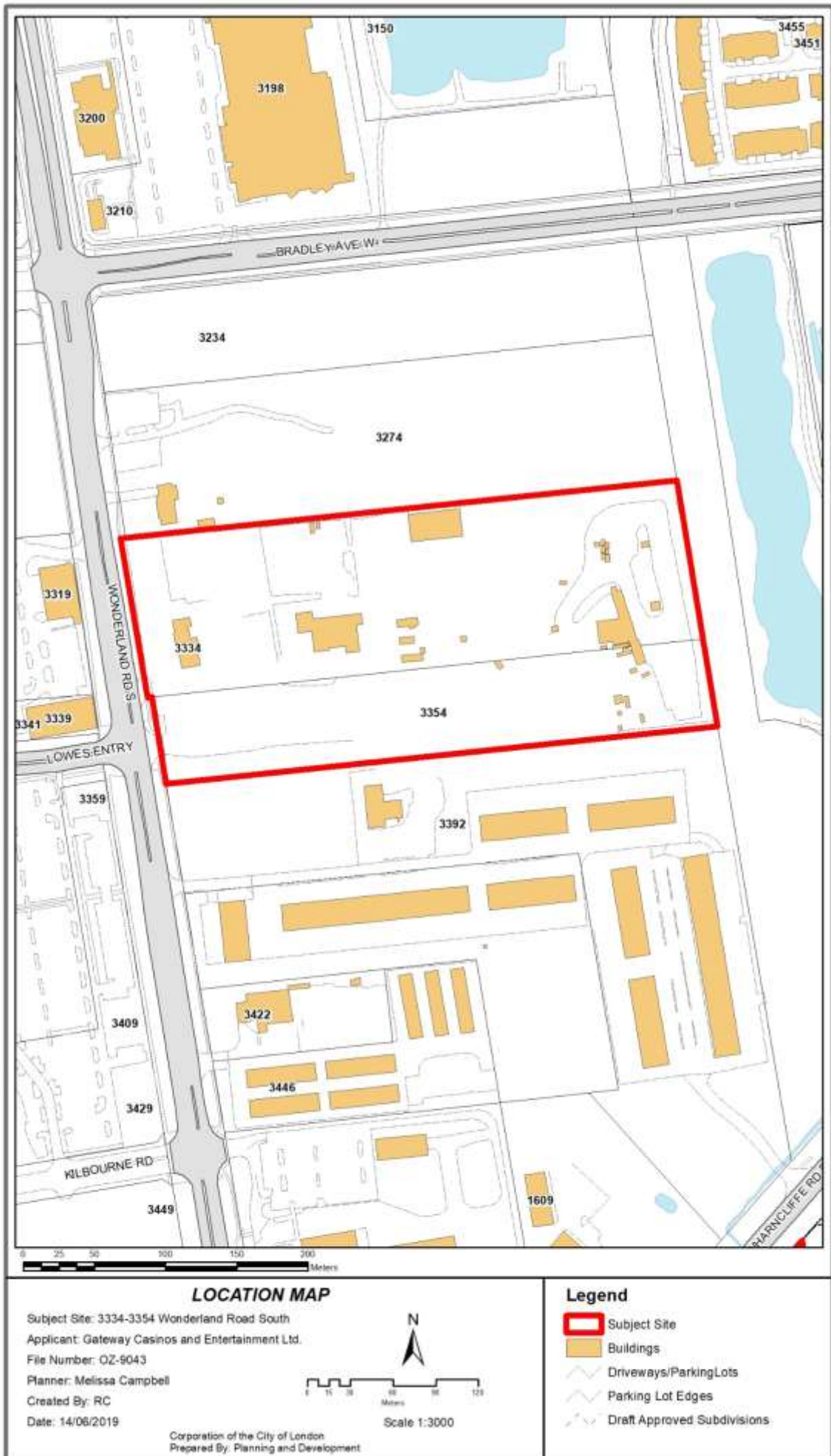




Figure 1 – 3334 Wonderland Road South



Figure 2 – 3354 Wonderland Road South



Figure 3 – View of Concrete Batching Plant from 3354 Wonderland Road South



Figure 4 – 3375 Wonderland Road South, Adjacent Large Format Shopping Centre



Figure 5 – 3392 Wonderland Road South, Adjacent Light Industrial Uses

## 2.0 Description of Proposal

### 2.1 Development Proposal

The recommended amendments are intended to permit and facilitate the development of a Casino on the subject lands. The Casino would include a gaming floor, and accessory restaurants with outdoor patios and accessory offices. The proposed building would be 2-storeys, approximately 12.8m (42 ft.) in height, and have a gross floor area of approximately 9,566m<sup>2</sup> (102,967 ft<sup>2</sup>). The building is proposed to be located internal to the subject lands, set back approximately 90m (295ft.) from Wonderland Road South. The primary building entrance would be located on the west side of the building, oriented towards Wonderland Road South (Figure 6 and 7).

A forecourt is proposed between the City sidewalk and the building in the westerly front yard and may be used for parking but is designed as a pedestrian-friendly space that is distinctly different from the general field of parking. A total of 999 parking spaces would be provided on the subject lands. The general field of parking is predominantly located in the southerly interior side yard and easterly rear yard; and an additional 4 bus parking spaces are located in the northerly interior side yard. The service and loading spaces would be located to the rear of the proposed building, and screened from view from Wonderland Road South by the building mass. It is anticipated that bicycle parking will be provided in storage lockers internal to the building for staff and at-grade in proximity to building entrances for patrons.

Two vehicular accesses to the subject lands are proposed. A full-turn access at the southerly end of the subject lands that would be aligned with the existing signalized intersection shared with the larger-format retail shopping centre on the west side of Wonderland Road South; and a right-in/right-out access at the northerly end of the subject lands.

To protect the natural heritage features and ecological functions associated with the Pincombe Drain, a 30m wide valleyland corridor would be provide on the easterly, rear, portion of the subject lands. A stormwater (pipe) outlet is proposed within the valleyland corridor to allow for the controlled release of stormwater from the on-site private stormwater management system proposed below the parking area to the Pincombe Drain. The on-site private stormwater management system will be designed to meet quality control (environmental) targets and quantity control (flow) targets in accordance with the subwatershed plan.







Figure 7 – Conceptual Elevations, from top to bottom the west (front) elevation, the east rear elevation, the north (interior side) elevation, and the south (interior side) elevation.

### 3.0 Relevant Background

#### 3.1 Planning History

The City of London is currently a host gaming municipality to slots and electronic table games at the Western Fair District. In 2017 Gateway Casino and Entertainment Ltd. (“Gateway”) entered into a 20-year operating and services agreement with the Ontario Lottery and Gaming Corporation for the Southwest Gaming Bundle that includes the slots and electronic table games at the Western Fair District.

In early 2018 a public consultation process was initiated by the City of London to seek input from the general public and to engage with all relevant stakeholders to assist City Council in evaluating and making a decision on the future of gaming in the City. That consultation was focused only on whether or not to expand gaming in the City of London and was not related to a specific location. In April 2018, City Council passed a resolution endorsing expanded gaming to include up to 1,200 slots and up to 50 live table games at a Casino within the City of London.

Later that same year, the Western Fair Association and Realty Services for the City of London submitted a planning application to permit a Casino at the Western Fair District. In October 2018, City Council passed a resolution to amend the 1989 *Official Plan* to adopt the same permitted uses for the Western Fair District as identified in *The London Plan* which explicitly contemplated hotels, and to amend the Zoning By-law Z.-1 to permit a Casino on the Western Fair District and to add a definition for a Casino.

In April 2019, Gateway submitted a planning application to permit a Casino on the subject lands along Wonderland Road South in the Southwest Area of the City.

The purpose of this report is to evaluate the planning application by Gateway within the context of the policy and regulatory framework that guides the use and development of land and to consider the suitability of the subject lands for the requested use. This report is not intended to address the potential social impacts associated with a Casino, nor competition between potential sites. Through community engagement associated with this application as noted in Subsection 3.3 and Appendix “E” of this report, several of the replies received had concerns for social impacts associated with the proposed Casino such as addiction to gaming and related mental health, financial and family issues proximate to residential neighbourhoods. The potential for crime was also a

concern, and in some instances a preference for alternative locations within the City was expressed.

### 3.2 Requested Amendment

The applicant has requested an amendment to *The London Plan* Place Type on the easterly (rear) portion of the subject land from Neighbourhoods to Shopping Area; the *1989 Official Plan* from MFMDR to WRCEC; and the *SWAP* from MDR to WRCEC to permit entertainment uses on greater portion of the subject lands than would currently be contemplated by policy. Also requested is an amendment to the *SWAP* to add a site-specific policy to permit parking between the proposed building and City sidewalk.

The applicant has requested a zone change on the subject lands from a Holding Light Industrial (h-17·LI1/LI7) Zone and an Environmental Review (ER) Zone to a Commercial Recreation Special Provision (CR(\*)) Zone and an Open Space Special Provision (OS4(\*)) Zone to permit a Casino and accessory uses on the subject lands and protect the Pincombe Drain. The requested special provisions for the Commercial Recreation (CR(\*)) Zone would permit a Casino as an additional permitted use; would provide a definition for a “Casino” specific to the subject lands, which would allow a portion of the facility to be devoted to uses in connection with the operation of a casino including offices, restaurants, outdoor patios, auditoriums, meeting rooms, amusement games establishments and places of entertainment; and would permit a minimum parking rate of 1 space per 20m<sup>2</sup> for a Casino. The requested special provision would also include an increased maximum building height of 16m in place of 12m, and a reduced minimum landscaped open space of 15% in place of 25%. The requested special provision for the Open Space (OS4(\*)) Zone would permit a stormwater outlet in association with a Casino.

Through discussions with City staff the applicant has agreed to a modified requested minimum parking rate requirement of 1 space per 15m<sup>2</sup> for a Casino consistent with the observed peak parking demands of the Point Edward Casino that was used as a comparable proxy to the proposed development. The applicant has also agreed to a modified requested special provision for the OS4 Zone that would permit only low-impact uses associated with passive recreation, conservation and ecosystem management to protect the natural heritage features and ecological functions associated with the Pincombe Drain. The modified special provision would permit Conservation lands, Conservation works, Passive recreation uses (which include hiking trails and multi-use pathways); Managed woodlots and a Stormwater pipe outlet associated with a Casino. The modified requested special provision would also permit a lot with no minimum lot frontage in place of 15m.

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

Notice of Application was sent to property owners in the surrounding area on April 17, 2019 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 18, 2018. Notice of Revised Application was sent to property owners in the surrounding area on June 5, 2019 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 6, 2019. A “Planning Application” sign was also posted on the site.

The Notice of Application advised of a possible amendment to *The London Plan* Place Type on the easterly (rear) portion of the property from Neighbourhoods to Shopping Area; the *1989 Official Plan* from MFMDR to WRCEC; and the *SWAP* from MDR to WRCEC.

The Notice of Application advised of a possible amendment to the Zoning By-law No. Z.-1 from a Holding Light Industrial (h-17·LI1/LI7) Zone and an Environmental Review (ER) Zone, to a Commercial Recreation Special Provision (CR(\*)) Zone, an Open Space (OS4) Zone and an Environmental Review (ER) Zone to permit a Casino and accessory uses and to protect the Pincombe Drain. The special provision for the CR Zone would permit a Casino as an additional permitted use and would include a definition of Casino specific to the subject lands which would allow a portion of the facility to be devoted to uses in connection with the operation of a casino including offices, restaurants, outdoor patios, auditoriums, meeting rooms, amusement games

establishments and places of entertainment. The requested special provision would also include an increased maximum building height of 16m in place of 12m, and a reduced minimum landscaped open space of 15% in place of 25%. The Notice of Application also advised that City may consider the appropriateness of removing the holding (h-17) provision, which limits the uses on the site to dry uses on individual sanitary facilities, until full municipal sanitary sewer and water services are available to service the site.

The Notice of Revised Application advised of a possible added amendment to the *SWAP* to add site specific policies to permit parking between the building and the City sidewalk where parking is currently not allowed. The Notice of Revised Application also advised of a possible added special provision to the CR Zone to permit a minimum parking rate of 1 space per 20m<sup>2</sup> for a Casino, and a possible special provision to the OS4 Zone to permit stormwater pipe outlets in association with a Casino as an additional permitted uses and a lot with no minimum lot frontage in place of 15m. The Notice of Revised Application advised that the City may consider other special provisions and/or holding provisions.

Staff have received 18 replies from 14 respondents as part of the community engagement process.

The replies noted support for:

- more growth in the Southwest Area;
- creation of jobs in the construction and service industry; and
- “spin-off” benefits for tourism and other businesses, such as the hotel/motel industry.

The replies also noted concerns for:

- decline of the Western Fair District as entertainment venue without a Casino, and the negative impact on horse racing at the Western Fair District;
- fit and compatibility with the surrounding context, including the character of Lambeth;
- too much growth and development in the Southwest Area and loss of “farmland”;
- proximity of the subject lands to residential neighbourhoods with preference for alternative locations for the proposed Casino elsewhere in the City, such as, the Downtown Area, the Western Fair District, Wellington Road South/Highway 401 area, and/or undeveloped areas;
- capacity of road network and the need for road expansion, existing traffic congestion to be exacerbated, and traffic to be generated by the proposed Casino is inconsistent with recent reduction in lanes on Main Street (in Lambeth);
- artificial lighting including up-lighting negatively affecting “dark” sky conditions and natural heritage features and their ecological functions;
- adverse social impacts including addiction to gaming and related mental health, financial and family issues; crime and vandalism;
- clear designations for residential, open space, business and entertainment venues;
- prohibition on front yard parking not achieving desirable public benefits and not sustainable; that this prohibition may be applied differently to the subject lands than other lands; and
- reduction in residential property values.

The applicant hosted an Open House – Public Information Session on June 24, 2019 at the London Chambers of Commerce; and the Ward Councillors for Wards 9, 10 and 12 also hosted a subsequent Community Information Meeting on July 8, 2019 at the Bostwick Community Centre. Both the Open House and Community Information Meeting were an opportunity for the general public to receive information on the application from the applicant and to provide input, but neither are required as part of the planning application process under the Planning Act. The input received at the June

24, 2019 Open House was generally supportive of the application and the input received at the July 8, 2019 Community Information Meeting included many of the concerns noted above.

### **3.4 Policy Context (see more detail in Appendix F)**

#### *Provincial Policy Statement, 2014*

The *2014 Provincial Policy Statement* (“PPS”) provides broad policy direction on matters of Provincial interest related to land use planning and development. Relevant to this planning application, the PPS provides policies on key issues such as promoting economic growth and development, appropriate land use patterns, public health and safety, and the quality of the natural environment.

#### *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 westerly (front) portion of the subject lands is located in the Shopping Area Place Type on \*Map 1- Place Types in *The London Plan*. The Shopping Area Place Type is intended for a broad range land uses and the redevelopment of these areas over time for mixed-use development is encouraged. The Shopping Area Place Type allows for commercial uses that provide goods and services to the immediate neighbourhood, and in certain circumstances these areas may serve a broader population.

The easterly (rear) portion of the subject lands is located in the Neighbourhoods Place Type on \*Map 1 – Place Types, with frontage on a \*Urban Thoroughfare (Wonderland Road South) on \*Map 3 – Street Classifications in *The London Plan*. The Neighbourhoods Place Type is primarily intended for residential land uses and the intensity of development is dependent on the street classification on which a property has frontage, with the higher-order streets permitting more intense forms of development.

*The London Plan* also includes environmental policies intended to ensure that the Natural Heritage System is protected and that development is directed away from significant natural hazards.

#### *1989 Official Plan*

The *1989 Official Plan* contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS. The *1989 Official Plan* assigns land use designations to properties, and policies associated with those land use designations provide for a general range of land uses, form and intensity of the development that may be permitted.

The westerly (front) portion of the subject lands is located in the WRCEC designation on Schedule “A” – Land Use in the *1989 Official Plan*. The WRCEC designation applies to those lands fronting on Wonderland Road South between Southdale Road West and Hamlyn Street. The WRCEC designation was first introduced as a new land use designation in the *SWAP*, and later consolidated into the commercial land use designations in the *1989 Official Plan*. The WRCEC designation is intended to provide for a wide range of commercial, office, residential and institutional land uses in low to mid-rise built forms. Both stand-alone and mixed use development are contemplated in the WRCEC designation.

The easterly (rear) portion of the subject lands is located in the MFMDR designation on Schedule “A” – Land Use in the *1989 Official Plan*. The MFMDR designation is primarily intended for multi-unit residential developments having a low-rise profile.

The *1989 Official Plan* also includes environmental policies intended to ensure the Natural Heritage System is protected and that development is directed away from significant natural hazards.

#### *Southwest Area Secondary Plan*

The *SWAP* provides the primary policy guidance regarding the use and development of land within the Southwest Area of the City that is generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road and the Urban Growth Boundary. The Southwest Area of the City is the last and largest reserve of land, where a significant portion of growth will be absorbed over several decades (50+ years).

The westerly (front) portion of the subject lands is located in the WRCEC designation on Schedule 5 – Wonderland Boulevard Neighbourhood in the *SWAP*. The WRCEC designation applies to lands adjacent to Wonderland Road South and is intended to provide for a wide range of commercial, office, entertainment, residential and institutional uses. Both stand-alone and mixed-use development are contemplated in the WRCEC designation (Policies 20.5.1.3 and 20.5.6.1 i)).

The easterly (rear) portion of the subject lands is located in the MDR designation on Schedule 5 – Wonderland Boulevard Neighbourhood in the *SWAP*. On lands located north of Exeter Road in the Wonderland Boulevard Neighbourhood, the MDR designation is intended to provide for higher intensity residential development than typically occurs in medium density areas. Minimum density requirements are specified in the *SWAP*. The permitted uses include the primary permitted uses in the MFMDR designation in the *1989 Official Plan*, with the exception of single-detached, semi-detached and duplex dwellings.

## **4.0 Key Issues and Considerations**

### **4.1 Land Use Compatibility**

Through an analysis of use, intensity, and form, City staff have considered whether the proposed development of a Casino and associated uses on the subject lands is appropriate based on the relevant planning and regulatory framework that governs the use and development of the subject lands, including consideration of whether the proposed development of a Casino and accessory uses are a good fit and compatible within the surrounding context.

#### *4.1.1 Use*

##### *Provincial Policy Statement, 2014*

Section 1.0 of the *PPS* identifies that the Province's long term economic prosperity, environmental health, and social wellbeing depends on wisely managing change and promoting efficient land use and development patterns. The *PPS* directs that efficient development and land use patterns will sustain the financial well-being of the Province and municipalities over the long term (Policy 1.1.1 a)) The *PPS* promotes cost-effective development patterns that would minimize land consumption and servicing costs (Policy 1.1.1 e)). The *PPS* encourages development and land use patterns that conserve biodiversity and consider the impacts of climate change.

The *PPS* directs that settlement areas be the focus of growth and development and that their vitality and regeneration should be promoted (Policy 1.1.3.1). The *PPS* directs that land use patterns with settlement areas be based on a mix and range of land uses and opportunities for intensification and redevelopment should be promoted (Policy 1.1.3.2 a) and b)).

To support of employment, the *PPS* directs that planning authorities promote economic development and competitiveness by providing an appropriate mix and range of employment uses for long term needs; by providing opportunities for a diversified economic base, including a range and choice of suitable sites for a range of employment uses; and by encouraging compact, mixed use development that incorporates compatible employment uses where people reside to support livable and

resilient communities (Policy 1.3.1 a) through c)) .

To support of long-term economic prosperity, the *PPS* directs that opportunities for economic development be promoted, the use of land and resources, infrastructure and public service facilities be optimized; the health of downtowns and mainstreets be maintained and enhanced where possible; opportunities for sustainable tourism development be provided; and the negative impacts from a changing climate be minimized and the ecological benefits of nature be considered (Policy 1.7.1 a) through c), g) and j)).

#### *The London Plan*

To permit and facilitate the proposed development of a Casino on the subject lands, the recommended amendment to *The London Plan* would change the Place Type on the easterly (rear) portion of the subject lands from the Neighbourhoods Place Type to the Shopping Area Place Type, such that the Shopping Area Place Type would be expanded to include the entire subject lands.

Shopping Areas are distributed throughout the City and are intended to provide goods and services to the immediate neighbourhood, and in certain circumstances these areas may serve a broader population (\*Policy 789\_4. and Policy 874\_). A broad range of retail, service, office, entertainment, recreational, educational, institutional and residential uses are contemplated in the Shopping Area Place Type (Policy 877\_1.).

*The London Plan* directs that within the Shopping Area Place Type, uses that are not compatible with retail and residential uses will not be permitted, recognizing the intent that these areas will re-format to become mixed-use areas that include retail, service, office and residential uses over-time (Policy 871\_ and Policy 877\_3.). More broadly, the evaluation criteria for planning and development applications in *The London Plan* would require a proposal to demonstrate how it would fit within its broader context and would sensitive to and compatible with that context (Policy \*1578\_).

It is not expected that adding new Shopping Area Place Types or expanding existing Shopping Area Place Types will be required over the life of *The London Plan* (Policy 875\_ and Policy 880\_). Generally new or expanded Shopping Area Place Types are discouraged, recognizing that there are already a significant number of sites that can accommodate commercial uses throughout the City (Policy 876\_ and Policy 880\_). The revitalization and intensification of existing Shopping Area Place Types is encouraged to reduce the need for outward expansion (Policy 876\_). However, adding new or expanded Shopping Area Place Types may be contemplated subject to specific policies in *The London Plan* through which to evaluate the appropriates of new additions or expansions (Policy 875\_ and Policy 881\_2.-4.).

#### *1989 Official Plan*

To permit and facilitate the proposed development of a Casino on the subject lands, the recommended amendment to the *1989 Official Plan* would change the designation on the easterly (rear) portion of the subject lands from a MFMDR destination to a WRCEC designation, such that the WRCEC designation would be expanded to include the entire subject lands.

The *1989 Official Plan* identifies that a broad range of commercial, residential, office and institutional uses are contemplated in the WRCEC designation subject to the more specific policies contained in the *SWAP* (Policy 4.8.3).

#### *Southwest Area Secondary Plan*

To permit and facilitate the proposed development of a Casino on the subject lands, the recommended amendment to the *SWAP* would change the designation on the easterly (rear) portion of the subject lands from a MDR designation to a WRCEC designation, such that the WRCEC designation would be expanded to include the entire subject lands.

The *SWAP* is organized on the basis of Neighbourhood Areas which have specific functions and characteristics. The Wonderland Boulevard Neighbourhood is intended to

function a diverse, mixed-use neighbourhood that provides amenities and employment opportunities for its residents and is characterized by a high intensity of built form to be transit-supportive. The WRCEC designation that applies to lands within the Wonderland Boulevard Neighbourhood on either side of Wonderland Road South between Southdale Road West and Hamlyn Street, provides opportunities for a broad mix of commercial, office, residential and institutional uses. The more specific policy direction provided by the *SWAP* explicitly lists entertainment uses among the permitted uses in the WRCEC designation in addition to retail, service, office, recreational, educational, institutional, and residential uses. A mix of any of the permitted uses within a single building is permitted and encouraged within the WRCEC designation (Policy 20.5.6.1 ii)). Recognizing that land uses within the WRCEC designation will develop over time and given that the location of specific land uses is not prescribed, development proposals are to demonstrate how they could be integrated and compatible with adjacent development (Policy 20.5.6.1 iv)).

#### *Analysis*

The subject lands are located within the City's urban growth boundary which is a planned settlement area where urban land uses are directed to locate and development is encouraged. Consistent with the *PPS* the proposed Casino is a new entertainment use for the City that would contribute to the vitality of the settlement area and would further diversify the City's economic base.

Locating the proposed Casino on the subject lands would provide entertainment and employment opportunities proximate to where people live in the Southwest Area to achieve a compact form of development that is consistent with the *PPS*. The proposed Casino is a City-wide and regional serving entertainment destination appropriately proposed on lands abutting a major road that functions as gateway to the City from the 400-series highway in the Southwest Area. The subject lands are near other developed or developing commercial sites and can be serviced by municipal services in the near-future. The recommended Official Plan Amendments and zone change to permit the proposed Casino on the subject lands would therefore provide for the efficient use of land and infrastructure consistent with the *PPS*. Compatibility with surrounding land uses, including maintaining the economic vitality and viability of the Lambeth mainstreet consistent with the *PPS*, is discussed in greater detail below.

The recommended zone change to protect the natural heritage features and ecological functions associated with the Pincombe Drain and protect development from natural hazards is consistent with the *PPS* and the direction to minimize negative impacts from climate change to support long-term economic prosperity. The recommended Special Provision to the OS4 Zone that would be applied within 30 metres of the natural heritage features associated with the Pincombe Drain will permit only low-impact land uses and select structures associated with stormwater management near the potential (flood) hazard of the Pincombe Drain. This is discussed in greater detail in Subsection 4.3 where natural heritage features and natural hazards are considered in greater detail together.

The recommended Official Plan Amendments and zone change to permit the proposed Casino on the subject lands conform to the planned intent for the Shopping Area Place Type in *The London Plan* and the WRCEC designation in the *1989 Official Plan* and the *SWAP*, which all contemplate the use of land for a broad range of commercial purposes. The proposed Casino would function as an entertainment use, and conforms to the more specific list of permitted uses for the WRCEC designation identified in the *SWAP*. Where permitted uses in the WRCEC designation are only broadly identified in the *1989 Official Plan*, the more specific policy direction provided by the *SWAP* explicitly lists entertainment uses among the permitted uses in the WRCEC designation.

Locating the proposed Casino within Wonderland Boulevard Neighbourhood, conforms to the planned function of that neighbourhood as a diverse, mixed use neighbourhood, and is an appropriate use for the subject lands relative to other areas in the City, and would provide compatible entertainment and employment opportunities proximate to where people live in the Southwest Area.

The proposed use of the subject lands for a Casino would be a good fit and compatible with the surrounding context and conforms to *The London Plan* and the *SWAP* policies concerned with land use compatibility within the Shopping Area Place Type and the WRCEC designation where mixed-use development is contemplated. The existing land uses that immediately surround the subject lands are predominately commercial and include large-format retail stores and other ancillary service commercial uses, which would not be adversely impacted by vehicular traffic or the noise from normal business operations associated with the Casino including periodic loading and deliveries. The surrounding large-format retail stores and other ancillary service commercial uses themselves, have similar impacts.

The *SWAP* directs that commercial uses within the WRCEC designation are to complement the more traditional uses and forms within the Lambeth Village Core. This is not to say that the commercial uses are to be the same. The proposed Casino would maintain the economic vitality and viability of the Lambeth mainstreet consistent with the *PPS* by contributing to the range of local economic activities in a way that does not compete with the Lambeth mainstreet. Businesses located along either the Lambeth mainstreet or Wonderland Road South may benefit from the City-wide or broader draw of people to the proposed Casino that would otherwise not do business in the Southwest Area of the City

There are intervening lands that are either developed, planned for development or will remain in a natural state between the proposed Casino and the more sensitive low density residential uses in the Southwest Area. As such the low density residential uses will be buffered from the proposed Casino and noise impacts associated with normal business operations.

As noted in the Background Section to this report, it is not the intent of this report to evaluate or provide comment on the potential adverse mental health and social impacts of the proposed Casino. This report is solely focused on potential adverse physical impacts related to traffic, noise, vibration, odours and other air emission, dust and other particulates that may affect the normal use and enjoyment of a property; the normal conduct of a business; the quality of the natural environment; or the physical health of a person or the safety of a person. Other than traffic and noise no physical impacts are expected to result from the proposed Casino. Transportation Related Considerations, including traffic impacts are discussed in detail in Subsection 4.2 of this report and noise impacts have been addressed above.

The recommended Official Plan Amendments to change the designation on the easterly (rear) portion of the subject lands such that the Shopping Area Place Type and WRCEC designation would be expanded to include the full depth of the subject lands is considered by City staff to be a reasonable “rounding-out” of those areas that would improve the intended functionality of a single use on the site; is not intended to increase the amount of available commercial lands; and is generally consistent with the depth of the Shopping Area Place Type and WRCEC designation north of Bradley Avenue. Where residential land uses are currently contemplated for the easterly (rear) portion of the subject lands, the lands affected by the proposed change and expansion could still be developed/redeveloped for residential uses in accordance with the permitted uses in the Shopping Area Place Type and the WRCEC designation. Therefore, the land use patterns along Wonderland Road South will not fundamentally change as a result of the proposed expansion to the Shopping Area Place Type and the WRCEC designation. It should be noted that the proposed zone change to protect for the flood hazard, natural heritage features and ecological functions associated with the Pincombe Drain would restrict the development of much of the easterly (rear) portion of the subject lands where the expansion would occur. In *The London Plan*, the expansion of the Shopping Area Place Type is to be evaluated on the basis of the following policy considerations:

***Is there a demonstrated need for the expansion?*** The recommended expansion is required to accommodate an entertainment destination that has a City-wide or broader service area and which is appropriate for the gateway location along Wonderland Road South and only a few other strategic locations in the City. The recommended expansion



is required to accommodate an entertainment destination that is distinctly different from conventional retail and service commercial uses that predominately locate in the Shopping Area Place Type and have a broad range of locational opportunities elsewhere in the City.

***Does the expansion take on a nodal configuration, a linear configuration will not be permitted?*** The Shopping Area Place Type is already linear in its configuration along Wonderland Road South. The recommended expansion would not result in any additional linear, street-frontage, being located within the Shopping Area Place Type. As noted above, the recommended expansion is a “rounding-out” of the Shopping Area Place Type to include the full depth of the subject lands.

#### *4.1.2 Intensity*

##### *The London Plan*

The Shopping Area Place Type is intended to offer a broad range of commercial, office and residential uses at moderate intensity (\*Policy 789\_4.). It is recognized that the Shopping Area Place Type can include centres that differ in size and scale, ranging from small to medium-scale centres that serve a neighbourhood function to larger scale centres that serve a City-wide or broader service area function (Policy 871\_). *The London Plan* utilizes height as a measure of intensity in the Shopping Area Place Type. As a base condition, a maximum building height of 4-storeys is contemplated. Bonus Zoning would allow for an increase in maximum building height up to 6-storeys (\*Table 8- Summary of Minimum and Maximum Heights by Place Type and Policy 878\_2.). Adequate off-street parking will be provided to ensure there are no negative impacts on adjacent streets and underground parking will be encouraged (Policy 878\_3.). Development within the Shopping Area Place type is to be sensitive to adjacent land uses and should employ transitioning building heights and buffers to ensure compatibility (Policy 878\_4.). Development must be appropriate for the size and configuration of the lot (Policy 878\_5.) The total aggregate office uses will not exceed 2,000m<sup>2</sup> within the Shopping Area Place Type (Policy 878\_6.).

##### *1989 Official Plan*

The planning principles found in Chapter 2 of the *1989 Official Plan* promote compatibility among land uses in terms of scale and intensity, and site and building design that is sensitive to the scale and character of surrounding uses (Policy 2.3.1 ii) and vii)). Among the commercial designations in the *1989 Official Plan*, the WRCEC designation is intended to function as a mixed-use corridor with higher density built form to support transit service and active transportation modes. The WRCEC designation policies in the *1989 Official Plan* direct that the intensity and mix of land uses will be described in detail in the *SWAP* (Policy 4.8.2).

##### *Southwest Area Secondary Plan*

In the *SWAP*, intensity within the WRCEC designation is managed through policies that establish gross floor area maximums for certain uses and building height maximums. Commercial development shall not exceed a gross floor area of 100,000m<sup>2</sup> (Policy 20.5.6.1 v) a)). Office development shall not exceed 20,000m<sup>2</sup>, and each building shall not exceed 2,000m<sup>2</sup> (Policy 20.5.6.1 v) d)). There are no specific policies in the *SWAP* that would limit the gross floor area of entertainment uses. As a base condition, a maximum building height of 4-storeys is contemplated. Bonus Zoning would allow for an increase in maximum building height up to 6-storeys (20.5.6.1 v) b)).

##### *Analysis*

The proposed Casino would have a City-wide or broader service area which conforms to the intensity of development contemplated in the Shopping Area Place Type in *The London Plan*. The proposed 2-storey building height conforms to the base condition maximum building height of 4-storeys, contemplated in the Shopping Area Place Type in *The London Plan* and in the WRCEC destination in the *SWAP*. It should be noted that off-site parking impacts are not expected to result from the proposed development as the subject lands are appropriately sized such that the developable area can accommodate the proposed Casino building and a surplus of on-site parking, including separate parking for buses/coaches and shipping and receiving. The low-rise, 2-storey

height of the proposed Casino building does not necessitate the need for transitioning in building heights to be compatible with adjacent land uses. Where there are buildings on adjacent lands, the proposed Casino building is of a similar scale.

The proposed Casino building is 2-storeys, approximately 12.8m (42 ft.), in height and has a large footprint. The proposed Casino building conforms to the *1989 Official Plan*, and is consistent and compatible with large-format retail stores, light industrial uses and LTC operations facility located along the Wonderland Road South corridor in the immediate vicinity of the subject lands. As noted above, there are intervening lands that are either developed, planned for development or will remain in a natural state between the subject lands and low-density residential uses that may be adversely impacted by the scale of the proposed Casino building.

The gross floor area maximum, or commonly referred to “cap” in the *SWAP* for commercial development in the WRCEC designation, was determined through an Ontario Municipal Board decision dated April 29, 2014 (PL130020). The cap was put in place in the WRCEC designation to enable some of the lands to be developed for other uses. The basis for the cap was the 2012 Retail Market Demand Analysis for the *SWAP* prepared by Kircher Research Associates Ltd., for the City.

The terms of reference for the 2012 report was to determine the demand for retail and related service space. At the outset of the report, it was recognized that commercial development frequently includes components that are complementary to retail space, including local office space, medical offices, hotels/motels, places of entertainment, and recreation, which were not included in the recommended retail and related service commercial space that became the cap. This has been further clarified in the subsequent 2016 update report by Kircher and the 2018 report by Coriolis Consulting Corporation that considered the impact of removing the cap. As such, the gross floor area maximum or cap on commercial development in the WRCEC is not intended to apply to places of entertainment such as the proposed Casino.

With regard to accessory uses that are proposed as part of the Casino, in particular office and restaurant uses, because accessory uses would be subordinate and incidental to the proposed Casino, and could not operate in the absence of the Casino as the main use, accessory uses are not subject to the gross floor area maximum or cap for commercial development or office development in the WRCEC designation in the *SWAP*. Moreover, accessory office space related to the Casino operations would not be subject to the aggregate gross floor area maximum for office uses in the Shopping Area Place Type in *The London Plan*.

#### 4.1.3 Form

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

The *PPS* directs that long term economic prosperity be supported by maintaining a sense of place and promoting well-designed built form (Policy 1.7.1 d)).

##### *The London Plan*

*The London Plan* plans for the Shopping Area Place Type to become more pedestrian, cycling and transit-oriented and less automobile-dominated in design overtime (Policy 871\_). The Shopping Area Place Type is expected to be well connected to public transit, streets and other linkages to provide attractive options for active transportation (i.e. walking and cycling); and are to be designed and developed to contribute to a sense of place, identifiable as a centre for commerce and neighbourhood services (Policy 872\_).

All planning and development applications in the Shopping Area Place Type are to conform to the general City Design policies in *The London Plan* (\*Policy 879\_1.). The intent and direction provided by several City Design policies can be summarized as follows:

- development, should be compatible and a good fit with the surrounding context (\*Policy 193\_ 2. and \*Policy 252\_)
- development should contribute positively to the character and sense of place. (Policies \*193\_ 2. and 3., \*197\_ ,\*199\_ , and \*284\_);

- new development is encouraged to be street-oriented, pedestrian-friendly and transit-supportive (Policy 193\_4.and 5.),
- parking areas are to be strategically located, configured, and screened to create a comfortable and attractive pedestrian environment along the street edge and through parking areas (Policies 269\_, \*270\_, \*272\_ and \*278\_).
- there should be direct, comfortable and safe pedestrian connections from the principle building entrance to the public sidewalk and through large surface parking areas (Policy 268\_ and \*Policy 281\_).
- surface parking areas should include landscaped and/or treed islands and provide a sustainable tree canopy for visual amenity, to reduce the heat island effect, and to convey stormwater, and can include the use of low impact development measures to convey stormwater (\*Policy 282\_ and \*283\_)

The form policies that apply specifically to the Shopping Area Place Type contemplate smaller street-orientated pads within large commercial blocks to create to a pedestrian-oriented street wall; and parking should not be permitted between these smaller buildings and the street (\*Policy 879\_3. and 4.). Large commercial blocks should be designed to incorporate wide, tree-lined sidewalks to allow pedestrians direct and comfortable access through parking lots to the main entrance of commercial buildings located at the rear of the lot (\*Policy 879\_5.). Opportunities should be explored to create spaces that function as a public meeting place (\*Policy 879\_7.). Shopping Area development should include abundant tree planting, to provide shaded areas for parking, and comfortable pedestrian environments (\*Policy 879\_8.).

#### *The Southwest Area Secondary Plan*

The SWAP contains general Urban Design policies, and policies specific to the WRCEC designation, that are intended to guide the form of development in the area along Wonderland Road South. According to the preamble to the general Urban Design policies in the SWAP, the buildings constructed within the Southwest Area will directly respond to the design of the public street. There is to be integration between the private and public realm to create neighbourhoods that are vibrant and dynamic in character to encourage social interactions. The Southwest Area is identified as an important gateway location from the 401 and 402 that should showcase the City and create a sense of civic pride (Policy 20.5.3.9).

The general Urban Design policies direct that in the Wonderland Boulevard Neighbourhood in which the subject lands are located, development should be pedestrian-friendly and transit supportive (Policy 20.5.3.9 i) a)). In particular, where commercial development is permitted, building and site design is encouraged in a “main-street” format where retail and service commercial uses are oriented to the street to improve the pedestrian environment with specific design objective provided, including no parking permitted between buildings and City sidewalks (Policy 20.5.3.9 iii) b)). It should be noted that alternative design approaches are contemplated for the location and design of large-format retail stores whereby large-format retail stores may be located in the interior or at the rear of development blocks with smaller stores and buildings oriented to the street to create the strong street presence with consideration for parking located to the side or rear of buildings with no or only minimal parking permitted in front (Policy 20.5.3.9 iii) g)).

Where the general Urban Design policies focus on off-street parking, the intent is to minimize the visual impact of off-street parking on streetscapes and the people using the site. Parking lots are to be screened at the public right-of-way through the uses of features such as low fences, walls and landscaping. Priority is to be given to pedestrian connections from the public street through the parking field to improve the pedestrian environment and ensure the site is easily navigable (Policy 20.5.3.9 iii) g)).

Low to mid-rise built form is contemplated in the WRCEC designation and development is encouraged in a “main-street” format where buildings are oriented to a public street (Policy 20.5.6.1 vi) a)). It is anticipated that intensification will occur in the WRCEC designation in the future; and development within the WRCEC should not be located

where it may inhibit future phases of development. Development is to be designed to be pedestrian and transit friendly at the outset; and should be oriented to the street where possible and support the early provision of transit (Policy 20.5.6.1 vi c)). To achieve a pedestrian-oriented street and a strong street presence, where large-scale stores are permitted, alternative design approaches may be considered, including locating those stores in the interior of development blocks and locating smaller-scale stores oriented to the street as previously mentioned in the general Urban Design policies (Policy 20.5.6.1 vi) c)).

*Analysis:*

Wonderland Road South is an important gateway location from the 401 and 402 that should showcase the City. Consistent with the *PPS* that directs that long term economic prosperity be supported by maintaining a sense of place and promoting well-designed built form, the proposed site design would contribute to a collective high-quality visual presence that reinforces the planned function of Wonderland Road South as a gateway location to the City.

The Casino building is proposed to be low-rise (2-storeys in height) and have a large footprint, which is consistent with the existing development in the immediate area and conforms to *The London Plan* that directs new development be a good fit and compatible within its context.

Where large-format retail stores are proposed in the interior or rear of sites, the general Urban Design policies in the *SWAP* contemplate alternative design approaches to providing a strong street presence, including the use of smaller buildings orientated to the street. The requested Commercial Recreation Zone permissions, and the gross floor area cap on commercial development in the WRCEC designation, do not provide the same opportunity for smaller commercial buildings to be included in the proposed development to achieve street-oriented development. However, the forecourt proposed between the Casino building and City sidewalk is another alternative design approach through which street-oriented development can be achieved to conform to the general intent of the Urban Design policies in the *SWAP*. The forecourt is proposed to be a flexible shared space for people and vehicles through its design. The forecourt is proposed to be a distinctly different space from the general parking field proposed elsewhere on site that is conversely auto-oriented in design.

Throughout the planning application process the applicant and City staff have been working collaboratively to refine the forecourt design. Key features of the forecourt design as shown in the conceptual site plan revised by the applicant July 2019 include walkways and canopy-like structures that frame the forecourt to the north and to the south. The wide walkways provide for dedicated, direct connections from the City sidewalk along Wonderland Road South to the building. The forecourt is proposed to have a distinct surface treatment that is different than the surface treatment proposed for the general field of parking and is to include large, raised planters with trees to provide tree canopy coverage and lighting that is scaled and design for public spaces. The forecourt design is intended to provide a physical as well as visual connection between Wonderland Road South and the principle building entrance – tree species within the raised planters will be selected accordingly (Figures 8, 9, and 10) .



Figure 8 – Conceptual Forecourt Design, Revised July 2019



Figure 9 – Conceptual Forecourt Design, Revised July 2019, Aerial Perspective



Figure 10 – Conceptual Forecourt Design, Revised July 2019, Perspective Views

The forecourt design will be secured through the Site Plan Approval process, with the recommendation section of this report providing key principles for the design of the forecourt. It is the expectation of City staff that built-form structures, similar in principle to the examples pictured below, be included as part of the forecourt design that would be appropriately scaled in relation to size of the forecourt and the proposed Casino building (Figure 11). These structures are intended to be continuous, to the greatest extent possible, from the main internal north-south driveway to the property line along Wonderland Road South in order to achieve the general intent of the *SWAP* by providing for a built edge along the street and providing for an element of street-orientated development.



Figure 11 – Examples of Built Form Canopy Structures

The forecourt design has the potential to provide the same benefits as a buildings orientated to the street by encouraging and enhancing pedestrian, transit and cycling access and contributing to street-level activity. Although, the Casino building is proposed to be setback from the street, with respect to being pedestrian-friendly and transit-supportive, the forecourt would function as an interesting, safe and walkable space through which pedestrians, transit riders and cyclist could choose to access the Casino building from the street. It being noted that the proposed Casino has the potential to act as a significant generator of transit ridership from other areas in the City given its broad service area. The proposed Casino building would be a convenient distance from public transit along Wonderland Road South and the existing transit stop proximate to the subject lands.

Notwithstanding the merits of the forecourt described above, an Official Plan Amendment is required to add a site-specific policy to the Wonderland Boulevard Neighbourhood policies in the *SWAP* to permit parking between the building and the City sidewalk where the Urban Design policies in the *SWAP* contemplate only minimal parking in front of the main building, or more restrictively where commercial development is permitted, no parking between buildings and the City sidewalk. The site-specific policy would permit a particular site design that would be a street-oriented, pedestrian friendly and transit supportive form of development that conforms to the general intent of the policies in the *SWAP*.

#### 4.2 Transportation Related Considerations

Through community engagement associated with this application, several replies from the general public expressed concern for vehicular traffic and congestion, both existing conditions and future conditions expected to result from the proposed Casino. Problematic areas identified included the Wonderland Road South corridor, the Wonderland Road South/Wharncliffe Road South/Exeter Road “triangle”, and the Lambeth Main Street corridor.

### Analysis

Wonderland Road South is a higher-order street within the City's mobility network and identified as an Urban Thoroughfare on \*Map 3 – Street Classifications in *The London Plan* and an Arterial on Schedule "C" – Transportation Corridors in the *1989 Official Plan*. As such, Wonderland Road South is intended to carry high volumes of vehicular traffic in a safe and efficient manner at moderate speeds. In the *SWAP*, Wonderland Road South is identified as the primary north/south gateway into the City from the 400-series highways in addition to which lands at or near the Wonderland Road South/Wharncliffe Road South/ Exeter Road "triangle" are to be developed as an intensive, transit-oriented, mixed-use focal area. Subsequently, the intensity of the proposed Casino is appropriate for the planned function of Wonderland Road South and the nearby Wonderland Road South/Wharncliffe Road South/Exeter Road "triangle".

A Transportation Impact Assessment ("TIA") dated March 2019 was prepared by Dillon Consulting Ltd. for the applicant to document the potential transportation impacts associated with the proposed Casino development and recommended mitigation strategies where necessary. Key findings and recommendations from the TIA are as follows:

- Within the TIA study area, the Wonderland Road South and Southdale Road West intersection is already operating at capacity for most movements. The combination of planned growth in the area, and to a lesser extent, the proposed Casino development will result in most intersection movements exceeding capacity. Modifications to the Wonderland Road South and Southdale Road West intersection already planned by the City would address many of the capacity issues for critical vehicle movements under future condition, although some left turn movements would continue to exceed capacity;
- Other intersections in the study area generally operate at a reasonable level of services. Some turning movements are expected to exceed capacity due to planned growth and/or due to the proposed Casino development. These capacity issues can generally be address through modifications to existing traffic signal phasing and/or timing and would not rely on the widening of roads.

Although it is generally understood that the Wonderland Road corridor has experienced increasing traffic pressures and these pressures are expected to further impact the Wonderland Road corridor with future growth, it should be noted that the TIA did not identify the need for a widened Wonderland Road South as a direct result of this planning application.

As background to the TIA, the main transportation network change planned in the vicinity of the subject lands is a widened Wonderland Road South between Southdale Road West and Highway 402 to an interim 4-lane condition, and an ultimate 6-lane condition and modifications to the Wonderland Road South/Southdale Road West intersection as conceived through a 2014/2015 Municipal Class Environmental Assessment ("EA") study. The widened Wonderland Road South interim 4-lane condition already exists between Southdale Road West and Exeter Road. As part of the City's 2019 Development Charges Background Study, the widened Wonderland Road South interim 4-lane condition between Exeter Road and Highway 402 is expected to be constructed in the year 2026. The widened Wonderland Road South ultimate 6-lane condition between Southdale Road West and Highway 402 is not expected to be constructed in the near-term.

In the broader area, a widened Southdale Road West between Pine Valley Boulevard and Colonel Talbot Road to 4-lanes with centre turn lanes is planned as conceived through another 2015 Municipal Class EA study. As part of the City's 2019 Development Charges Background Study, the widened Southdale Road West 4-lane condition between Pine Valley Boulevard and Bostwick Road is expected to be constructed in the year 2022; and between Bostwick Road and Colonel Talbot Road in the year 2031.

At present the City's Zoning By-law Z.-1 does not contain a minimum parking rate requirement for a Casino. The applicant had requested that a special provision to the CR Zone permit a minimum parking rate requirement of 1 space per 20m<sup>2</sup> for the proposed Casino on the subject lands. The requested rate was based on the existing

minimum parking rate requirement for Commercial Recreation Establishments in Zoning By-law Z.-1. Through the course of the planning application City staff have discussed with the applicant that the minimum parking rate requirement should be consistent with the findings in the TIA which included observed peak parking demands for the Point Edward Casino as a comparable proxy site to the proposed development. The applicant has subsequently agreed to a modified requested minimum parking rate requirement of 1 space per 15m<sup>2</sup> that is acceptable to City staff based on the findings of the TIA. The proposed Casino would require a minimum of 638 parking spaces based on a minimum parking rate requirement of 1 space per 15m<sup>2</sup>, and a total of 999 parking spaces are proposed resulting in a surplus of 361 parking spaces.

#### **4.3 Protection of Natural Hazards, Natural Heritage Features & Functions**

City staff have considered whether the proposed development of a Casino and associated parking lot on the subject lands would be appropriate adjacent to the natural hazards and natural heritage features and ecological functions associated with Pincombe Drain to the east. The Pincombe Drain is a permanent tributary of the Dingman Creek. The Pincombe Drain has a catchment area that is comprised of residential, commercial and rural (agricultural and woodland) land uses. The Pincombe Drain has been highly altered by human activity, and proximate to the subject lands, there exists a narrow vegetation zone on either side of the drain.

An Environmental Impact Statement (“EIS”) dated March 2019 and revised June 2019 was prepared by Matrix Solutions Inc. and submitted by the applicant to assist City staff in the evaluation of the proposed development. The EIS provided a characterization of the natural environment, including significant natural features and ecological functions, identified potential impacts from the proposed development and recommended mitigation measures where need. City staff have accepted the revised June 2019 EIS and its recommendations.

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

Section 2.0 of the *PPS* identifies natural heritage resources as contributing to the Province’s long term economic prosperity, environmental health, and social wellbeing. As such, it is in the public interest to protect these resources. The *PPS* directs that natural features and areas shall be protected for the long-term (Policy 2.1.1).

The *PPS* directs development and site alteration outside of, and way from, significant natural features and ecological functions, fish habitat and habitat of endangered species and threaten species, except for certain exclusion where it can be demonstrated that there will be no negative impact on the significant natural features or ecological functions, or in accordance with provincial and federal requirements (Policy 2.1.4 through Policy 2.1.7). Moreover, development and site alteration shall not be permitted on adjacent lands to the significant natural features and functions and habitats noted above, unless the potential impacts have been evaluated and it has been demonstrated that there will be no negative impacts (Policy 2.1.8)

The *PPS* also directs that the quality and quantity of water should be protected (Policy 2.2.1). The *PPS* generally directs development and site alterations outside of, and away from sensitive water features to protect water resources. (Policy 2.2.1 and Policy 2.2.2).

Section 3.0 of the *PPS* identifies long-term prosperity, environmental health and social well-being as depending on reducing the potential cost and risk to health from man-made and natural hazards. The *PPS* generally directs development away from man-made or natural hazards where there is unacceptable risk to public health or safety or property damage, and to not create new or aggravate existing hazards. The *PPS* directs development to areas outside of hazard lands impacted by flood hazards and/or erosion hazards (Policy 3.1.1). The *PPS* directs that planning authorities consider the potential impacts of climate change that may increase the risk associated with natural hazards (Policy 3.1.3)



### *The London Plan*

The Pincombe Drain is identified as *Significant Valleylands* on \*Map 5 – Natural Heritage in *The London Plan*. The subject lands located in the area of Highly Vulnerable Aquifers and west of the regulatory flood line associated with the Pincombe Drain shown on \*Map 6 – Hazards and Natural Resources in *The London Plan*.

As per the policy direction in *The London Plan*, the width of Significant Valleylands shall be sufficient to accommodate the natural heritage features and ecological functions that contribute to its significance (\*Policy 1350\_1). *The London Plan* provides that the width of ecological buffers shall generally consist of 30m on each side of the watercourse measured from the high watermark or through the application of the City's Guidelines for Determining Setbacks and Ecological Buffers and as part of an Environmental Impact Study ("EIS") (\*Policy 1350\_2.).

An EIS is required by *The London Plan* where development is proposed within, or adjacent to, components of the Natural Heritage System to ensure that development does not negatively impact the natural heritage features and ecological functions of the Natural Heritage System consistent with the *PPS* (Policies 1393\_, 1431\_, 1432\_, and 1433\_). *The London Plan* requires ecological buffers to protect natural heritage features and their ecological functions; and ecological buffers will be required on lands contiguous to a specific natural heritage feature or area (\*Policies 1412\_ and 1413\_).

*The London Plan* also directs development away from areas of natural hazards where there is a risk to public safety or property damage (Policy 1444\_ and 1445\_1. though 4. and 6.). For areas identified as highly vulnerable aquifers, a hydrological study may be required to determine the potential impacts of the proposed development on the quality and quantity of the groundwater resource which could result in the prohibition, restriction or other regulation on activities within these areas (Policy 1552\_).

### *1989 Official Plan*

The Pincombe Drain is identified as *Significant Corridors* on Schedule "B1" – Natural Heritage Features in the *1989 Official Plan*. The subject lands located west of the regulatory flood line associated with the Pincombe Drain shown on Schedule "B2" – Natural Resources and Hazards in the *1989 Official Plan*.

The *1989 Official Plan* recognizes that ecological buffers serve to protect the ecological function and integrity of the Natural Heritage System and requires ecological buffers around, or adjacent to components of the Natural Heritage System based on the recommendation of an approved EIS (Policy 15.3.6 i)). The *1989 Official Plan* provides that the width of ecological buffers will be specified through the application of the City's Guidelines for Determining Setbacks and Ecological Buffers and as part of an EIS (Policy 15.3.6 ii)).

An EIS is required by the *1989 Official Plan* where development is proposed within, or adjacent to, components of the Natural Heritage System to ensure development does not negatively impact the natural heritage features and ecological functions of the Natural Heritage System consistent with the *PPS* (Policy 15.5.1 i) and ii)).

### *Analysis*

The proposed development is located outside of the current natural (flood) hazard and is appropriately buffered from the natural heritage features and ecological functions associated with the Pincombe Drain to protect the Natural Heritage System consistent with the *PPS*, and conforming to *The London Plan* and the *1989 Official Plan*. The proposed development is also located outside of the Dingman Creek Subwatershed Screening Area, where the Upper Thames River Conservation Authority ("UTRCA") is undertaking a comprehensive review of flood hazards to update the flood plain mapping, such that the impacts of climate change have been considered as part of this application.

The potential impacts of the proposed development on the Natural Heritage System has been evaluated through an EIS as is required by *The London Plan* and the *1989 Official Plan*. Since, the proposed Casino and parking lot would be setback further from the

natural heritage features and ecological functions associated with the Pincombe Drain than the present industrial activity, the proposed development would result in a net-benefit to the Natural Heritage System. The naturalization of a valleyland corridor discussed below would provide an overall net benefit to the area by increasing vegetation cover, providing general wildlife habitat and thermal refuge for the Pincombe Drain.

As recommended by City's Guidelines for Determining Setbacks and Ecological Buffers (August 2004), the limits of the proposed development would protect for a 30 metre wide valleyland corridor between the proposed development and the Pincombe Drain to serve as an ecological buffer. The valleyland corridor would be re-vegetated with native trees and shrubs where the subject lands are currently void of vegetation. City staff recommend that the portion of the subject lands corresponding to the valleyland corridor be zoned Open Space Special Provision (OS4(\_)) consistent with OS4 zone that has been applied along the length of the Pincombe Drain to recognize the flood hazard. The special provision will limit range of permitted uses to a range of low-impact uses associated with passive recreation, conservation and ecosystem management to protect the natural heritage features and ecological functions that are associated with the Pincombe Drain.

The subject lands drain from west to east, with the majority of the subject lands draining towards the Pincombe Drain. Stormwater surface flows are currently un-controlled on the subject lands. The stormwater management design proposed by the applicant's engineering consultant would improve the current condition by providing a stormwater pipe outlet to the Pincombe Drain from a private stormwater management system below the parking area. The recommended special provision to the OS4 Zone would permit the stormwater pipe outlet. The applicant's environmental consultant have evaluated the impact of the proposed stormwater pipe outlet on the natural heritage features and ecological functions, and determined any potential impacts can be mitigated. The EIS has been accepted by City Staff. The potential impacts of the proposed development on natural heritage features and ecological functions are primarily limited to the effects of incidental tree removal and the removal of existing structures resulting in the alteration or loss of habitat for present barn swallow species at risk and potential bat species at risk. These impacts can be mitigated through creation of additional habitat within the vicinity of the Pincombe Drain as per the recommendations of the accepted EIS. With regard to the potential impacts of the proposed development on the quality and quantity of groundwater resources, a hydrological study will be required and reviewed through the subsequent Site Plan Approval application process. Through community engagement associated with this application concerns were raised about artificial lighting, including up-lighting, negatively affecting "dark" sky conditions and natural heritage features and their ecological functions. Site lighting is notably a matter for the subsequent Site Plan Approval ("SPA") application process, and a photometric lighting plan will be required and reviewed through the SPA process.

#### **4.4 Removal of h-17 Holding Provision**

The h-17 holding provision is intended to ensure the orderly development of land and the adequate provision of municipal services. At present the subject lands are not serviced by municipal sanitary sewers and the h-17 holding provision permits the limited use of the subject lands for dry uses on individual sanitary facilities, until municipal sanitary sewers are available to the subject lands. As part of the applicant's submission their consultant engineer has identified a servicing solution to connect the subject lands to municipal sanitary sewer services in the near-term through infrastructure improvements identified in the City's 2019 Development Charges Background Study. Specifically a strategic need sanitary sewer is expected to be constructed along Wonderland Road South from Wharnccliffe Road South to Bradley Avenue in the year 2020. Through the Site Plan Approval process, a development agreement between the City and the applicant will require connections to full municipal services prior to occupancy occurring. Based on the above it is recommended that the h-17 holding provision be removed from these lands.

More information and detail is available in Appendix E, F and G of this report.

## 5.0 Conclusion

The recommended Official Plan Amendments and zone change are consistent with the *PPS* and will contribute to a broad range and mix of land uses within the City and the Southwest Area in the interest of long-term economic prosperity. The proposed redevelopment of the subject lands for a Casino is an efficient use of land and infrastructure in an area intended for urban development consistent with the *PPS*. The recommended zone change is consistent with the *PPS* and will protect the natural features and ecological functions associated with the Pincombe Drain and will protect the proposed development from the natural flood hazard.

The recommended Official Plan Amendments to change the current Place Type and designation on the easterly (rear) portion of the subject lands to include, and expand, the Shopping Area Place Type in *The London Plan* and the WRCEC designation in the *1989 Official Plan* and the *SWAP* is a reasonable rounding out of the Shopping Area Place Type and the WRCEC designation.

The recommended Official Plan Amendment to the Wonderland Boulevard Neighbourhood policies in the *SWAP* to add a site specific policy to permit parking between the proposed building and the City sidewalk would permit a specific site design that includes a forecourt that is street-oriented, pedestrian-friendly and transit supportive and conforms to the general intent of the *SWAP*.

The recommended Official Plan Amendments and zone change to permit the proposed Casino conforms to the planned intent for the Shopping Area Place Type in *The London Plan* and the WRCEC designation in the *1989 Official Plan* and the *SWAP*, which contemplate the use of the subject lands for a broad range of commercial purposes. The proposed Casino would function as an entertainment use, and conforms to the more specific list of permitted uses for the WRCEC designation in the *SWAP*. The proposed, 2-storey height of the proposed Casino conforms to the maximum building height of 4-storeys (without Bonus Zoning) contemplated in the Shopping Area Place Type in *The London Plan* and in the WRCEC destination in the *SWAP*. The gross floor area maximum or “cap” for commercial development in the WRCEC designation does not apply to entertainment uses. The proposed form of the Casino building is consistent with the existing large format retail stores in the immediate area and is a good fit and compatible with its context and conforms to *The London Plan*. The site design would include elements that are street-oriented, pedestrian-friendly and transit supportive such as a proposed forecourt between the Casino building and City sidewalk, and would conform to the general intent of the *SWAP*.

The recommended zone change conforms to *The London Plan* and the *1989 Official Plan* and will limit development to areas outside of natural hazards and to areas that are appropriately buffered from the natural heritage features and ecological functions of the Natural Heritage System.

<b>Prepared by:</b>	<b>Melissa Campbell, MCIP, RPP Manager, Development Planning, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 10, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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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 3334 and 3354 Wonderland Road South.

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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of certain lands described herein from Multi-Family, Medium Density Residential to Wonderland Road Community Enterprise Corridor 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 3334 and 3354 Wonderland Road South in the City of London.

C. BASIS OF THE AMENDMENT

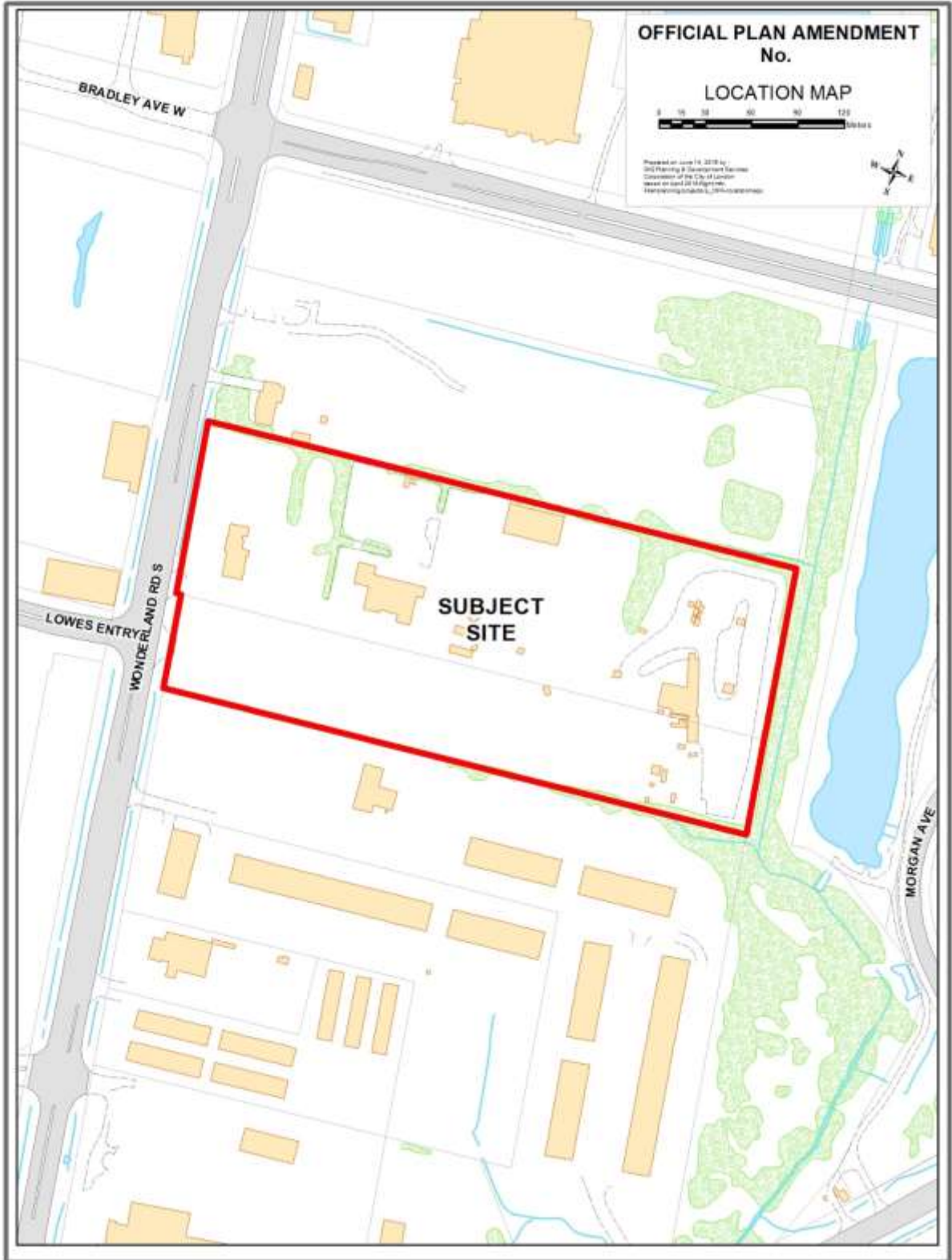
The amendment would permit a broad range of commercial, residential, office and intuitional uses, including a Casino and accessory uses, on the easterly (rear) portion of the lands.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 1" attached hereto from Multi-family, Medium Density Residential to Wonderland Road Community Enterprise Corridor.







## Appendix B

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

By-law No. ~~C.P.-1284~~  
A by-law to amend the Southwest Area  
Secondary Plan, 2012 relating to 3334  
and 3354 Wonderland Road South.

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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from, Medium Density Residential to Wonderland Road Community Enterprise Corridor on Appendix 1, Official Plan Extracts; Schedule 2, Multi-Use Pathways and Parks; Schedule 4, Southwest Area Land Use Plan; Schedule 5, Wonderland Boulevard Land Use Designations; Schedule 10, Central Longwoods Residential Neighbourhood Land Use Designations; and Schedule 13, North Longwoods Residential Neighbourhood Land Use Designations to the Southwest Area Secondary Plan for the City of London.
2. To add site specific policies for described herein to permit off-street parking areas in front of the main building and between the building and the public sidewalk; notwithstanding, the Urban Design policies of subsection 20.5.3.9 and the Wonderland Road Community Enterprise Corridor policies of subsection 20.5.6.1.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3334 and 3354 Wonderland Road South in the City of London.

C. BASIS OF THE AMENDMENT

The amendment would permit broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses, including a Casino and accessory uses, on the easterly (rear) portion of the land; and would permit parking between buildings and public sidewalks.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Appendix 1, Official Plan Extracts, to the Southwest Area Secondary Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 1" attached hereto from Medium Density Residential to Wonderland Road Community Enterprise Corridor.
2. Schedule 2, Multi-Use Pathways and Parks, to the Southwest Area Secondary Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 2" attached hereto from Medium Density Residential to Wonderland Road Community Enterprise Corridor.
3. Schedule 4, Southwest Area Land Use Plan, to the Southwest Area Secondary Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 3" attached hereto

from Medium Density Residential to Wonderland Road Community Enterprise Corridor.

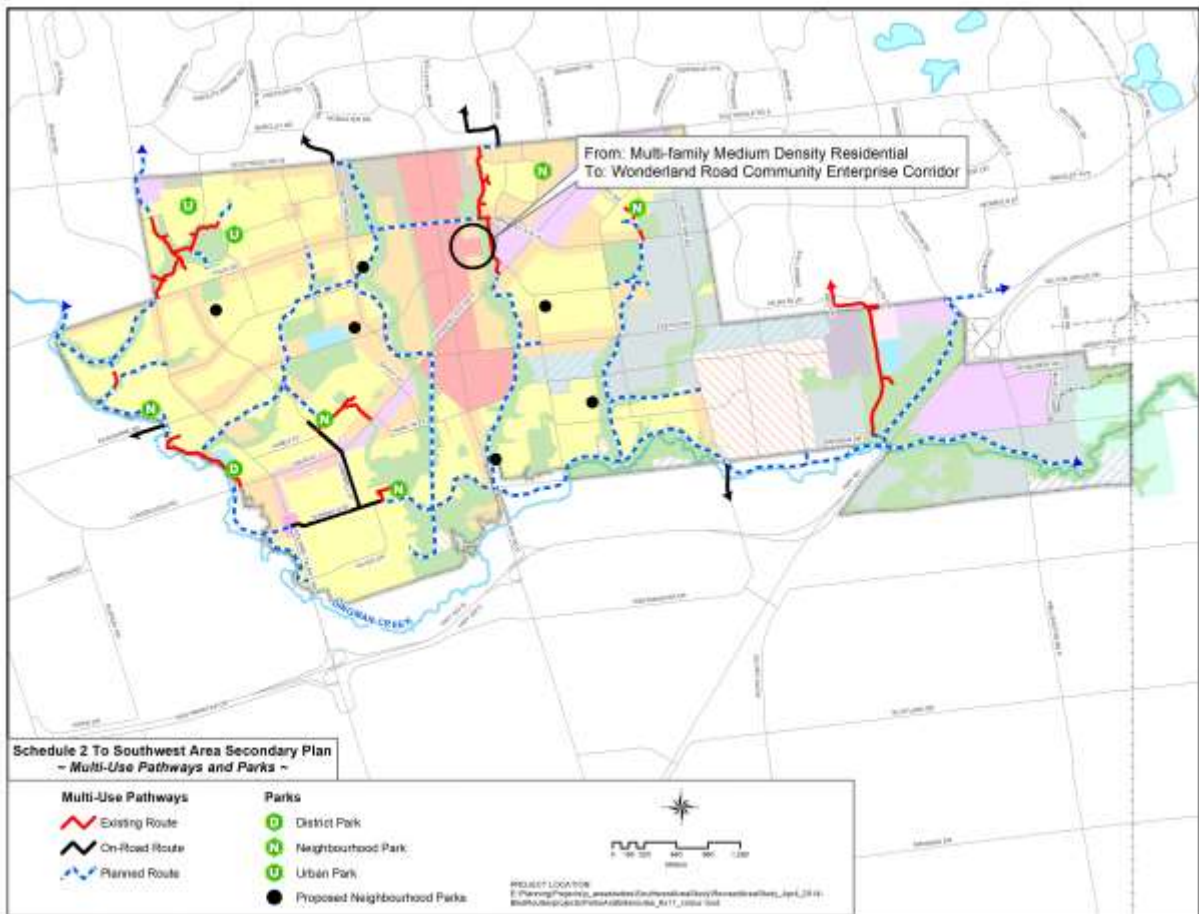
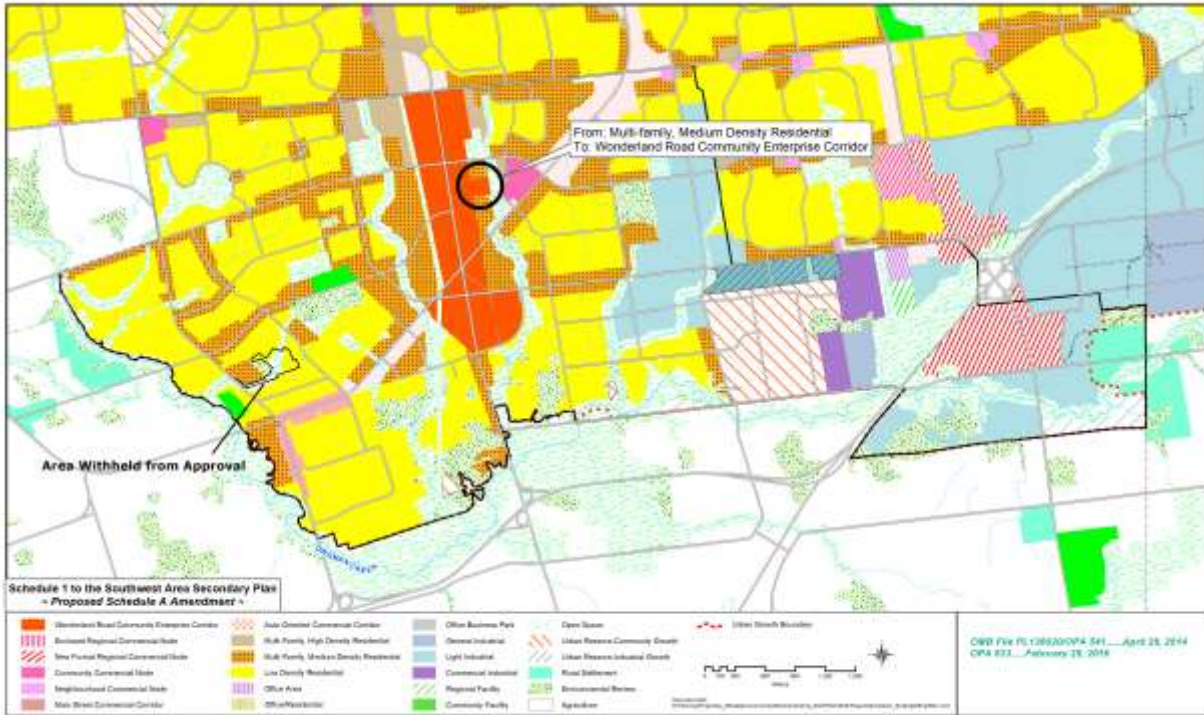
4. Schedule 5, Wonderland Boulevard Land Use Designations, to the Southwest Area Secondary Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 4" attached hereto from Medium Density Residential to Wonderland Road Community Enterprise Corridor.
5. Schedule 10, Central Longwoods Residential Neighbourhood Land Use Designations, to the Southwest Area Secondary Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 5" attached hereto from Medium Density Residential to Wonderland Road Community Enterprise Corridor.
6. Schedule 13, North Longwoods Residential Neighbourhood Land Use Designations, to the Southwest Area Secondary Plan for the City of London Planning Area is amended by designating those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 6" attached hereto from Medium Density Residential to Wonderland Road Community Enterprise Corridor.
7. Add new Section 20.5.6.6, 3334 and 3354 Wonderland Road South, to the Southwest Area Secondary Plan for the City of London Planning Area:

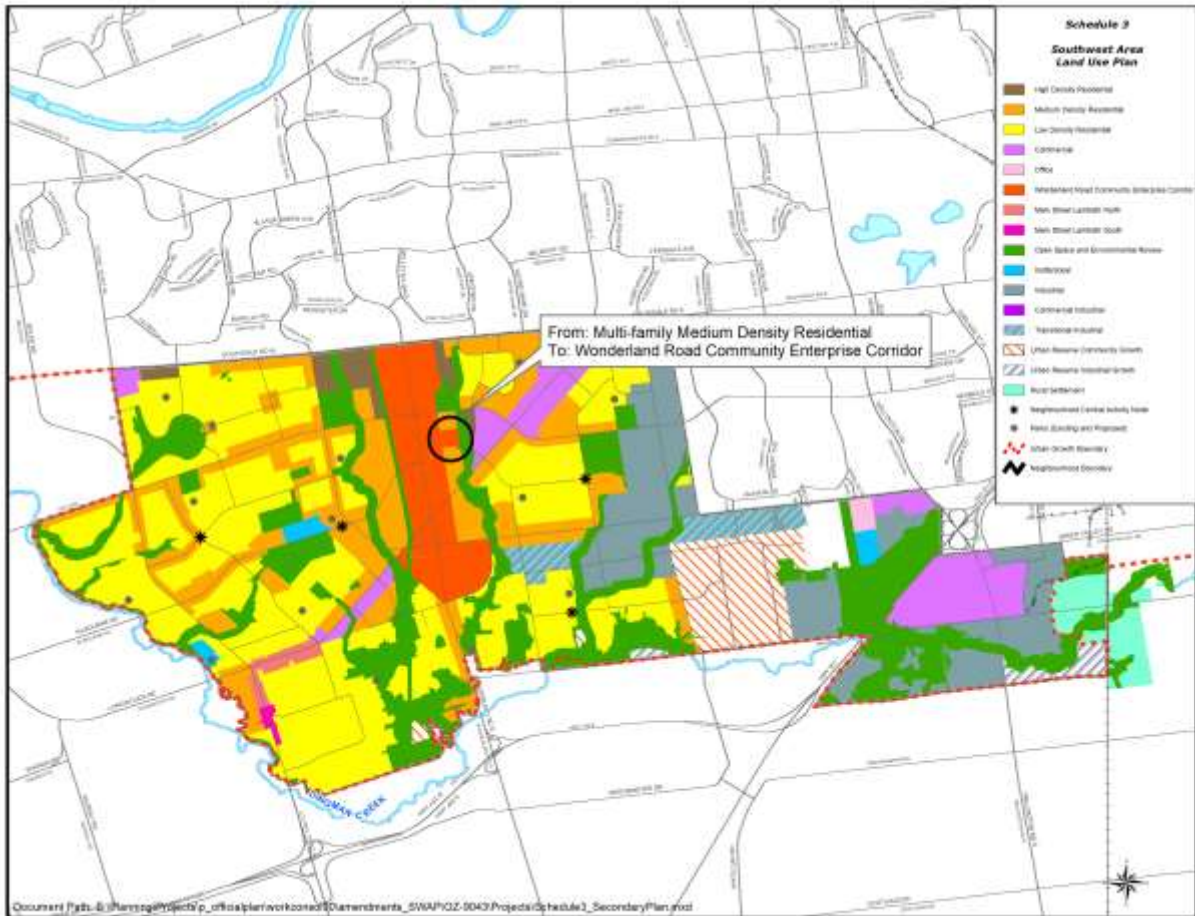
20.5.6.6      3334 and 3354 Wonderland Road South

i)      **Applicable Policies**

In the Wonderland Road Community Enterprise Corridor at 3334 and 3354 Wonderland Road South the following site specific policies apply.

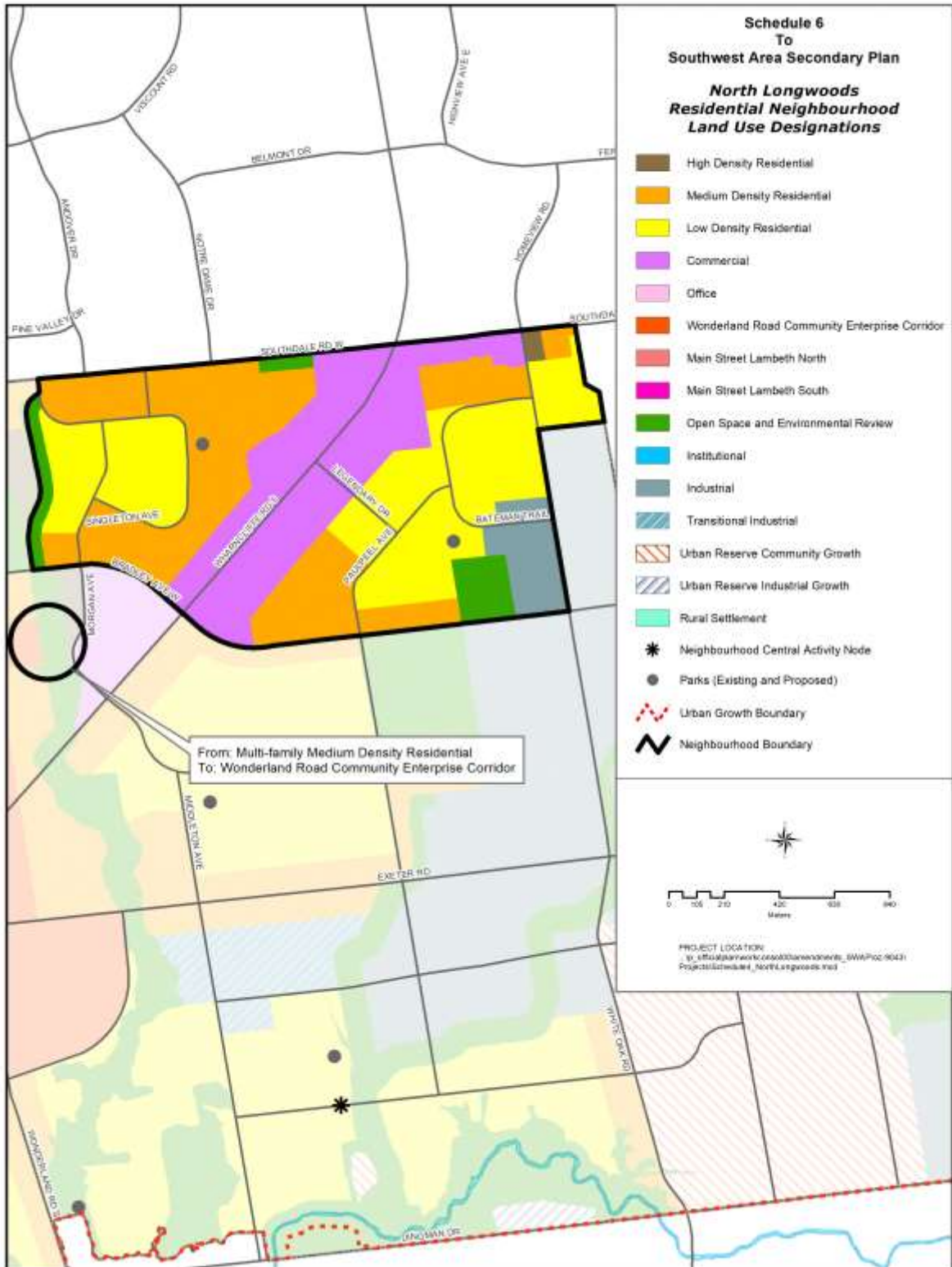
Notwithstanding the Urban Design policies of subsection 20.5.3.9, where associated with a Casino and comprising part of a forecourt design, parking, driveways, lanes, and aisles shall be permitted between buildings and the public sidewalks.



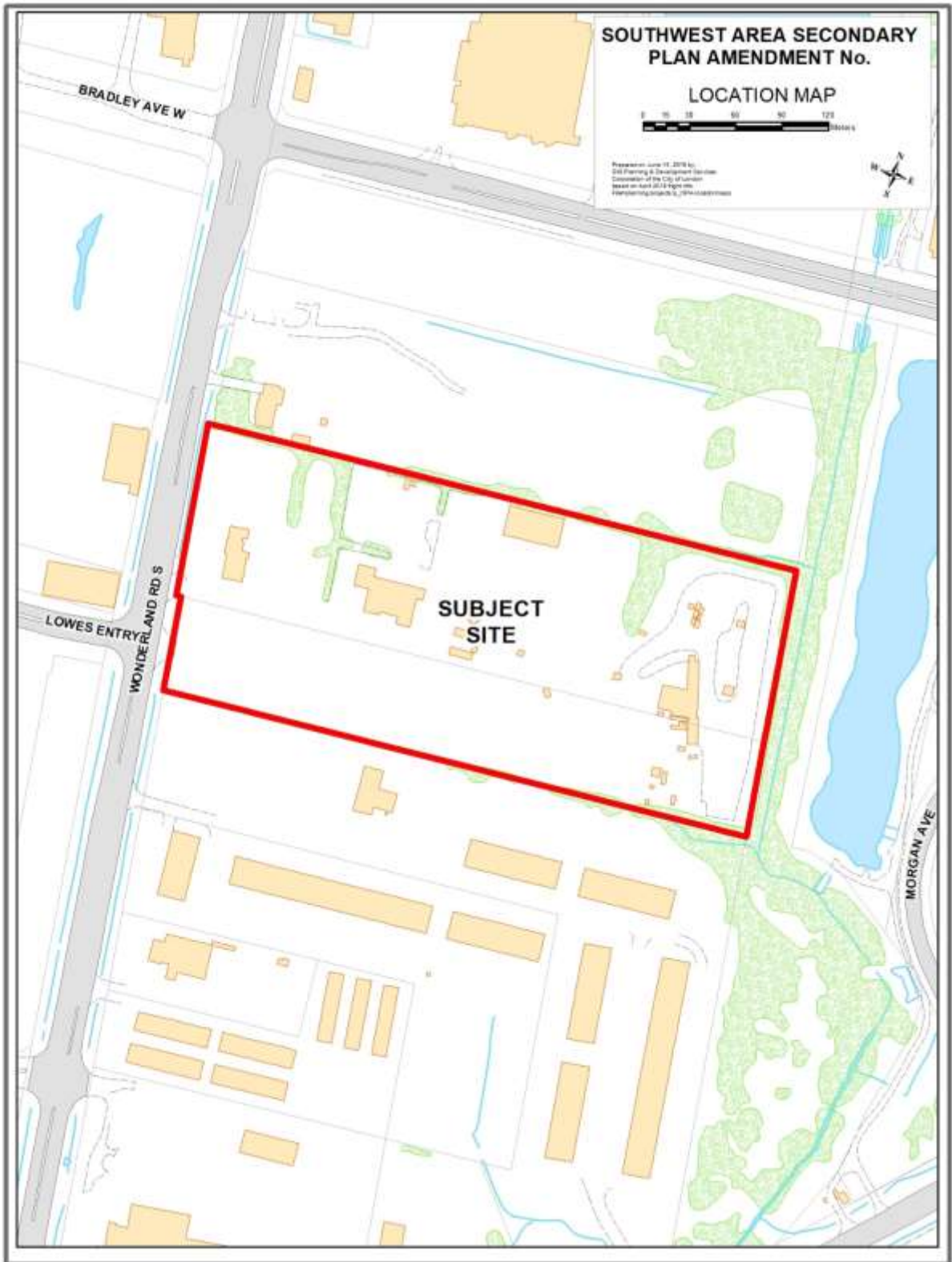












## Appendix C

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

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London Plan for the City of London, 2016 relating to 3334 and 3354 Wonderland Road South.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on (Insert Council Meeting Date).

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – (Insert Council Meeting Date)  
Second Reading – (Insert Council Meeting Date)  
Third Reading – (Insert Council Meeting Date)

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the Place Type of certain lands described herein from Neighbourhoods to Shopping Area on Schedule "A", Map 1 – Place Type, to The London Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3334 and 3354 Wonderland Road South in the City of London.

C. BASIS OF THE AMENDMENT

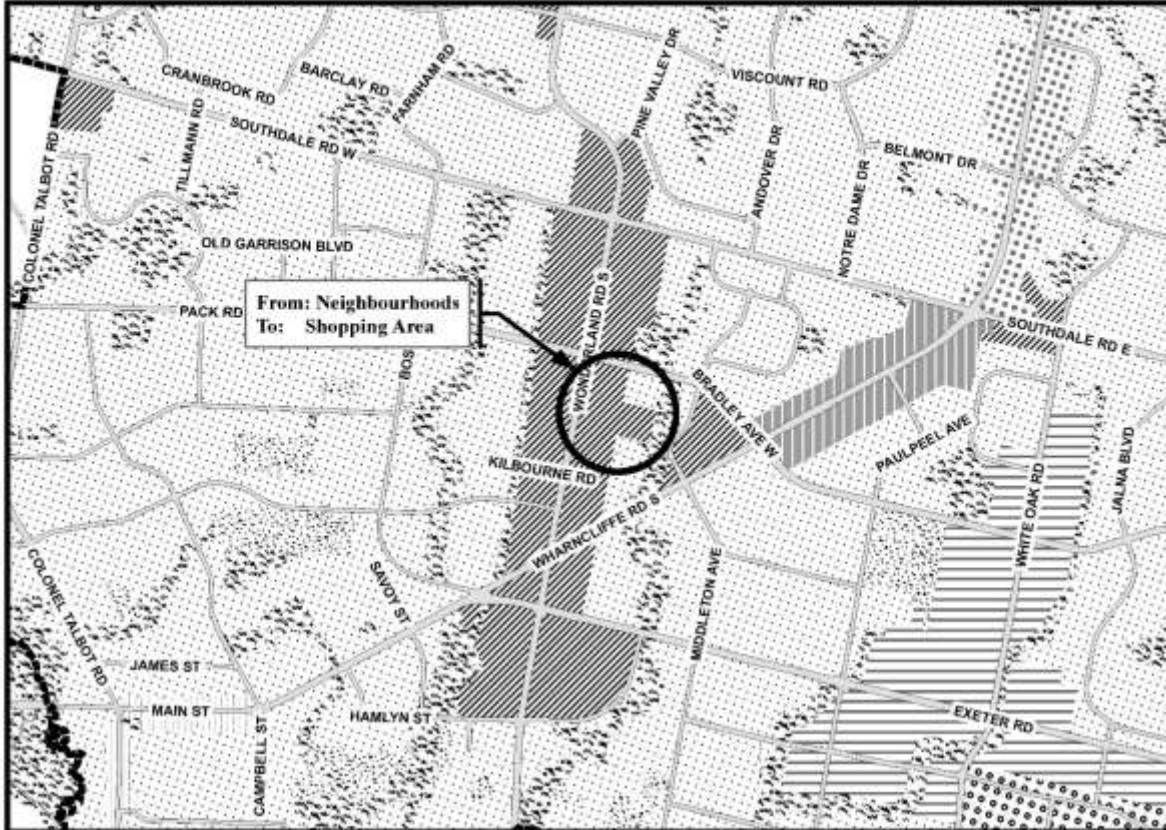
The amendment would permit a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses, including a Casino and accessory uses, on the easterly (rear) portion of the lands.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

*The London Plan* is hereby amended as follows Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by change the Place Type of those lands located at 3334 and 3354 Wonderland Road South in the City of London, as indicated on "Schedule 1" attached hereto from Neighbourhoods to Shopping Area.

AMENDMENT NO: \_\_\_\_\_



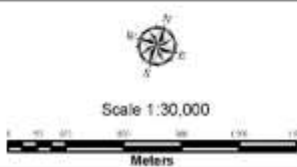
**Legend**

	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		

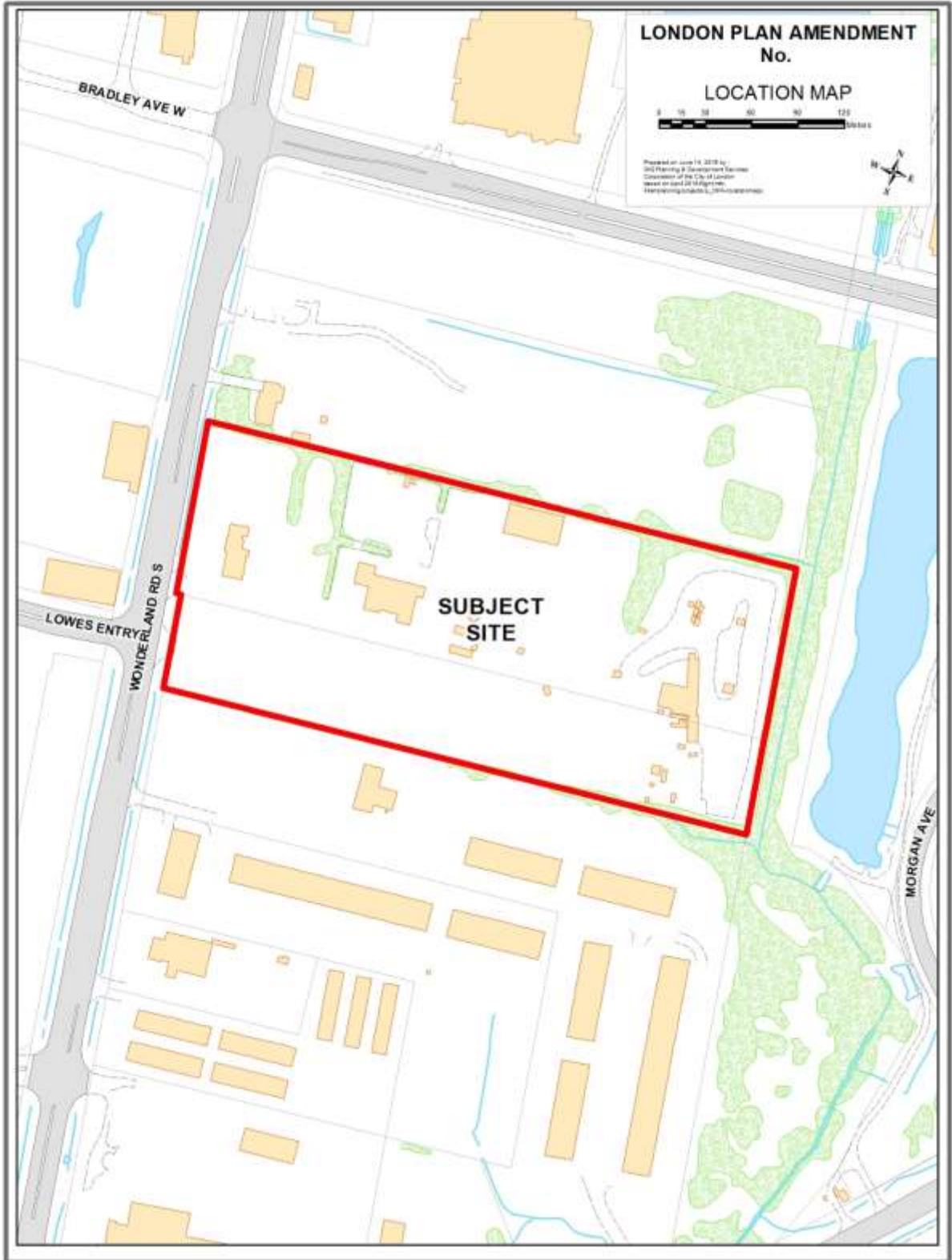
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.  
 At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**SCHEDULE 1  
 TO  
 THE LONDON PLAN**  
 AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Planning Services



FILE NUMBER: OZ-9043  
 PLANNER: MC  
 TECHNICIAN: RC  
 DATE: 6/14/2019



## Appendix D

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 3334  
and 3354 Wonderland Road South.

WHEREAS Gateway Casinos and Entertainment Ltd. has applied to rezone an area of land located at 3334 and 3354 Wonderland Road South, 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 3334 and 3354 Wonderland Road South, as shown on the attached map comprising part of Key Map No. A111, from a Holding Light Industrial (h-17•LI1/LI7) Zone and an Environmental Review (ER) Zone to Commercial Recreation Special Provision (CR(\*)) Zone and an Open Space Special Provision (OS4(\*)) Zone.
- 2) Section Number 38.4 a) of the Commercial Recreation (CR) Zone is amended by adding the following Special Provision:
  - ) CR(\*) 3334 and 3354 Wonderland Road South
    - a) Additional Permitted Use:
      - i) Casinos
      - ii) The following definition applies in this Zone:  
"CASINO" means a facility for the purposes of gaming that is authorized by the Province of Ontario, where a portion of the facility may be devoted to uses in connection with the operation of a casino including offices, restaurants, outdoor patios, auditoriums, meeting rooms, amusement games establishments and places of entertainment.
    - b) Regulations:
      - i) Parking for Casinos 1 space per 15 m<sup>2</sup> (215 ft<sup>2</sup>) (minimum)
      - ii) Landscape Open Space 15% (minimum)
      - iii) Height 16 metres (53 feet) (maximum)
- 3) Section Number 36.4 d) of the Open Space (OS) Zone is amended by adding the following Special Provision:
  - ) OS4(\*) 3334 and 3354 Wonderland Road South
    - a) Permitted Use:

- i) Conservation lands;
  - ii) Conservation works;
  - iii) Passive recreation uses which include hiking trails and multi-use pathways;
  - iv) Managed woodlots;
  - v) Stormwater pipe outlets in association with Casinos.
- b) Regulation:
- i) No minimum lot frontage requirement.

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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019

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





## Appendix E – Public Engagement

### Community Engagement

**Public liaison:** On April 17, 2019, Notice of Application was sent to 11 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 18, 2019. A “Planning Application” sign was also posted on the site.

On June 5, 2019, Notice of Revised Application was sent to 12 property owners in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 6, 2019.

Staff have received 18 replies from 14 respondents

**Nature of Liaison:** The notice advised of possible Official Plan and Zoning amendments to permit a Casino and accessory uses including offices, restaurants, outdoor patios, auditoriums, meeting rooms, amusement game establishments, places of entertainment and stormwater outlets.

The notice advised of a possible amendment to the designation on the rear (east) portion of the property in the *1989 Official Plan* from Multi-family, Medium Density Residential to Wonderland Road Community Enterprise Corridor; *The London Plan* from Neighbourhoods to Shopping Area; and the *Southwest Area Secondary Plan* from Medium Density Residential to Wonderland Road Community Enterprise Corridor. The revised notice advised of a possible added amendment to the *Southwest Area Secondary Plan* to add site specific policies to permit off-street parking, driveways, lanes, and aisles between the building and public sidewalk. The notice advised of a possible amendment to the Zoning from a Holding Light Industrial (h-17·L11/LI7) Zone and an Environmental Review (ER) Zone, to a Commercial Recreation Special Provision (CR(\_)) Zone, an Open Space (OS4) Zone and an Environmental Review (ER) Zone to permit a Casino and accessory uses and the protection of the Pincombe Drain. The special provision for the Commercial Recreation (CR(\_)) Zone would permit a Casino as an additional permitted use and would include a new site-specific definition of Casino. The requested special provision would also include an increased maximum building height of 16m in place of 12m, and a reduced minimum landscaped open space of 15% in place of 25%. The revised notice advised of a possible added special provision to the Commercial Recreation (CR(\_)) Zone to permit a minimum parking rate of 1 space per 20m<sup>2</sup> for a Casino; and a possible special provision to the Open Space (OS4(\_)) Zone to permit a stormwater outlet in association with a Casino as an additional permitted uses and a lot with no minimum lot frontage in place of 15m. The City may also consider the appropriateness of removing the Holding (h-17) provision, which limits the uses on the site to dry uses on individual sanitary facilities, until full municipal sanitary sewer and water services are available to service the site. The City may consider other special provisions and/or holding provisions.

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

#### Concern for:

- decline of the Western Fair District as entertainment venue without a Casino, and the negative impact on horse racing at the Western Fair District;
- fit and compatibility with the surrounding context, including the character of Lambeth;
- too much growth and development in the Southwest Area and loss of “farmland”;
- proximity of the subject lands to residential neighbourhoods with preference for alternative locations for the proposed Casino elsewhere in the City, such as, the Downtown Area, the Western Fair District, Wellington Road South/Highway 401 area, and/or undeveloped areas;

- capacity of road network and the need for road expansion, existing traffic congestion to be exacerbated, and traffic to be generated by the proposed Casino is inconsistent with recent reduction in lanes on Main Street (in Lambeth);
- artificial lighting including up-lighting negatively affecting “dark” sky conditions and natural heritage features and their ecological functions;
- adverse social impacts including addiction to gaming and related mental health, financial and family issues; crime and vandalism;
- clear designations for residential, open space, business and entertainment venues;
- prohibition on front yard parking not achieving desirable public benefits and not sustainable; that this prohibition may be applied differently to the subject lands than other lands; and
- reduction in residential property values.

**Support for:**

- more growth in the Southwest Area;
- creation of jobs in the construction and service industry; and
- “spin-off” benefits for tourism and other businesses, such as the hotel/motel industry.

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

Telephone	Written
John Hlodan 268 Andover Drive London, ON N6J 4T3	Lambeth Community Association Executive C/O Elli Westeinde 3645 Bostwick Rd. N. London, ON N6P 1G9
	Stephanie and Ryan Gonyou 6862 Beattie St. London, ON N6P 1A3
	Southside Group of Companies C/O Zelinka Priamo Ltd. 318 Wellington Rd London, ON N6C 4P4
	Derek Speller 3225 Singleton Avenue London, ON N6L 0B5
	Arlene Bartels 6502 Beattie Street London, ON N6P 1T9
	Elizabeth Millar 85 Broadway Avenue London, ON N6P 1A9
	William Curtis 106 Baseline Road, Apt. 809 London, ON N6J 3V3
	Mark and Suzanne George 3455 Morgan Crescent, Unit 30 London, ON N6L 0C6
	Ryan Fraser 201 King Street, 3rd Floor London, ON N6A 1C9
	Peter Jedicke 82 Barrydale Crescent London, ON N6G 2X4
	Doreen Gysbers 6604 Beattie Street London, ON N6P 1T8
	Bill Vanderwerf London, ON

**From:** Elli Westeinde  
**Sent:** April 18, 2019 5:21 PM  
**To:** Hopkins, Anna; Doc Services  
**Cc:** Melo Cathy; Boyce Joan  
**Subject:** [EXTERNAL] Re: Notice of Application - 3334 & 3354 Wonderland Road South (Ward 9) - Z-9043 - Barb Debbert

Thank you Anna,

Thank for bringing this application to our attention.

Please be advised that we, the Lambeth community Association executive do not support this application.

All communication with residents is consistent in the opinion that the Western Fair District is a much preferred location for this casino operation. Since our ward 9 includes many agricultural operations, many of our residents are directly or indirectly involved in the horse racing industry and we believe that moving the casino away from it's present location would have a negative impact on horse racing and financially impact many of our residents. Both of these operations offer similar gambling opportunities and therefore are potentially mutually beneficial. We have no desire to have a casino in our neighbourhood and prefer they move to another municipality if they are not supportive of existing agricultural based business.

The Western Fair District is more centrally located, has better accessibility and would be a diminished entertainment venue without the casino. We see Wonderland Road as a business corridor and downtown as more of an entertainment district. We would like the City to support clear designations for residential, open space, business and entertainment venues, and not support a mish mash of uses according to the whims of applicants, real estate developers etc. Please consider this communication in your due diligence for this application?

Best Regards,  
Elli Westeinde,  
Chair, Lambeth Community Association  
3645 Bostwick Rd. N. London On. N6P 1G9

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**From:** Stephanie Gonyou  
**Sent:** Saturday, April 20, 2019 6:58 AM  
**To:** Hopkins, Anna <ahopkins@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>  
**Cc:** City of London, Mayor <mayor@london.ca>; Communications <COCC@london.ca>  
**Subject:** [EXTERNAL] Possible casino

Hello,

I am writing to express my concern with Gateway Casino's zoning request in southwest London. I am 37 years old and a mother of 4, with my husband here in Lambeth. Again, I am deeply concerned having been a resident of Lambeth for almost 8 years. I wanted to make it very clear that a casino is not wanted in this area. This is a very tightknit community and (even with all the development) a very residential area of London. While I understand that a casino has the potential of being great for the economy, many Lambeth and Westmount families have been scarred and torn apart from the addictive and harmful nature of this type of gambling establishment. I know because I have dealt with this firsthand. I know some residents would be forced to move if a casino were to pop up in this neighbourhood. I beg you to consider an area that is not already developed residentially. It should not be put in as an afterthought to already developed and developing communities. If anything it should be far away from family homes, in an area that is not yet developed or in its current space - where the residents are used to a casino.

Thank you for your time. If you have any further information please let me know,

Ryan and Stephanie Gonyou  
6862 Beattie St.



May 10, 2019

Development Services  
City of London  
300 Dufferin Avenue, 6<sup>th</sup> Floor  
PO Box 5035  
London, ON N6A 4L9

Attention: Barb Debbert

Dear Barb,

**Re: 3334 and 3354 Wonderland Road South (OZ-9043)**  
**Our File: SSD/LON/12-02**

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We are the planning consultants for the Southside Group of Companies ("Southside") who own lands on both sides of Bradley Avenue, east and west of Wonderland Road South, including lands immediately adjacent to the subject site, designated as part of the Wonderland Road Community Enterprise Corridor. The Southside lands south of Bradley Avenue have been recently approved by the Local Planning Appeal Tribunal (LPAT) for commercial use.

As part of the Southside approval process, and to this date, City Planning staff have taken the position that the Urban Design policies of the Southwest Area Plan must be interpreted to prohibit parking, driveways, lanes or aisles between commercial buildings and the public sidewalk. This is being applied equally to retail and service commercial uses, which include commercial recreation uses.

We note with interest that the Notice of Planning Applications makes no reference to the applicant seeking to amend the Official Plan to remove this prohibition (as interpreted by staff), on front yard parking, yet the applicant's site concept proposes parking areas in front of the casino.

While we do not agree that the SWAP policies require such a prohibition, we believe that there is a requirement:

(a) for the applicant to file a revised request (with new notice) for an Official Plan Amendment to amend the SWAP urban design policies with respect to their application; OR

- (b) for the planning staff report to recommend refusal of the application as they did for the abutting Southside lands in part for failure to show how the proposal will comply with the SWAP urban design policies; OR
- (c) for the planning staff report to acknowledge that the SWAP urban design policies have sufficient flexibility to accommodate limited and carefully designed parking between commercial buildings and the public sidewalk in a manner that will activate the street frontage.

We believe that the City Planning staff's interpretation of the SWAP policies is not achieving the desirable public benefits that were intended. Moreover, this approach to the design of the Corridor is not a sustainable one.

However, Southside will not accept that the stated rules would be applied differently to the subject lands than to the Southside lands, particularly since the proposed casino would be a "destination use" and a key determinant of the character of this "gateway" area.

Thank you for your attention to our concerns. We ask to be notified when plan or report updates are received, and notified of future meetings on this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



Richard Zelinka, MES, MCIP, RPP  
Principal Planner

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**From:** Carson, Melonie On Behalf Of Van Meerbergen, Paul  
**Sent:** Tuesday, May 28, 2019 3:31 PM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Cc:** Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Swartman, Amanda <aswartman@london.ca>; Carson, Melonie <mcarson@london.ca>  
**Subject:** FW: GATEWAY CASINO

Hi Barb,

Councillor Paul Van Meerbergen has received the below email in regards to the Gateway Casino – 3334-3354 Wonderland Rd S:

“Good evening Paul.....while this is early in the process, I have just watched CTV coverage of a lease arrangement for . Gateway Casino that will be located in Ward 10. The coverage indicated that public input will be sought as rezoning is taking place.

I anticipate and expect you will actively seek residents input into this potential addition to Ward 10 in an area under constant growth and the overwhelming traffic that accompanies it.

Having downsized and built a residence in 2013 we have witnessed, along with other residents, constant residential, retail and road expansions to the point of fatigue. We are not naive to expansion when it comes to new sub-divisions, however, the potential addition of a casino brings with it some perceived negatives even after the construction fallout has departed and the casino is ready for business.

During your campaign you rang our doorbell and we chatted for about 15 minutes. You expressed at that time limited knowledge about this part of the Ward as it was in Ward 9 at the previous election. Some of the concerns I have mentioned above I have addressed at planning committee meetings at City Hall during the past 5 years; Sifton participated in dealing with those concerns as the neighbourhood grew.

I look forward to an early Ward meeting that would address this pending issue.

Thanking you in anticipation.....Derek Speller 3225 Singleton Avenue”

I thought I would pass along these comments and provide you with the residents contact information if want to reach out to the resident directly to provide more information.

Derek Speller

Thank you in advance,

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**From:** Arlene Bartels  
**Sent:** Thursday, June 6, 2019 10:55 AM  
**To:** Campbell, Melissa <mecampbe@london.ca>  
**Subject:** [EXTERNAL] Casino near Lambeth

Good Morning,

I am a concerned citizen residing in Lambeth. Lambeth is known as a quaint and beautiful place to live near the beautiful country open air but close to town. Lambeth is quiet and is currently being made into a sweet town, where the lanes were reduced down to one lane on main street and walkways/sidewalks created to walk through lambeth and visit the wonderful towns and restaurants. The city wanted a small town, quaint feeling

My concern is the casino proposed to be placed on wonderland/ wharncliffe. Does it make sense to do a casino close to what is supposed to be a quiet quaint town tourists can walk through and enjoy? It seems to me we will bring down the value of homes, we will encourage people with gambling addictions to frequent lambeth, we will increase traffic in our reduced lanes through main street. It seems really strange to do casino. Research shows it brings properties down in value and brings all sorts of people with gambling addictions into our quiet and quaint lambeth.

Please do not create a casino here in this beautiful and quiet area of London. Many people have written to our city councilor with no response and most here in lambeth are really against this.

Thankyou for reading my concern. Could you allow lambeth residents to vote on this and byron residents who also are upset about this. Could you consider a Walmart or small lambeth mall instead??

Thankyou  
Arlene Bartels

6502 Beattie Street , Lambeth

**From:** the.millars  
**Sent:** Thursday, June 6, 2019 1:29 PM  
**To:** Campbell, Melissa <mecampbe@london.ca>  
**Subject:** [EXTERNAL] CASINO.

I have been advised that you are the person that I should contact regarding the site change of the Casino to Wonderland.

I live in Lambeth and am very,very upset by this proposal.

I moved to Lambeth because of the small town appeal.In the last few years I have watched soo much of the beautiful farmland being destroyed and turned into housing developments I feel that the land is being ravaged. It makes me cry.

The last thing that Lambeth needs is to have a Casino in such close proximity. Please please take this email seriously.Let the people know that you are working for them and that what matters to us matters to you

Please send this message on to the Mayor's office

Thank-you.

I look forward to hearing from you

Elizabeth Millar.

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**From:** Arlene Bartels  
**Sent:** Friday, June 7, 2019 11:28 AM  
**To:** City of London, Mayor <mayor@london.ca>  
**Subject:** [EXTERNAL] Proposed Casino

Good morning.

I hope this email finds you well. I am reaching out to you in regards to the proposed Casino to be placed just outside Lambeth on Wonderland/wharnccliffe area.

Many lambeth residents have reached out to city councillors and city of London in regards to this proposed Casino with no response. Currently there is facebook Lambeth group concerned for our "lovely Lambeth" and discussing this proposal. As a Lambeth resident, I share with others a deep concern about a casino in this area.

The city has worked hard to create a small, country town feel here recently. They have put 2yrs of construction to create a quaint village where you can walk the streets of Lambeth and check out the cute shops/cafes down Main street. Lambeth is a quiet almost rural place to live, low crime rate and quaint. Very quiet and very beautiful. This casino will drastically change the view of Lambeth and even change how people view the possibility of living in Lambeth.

We are concerned for the following reasons:

- 1) increased traffic in the now reduced to one lane in Lambeth.
- 2) statitics show crime rate always increases around casino's due to gambling addictions, drug use and theft.
- 3) house values drop due to increased crime and high traffic volume
- 4) lambeth will be commercialized and not a quaint village. People will reconsider moving there as most people dont want to live near a loud and busy casino.
- 5) it's the wrong area for a casino. This is a small little town not able to accomadate all that goes with a casino in terms of traffic, police surveillance/patrol due to crime.
- 6) traffic is already heavy during busy commute times and lots of young families are in the area. Kids biking around, people walking dogs, sports events...this will make it quite crazy and busy and we will really have to watch the safety of our kids. Casinos bring in all sorts of people including criminals/gangs.



If theres anything you can say or do to change this proposal or encourage the casino to be moved to another location the Lambeth residents will be thankful. I would hope revenue for London doesn't win out to the safety and the welfare of residents. Can we not pick a more remote, commercialized area...??

Thankyou for reading my email and any help you can offer.

Arlene Bartels  
Lambeth resident, Beattie Street.

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**From:** Stephanie Gonyou  
**Sent:** Friday, June 14, 2019 2:40 PM  
**To:** Campbell, Melissa <mecampbe@london.ca>  
**Subject:** [EXTERNAL] Re: Possible casino - OZ-9043 - 3334 and 3354 Wonderland Road

Hi Melissa, thanks for the update.

I also wanted to make one more note. As part of our very own London Plan (under CityBuilding Policies) 199\_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood's character and demonstrate how the proposal has been designed to fit within that context. I would be interested to see how this proposed casino would fit into the neighbourhood. Also, as laid out in The Our Tools chapter under EVALUATION CRITERIA FOR PLANNING AND DEVELOPMENT APPLICATIONS, it is made very clear that the adjacent neighbourhood would be greatly affected. I would love to see all the reports, when presented, that address the impact of the proposed casino on TRANSPORTATION MATTERS, CULTURAL HERITAGE MATTERS and NUISANCE MATTERS.

Thank you so much,  
Stephanie Gonyou

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**From:** William Curtis  
**Sent:** Wednesday, June 19, 2019 9:21 PM  
**To:** Tomazincic, Michael <mtomazin@London.ca>  
**Subject:** [EXTERNAL] Casino

I am sending this e-mail in regards to the casino proposed for London On. Canada. I feel that this project is so very important to this city as a whole. As I do realize that steps are necessary for any big project in the city I feel as a citizen this is taking far too long. This project will not only see the construction industry create jobs but the full and part time jobs this will create is amazing. There will be full and part time jobs for the food industry, The motel industry and the casino industry. Not to mention the people who come to the city from all around us. They will stay at our motels and eat at our restaurants and shop at our stores. That is only a positive for the city. I for one will like to have some of my guests stay in the motel planned and eat in their restaurants. I would also like to see more communications between the planning committee and the citizens of our city.

I have talked to a lot of my friends and they are in agreement that if this is not resolved soon the casino would move to a city like St Thomas. This would be a great LOSE for our city.

I can be reached at

Thank you for taking time to read this e-mail and I hope that this project can soon take some positive steps forward Thank You

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**From:** George  
**Sent:** Saturday, June 22, 2019 9:27 AM  
**To:** Planning <Planning@london.ca>  
**Subject:** [EXTERNAL] Proposed casino

London Planning

I feel the residents in the neighbourhood have not been well informed. In past when a change in planning by the city has been proposed we have been notified by mail. We feel that the proposed casino will have a far reaching effects on the area. The wildlife will be devastated, the traffic on the already busy streets will drastically increase, the light pollution will be 24/7/365 and the noise pollution will dramatically increase for a residential area. This neighbourhood is not the area for a casino.

Sincerely  
Mark & Suzanne George  
Morgan Cres.  
Sent from my iPad

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**From:** Peter Jedicke  
**Sent:** Tuesday, June 25, 2019 11:37 AM  
**To:** Morgan, Josh <joshmorgan@london.ca>  
**Subject:** [EXTERNAL] casino lights

Hello Josh,  
the London Free Press reports on the proposal to build a large casino in southwest London. I'm concerned that the plan might include bright lights pointing up into the sky, as shown in illustration. This is light pollution and it's unnecessary. The night sky is a shared common asset of all of us. Let the casino owners find other avenues for marketing. Can I ask you to keep this in mind when you look over the details of the casino proposal?

Sincerely,  
Peter Jedicke  
amateur astronomer

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**From:**  
**Sent:** Tuesday, June 25, 2019 12:10 PM  
**To:**  
**Cc:** City of London, Mayor <mayor@london.ca>; van Holst, Michael <mvanholst@london.ca>; Lewis, Shawn <slewis@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Lehman, Steve <slehman@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Turner, Stephen <sturner@london.ca>; Pelozza, Elizabeth <epelozza@london.ca>; Kayabaga, Arielle <akayabaga@london.ca>; Hillier, Steven <shillier@london.ca>  
**Subject:** [EXTERNAL] Gateway Casino design Light Pollution issues as reported in the LFP today.

Hi Folks;

As the owner of a local business, I'd like to make a commentary in regards to the LFPpress article posted to day on the plans for the new Gateway Casino, and a concern which this has raised.

In the mock-up images shown, the design of the building includes a number of spotlights and other lights pointing up to the night sky. There is significant evidence that

lights pointed up to the sky has a major detrimental impact on bird migration, human sleep and health, as well as the ability to undertake astronomical research. Light pollution has also been shown to have a negative aspect on employee productivity.

On a personal note, as a former resident in that specific area of London, five years ago we moved our family away from that part of town, as the light pollution generated by new development in the commercial corridor around Wonderland & Southdale was poorly implemented. The degradation of the area was particularly noticeable during winter nights, when bright white LED lights reflect off fresh snow and low clouds.

It would be greatly appreciated if the final design adheres to best practices for the control of light pollution, including following the rules the City of London has recently adopted in regards to the Fatal light Pollution Awareness Program (FLAP). There should be no upwards pointing light at all in the facility, and reasonable steps should be taken to prevent spillage of light into the surrounding neighbourhood. The designs, as shown appear to be the exact opposite.

Our business strives to be a good neighbour to our city's residents, and the clients we work with also have a strong tendency towards environmental stewardship. Together, we represent millions of dollars of economic impact here in London. We would very much like to see Gateway be a responsible neighbour in this project. Our business is happy to see economic development in the city – but not if the environmental and quality of life aspect of our city will be compromised in the process. I would appreciate any and all help from the parties cc'd on this email to ensure the final design is one that our city and its residence can be proud of, with a more acceptable design that respects our City's light pollution standards than the one shown in today's London Free Press.

Sincerely,

Ryan Fraser  
CEO, Quiet Legacy Planning Group

Ryan Fraser, CFP CIM  
3rd Floor, 201 King Street  
London, ON  
N6A 1C9

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**From:** Denise Swaenepoel  
**Sent:** Friday, June 28, 2019 2:09 PM  
**To:** Hopkins, Anna <ahopkins@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Peloza, Elizabeth <epeloza@london.ca>  
**Subject:** [EXTERNAL] Gateway Casino Rezoning

Good afternoon Anna, Paul and Elizabeth,

I wanted to connect with the three of you at the Community information meeting on July 8th but will be unable to attend. That being said, I wanted to formally express concerns on behalf of New Hope Community Church in Lambeth.

At New Hope, our vision is connecting people with God and each other. We run several programs that help the community and many of our programs are filled with people from the surrounding communities.

Our current programs are as follows:

For people in crisis:

- Grief Share – for those suffering with the loss of family or friends
- Divorce Care – for those suffering with the loss of a relationship
- One to One – for people in various types of crisis who need someone to walk with them through their challenge

-Teen Challenge - New Hope is the home church for the students attending Teen Challenge (recovery program for people suffering the affects of addictions)

For families:

- Summer camp - for kids from age 5-11 years old
- Movie nights - family movies both indoor and outdoor throughout the year
- Kids Night out - for kids from age 5-11 years old on Tuesday nights
- Youth events - throughout the year at various locations
- Life Groups - people with like minded interests who meet weekly to share their own challenges and needs and encourage one another

Our concern with having another casino in London is the increased pressure on the community to support those with health/addiction issues as a result of having a casino in the community. New Hope already provides aid to the community in many different ways, helping to support people during crisis and time of need. Having a casino in the community would increase the need for support and would impact our other programs. I am available to discuss this issue at any time and can be reached at the number below. I trust that you will consider our concern.

I am happy to have had the opportunity to get to know you, Anna over the past couple of years, and also glad to have had the opportunity to work with you, Paul during my time as an Assistant to the Councillor's office (2005-2009).

Thank you so much,  
Denise

Denise Swaenepoel  
Executive Pastor

NEW HOPE COMMUNITY CHURCH  
4009 Colonel Talbot RD  
London, ON N6P 1E8

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**From:**

**Sent:** Monday, July 8, 2019 7:40 PM

**To:** epoloza@london.ca; Hopkins, Anna <ahopkins@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>

**Cc:** Campbell, Melissa <mecampbe@london.ca>

**Subject:** [EXTERNAL] Feedback from tonight's Gateway Info session.

Hi Folks;

Thanks for taking the time to set this up tonight, it was helpful.

I have 3 pieces of feedback for you:

- 1) I had a chance to speak with the architects on the file. As per my concern re lighting (below this email), while they have assured me that proper lighting will be in place in most spaces, they did indicate that Gateway wished the building to "Glow" from Wonderland to attract folks in. I would strong prefer this not to be the case, or that any such glow be completely minimized to avoid creep into the neighbourhood. They also indicated that they would like bring skylights in for "special occasions". This should not be acceptable to city hall under any circumstances.
- 2) They indicated an expected average load of 70% of the roughly 1000 parking spots, but had no details on the expected in-out traffic flow. As you no doubt are aware, Wonderland & Southdale area traffic has been a nightmare for the last couple of years due to construction, and the natural bottleneck where Southdale drops to one lane west of Wonderland. Additionally, Wonderland south of Bradley remains in poor shape, and last year's construction is still not completed. I would have significant concerns with a 70% parking fill rate with any reasonable amount of turnover, particularly for special

events. To my mind, the situation seems similar to the North end Costco in size and scale, and I can attest how hard it is to get in and out safely at that location.

Paul, I moved out of your riding shortly after the massive retail development in that area, into Anna's. I think its safe to say that while the Casino will bring benefits to the city as a whole, I can see many folks concerned about the desirability of the neighbourhood dropping as we continue to devalue residential qualities over commercial in that area. Traffic is a huge part of this. Council should have a very good handle on this before any approval goes ahead.

3) As a point of feedback that may be helpful to you as councilors, most of the folks in the back right of the room were very, very concerned about the casino being in that location in general. I don't share all of their concerns, (Personally, I'm neutral on the site provided that Gateway is a respectful and good neighbor and implements appropriate design choices ), but I would suggest to you that if the 20 or so people in that corner at all represent your local constituents that you will have a lot of opposition on your hands. There appeared to be a strong constituent from Lambeth & Westmount where I was sitting, and there was much discussion about the impact of the Casino on local residential crime rates and traffic flow. Folks were really having a hard time understanding "why us" and "why near our homes". When the one lady who asked Anna a question said "it's a done deal" and no one from the council said otherwise, there were a lot of upset folks saying to each other "What a waste of time" and "What is the point of this then?". I'm aware that it is not a done deal – but you had darn well better make the point to folks that its still up in the air. I don't think they understand what a rezoning application entails. Some general education to the public in London on this would probably be a wise investment of time. I know this is hard with your roles being Part-Time, but I think city money would be well spent on making this process better understood in general by the public.

Appreciate all you are doing for the city, and that you have to be on the receiving end of a lot of complaints and concerns, and that you took the time to do this tonight.

Many thanks,  
Ryan Fraser

Ryan Fraser, CFP CIM  
CEO  
Quiet Legacy Planning Group Ltd.  
3rd floor, Innovation Works  
201 King St.  
London, ON N6A 1C9

## COMMUNITY MEETING FEEDBACK

- Comments -

Name (Please Print Clearly)

[REDACTED]

Email Address

[REDACTED]

Mailing Address (Including postal code)

[REDACTED]

Contact Number

[REDACTED]

Additional Comments/Feedback on future Ward meeting topics:

(Please use the back of the page should you require more space)

NO - Not in favour of zoning change or Gateway  
Casinos moving into this area. They should stay  
@ Fairground (ENTERTAINMENT District) LOCATION and  
be in support of horse racing and agricultural  
auxillary businesses in Westminster Townships.

[REDACTED]

PS: I believe this company from BC. is still under  
fine for money laundering in B.C.

I give my Councillor (Councillor Elizabeth Pelozo) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.

## COMMUNITY MEETING FEEDBACK

- Comments -

Name (Please Print Clearly)

Doreen Gysbers

Email Address

Mailing Address (Including postal code)

6604 Beattie St, London, Ont

Contact Number

Additional Comments/Feedback on future Ward meeting topics:

(Please use the back of the page should you require more space)

Infrastructure (Road) Concern.

1) Significant road congestion to be expected if there are 2 lanes (with a right hand turning lane only).

- you would need 3 lanes in each ~~direction~~ direction ; this development should trigger this (much traffic will come into city)



I give my Councillor (Councillor Elizabeth Pelozo) consent to disclose my personal contact information to City of London Staff in order to investigate the concerns I have outlined above.

**From:** biline

**Sent:** Monday, July 8, 2019 6:41 PM

**To:** Hopkins, Anna <ahopkins@london.ca>

**Subject:** [EXTERNAL] Gambling site rezone

Hello Anna Hopkins.

In regard to tonight's meeting at Bostwick library re:rezoning.

I am not able to attend tonight's meeting.

But I would like to say that I am opposed to the rezoning to accommodate a gambling casino facility.

I believe that it does not benefit society at large. It promotes greed and leads to misuse of money and family breakdown in many cases.

As a society we should discourage gambling of any sort or lotteries., or drugs (marijuana) a starter drug. which leads to harder drugs, or alcohol consumption, instead of promoting these things.(more stores, longer hours ect.

See all the misery it results in.

I know cities, governments only look at the taxes it will bring in.

But would it not be nice, if leaders would look beyond the dollars, and do what is wholesome and upbuilding for society.

Regards

Bill Vanderwerf  
London

### **Agency/Departmental Comments**

#### ***June 23, 2019: Transportation Planning and Design***

- We have no outstanding concerns related to parking as I understand that the Consultant will be completing their study based on information gathered from other similar casino sites.
- We understand that a TIA will be prepared and submitted as part of the site plan approval process and that this study will identify any required roadway improvements associated with this development.

#### ***April 23, 2019: London Hydro Engineering***

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment.

#### ***May 16, 2019: Upper Thames River Conservation Authority (“UTRCA”)***

- The UTRCA has no objections to the proposed amendments to the Official Plan and Zoning By-law. We have provided comments on the Site Plan Application (SPA19-027) and trust the final design of the site will be determined through the Site Plan and the Section 28 permit requirements.

#### ***June 17, 2019: London Hydro Engineering***

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new and/or relocation of existing infrastructure will be at the applicant's expense.

## **Appendix F – Policy Context**

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

### **Provincial Policy Statment**

Policy 1.1.1. a) and e) – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Policy 1.1.3.1 – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.2 a) and b) – Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.3.1 a) through c) – Building Strong Health Communities, Employment

Policy 1.7.1 a) through d), g) and j) – Building Strong Health Communities, Long-Term Economic Prosperity

Policy 2.1.1 – Wise Use and Management of Resources, Natural Heritage

Policy 2.1.4 – Wise Use and Management of Resources, Natural Heritage



Policy 2.1.5 – Wise Use and Management of Resources, Natural Heritage  
Policy 2.1.6 – Wise Use and Management of Resources, Natural Heritage  
Policy 2.1.7 – Wise Use and Management of Resources, Natural Heritage  
Policy 2.1.8 – Wise Use and Management of Resources, Natural Heritage  
Policy 2.2.1 – Wise Use and Management of Resources, Water  
Policy 2.2.2 – Wise Use and Management of Resources, Water  
Policy 3.1.1 – Protecting Public Health and Safety  
Policy 3.1.3 – Protecting Public Health and Safety

### **The London Plan**

\*Policy 193\_ 2. through 5.– City Building Policies, City Design, What Are We Trying To Achieve  
\*Policy 197\_ – City Building Policies, City Design, How Are We Going To Achieve This, Character  
\*Policy 199\_ – City Building Policies, City Design, How Are We Going To Achieve This, Character  
Policy 252\_ – City Building Policies, City Design, How Are We Going To Achieve This, Site Layout  
Policies 268\_ – City Building Policies, City Design, How Are We Going To Achieve This, Site Layout  
Policy 269\_ – City Building Policies, City Design, How Are We Going To Achieve This, Site Layout  
\*Policy 270\_ – City Building Policies, City Design, How Are We Going To Achieve This, Parking  
\*Policy 272\_ – City Building Policies, City Design, How Are We Going To Achieve This, Parking  
\*Policy 278\_ – City Building Policies, City Design, How Are We Going To Achieve This, Parking  
\*Policy 281\_ – City Building Policies, City Design, How Are We Going To Achieve This, Parking  
\*Policy \*282\_ – City Building Policies, City Design, How Are We Going To Achieve This, Parking  
\*Policy 283\_ – City Building Policies, City Design, How Are We Going To Achieve This, Parking  
\*Policy 284\_ – City Building Policies, City Design, How Are We Going To Achieve This, Site Buildings  
\*Policy 789\_4. – Place Type Policies, Urban Place Types, General Framework  
Policy 871\_ – Place Type Policies, Urban Place Types, Shopping Area, Our Vision for the Shopping Area Place Type  
Policy 872\_ – Place Type Policies, Urban Place Types, Shopping Area, Our Vision for the Shopping Area Place Type  
Policy 874\_ – Place Type Policies, Urban Place Types, Shopping Area, Role within the City Structure  
Policy 875\_ – Place Type Policies, Urban Place Types, Shopping Area, Role within the City Structure  
Policy 876\_ – Place Type Policies, Urban Place Types, Shopping Area, How Will We Realize Our Vision  
Policy 877\_1. and 3. – Place Type Policies, Urban Place Types, Shopping Area, Permitted Uses  
Policy 878\_2. through 6. – Place Type Policies, Urban Place Types, Shopping Area, Intensity  
\*Policy 879\_1. through 5., 7. and 8. – Place Type Policies, Urban Place Types, Shopping Area, Form  
Policy 880\_ – Place Type Policies, Urban Place Types, Shopping Area, Applications to Add New or Expand Existing Shopping Area Place Types  
Policy 881\_2.-4. – Place Type Policies, Urban Place Types, Shopping Area, Applications to Add New or Expand Existing Shopping Area Place Types  
\*Policy 1350\_1. and 2.  
Policy 1393\_ – Environmental Policies, Natural Heritage, Permitted Uses and Activities, Development and Site Alterations

- \*Policy 1412\_ – Environmental Policies, Natural Heritage, How Will We Protect The Natural Heritage System, Ecological Buffers
- \*Policy 1413\_ – Environmental Policies, Natural Heritage, How Will We Protect The Natural Heritage System, Ecological Buffers
- Policy 1431\_ – Environmental Policies, Natural Heritage, How Will We Protect The Natural Heritage System, Environmental Impact Studies
- Policy 1432\_ – Environmental Policies, Natural Heritage, How Will We Protect The Natural Heritage System, Ecological Buffers
- Policy 1433\_ – Environmental Policies, Natural Heritage, How Will We Protect The Natural Heritage System, Ecological Buffers
- Policy 1444\_ – Environmental Policies, Natural and Human-Made Hazards, Why Are Natural And Human-Made Hazards Important To Our Future
- Policy 1445\_1. though 4. and 6. – Environmental Policies, Natural and Human-Made Hazards, What Are We Trying To Achieve
- Policy 1552\_ – Environmental Policies, Natural Resources, How Are We Going To Achieve This, Wellhead Protection Areas, Significant Groundwater Recharge Areas And Highly Vulnerable Aquifers
- Policy \*1578\_ – Our Tools, Evaluation Criteria for Planning and Development Applications
- \*Table 8 – Summary of Minimum and Maximum Heights by Place Type
- \*Map 1 – Place Types
- \*Map 3 – Street Classifications
- \*Map 5 – Natural Heritage Features
- \*Map 6 – Hazards and Natural Resources

### **1989 Official Plan**

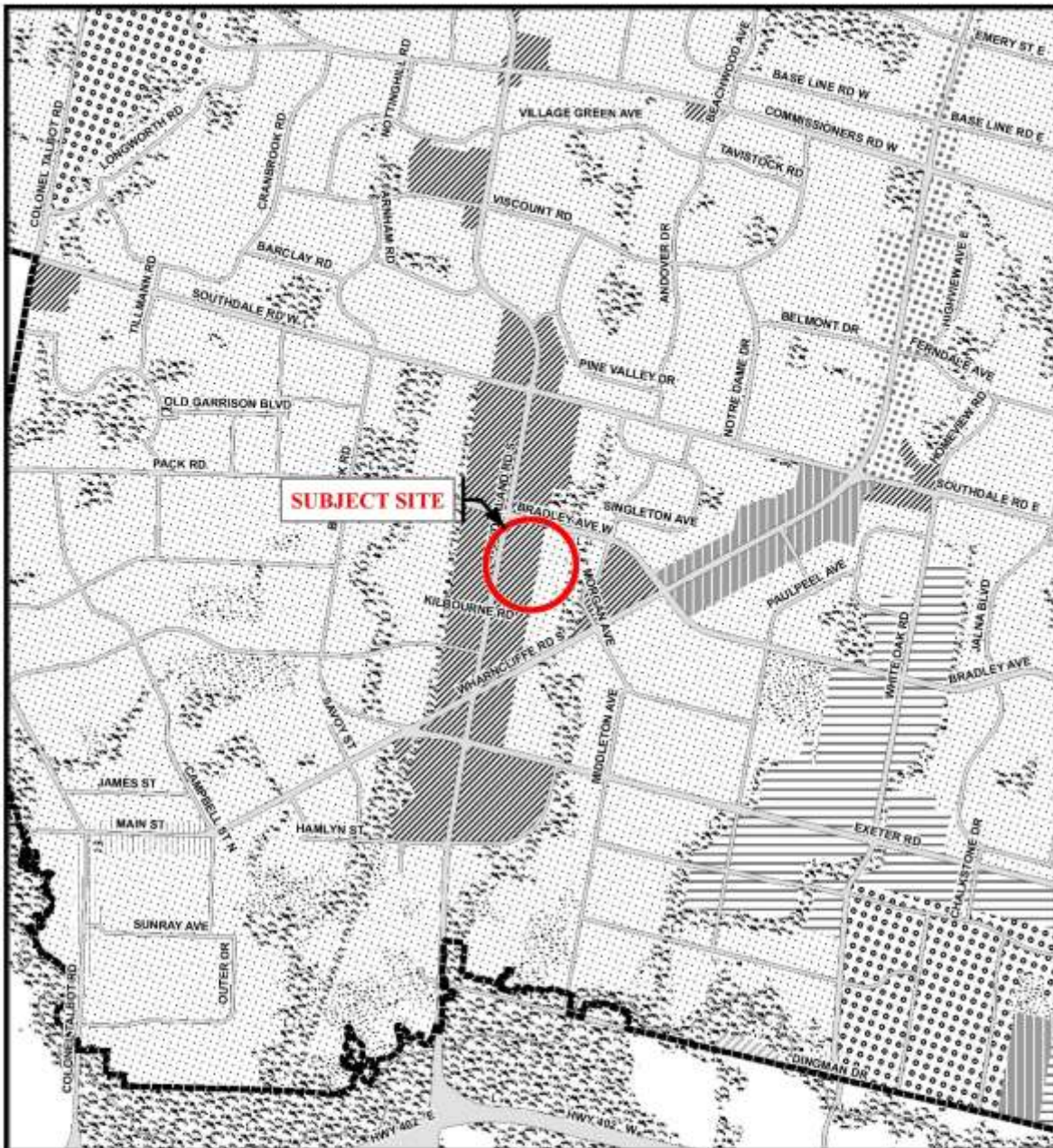
- Policy 2.3.1 ii) and vii) – Planning Framework, Planning Principles, Planning Principles
- Policy 4.8.2 – Downtown and Commercial Land Use Designations, Wonderland Community Enterprise Corridor, Function of Corridor
- Policy 4.8.3 – Downtown and Commercial Land Use Designations, Wonderland Community Enterprise Corridor, Permitted Uses
- Policy 15.3.6 i) and ii) – Environmental Policies, Natural Heritage Areas Designated As Open Space, Ecological Buffers
- Policy 15.5.1 i) and ii) – Environmental Policies, Environmental Impact Studies and Subject Lands Status Reports, Purpose of Environmental Impact Studies
- Schedule “A” – Land Use
- Schedule “B1” – Natural Heritage Features
- Schedule “B2” – Natural Resources and Hazards
- Schedule “C” – Transportation Corridors

### **Southwest Area Secondary Plan**

- Policy 20.5.1.3 – Introduction
- Policy 20.5.3.9 – General Policies, Urban Design
- Policy 20.5.6.1 i) – Wonderland Boulevard Neighbourhood, Wonderland Community Enterprise Corridor, Intent
- Policy 20.5.6.1 ii) – Wonderland Boulevard Neighbourhood, Wonderland Community Enterprise Corridor, Permitted Uses
- Policy 20.5.6.1 iv) – Wonderland Boulevard Neighbourhood, Wonderland Community Enterprise Corridor, Compatibility Between Land Uses
- Policy 20.5.6.1 v) a), b) and d) – Wonderland Boulevard Neighbourhood, Wonderland Community Enterprise Corridor, Intensity
- Policy 20.5.6.1 vi) a), c) – Wonderland Boulevard Neighbourhood, Wonderland Community Enterprise Corridor, Built Form
- Schedule 5 – Wonderland Boulevard Neighbourhood

## Appendix G – Relevant Background

### Additional Maps



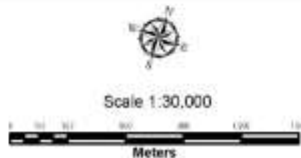
**Legend**

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

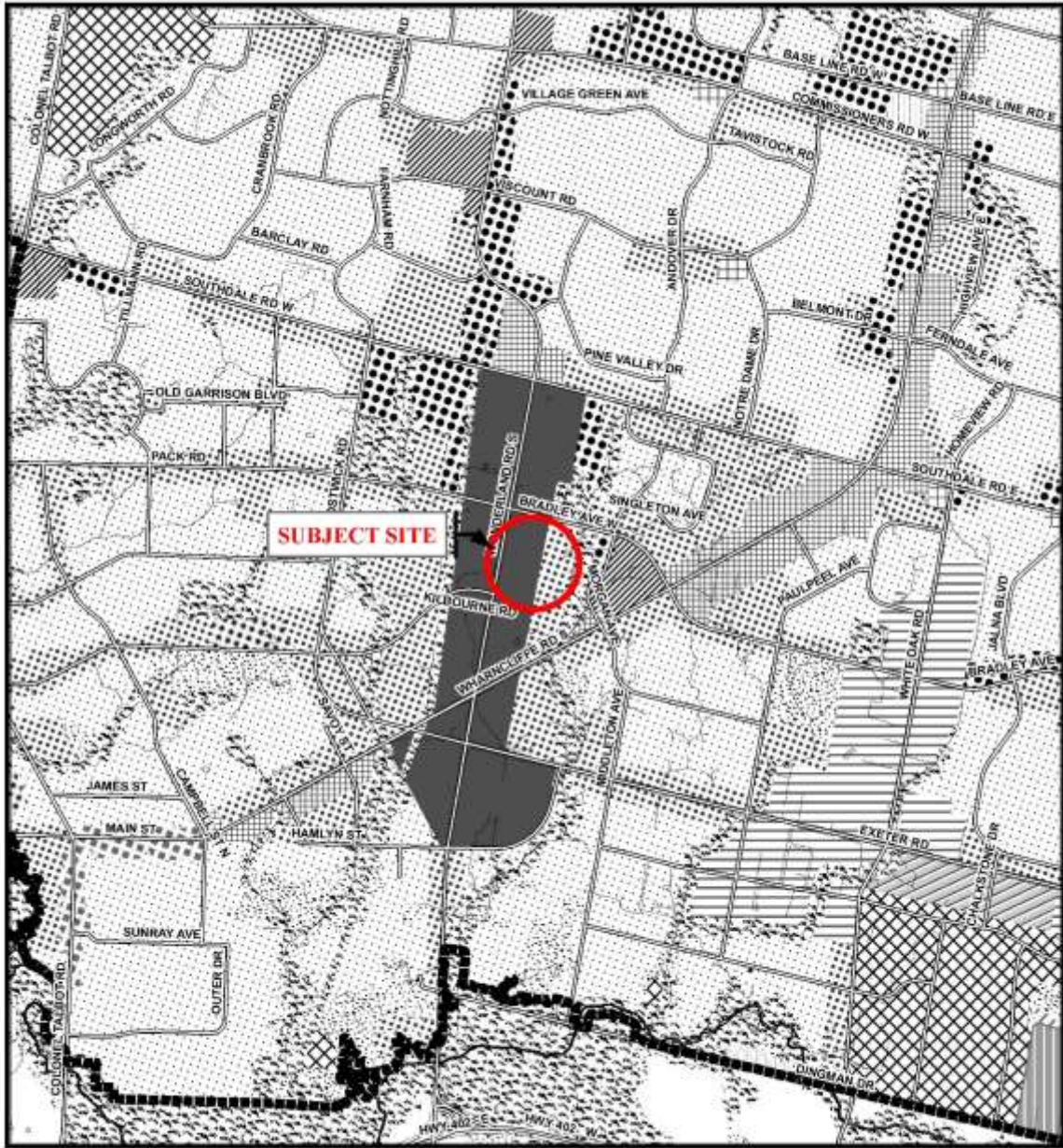
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations:*

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

**CITY OF LONDON**  
 Planning Services /  
 Development Services  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**  
 PREPARED BY: Planning Services



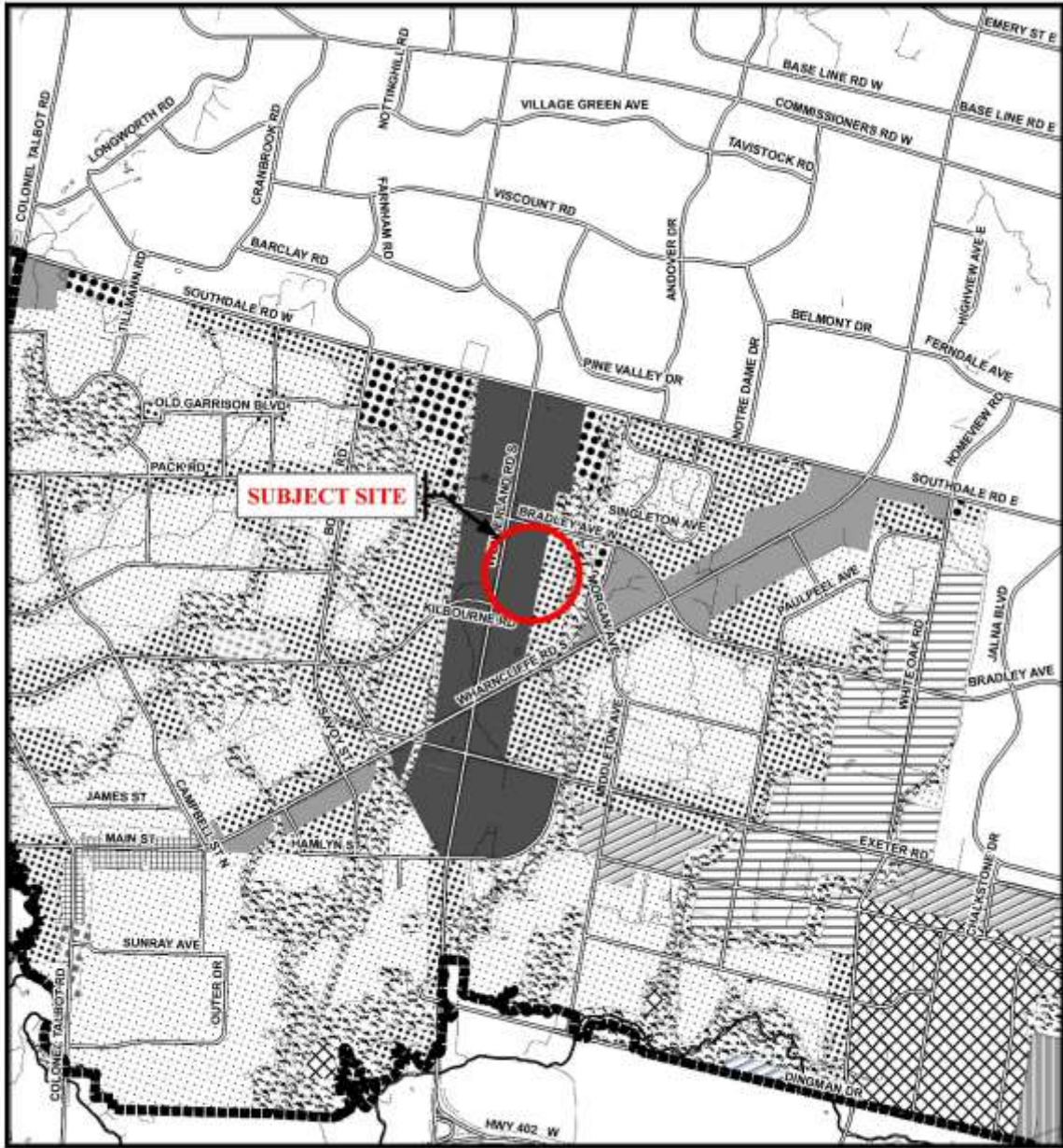
**File Number:** OZ-9043  
**Planner:** MC  
**Technician:** RC  
**Date:** June 17, 2019



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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8043</p> <p>PLANNER: MC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/05/17</p>
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Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services</p> <p>SOUTHWEST AREA STUDY SECONDARY PLAN                  - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8043</p>
		<p>PLANNER: MC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/06/17</p>



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9043

MC

MAP PREPARED:

2019/06/17

rc

1:3,000

0 15 30 60 90 120  
 Meters

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.11 PUBLIC PARTICIPATION MEETING – Application – 3334 and 3354 Wonderland Road South (OZ-9043)

- Scott Allan, MHBC, on behalf of Gateway Casinos – advising that with him today are several representatives of the Gateway project team who will be glad to answer any questions Committee members may have; providing a short presentation to supplement the information provided by Ms. M. Campbell, Manager, Development Planning, and he just wanted to advise that the presentation may exceed five minutes but will not exceed ten, and they would like your approval to present that; (*Councillor A. Hopkins asking the Committee if they are agreeable to an extension of five minutes, not to exceed ten minutes.*); expressing support for the findings and recommendations of the planning staff report presented by Ms. M. Campbell, Manger, Development Planning, and he would also like to thank staff and extend their appreciation for all your assistance through this process; stating that it has been a truncated exercise and he appreciates that effort.
- Amanda Fics, Intern Architect, Cumulus Architects – thanking the Committee for the opportunity to present here today, another chance to share and describe the spirit and intent of the design of both the site and the building of this proposal; stating that it is currently going through the site plan control application process with the City and through that we have had numerous opportunities to meet with City staff to discuss and review the design of the forecourt area between Wonderland Road and the building façade, which is the image that you are seeing here on the screen; outlining that through this iterative and productive process we believe that the outcome of the design is the better for it, and we are here to share some of that with you here today; starting off looking at the overall site experience, highlighting considerations for transit access from Wonderland Road, the pedestrian experience described by the second image, through to active transportation options and considerations such as cycling, through to the future passive recreation zone to the east of the site; moving from the overall site experience, she would like to spend some time focusing on the spirit of the future forecourt space that we were talking about previously, the vision for that space and how it might be used, and for an event space for varying activities such as car shows through to markets were represented by the images that we see on the screen here; starting with the site plan overall and just to orient everyone, to the bottom of the screen is Wonderland Road which is the west edge of the site, and up to the top of the screen is the Pincombe drain, at the top of the screen which is the east extent of the site; this primary East-West connection through the site is identified by the black-dotted line that is running through there and that connects the public sidewalk up at Wonderland all the way through to the re-naturalized Pincombe drain, from its current condition of the existing cement plant to this future passive recreation zone; starting off, the big circle at the bottom of Wonderland is identifying a proposal to relocate the existing transit stop, directly located in line with this main East-West pedestrian walkway, transitioning through the forecourt edge, one of the spaces that defines that edge - built up with built-form, enhanced landscaping elements and urban furniture like benches and seating; moving from that forecourt edge towards the south façade of the building, which is the length running along that black-dotted line, it is further articulated and animated by an exterior second story patio that overlooks that walkway, and a floor to ceiling curtain wall with controlled views into and out of the building; advising that there is both patron and staff bicycle parking distributed along that edge and then landscape elements with consideration to all seasons transitioning beyond the south façade; further towards the back extent of that walkway to the Pincombe drain is articulated by canopy trees and pedestrian scale lighting; pointing out that the pink line that is identified on the screen there is identifying a north-south vehicular connection to future developments on either side of the site, which is mindful to the desire of creating an internal road network described in the southwest area plan; turning your attention towards the future forecourt space in front of the building in between

Wonderland Road, this series of diagrams here are representations of the design parameters employed to develop this space; starting with the first one on the left-hand side, that blue diagram, it is explaining the extent of the forecourt space which is defined by the width of the extent of the primary building façade, and then reaches out from there like a welcome mat up to Wonderland Road; stating that the second diagram defines the edges the articulated edges that define the forecourt space is an area unlike anything or anywhere else within the site or standard parking lots; indicating that the last diagram identifies the field space within those defined edges that are articulated with elements that are differentiated and distributed throughout this space, different than any other standard parking lot; pointing out at the very bottom of the site plan there you see a black-dashed line that represents the existing property line and eastbound in from there is a red-dashed line that represents future property line, which represents the condition of the road widening of Wonderland; advising that the future condition and the design of the forecourt space has been responsive to that future condition; starting with a full-some description of the edges that define the forecourt space with the east edge which is the building frontage and the view terminus from Wonderland Road is a public element through the forecourt to the building edge; starting from sort of left, moving through to right of the rendered image that you are seeing there, you start off with the match restaurant and patio which is a sports and entertainment style restaurant of the casino, and the image on the far right is a representation of what that space would be like; noting that there is an exterior bar, TV's, seating and booths that animate and articulate that edge so it sits within an oasis of landscape elements; transitioning from that patio to the middle you see the primary facade and main building entrance, which faces and addresses Wonderland Road; that is articulated by a grand port-corsair which stands proud of that façade and reaches out towards the forecourt space; noting that it is further identified and articulated by prominent site signage which identifies the casino from Wonderland Road as well; transitioning to the right of the façade and at the top you see the Atlas restaurant, which is a fine-dining restaurant of steak and seafood, with another exterior patio articulating that edge; moving on to the north and south edges that define the forecourt space are generous and wide, they define both the north and south side and it is comprised of a wide expanse of walkways, and articulated from Wonderland all the way to the building frontage with built-form elements which are these pavilions which are represented in the precedent image to the left here, that would be designed in the spirit and quality that the casino itself upholds; indicating that they would provide shade in the summer, casting shadows that create a level of playfulness as the patterns dance across the surface between various hours of the day; associated with these pavilions, these built-form pavilions, would be seating and benches, pedestrian scale lighting that starts to build them up as destinations in and of themselves as a place of rest, and perhaps used on an event night when something else is going on out there, like a market for instance where Sherry or Bob might be selling their beets; moving on from describing the built-form, these edges are further defined by landscape elements that are built up in hierarchies; moving again from left to right, you start off with perennials which are lower density or lower height planting that bloom throughout different times of the year, providing various colors from summer, fall and spring, ornamental grasses; (*Councillor A. Hopkins indicating that Ms. A. Fics has one minute left.*); ornamental grasses that maintain a presence in the winter months and a mid-height hedge to help further define that space, and then these columnar trees that run the length and also act as the sort of feature landscape element that is distributed throughout the forecourt; advising that what we are seeing here on the screen is a scratch representation of what that space might feel like standing within it; noting that you are inside the forecourt space closer towards Wonderland, so you get to see the expanse of some of the elements distributed throughout the field; sculptural lighting which helps to set a datum which is a height different than that of standard lighting and standard parking areas; pointing out that the landscape planters that you see with low dense planting and the base of the columnar trees as well, imagine those lit up in the evening so they still hold a presence



and so hope to animate the space throughout, and definition of the space. (See attached presentation.)

- Cary Parkinson – indicating that she lives in Lambeth; noting that she grew up in Norton Estates, and most of her family friends still live and reside in the area; stating that in the report outlined this evening, there was a bunch of points made in regards to the casino and building it where it is; believing the noise will definitely increase in the area which is completely bothersome, considering right now it is mostly residential other than the commercial businesses that surround it to support the residents that live out in the area; indicating that traffic is a joke as it stands right now; Wonderland is a parking lot; pointing out that we just redid Lambeth so that people were not cutting through Lambeth; advising that there is no other way into Wonderland other than the 402; stating that if you are advising people from out of the city to come to this casino, if they cannot get down Wonderland they are going to come through Lambeth, so just food for thought; speaking to the lighting, she feels terrible for anybody that surrounds that space, it will be lit up 24/7; you might as well have lights on at all times; pointing out that crime comes with a casino no matter how hard you try and what you try to do and put in place; indicating that they outlined some studies done by users of drugs, addicts, etc.; noting that this is all coming to a community that does not want it, does not need it, and does not deserve it; advising that there is absolutely no supporting business around this infrastructure; most of the businesses there are there to support the community that is in place and that plans on growing; feeling bad for the people who own houses right behind there as they have invested millions of dollars in homes to now say that they back onto a casino; expressing that she does not know why they have picked this location and only this location, and why the Western Fair has dropped off and/or no other location has been taken in consideration; stating that the east village has worked hard to support the community and put money back into the area, and this suits and fits within those directives of entertainment access/multi-use; indicating that there are horses, so there is a whole industry there that will be unemployed; wondering where are they going to go; advising that she would love to know where the executives for the casino live because maybe they can put it in their neighbourhood instead of ours; indicating that a pig with lipstick is still a pig.
- Dr. Chris Robson, no fixed address – indicating that he lost his house at the casino; advising that he has been told that he is a good student of people in politics and gambling; advising that he is not here to put a pitch in for Western Fair; horse racing is sound and it is on the rebound, things are going okay there but he will address one statement from Mr. Mitchell from two weeks ago on the news, where he said with regards to Western Fair: “That horse has left the barn”; pointing out that he has seen lots of horses leave the barn and we are always able to get it back in no problem; going back ten years, the United States does not often copy what we do, but four states Pennsylvania, Ohio, Indiana, and New York, copied what we had in Ontario; instead of having slots at the racetrack they had casinos at the racetrack; noting that they call them “Racinos”; indicating that if you talk to Governor Cuomo, he is happy with that; advising that there is one casino in New York City, Yonkers Raceway; there is one casino in Toronto, Woodbine Racetrack; people in Ohio are happy, people in Indiana, Indiana and Ohio have a certain amount of moral and religious sectors to their states, and they are happy with the gambling at the racetrack; noting that you have season people going there; believing the best place to have any casino in this city is at the racetrack; talking to people at the coffee shop, the golf course, work, and just general all kinds of people from all walks of life and everybody for the last year has said the same thing to me: “Are they going to have that casino at Western Fair? Why would they have that casino down at the south end?”; they already said in the one, in the previous presentation, they said they do not have to widen Wonderland Road; thinking Wonderland Road needs widening up north because everybody goes to Costco, but he is under the impression from Gateway that nobody is going to be going to this casino from the north end because they do not have to widen Wonderland Road South; thinking that does not make sense; believing it is up to the politicians; a politician has to have a certain amount of intelligence and backbone, and the combination of both makes a really good politician; calling on the

politicians to make the proper decision here; looking for clarification that the City owns the Western Fair Association; outlining that you get people that would take a shuttle bus from after a Knight's game or a concert or from the Convention Center, it is either three minutes or five minutes on a shuttle bus ride to Western Fair, to the casino; pointing out that he does not even know if you have busses out to the south end of the city; stating that he tried to take the bus to down Wharncliffe Road South and he had to make about three stops, it was pretty hard to get down there; thinking it is in the wrong spot, knowing it is in the wrong spot, and most Londoners he talks to also agree with him; advising that he is the kind of guy that usually does not come to meetings like this, but he thought it was important to put his two cents worth in as he does live in London.

- Resident – expressing amazement at the lovely photographs that she just saw, lovely plants, lovely wild grass; enquiring how many hard-earned paychecks disappear into your casino.
- Stuart Bevin, 15-7222 Clayton Walk – advising that he did not come with any prepared comments because he did not know that this was on the agenda, but he wants to give the Committee some background on him and to explain where the comments are coming from; advising that he was Board Chair of an organization called ADSTV (Addiction Services of Thames Valley); indicating that organization has grown from, he is guessing, five employees when it started roughly thirty years ago to, he thinks, around 100 now; advising that it has a number of programs in it including problem gambling; noting that he am not against gambling, he is not for gambling, he is simply explaining to you what my background is so you understand where his comments are coming from; indicating that he has seen a huge growth in that organization in the time that he was there; thinking that one of the things that Council has to factor in is that the City has substantially supported the organization and given the fact that a casino will be placed in the city somewhere at some point, that will inevitably increase the demand on City revenues for supporting the programs in the Addiction Services of Thames Valley; believing it is something that you need to think about; reiterating that he is not saying that it is wrong to have a casino, he is not saying it is right to have a casino, he is simply trying to explain to you on an ad hoc, impromptu basis what he has seen, what he has experienced indirectly; indicating that he is not an expert in any of these areas, he simply served on the board, he was simply the board chair; believing you simply need to think about this when you are considering all of the factors that go into this decision.

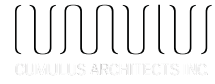


**GATEWAY STARLIGHT CASINO**  
**LONDON, ONTARIO**

3334-3354 WONDERLAND ROAD



JULY 22, 2019



NICHOLSON  
 SHEFFIELD  
 ARCHITECTS  
 INC.

**OVERALL SITE EXPERIENCE**



**SITE EXPERIENCE  
FORECOURT EVENT SPACE**



WONDERLAND RD.

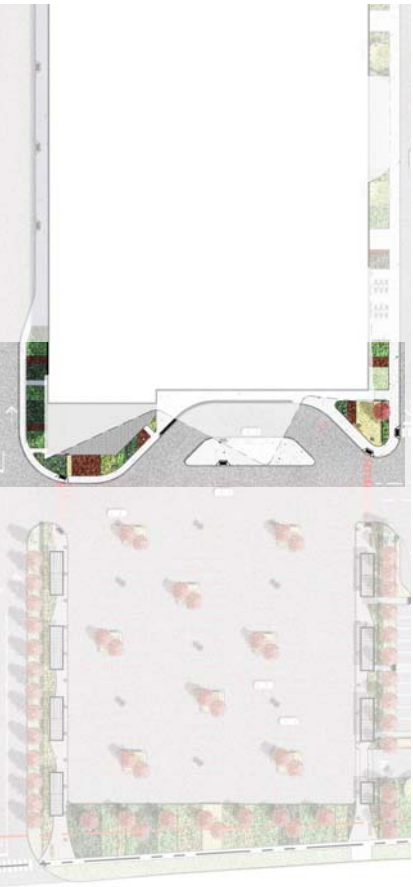
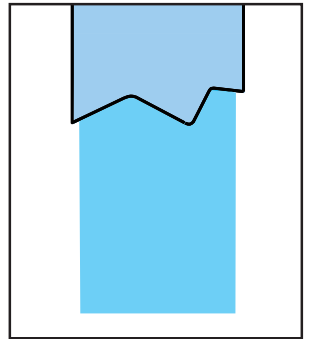
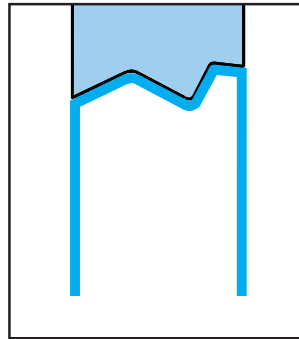
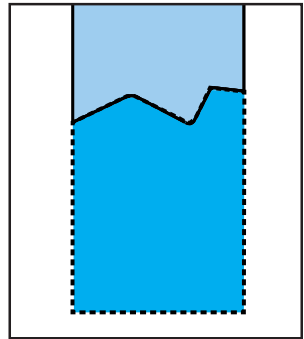
**SITE EXPERIENCE  
CONNECTION TO FUTURE PASSIVE AMENITY**





WONDERLAND RD.

**FORECOURT  
FEATURE SPACE**



WONDERLAND RD.

**FORECOURT  
EDGES / east**





**FORECOURT  
EDGES / north & south**



**FORECOURT  
EDGES / north & south**



**SITE EXPERIENCE  
FORECOURT**



**SITE EXPERIENCE  
FORECOURT**



**1** BUILT FORM



**2** ACTIVE SPACE



**3** LANDSCAPE



THANK YOU  
QUESTIONS?

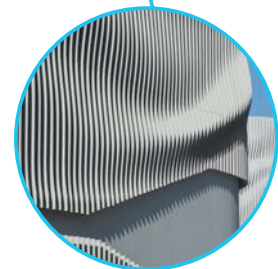
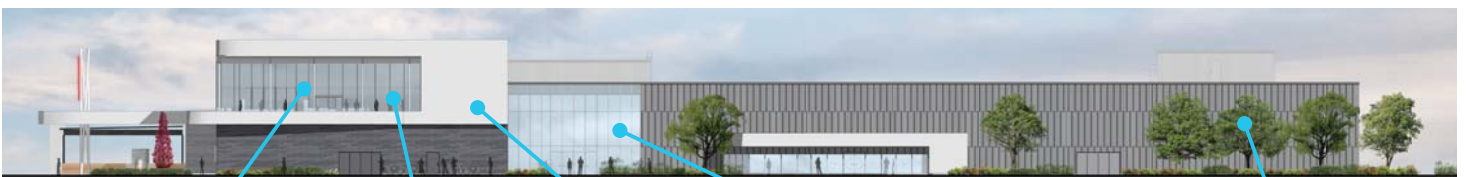




WEST FACADE



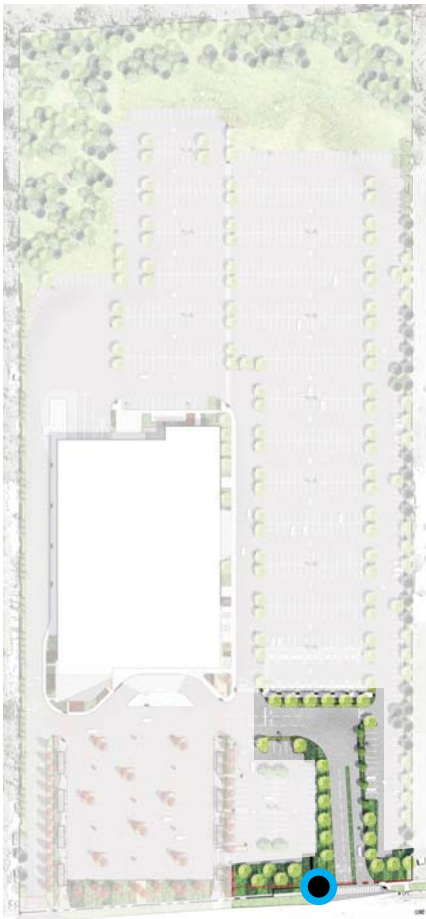
SOUTH FACADE





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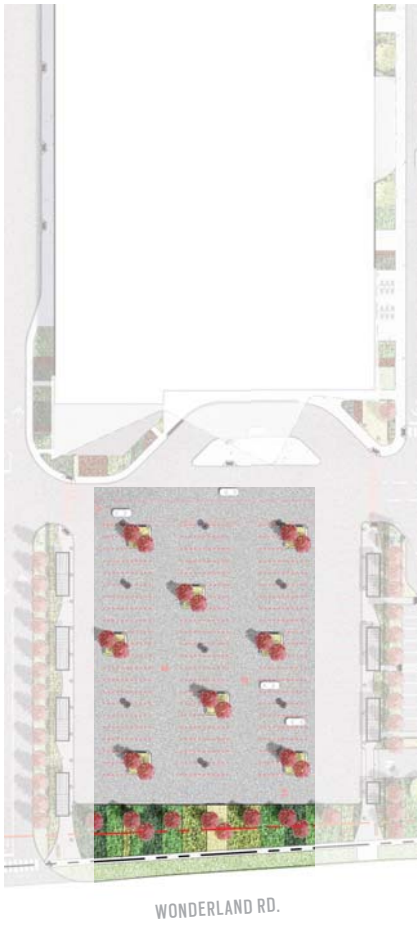
**ENHANCED LANDSCAPE  
NATURAL HERITAGE SYSTEM**



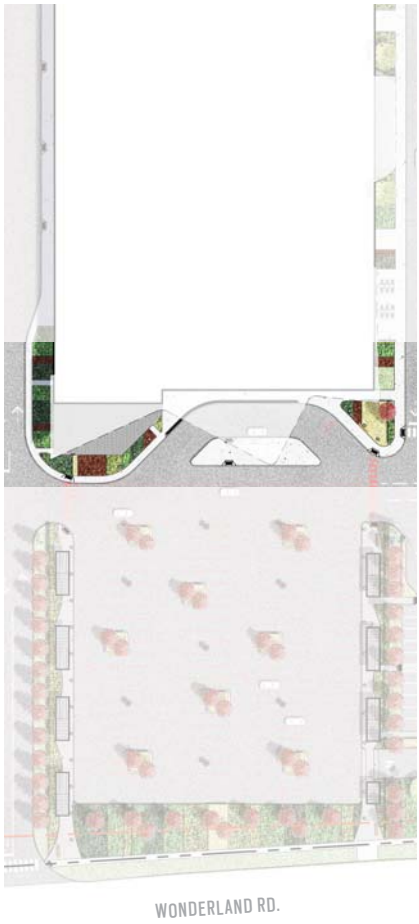
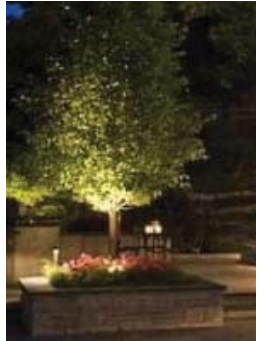
WONDERLAND RD.

**ENHANCED LANDSCAPE  
ENTRY SEQUENCE**





**FORECOURT  
FIELD**



**FORECOURT  
EDGES / east**



**SITE EXPERIENCE**  
**FORECOURT**



**SITE EXPERIENCE**



**Sent:** Tuesday, July 16, 2019 2:28 PM  
**To:** Lysynski, Heather <[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>  
**Subject:** [EXTERNAL] GATEWAY CASINO REZONING

Good afternoon Heather.....further to the subject Gateway Casino rezoning and projected development on Wonderland Road, I have some additional comments that I am requesting be added to the file along with my original e-mail of December 19th 2018. I consent to the comments, my name and mailing address appearing as part of the added PEC agenda which is available to the general public

COMMENTS:

1) Having received no response from Councillor Van Meerbergen to my e-mail of Dec.19/18, I followed up with City Hall to obtain information about the potential Casino relocation. I spoke with Melonie Carson in May/19 and with her help was connected with Melissa Campbell who has provided excellent support/information to me about this project. Information provided permitted me to attend the June 24/19 meeting at the Chamber of Commerce to where Gateway promoted the project; and a Tri-Ward meeting (9; 10; 12 ) at the Bostwick Community Centre on July 8/19, where the 3 Councillors attended along with representatives fro Gateway and OLG.

2) "Public input" is an interesting term where Municipal Politics is concerned. I attempted to provide my personal input in Dec/18 after watching the CTV news commentary, and while not being naive about priorities of Councillors and Staff, "the Public" did not get access to Gateway or Councillors until June 24/19 & July 8/19. With the potential recommendation of this project being given the rezoning recommendation it needs on July 22/19.

3) With 2) above in mind I learned from the Gateway Reps. on June 24/19 that the renegotiations with Western Fair District were not viable with Gateway plans for a new Casino. I also learned that entertainment was the key driver and that "the public" was demanding it. What I didn't learn was why that particular location. No one from Gateway that I spoke with seemed to know or were willing to divulge an answer to that question. The spin was that the gambling aspect of the project was not the main sell; the 3 – 4 restaurants and the future hotel were the key focus. Only one of the Gateway reps. that I spoke with knew the residential neighbourhoods that back onto the proposed site, however, there was an appreciation of the Wonderland Road traffic issues and my depiction of "the Wonderland Road car park" becoming more congested with out-of-town buses & cars was not discarded.

4) The July 8/19 meeting hosted by the 3 councillors in my opinion was not well planned. I did not do an actual count however, I believe there were as many, if not more, City/Gateway attendees than residents.

I reiterate, the CTV coverage was in Dec./18; this meeting is convened on July 8/19. Based on the public attendance (20 residents at most) this was a perfect time to have minimal

attendance. Vacations are in full swing and who really wants to attend a Ward meeting on a pleasant summer evening? Well the 20 or so residents that did attend, and I spoke with 4 prior to the proceedings getting underway, did have some points they wanted to raise. The commonality with these points appeared to be directed at the Councillors and not the attending Gateway/OLG Reps. Unfortunately, the Councillors were not interested in acting as a panel and field questions; after inviting a Gateway Rep. to give an overview of the new Casino project, the attendees were invited to mingle with one and all to discuss the new Casino and/or write down specific questions/concerns for City Staff to compile and submit for the July 22nd meeting.

I managed to get Councillor VanMeerbergen and a resident from Lambeth to have a mini forum with a Gateway Rep. (who lives in Byron) and a couple of Reps. from OLG. Our (residents) common concerns were why this location? & anticipated increase in traffic volumes to the "Wonderland Road parking lot" The former was not answered the latter acknowledged with the Councillor pointing out that turn lanes off Wonderland into the Casino were part of the plan. The focus of Gateway was again to push the entertainment factor; that gambling was not the only attraction (restaurants) and that the general public was demanding it. I suggested to the Gateway Rep. that if gambling was not the focus then drop the gambling aspect altogether and promote the eating facilities; the projected hotel and acts that either one would attract. Needless to say this received the anticipated chuckles from the OLG Reps. I pressed as to how Gateway surveyed "the public" in order to conclude there was/is a demand for Casino type entertainment. The response alluded to a Province wide survey; to which I asked if there was a follow-up survey to specific residential areas where these Casino entertainment complexes would be situated. The answer was of course "no"; I suggested that those demanding this type of entertainment potentially come 24/7 from anywhere in the Province/U.S.A. by car/bus into a neighbourhood that, if surveyed, may not want it.

5) I read out to Councillor VanMeerbergen that the Andover Trails area of Ward 10 that I reside in (formerly in Ward 9 before last election) has been subject to consistent residential/commercial growth & development since 2013. We were not naive when deciding to build in a new neighbourhood that residential growth would continue. However, the residual effect of other projects from 2013 thru today brings about what I call "construction fatigue" not only on week days, but on weekends and even statutory holidays.

Local developers Tri-Car; Siftons & East Forest Homes; Wonderland/Wharncliffe/Exeter Road construction; Bradley Road extension phase 1 with phase 2 pending; Southdale Road sewer construction are just some of the projects completed, underway or pending that have directly impacted this neighbourhood. The approval of rezoning the recommended sites for the Casino will exacerbate commercial traffic directly and indirectly in the neighbourhood. To be followed by additional volumes of cars/buses to Wonderland Road from inside and outside the City once the Casino is built.

To conclude, I do not know why this specific location has been selected. I have my suspicions, however, they are not relevant. I have looked at a map from the London Plan which specifies

“place types” by colour code. As a layperson when it comes to Municipal Planning and rezoning and having looked at this map, it seems apparent to me that locations further south on Wonderland and closer to the 401/402 would be more appropriate for an entertainment project of this type. Admittedly, they are designated residential, however, applying for rezoning does not appear to be a problem; an environmental assessment would still have to be done; and most importantly, the surrounding areas designated “neighbourhoods” could remain the same with potential buyers knowing in advance a Casino is or will be built in your neighbourhood.

Thank you for reading the aforementioned.

Derek Speller: 3225 Singleton Avenue N6L 0B5 London.

## 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:** London Quality Meat  
8076 Longwoods Road

**Public Participation Meeting on: July 22, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions **BE TAKEN** with respect to the application of London Quality Meat relating to the property located at 8076 Longwoods Road:

- (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 facilitate the construction of an abattoir; 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 proposed abattoir on the north side of Longwoods Road, west of Murray Road. The site is to be developed with vehicular access from Longwoods Road. The development proposal is subject to a public site plan meeting in accordance with the h-5 holding zone regulations set out in the Zoning By-law (Z.-1).

### 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 Farmland Place Type and all other applicable policies of The London Plan.
3. The proposed Site Plan is in conformity with the policies of the Agriculture designation of the Official Plan (1989) and will implement an appropriate form of development on 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 on the north side of Longwoods Road, west of the intersection of Longwoods Road and Murray Road. Longwoods Road is classified as a Rural Thoroughfare in The London Plan and an Arterial Road in the 1989 Official Plan. The site is located over 1km outside the Urban Growth Boundary and the Lambeth Community. Currently the site contains an existing dwelling, garage and barn, which were constructed in the 1960's. 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 agricultural and residential uses.

#### 1.2 Current Planning Information (See Appendix 'D')

- 1989 Official Plan Designation – Agriculture
- The London Plan Place Type – Farmland Place Type
- Existing Zoning – Holding Agricultural Commercial Special Provision AGC2, (h-5\*h-18\*h-210\*AGC2(1))

#### 1.3 Site Characteristics

- Current Land Use – Single Detached Dwelling
- Frontage – 150m
- Depth – Varies
- Area – 2.02ha
- Shape – Irregular

#### 1.4 Surrounding Land Uses

- North – Agricultural
- South – Agricultural, Residential
- East – Agricultural
- West – Agricultural

1.5 Location Map



## 2.0 Description of Proposal

### 2.1 Development Proposal

An existing barn is located towards the east (rear) of the site. The barn is 370m<sup>2</sup>, of which 200m<sup>2</sup> will be used as a livestock facility, and 110m<sup>2</sup> will be converted for the abattoir facility. The remaining space will be used for tool storage and workshop facilities. The intended livestock consists of goats, sheep, and lambs which are housed on site in the barn. A livestock area is also shown on the northeast portion of the site. The proposed abattoir is a small-scale operation, and it expected to function approximately twice per week.

Detailed plans of the development are contained in Appendix 'A' of this report.

## 3.0 Relevant Background

### 3.1 Planning History

On January 1, 1993 the Town of Westminster and parts of London, West Nissouri, North Dorchester and Delaware Townships were annexed to the City of London. Council adopted a comprehensive Official Plan amendment on July 2, 1996 (Official Plan Amendment No. 88) to incorporate the annexed areas into the City's Official Plan.

The subject site was re-zoned in 2000 through application Z-5984 from a Rural Holding (A2) Zone to a Rural Holding Exception (A2-14) to facilitate a surplus farm dwelling severance, and recognize the reduced property size of the dwelling unit. The subject site was severed in 2001 from the agricultural property to the north through consent application B.17/01.

The Annexed Area Zoning Project was initiated in April 2001 to replace the inherited zoning regulations from the Townships of London, West Nissouri, North Dorchester and Delaware, and the Town of Westminster with appropriate regulations to the City's Zoning By-law Z.-1. The subject site was rezoned from a Rural Holding Exception (A2-14) Zone to an Agriculture (AG1) Zone in 2005 through the Annexed Area By-law.

After the By-law was adopted by Council in June 2005 a number of omissions, such as existing uses, corrections and refinements were brought to Planning staff's attention by other City staff through day-to-day use of the By-law, the public and landowners. Each of the comments were reviewed, analyzed and a report was prepared which recommended zoning refinements. On February 12, 2008 the Ontario Municipal Board held a hearing on the outstanding appeals to Zoning By-law amendment No. Z.-1.

The subject site was rezoned from an Agriculture (AG1) to an Agriculture (AG4) Zone through Z-7394 to recognize the single detached dwelling that was severed from the main farm in 2000-2001 and farm lands that were consolidated with another property.

An application to amend the Z.-1 Zoning By-law was received by the City and deemed complete on January 11, 2017. The application was to allow the adaptive reuse of an existing structure (barn) to facilitate two individual and related uses including a livestock facility, and an abattoir (Z-8735).

A Public Participation Meeting was held before the Planning and Environment Committee on May 23, 2017, to consider the matter. The Committee recommended deferral to allow staff to consider a livestock facility use that is contingent upon an abattoir use.

At Municipal Council on May 30, 2017, the matter was referred back to staff to report back with a revised by-law to ensure that the livestock operation would be maintained appropriately. Council approved the recommended amendment on July 25, 2017.

Council's recommendation was appealed to the Ontario Municipal Board and the hearing

was scheduled for February 2018.

The appeal was dismissed by the Board as part of decision PL170972, which concluded that the council recommended Zoning By-law amendment represented good planning; is consistent with the Provincial Policy Statement's intention to preserve and protect agricultural lands for the long term; that the uses are appropriate within the Agricultural designation; and impacts will be mitigated through the extent feasible.

On March 25, 2019, the subject application of this report, being a Site Plan Control Application (file SPA19-022), was received by the City of London. 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.

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

#### Notice of Application

On April 25, 2019, Notice of Application was sent to all property owners within 120 metres of the subject lands. No responses were received at the time this report was prepared. Notice of Application was published in The Londoner on April 25, 2019.

#### Notice of Public Meeting

On July 4, 2019, Notice of Public Meeting was sent to all property owners within 120 metres of the subject lands. Two responses were received at the time this report was prepared. Notice of Public Meeting was published in The Londoner on July 4, 2019.

#### Public Comment

One inquiry was received, and one public comment was made as part of this application, which raised concerns with respect to the following:

- Adequacy of fencing;
- Location and delineation of livestock paddock;
- Future development to be built in accordance with approved plans;
- Odour impacts; and,
- Regulatory framework for the abattoir use.

### **3.3 Policy Context**

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

The PPS promotes agricultural uses, agriculture-related uses and other normal farm practices within the rural lands within Municipalities (1.1.5.8). The proposal is in part to allow for a livestock facility which is an agriculture use, as well as for an abattoir which is an agriculture-related use. The PPS recognizes that rural areas are important to the success of the Province and quality of life, and that healthy, integrated and viable rural areas should be supported by providing some opportunities for economic activities in prime agricultural areas (1.1.4.1 i). The adaptive reuse of the subject site protects the long-term viability of agricultural lands and provides for a local and agriculture-related commercial use.

The PPS directs prime agricultural areas to be protected for long-term agricultural uses, including all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected (2.3.3.2). The site is an existing smaller parcel of land within the agricultural area, but is sufficient to accommodate the requested livestock facility and abattoir. New land uses, including new or expanding livestock facilities shall comply with the Minimum Distance Separation Formulae (1.1.5.9 & 2.3.3.3). The proposed livestock facility has been reviewed for consistency with the Minimum Distance Separation which meets the required setbacks to nearby sensitive land uses.

Section 2.6 of the PPS requires conservation of cultural heritage and archaeological resources or areas of archaeological potential prior to site alteration or development is permitted. The site has been identified as an area having potential archaeological significance, and a holding provision is in place to address any potential.

#### Relevant Provincial Legislation

There are a number of applicable provincial and federal legislations which would apply to the operation of the proposed Livestock Facility and Abattoir, if approved. The permission to allow the requested land uses is the role of the Municipality, and the licensing and operations would then be subject to provincial and federal regulations. The three most relevant Acts for this proposal would be the Farming and Food Production Protection Act (FFPPA), 1998, the Nutrient Management Act (NMA) 2002, and the Food Safety and Quality Act, 2001.

#### *Farming and Food Production Protection Act, 1998 (FFPPA)*

The Farming and Food Production Protection Act, 1998 (FFPPA) protects and encourages the development and improvement of agricultural lands for the production of food, fibre, and other agricultural and horticultural products. According to the legislation, there was concern that it was becoming increasingly difficult for farmers to effectively produce these commodities because of discomfort and inconveniences caused by farming operations to residents of adjacent lands. The act was established to promote and protect agricultural uses and normal farm practices in agricultural areas in a way that balances the needs of the agricultural community with provincial health, safety and environmental concerns. There are 7 main areas of nuisance complaints including: 1) odour, 2) noise, 3) dust, 4) flies, 5) smoke, 6) light, and 7) vibration.

The Normal Farm Practices Protection Board (NFPPB) is the authority established to determine what is or is not considered a normal farm practice. The NFPPB is authorized to rule on cases involving 1) nuisance, 2) bylaw and 3) bylaw involving vehicular travel. For a nuisance complaint, there is a process to facilitate neighbour to neighbour resolution, mediation and conflict resolution and eventually a hearing by the board, if needed.

#### *Nutrient Management Act, 2002*

The Nutrient Management Act (NMA) governs the safe management of materials containing nutrients in ways that will enhance protection of the natural environment and provide a sustainable future for agricultural operations and rural development. The document most relevant to the subject site is a Nutrient Management Strategy (NMS) which addresses manure generation from livestock, manure type and quantity, adequate storage capacity and runoff management. The requirement for a Nutrient Management Strategy is triggered by a building permit, which includes a Record of Approval issued by OMAFRA.

#### *Food Safety and Quality Act, 2001*

The Food Safety and Quality Act, 2001, provides standards for the quality and safety of food, agricultural or aquatic commodities and agricultural inputs, the management of food safety risks, and the control and regulation of certain activities. The slaughter of livestock and processing of meat for food, as well as the off-farm disposal of livestock mortalities, including the collecting, transferring, salvaging, rendering, and composting of carcasses requires licencing under the Act.

The specific operation requirements for abattoirs and slaughterhouses are further described under Ontario Regulation 31/05 – “Meat”, which control such aspects as construction materials, temperature, ventilation, management of inedibles, water used at facility, operation of meat plant, inspections etc.

### The London Plan

The proposed use of the site represents a component of the food system which is comprised of all the processes, networks, and infrastructure associated with the growth, harvest, processing, packaging, distribution, transport, marketing, sale, serving and consumption of food (648). Planning should encourage, foster and support local food production, and strengthen the local food system to grow and consume more local food (653.2 & 650).

#### *Farmland Place Type*

The site is within the Farmland Place Type in The London Plan, which is intended to be an area of intense agricultural production and economic activity, with a landscape characterized by general farming, livestock farming, cash crop farming, market gardening, specialty crops, nurseries, forestry and agriculture research (1178). Agricultural uses, agriculturally-related commercial and industrial uses, and on farm diversified uses are permitted, as the Farmland's primary role is to serve and support agricultural uses and normal farm practices (1183).

Livestock farming and animal husbandry is promoted within the Farmland Place Type as the keeping of livestock is not permitted within the urban place types (662). Agricultural-related commercial and industrial uses that are directly related to farm operations in the area, support agriculture, and benefit from being in close proximity to farm operations are permitted (1182.5).

The creation of non-farm residential lots in the agricultural area is discouraged, and any impacts from any new non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible (1180 & 1181.10). Additionally, existing land holdings that are under-sized may be used for agricultural purposes, subject to MDS setbacks (1215.3).

The proposed use of the subject site contributes to the local food system, supports agricultural uses within the farmland place type, and is generally consistent with the London Plan.

### Official Plan (1989)

#### *Chapter 2 – Strategic Plan*

Agriculture and farm-related businesses and industries form a major component of the local and regional economy. The highly productive land that supports this industry is a significant non-renewable resource for the City of London. It is important that the agricultural industry be allowed the flexibility to adjust to changing conditions, while protecting it from various threats that impede farm operations. These threats to agriculture in the City of London include the increased pressure for non-farm related uses in rural areas which may constrain agricultural practices, fragment land ownership, and contribute to land use compatibility problems (2.10). The proposed development will facilitate the long-term viability of the subject site, and contribute to maintaining the agricultural integrity of the general area.

#### *Chapter 9 - Agriculture*

The Agriculture designation applies to lands outside the urban community where agriculture and farm-related activities are the predominant land use. The intention of the Official Plan is to protect the agricultural land resource and maintain the viability of farming within these areas to ensure agriculture continues to make a significant contribution to London's economy. The policies recognize the need for a long term commitment to agriculture and are intended to prohibit the fragmentation of land holdings, minimize the loss of prime agricultural land to non-farm development, and prohibit the introduction of land uses that are incompatible with, or may potentially constrain farm operations. The subject site is surrounded by agricultural uses, though

there are also nearby rural settlement uses that are considered to be of a more sensitive nature.

#### *9.2.8: Agriculturally-Related Commercial and Industrial Uses*

Agriculturally-related commercial uses are contemplated where they are small in scale, supportive of the farm operation, and require a location in close proximity to the farm operation. Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible. New agriculturally-related commercial uses may be permitted by an amendment to the Zoning By-law, and subject to the policies in 9.2.8.

- i) Size: The amount of land devoted to the activity includes only the minimum necessary to support the activity and its servicing requirements*

The property is an existing under-sized farm parcel within the agricultural area which makes efficient use of the site and does not require the removal of arable land from production to facilitate the use. The property consists of 2.02 hectares which is an adequate size to support the livestock facility and abattoir operations, and meets all other zoning regulations.

- ii) Need: It can be demonstrated that the use is supportive of the farm operation and requires a location in close proximity to the farm operation to function successfully.*

The proposal to have the livestock housed, slaughtered and processed on-site illustrates a clear relationship between the need to locate the agricultural and agriculturally-related commercial uses together, and within the agricultural area. The slaughter and processing is a small scale operation with the abattoir expected to function 2 days a week, with a total of approximately 2,000 pounds of meat will be produced per week, requiring the livestock to be housed on-site the remainder of the time. The integration of these uses in one location also eliminates the need to transfer the livestock to and from the site for accommodation, slaughter and processing. The applicant has also identified that the livestock experience less stress and produce better quality meat when they have adequate time to rest, and be fed and watered, after arrival.

- iii) Location: The location of the facility should not impose any operating constraints or result in a reduction of the efficiency of existing farms in the vicinity. Agriculturally-related commercial and industrial uses should be directed to sites having soil capability, drainage, topographic, site size or configuration limitations for agriculture.*

The abattoir facility will be located within a portion of the existing barn on the property which will not have any impact on the neighbouring farms or farming operations in the area. The soil quality is Class 1 which is ideal for crop production, however given the existing lot size, substantial crop production is not feasible. The smaller lot size provides an appropriate location for an abattoir and livestock facility as it is within the agricultural designation and is already under-sized.

- iv) Servicing: The facility does not require municipal water or sewage disposal services and can meet all requirements for the provision of individual on-site services.*

The facility will be utilizing private services and will not require municipal services to operate. Water will be provided by a private well, which will need to demonstrate consistency with the Ontario Building Code through Building Permits, and a septic system is provided for the domestic sanitary flows generated by the dwelling. The wastewater generated by the proposed abattoir will be accommodated by a Class V holding tank with a capacity of 40,000L.

- v) *Transportation: Access shall be available from a public highway or public road. The access must not create a potential traffic hazard due to poor sight lines or proximity to an intersection, steep grade or curve. An agriculturally-related commercial or industrial use shall be located on a road capable of accommodating, on a year round basis, the volume and type of traffic, including truck traffic, that the proposed use is likely to generate.*

The site has direct access from Longwoods Road which is an arterial road in this location. There is a curve located south of the property, though there are no existing issues with sightlines, access or the current driveway location. The proposed operation will require the transportation of livestock and the meat products to and from the site, as well as traffic associated with the supporting operations for manure removal and waste water pumping. There will be no on-site sales as the finished products will be provided directly to local butcher shops as wholesale, which will not generate customer traffic. The applicant is providing 8 parking spaces, where only 6 are required, as well as a loading space adjacent to the abattoir. Longwoods Road is classified as an arterial road in this location, and able to support the planned function of the site.

- vi) *Environment: Adequate drainage and suitable outlets for storm water runoff can be provided.*

The subject site is already developed and the proposal is to adaptively re-use the existing barn for the new uses. There are no new buildings proposed and any future development would be required to manage any additional stormwater generated entirely on site.

#### Minimum Distance Separation (MDS)

Minimum Distance Separation (MDS) is a land use planning tool that determines setback distances between livestock barns, manure storages or anaerobic digesters and surrounding land uses. The objective of MDS is to create buffers between sensitive land uses in order to minimize nuisance complaints related to odour. MDS is comprised of two separate, but related, formulae that act reciprocally to sire both new development and new or expanding livestock facilities. MDS is implemented locally through the municipal Official Plan and Comprehensive Zoning By-law using the MDS Document (Publication 853) as guidance. These guidelines state the application of MDS II setback is required at the time of a building permit for a new or expanding livestock facility. There is no requirement to carry out an MDS II calculation if there is no building permit being sought. Moreover the only trigger for an MDS II is a building permit for a livestock facility or anaerobic digester. Meat plants (including abattoirs and slaughterhouses) are explicitly exempt as per Implementation Guideline #3 in Publication 853. Where it has been determined that an MDS setback is required, it is the role of the municipality to confirm and assess the actual housing capacity before determining whether, or not, the setbacks can be met before issuing a building permit.

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

The Agricultural Commercial (AGC) Zone permits the livestock facility use and the proposed site is consistent with all setbacks and zoning regulations. The abattoir use and the existing dwelling are permitted through special provisions.

The h-18 holding provision applied to the site ensures any future development of the site addresses the archaeological potential. Should previously undocumented (i.e., unknown or deeply buried) archaeological resources be discovered, they may be new archaeological sites and therefore subject to Section 48(1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the Ontario Heritage Act.

A Stage 1 archaeological assessment was prepared for the property based on the



proposal, as the site is within an area identified with potential archaeological significance and, as confirmed by a clearance letter from the Ministry of Tourism, Culture and Sport dated March 10, 2017, the site area has no further cultural heritage value or interest.

The h-210 holding provision applied to the subject lands requires a Nutrient Management Strategy be approved to ensure the orderly development of lands for the livestock facility use. A Nutrient Management Strategy for the use was granted approval by the Ontario Ministry of Agriculture, Food and Rural Affairs under the *Nutrient Management Act, 2002* and subject to conditions.

The holding provisions applied to the zoning on the subject lands must be removed through a separate application prior to the issuance of permits.

## 4.0 Key Issues and Considerations

### 4.1 Use

Within the Agricultural designation, the primary permitted uses include the cultivation of land, the raising of livestock, livestock farming, cash crop farming, market gardening, specialty crops, nurseries, forestry, aquaculture, and agricultural research. Secondary permitted uses include secondary farm dwellings, agriculturally-related commercial uses, agriculturally-related industrial uses, public open space and conservation uses, public utilities, and storm water management facilities.

The proposed use has two components: 1) a livestock facility, which is a primary permitted use, and 2) an abattoir, which is considered to be a secondary or an agriculturally-related commercial use. There is a clear relationship between the raising, keeping and slaughtering of livestock on the same site to provide for an efficient and streamlined operation of meat production.

Agriculturally-related development in agricultural areas is directed to lands that have a marginal or lesser capability for agriculture uses. The creation of the subject site in 2007 was through a surplus farm dwelling severance, where farmland east of the site was amalgamated to produce a larger and more viable land holding, and the existing dwelling parcel at 8076 Longwoods Road was severed as a separate lot. The result is that the subject site is now an existing small agricultural lot, which is not ideal for large scale crop production, though does lend itself to an agriculturally-related commercial use and the keeping of livestock.

### 4.2 Intensity

The livestock facility is considered to be a more intensive agricultural use than crop production as there is a stationary and consistent source of manure which generates odour. As such, the livestock facility is subject to the Minimum Distance Separation (MDS II) calculation, which is a formula to address odour impacts from stationary sources of manure on non-agricultural and more sensitive uses (i.e. residential uses). The MDS II calculation is based on the capacity of the existing barn to accommodate livestock, the type of livestock and the type of manure produced, as well as the type and location of nearby sensitive uses. The result of the equation is that the nearest setback requirement from the barn to the nearest dwelling is 117m minimum. There is a total of approximately 133m separation distance between the existing barn and the nearest residential or Type A land use, which provides an adequate setback.

Furthermore, the maximum storage capacity of the barn (livestock facility) will be reduced slightly through the proposed conversion of 110m<sup>2</sup> of the building as floor space will be re-purposed for the abattoir use, which will also slightly reduce the number of livestock. Additionally, abattoirs are exempt from the MDS calculation as they are regulated by the Food Quality and Safety Act instead.

### 4.3 Form

The abattoir facility will be located within a portion of the existing barn on the property which will not have any impact on the neighbouring farms or farming operations in the area.

The property is an existing under-sized farm parcel (2.02ha) within the agricultural area which makes efficient use of the site and does not require the removal of arable land from production to facilitate the use and meets all other zoning regulations.

The site has direct access from Longwoods Road which is an arterial road in this location. The proposed operation will require the transportation of livestock and the meat products to and from the site, as well as traffic associated with the supporting operations for manure removal and waste water pumping. There will be no on-site sales as the finished products will be provided directly to local butcher shops as wholesale, which will not generate customer traffic. The abattoir requires 6 parking spaces which can be accommodated on the property.

### 4.4 Council Resolution

As part of the Zoning By-law amendment to permit the proposed development, Council resolved the following:

Responses to the resolution are provided in *italics*.

- (a) The Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan approval process:

- a. Relocate the livestock paddock to the north side of the livestock facility;

*The paddock is shown as a note on the landscape plan at the northeast portion of the site, but is otherwise not delineated. The applicant has indicated that livestock may be confined within the barn but updated drawings to reflect this have not yet been received.*

- b. Adequately fence the perimeter of the livestock paddock;

*Not shown on the plan. Request for clarity made to the applicant.*

- c. Provide tree planting at the southeast corner of the property; and

*4 white spruce trees have been proposed in this location. The landscape plan also shows a significant amount of existing planting in this location.*

- d. Provide tree planting or landscaping along the east property boundary.

*23 white spruce trees have been proposed in this location*

### 4.5 Outstanding Site Plan Comments

Second submission site plan control comments were provided to the applicant on June 25, 2019. The comments are as follows:

- Identify fire route sign locations (1 every 30m, both sides), and provide detail as per Section 6.7 of the Site Plan Control By-law.
- Loading space to be a minimum of 3.6m x 9m – dimension and identify on site plan.
- Locate the accessible parking sign outside of the required parking space.
- Identify principal building entrance and confirm barrier-free path of travel from parking area.
- There are discrepancies between the site plan and previously submitted engineering plans

- Revisions are required to the wastewater treatment system and holding report.

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.

<b>Prepared by:</b>	<b>Meg Sundercock, BURPL Site Development Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.Eng. Managing Director, Development and Compliance Services &amp; Chief Building Official</b>
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 15, 2019  
MS/dm

CC: Heather McNeely, Manager, Development Services (Site Plan)  
Michael Pease, Manager, Development Planning

**Appendix A: Plans**

2<sup>nd</sup> Submission Site Plan



**SITE PLAN**  
 OF  
**CONVERT PL LOT 21**  
 APPLICANT: PLANT 1 SERVICES  
 GEOGRAPHIC TOWNSHIP OF WESTMINSTER  
 CITY OF LONDON  
 DISTRICT OF WOODLEIGH  
 (KITHMO ZONE MOD(1))

SITE STATISTICS  
 (KITHMO ZONE MOD(1))

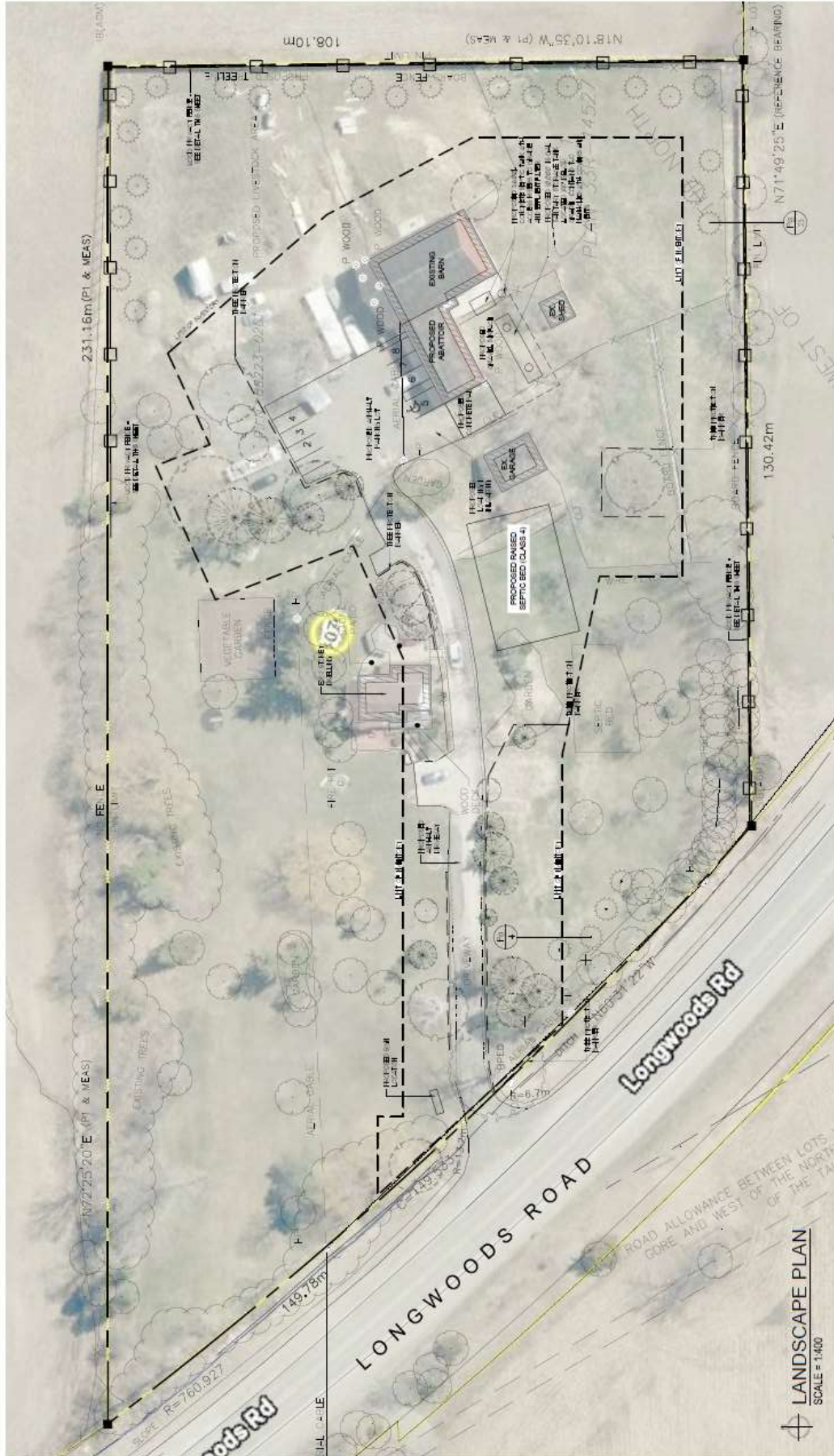
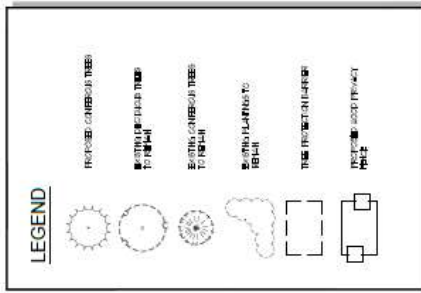
DESCRIPTION	QUANTITY
TOTAL AREA	1,700.40 m <sup>2</sup>
LOT AREA	5,876.00 m <sup>2</sup>
LOT FRONTAGE	54.00 m
LOT DEPTH	107.00 m
LOT WIDTH	107.00 m
LOT HEIGHT	107.00 m
LOT AREA (AC)	1,428.60 ac
LOT FRONTAGE (AC)	124.67 ac
LOT DEPTH (AC)	91.84 ac
LOT WIDTH (AC)	91.84 ac
LOT HEIGHT (AC)	91.84 ac
LOT AREA (SQ FT)	18,340.80 sq ft
LOT FRONTAGE (SQ FT)	5,876.00 sq ft
LOT DEPTH (SQ FT)	11,464.00 sq ft
LOT WIDTH (SQ FT)	11,464.00 sq ft
LOT HEIGHT (SQ FT)	11,464.00 sq ft
LOT AREA (SQ YD)	2,059.11 sq yd
LOT FRONTAGE (SQ YD)	630.78 sq yd
LOT DEPTH (SQ YD)	127.33 sq yd
LOT WIDTH (SQ YD)	127.33 sq yd
LOT HEIGHT (SQ YD)	127.33 sq yd
LOT AREA (SQ MI)	0.4632 sq mi
LOT FRONTAGE (SQ MI)	0.0035 sq mi
LOT DEPTH (SQ MI)	0.0035 sq mi
LOT WIDTH (SQ MI)	0.0035 sq mi
LOT HEIGHT (SQ MI)	0.0035 sq mi
LOT AREA (HECTARE)	0.4211 ha
LOT FRONTAGE (HECTARE)	0.0052 ha
LOT DEPTH (HECTARE)	0.0104 ha
LOT WIDTH (HECTARE)	0.0104 ha
LOT HEIGHT (HECTARE)	0.0104 ha

INCLUDED TYPE 'X' ACCESSIBLE  
 PARKING SPACES: 10

NO.	DESCRIPTION	AREA (SQ M)	AREA (SQ FT)
1	LOT AREA	5,876.00	63,400.00
2	LOT FRONTAGE	54.00	580.00
3	LOT DEPTH	107.00	1,144.00
4	LOT WIDTH	107.00	1,144.00
5	LOT HEIGHT	107.00	1,144.00

**ZELINSKA PIVKANO LTD**  
 A Professional Planning Firm  
 3076 (DOWD) RD.  
 VAN COQUITAN, BC  
 V3R 4G9  
 TEL: 604-273-1111  
 WWW.ZELINSKA.COM

Landscape Plan



LANDSCAPE PLAN  
 SCALE = 1:430

Elevations

**Northwest Elevation**  
 Scale: 1/8" = 1'-0"

**Northeast Elevation**  
 Scale: 1/8" = 1'-0"

**Southwest Elevation**  
 Scale: 1/8" = 1'-0"

**Southeast Elevation**  
 Scale: 1/8" = 1'-0"

**Section Through Roof and Wall Assembly**

**Window/Door Section**

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	Asph/Flt Shingles	1000	Sq Yd	1.50	1500.00
2	1/2" OSB Sheathing	1000	Sq Yd	0.50	500.00
3	2x6 Studs @ 16" OC	1000	Lf	1.00	1000.00
4	2x8 Joists @ 16" OC	1000	Lf	1.50	1500.00
5	1/2" Gypsum Board	1000	Sq Yd	0.75	750.00
6	1/2" Cement Board	1000	Sq Yd	0.80	800.00
7	1/2" Insulation	1000	Sq Yd	0.40	400.00
8	1/2" Vapor Barrier	1000	Sq Yd	0.10	100.00
9	1/2" Siding	1000	Sq Yd	2.00	2000.00
10	1/2" Trim	1000	Lf	1.00	1000.00
11	1/2" Windows	1000	Sq Ft	1.50	1500.00
12	1/2" Doors	1000	Sq Ft	2.00	2000.00
13	1/2" Roofing	1000	Sq Ft	1.00	1000.00
14	1/2" Gutters	1000	Lf	0.50	500.00
15	1/2" Flashing	1000	Sq Ft	0.20	200.00
16	1/2" Paint	1000	Sq Yd	0.50	500.00
17	1/2" Labor	1000	Hr	1.00	1000.00
18	1/2" Permits	1000	Permit	0.50	500.00
19	1/2" Contingency	1000	Permit	0.50	500.00
20	1/2" Total				15000.00

**RT Jones & Associates**  
 81 Park & Academy St.  
 London, ON N6C 5C4  
 519-875-8822  
 rjones@rtja.com

**Proposed Alstony**  
 (Next Commission or Building  
 Item to be listed)

**81 Park & Academy St.**  
 L8N 2Y8

**AI SPA**

**Appendix B: Public Engagement**

**Community Engagement**

**Public liaison:** On April 25, 2019, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 25, 2019.

On July 4, 2019, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 4, 2019.

One reply and one inquiry was received

**Nature of Liaison:** The purpose and effect of this proposal is to develop the subject lands, as shown on the attached plan. The Site Plan, as proposed, would result in a conversion of a portion of the existing barn to an abattoir.

**Responses:** One reply and one inquiry received

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

Telephone	Written
One inquiry	Rick Burt 7638 Longwoods Road

**Sundercock, Meg**

---

**From:** Rick Burt [REDACTED]  
**Sent:** Thursday, July 11, 2019 11:17 AM  
**To:** Sundercock, Meg  
**Cc:** Hopkins, Anna; Hayward, Martin; City of London, Mayor; Chapman, Heather; Jeffery, Wade; Katolyk, Orest; Sean Beer  
**Subject:** [EXTERNAL] Application for site plan approval of 8076 Longwoods rd. London

Hello members of the Planning committee.

I have several issues and concerns with the site plan as presented by the owners of 8076 Longwoods rd. First I am very concerned as to the actual whereabouts of the Animal holding area? It is not properly defined in the proposal. Previous requests were to have the animal holding to be on the North side of the property. As far away from my house as possible. There is no provision on the site plan for this to be undertaken. It appears that the parking area is slated for this area? It shows only a "proposed" livestock area. I request that this be clearly defined prior to approval.

Secondly the Fence that has been erected on the outer area of the property is a single board residential privacy fence with the boards nailed on the outside. Previous requirements were to have adequate fencing around the Animal holding area which would mean proper Goat and sheep wire fencing around the entire holding area. This is also not covered in the site plan as I received in the mail. A residential privacy fence is not at all adequate or sufficient to hold goats and sheep in this area. I would like to request proper fence installed around this animal holding area.

Thirdly I question who will oversee that all of these issues as well as ensuring all of the details of the site plan are undertaken. We as a neighborhood have struggled with all of the issues previously at this property and have been promised that things would change. We as tax paying residents of London have been let down on every occasion. I request that a surity or sufficient guarantee be levied on this application and held till all work as spelled out in the site plan are undertaken and done properly.

Thank you for your time  
Rick Burt  
7638 Longwoods rd.



**Appendix C: Agency/Departmental Comments**



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

London Quality Meat  
8076 Longwoods Road  
London ON N6P 1L3

June 25, 2019

**Re: Site Plan Control Approval for 8076 Longwoods Road. London ON – File Number SPA19-022**

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:

<b>General Comments:</b>
<ol style="list-style-type: none"><li>1. The holding provisions on site (h-5, h-18, h-210) need to be removed via a separate application.</li><li>2. A Public Site Plan Meeting is scheduled for the July 22<sup>nd</sup> Planning and Environment Committee meeting to satisfy the h-5 holding provision. Notice of Public Meeting will be forthcoming next week.</li><li>3. Note that any change in the site proposal that extends the area of development activity beyond that cleared in the archaeological assessment report may require additional archaeological work.</li></ol>
<b>Response:</b>
<ul style="list-style-type: none"><li>•</li></ul>
<b>Site Plan Comments:</b>
<ol style="list-style-type: none"><li>1. Identify fire route sign locations (1 every 30m, both sides), and provide detail as per Section 6.7 of the Site Plan Control By-law.</li><li>2. Loading space to be a minimum of 3.6m x 9m – dimension and identify on site plan.</li><li>3. Locate the accessible parking sign outside of the required parking space.</li><li>4. Identify principal building entrance and confirm barrier-free path of travel from parking area.</li><li>5. There are discrepancies between the site plan and previously submitted engineering plans (see engineering comments below)</li></ol>
<b>Response:</b>
<ul style="list-style-type: none"><li>•</li></ul>
<b>Landscape Comments:</b>
<ol style="list-style-type: none"><li>1. Landscape plans are acceptable.</li><li>2. As noted in response letter, if no outdoor livestock area is proposed, please remove the note from the landscape plan.</li></ol>
<b>Response:</b>
<ul style="list-style-type: none"><li>•</li></ul>
<b>Building Design Comments:</b>
<ol style="list-style-type: none"><li>1. No comments.</li></ol>
<b>Response:</b>
<ul style="list-style-type: none"><li>•</li></ul>
<b>Engineering Comments:</b>
<ol style="list-style-type: none"><li>1. Traffic Management Plan has been accepted.</li></ol>

2. The Class 4 Raised Filter Bed Wastewater Treatment System & Class 5 Holding Tank plan (prepared by BOS Engineering and dated January 9, 2017) is not consistent with the submitted plan. Some concerns with these plans are as follows:
  - a. The drilled well appears to be located within the proposed parking area.
  - b. The existing garage to be removed appears to be retained on the site plan and is in a different location relative to the existing barn.
  - c. The storage capacity of the sanitary storage tank differs between drawings.
  - d. The proposed Class 4 filter bed differs in location between plans.
  - e. The existing dwelling and residential septic bed also differ in size and location between plans.
  - f. Pump station is not noted on site plan.
3. Provide a revised submission (either engineering plans, site plans, or both) to ensure consistency between drawings.

**Response:**

Please include with the next submission:

- 4 x Site Plans
- 6 x Engineering Plans
- 4 x Landscape Plans
- 4 x Elevations (if changes proposed)
- 1 x Update reports (if changes proposed)
- 1 x Digital copy of submission (pdf)
- 1 x Response to comments

Should you have any questions regarding your request for site plan approval please contact myself at 519-661-2489 x 4471 or msundercock@london.ca.


Yours truly,

Meg Sundercock  
Site Development Planner

**Appendix D – Zoning, TLP and Official Plan Map excerpts**

**Zoning Excerpt**



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

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

- |   |  |
|---|--|
| <p>R1 - SINGLE DETACHED DWELLINGS<br/>                 R2 - SINGLE AND TWO UNIT DWELLINGS<br/>                 R3 - SINGLE TO FOUR UNIT DWELLINGS<br/>                 R4 - STREET TOWNHOUSE<br/>                 R5 - CLUSTER TOWNHOUSE<br/>                 R6 - CLUSTER HOUSING ALL FORMS<br/>                 R7 - SENIOR'S HOUSING<br/>                 R8 - MEDIUM DENSITY/LOW RISE APTS.<br/>                 R9 - MEDIUM TO HIGH DENSITY APTS.<br/>                 R10 - HIGH DENSITY APARTMENTS<br/>                 R11 - LODGING HOUSE</p> <p>DA - DOWNTOWN AREA<br/>                 RSA - REGIONAL SHOPPING AREA<br/>                 CSA - COMMUNITY SHOPPING AREA<br/>                 NSA - NEIGHBOURHOOD SHOPPING AREA<br/>                 BDC - BUSINESS DISTRICT COMMERCIAL<br/>                 AC - ARTERIAL COMMERCIAL<br/>                 HS - HIGHWAY SERVICE COMMERCIAL<br/>                 RSC - RESTRICTED SERVICE COMMERCIAL<br/>                 CC - CONVENIENCE COMMERCIAL<br/>                 SS - AUTOMOBILE SERVICE STATION<br/>                 ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</p> <p>OR - OFFICE/RESIDENTIAL<br/>                 OC - OFFICE CONVERSION<br/>                 RO - RESTRICTED OFFICE<br/>                 OF - OFFICE</p> | <p>RF - REGIONAL FACILITY<br/>                 CF - COMMUNITY FACILITY<br/>                 NF - NEIGHBOURHOOD FACILITY<br/>                 HER - HERITAGE<br/>                 DC - DAY CARE</p> <p>OS - OPEN SPACE<br/>                 CR - COMMERCIAL RECREATION<br/>                 ER - ENVIRONMENTAL REVIEW</p> <p>OB - OFFICE BUSINESS PARK<br/>                 LI - LIGHT INDUSTRIAL<br/>                 GI - GENERAL INDUSTRIAL<br/>                 HI - HEAVY INDUSTRIAL<br/>                 EX - RESOURCE EXTRACTIVE<br/>                 UR - URBAN RESERVE</p> <p>AG - AGRICULTURAL<br/>                 AGC - AGRICULTURAL COMMERCIAL<br/>                 RRC - RURAL SETTLEMENT COMMERCIAL<br/>                 TGS - TEMPORARY GARDEN SUITE<br/>                 RT - RAIL TRANSPORTATION</p> <p>"H" - HOLDING SYMBOL<br/>                 "D" - DENSITY SYMBOL<br/>                 "H" - HEIGHT SYMBOL<br/>                 "B" - BONUS SYMBOL<br/>                 "T" - TEMPORARY USE SYMBOL</p> |
|---|--|

**CITY OF LONDON**  
 PLANNING SERVICES / DEVELOPMENT SERVICES

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



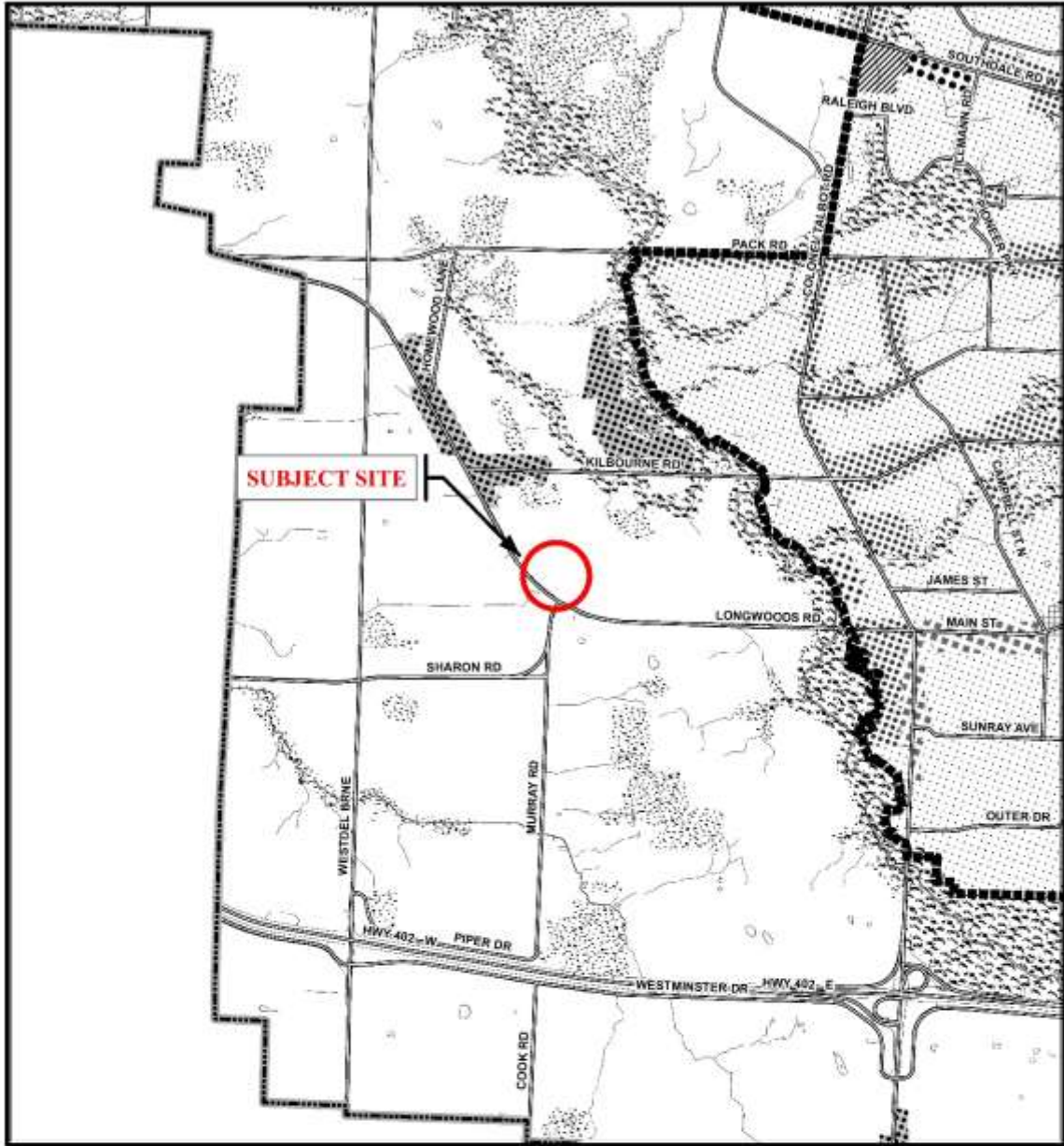
FILE NO:  
 SPA19-022 MS

MAP PREPARED:  
 2019/07/11 DM

1:5,000  
 0 25 50 100 150 200 Meters

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

**Official Plan Excerpt**

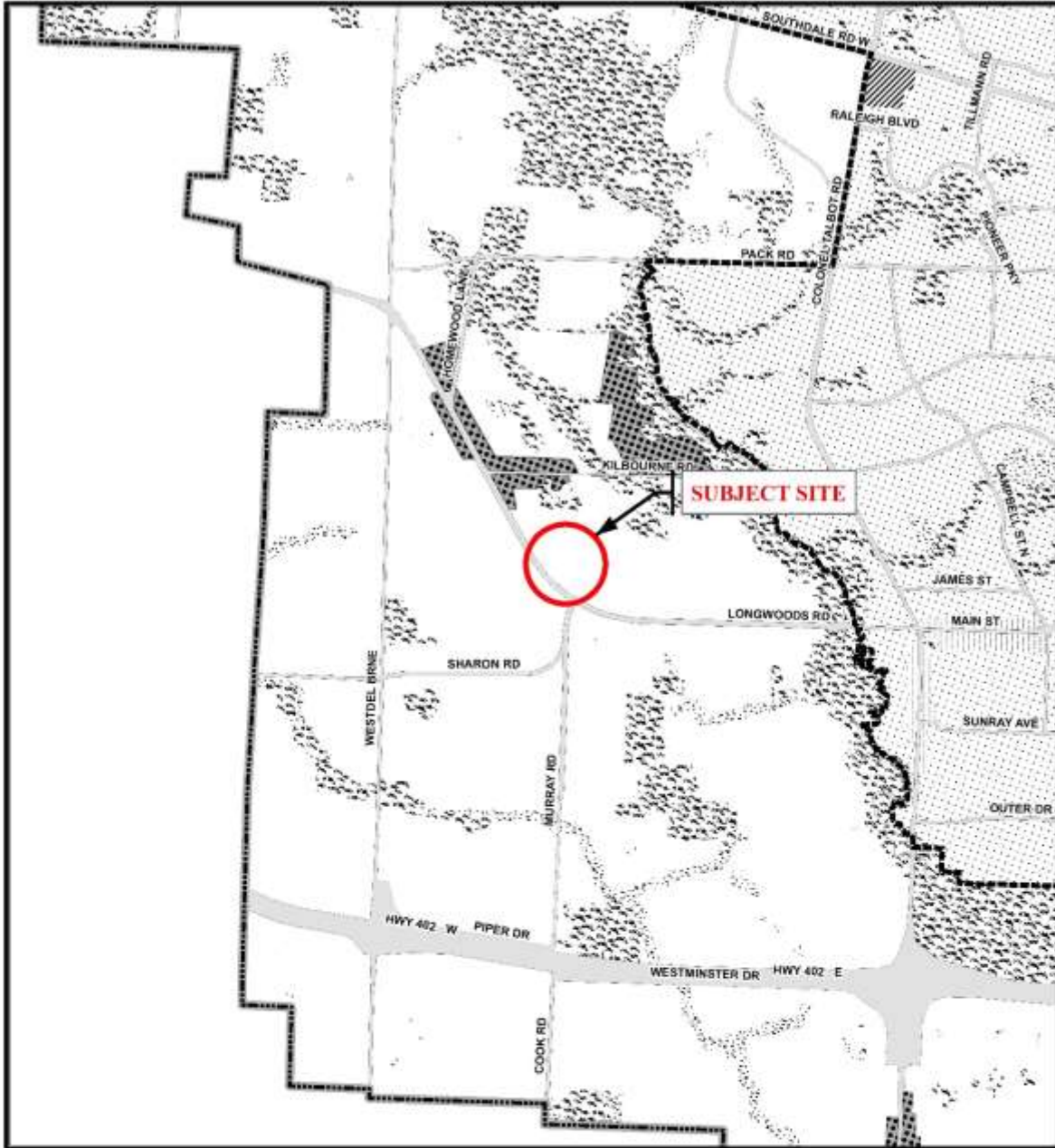


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: SPA19-022</p>
		<p>PLANNER: MS</p> <p>TECHNICIAN: DM</p> <p>DATE: 2019/07/11</p>

**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.*

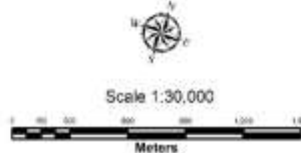
*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**CITY OF LONDON**

Planning Services /  
 Development Services

**LONDON PLAN MAP 1  
 - PLACE TYPES -**

PREPARED BY: Planning Services



**File Number:** SPA19-022

**Planner:** MS

**Technician:** DM

**Date:** July 11, 2019

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.12 PUBLIC PARTICIPATION MEETING – Application – 8076 Longwoods Road - SPA19-022

- *(Councillor S. Turner requesting clarification and Ms. M. Sundercock, you did say it, but there is no further anticipation of the livestock paddock so there will be no livestock kept on the property, livestock will arrive for processing in the abattoir and not be kept on site.);* Ms. M. Sundercock, Site Development Planner, the applicant may be able to speak to that better than she can but she believes the intent is that the livestock will be held solely in the barn and then moved into the abattoir portion of the building.
- Ben McCauley, Zelinka Priamo Limited, on behalf of London Quality Meats - coordinating the site plan application; addressing a couple concerns that were brought up through the process and he just wanted to clarify for the Committee; providing a recap on the timeline, January, 2017, a Zoning By-law Amendment application was deemed complete by staff, in July, 2017 Council approved the Zoning By-law Amendment application, in August it was appealed to the Ontario Municipal Board by a third party, that Ontario Municipal Board appeal was dismissed in February, 2018, in September 2018, they were finally retained and site plan consultation occurred and in March, 2019, the first submission was made and in June, 2019, the second submission was made; showing a larger site plan that the Committee has already seen but for clarity he provided a bit of a clear drawing of the proposed abattoir; outlining for clarification, the concrete pad that is noted on the site plan, they will be revising that, it is intended to be the holding bin and it is located on the northeast side of the barn to accommodate for the parking and loading area and wire fencing will be provided around the holding bin; noting that the intent of the holding bin is actually the only place that livestock would be stored outdoors; advising that the intent is to keep the livestock internal to the barn and that holding bin would only be used for a few hours a day up to twice a week when the abattoir is in use; indicating that there were also some concerns about the adequacy of the perimeter fencing so he went out and did a little bit of a due diligence himself but this is an example of the fencing from the subject lands, standard board and baton fencing and as well from the neighbouring property; outlining that in terms of next steps they are continuing to work collaboratively with staff to address comments including the discussed revisions and a third site plan submission will be submitted shortly; *(Councillor A. Hopkins enquiring asking for more clarification since they no longer have the fencing for the paddock; Mr. B. McCauley did mention about the holding pen the livestock will be held there, what will surround that concrete pad then; wondering how they are they going to be contained.);* Mr. B. McCauley, Zelinka Priamo Limited, responding that the intent is in the existing barn, that is where the existing livestock would be held; they have to make further revisions to show there will be fencing connecting the existing barn to the concrete pad of the holding bin just to the south of the proposed abattoir and that will be the only place that livestock is moving outside to get to the holding bin from the existing barn; *(Councillor A. Hopkins reiterating that there will be fencing then.);* Mr. B. McCauley, Zelinka Priamo Limited indicating that there will be fencing. (See attached presentation.)
- Resident - after several weeks of the hot humid weather that climate change is here to stay by climate change she means the heating up of our Earth and atmosphere, people have noticed, she is sure the protests and demonstrations going on here in front of City Hall; believing people are waking up, they stopped being complacent and start becoming realists; according to Professor Gee McPherson, in his book, "Only Love Remains", it may only be a mere three years until the arctic ice and permafrost will have melted and temperatures will increase to the point where our lifestyle as we know it today will be gone for good; indicating that they are here to talk

about slaughterhouses today, one particular slaughterhouse; advising that there is an obvious relationship between the building of new slaughterhouses and the supply of animals to be killed for their bodies so they can be consumed; stating that the more slaughterhouses that are being built, the more animals that are being harvested or farmed; the harvesting of animals will continue to grow; there is a direct relationship between the increased water, land and air pollution and the increase in farmed animals; talking about water, animal industry shows use forty-five percent of drinkable water, human consumption a mere four; talking about poop, animals produce one hundred times more waste than all humans in North America; this waste runs into our streams and rivers causing fish to die and creates dead zones; speaking about greenhouse gases, methane gas, burped by cows, is twenty-eight times more potent than CO<sub>2</sub>, poop releases nitrous oxide, a gas two hundred and fifty-six times more potent than CO<sub>2</sub>, let us not forget that all of the deforestation for grazing land for animals decreases the amount of trees removing CO<sub>2</sub> from the atmosphere; believing our oxygen supply will be severely decreasing, to be precise the creation of large and more efficient slaughterhouses, the number of factory farmed animals will increase as will water, land and air pollution as will the release of fossil fuels as will the heating of our planet; thinking that if you, Council Members, believe in climate justice, and if you would like to continue to have comfort in your lives and the lives of your children and grandchildren, then you need to take a stand; advising that you will not be liked by others by the stand you are taking, in fact, you may be an island standing alone and you will feel the pressure to give in, but please do not give in, it is time to decrease slaughterhouses not increase; as our London City Council you have a difficult position and she wishes the Council strength and determination, they will need it, do not forget they chose this position of responsibility, you are responsible and we all are responsible for the Earth; *(Councillor S. Turner asking for a Point of Order; appreciating the submissions from the public; advising that they have no capacity to decline or approve the application here today, the application has already been approved, the slaughterhouse, the abattoir, it has been approved; this is the site plan application and it is really a question of where trees and buildings go but that decision has already been made and it was made by Council and the Ontario Municipal Board; we do not have the opportunity or the capacity to reverse that decision.)*

# Public Participation Meeting

8076 Longwoods Road  
SPA-19-022

**London Quality Meats**



## Timeline

- **January 2017** – Zoning By-Law Amendment application deemed complete;
- **July 2017** – Council approved the Zoning By-Law Amendment application;
- **August 2017** – Council decision appealed to OMB by third party;
- **February 2018** – OMB appeal dismissed;
- **September 2018** – Site Plan Consultation occurred;
- **March 2019** – 1<sup>st</sup> Site Plan Approval submission; and,
- **June 2019** – 2<sup>nd</sup> Site Plan Approval Submission.











## Next Steps

- Continue to work collaboratively with Staff to address comments, including the discussed revisions; and,
- 3<sup>rd</sup> Site Plan submission anticipated shortly.



## Questions?



## 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 known 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 20<sup>th</sup> century. During the early 20<sup>th</sup> 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 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 20<sup>th</sup> 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 where 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 20<sup>th</sup> 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 20<sup>th</sup> century. The demolition request should be refused.

<b>Prepared by:</b>	<b>Krista Gowan, Heritage Planner</b>
<b>Submitted by:</b>	<b>Gregg Barrett, AICP Manager, Long Range Planning and Sustainability</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

July 8, 2019  
KG/kag

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)*

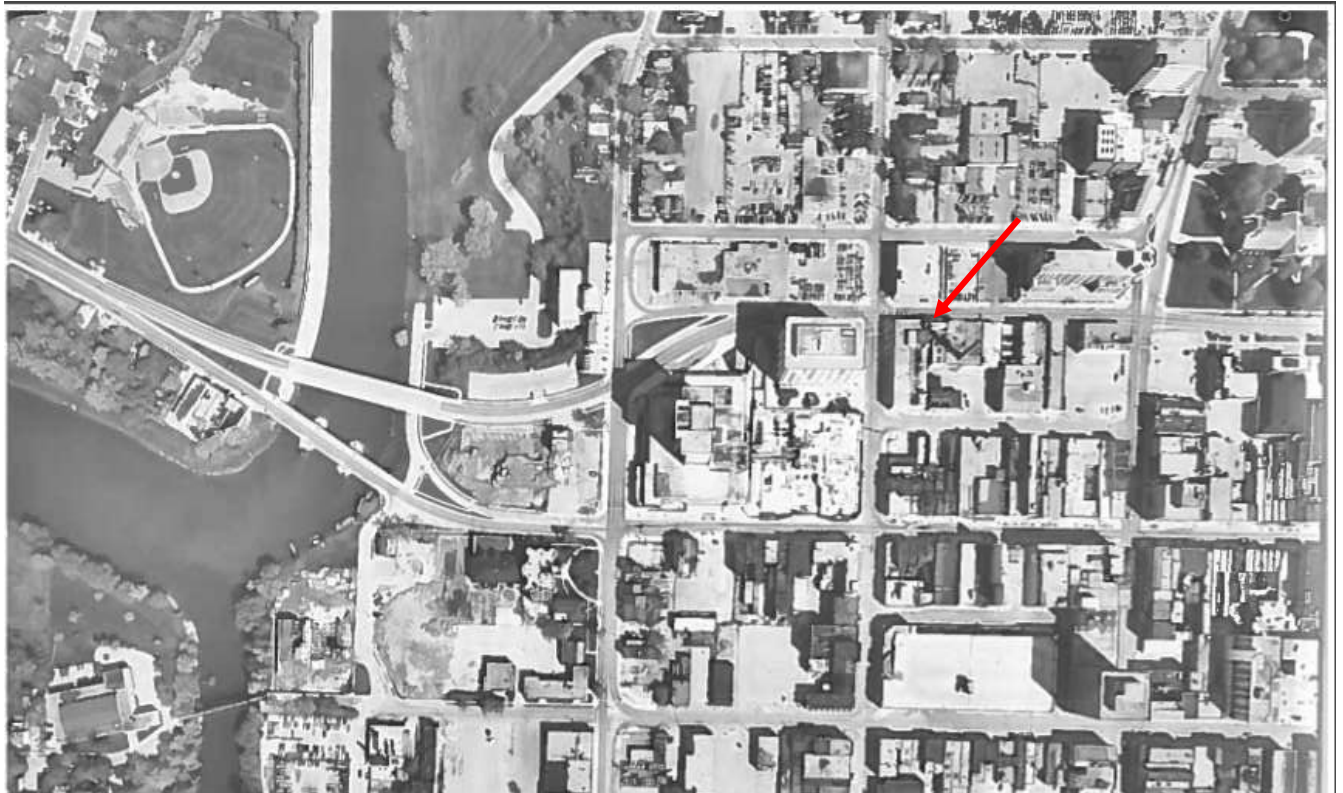


*Image 4 – Photo of the front façade at 123 Queens Avenue looking west from Richmond (London Free Press, 1954).*





*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:  
JAM Properties Inc.  
180 Cheapside Street  
London, Ontario  
N6A 1Z8

Prepared by:  
Stantec Consulting Ltd  
600-171 Queens Avenue  
London ON, N6A 5J7

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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



## HERITAGE IMPACT ASSESSMENT—123 QUEENS AVENUE, LONDON, ONTARIO

- 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:
    - o A site-specific history including the results of Documentation and Salvage activities
    - o Specific approaches to commemorating the site (interpretive signage, material reuse, etc.) that will be required in any future development
    - o General design guidelines for future development
    - o 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.*





## Project Personnel

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Project Manager, J-AAR Excavating Limited	Adrian Rose



# HERITAGE IMPACT ASSESSMENT—123 QUEENS AVENUE, LONDON, ONTARIO

Study Purpose  
March 26, 2019

## 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.*



Study Methodology  
March 26, 2019

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

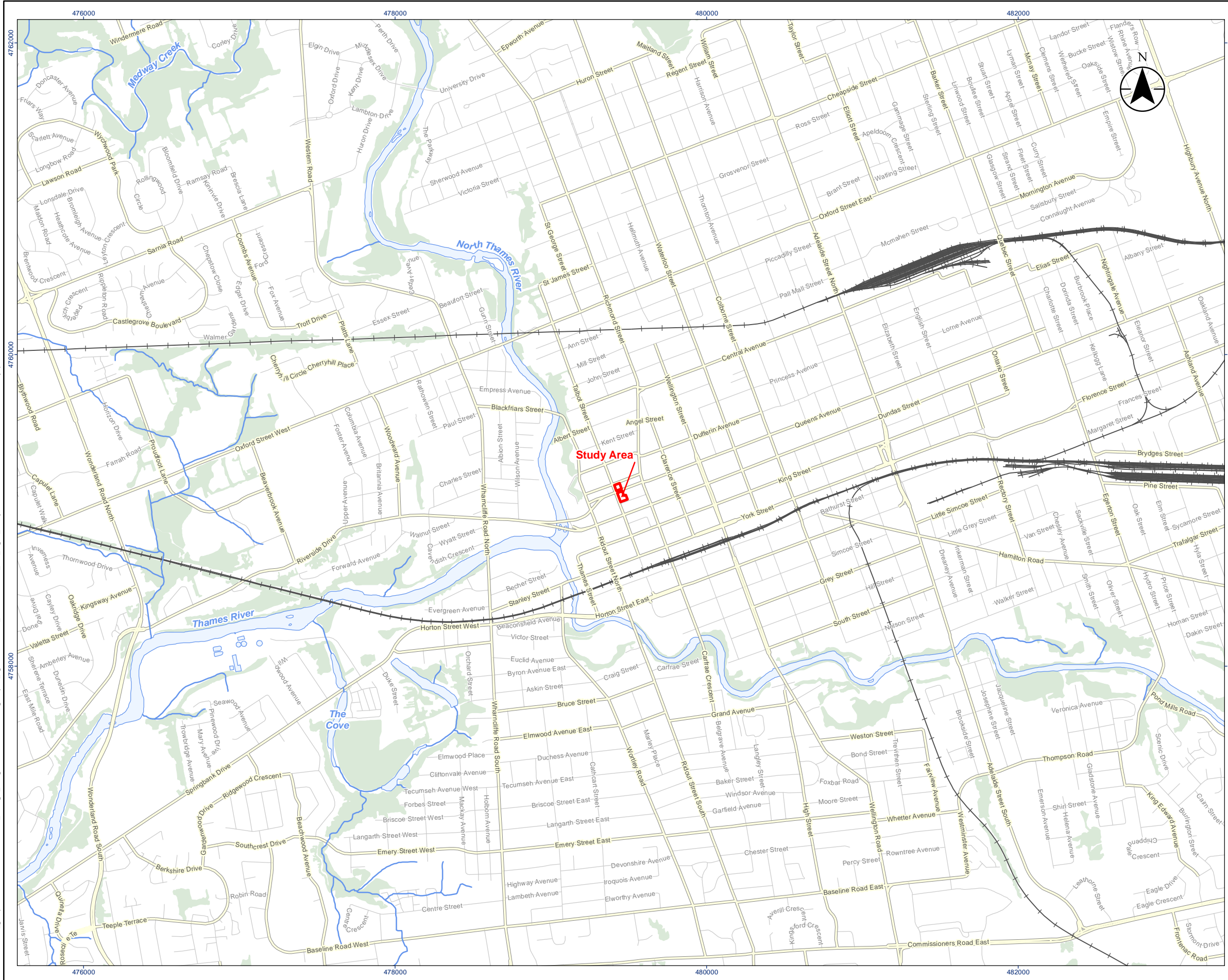
Indirect impacts do not result in the direct destruction or alteration of the feature or its heritage attributes, but may indirectly affect the cultural heritage value or interest of a property by creating:

- 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

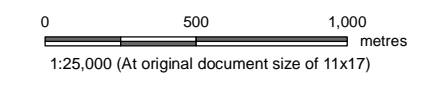
(Government of Ontario 2006b)

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.

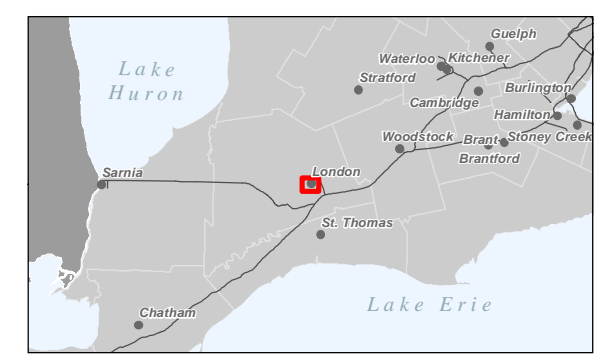




- Legend**
- Study Area
  - Major Road
  - Minor Road
  - Railway - Operational
  - Watercourse
  - Waterbody
  - Wooded Area



- 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.



**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.**  
**1**

**Title**  
**Study Area Location**

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Site History  
March 26, 2019

## 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 21<sup>st</sup> 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 comprises 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 17<sup>th</sup> 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





## HERITAGE IMPACT ASSESSMENT—123 QUEENS AVENUE, LONDON, ONTARIO

Site History

March 26, 2019

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 Act 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).



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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 19<sup>th</sup> 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.



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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 20<sup>th</sup> 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



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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-20<sup>th</sup> 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 21<sup>st</sup> 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



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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.



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### 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.



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**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).



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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.).





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**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.



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### 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 19<sup>th</sup> 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).

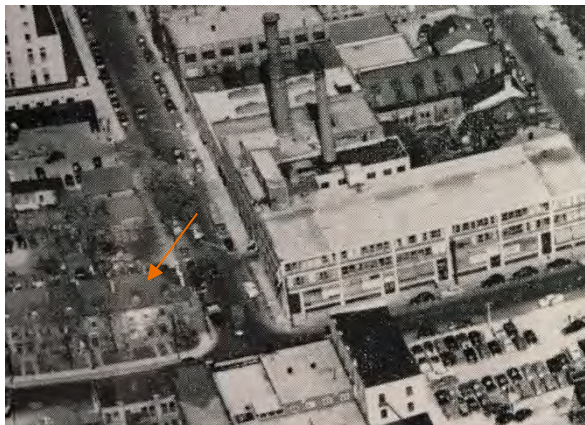
In 1954, the rowhouses were demolished and construction began on 120 Queens Avenue, known as the Lipton Building (Plate 8). The first occupant of the building is recorded in 1957 and was the Unemployment Insurance Commission (Vernon 1957: 686). Archival photographs show that the original façade of the 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 20<sup>th</sup> 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, Teledesk 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).



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**Plate 7: 454-464 Queens Avenue, bottom right of the photo, c. 1953 (Coty 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)**



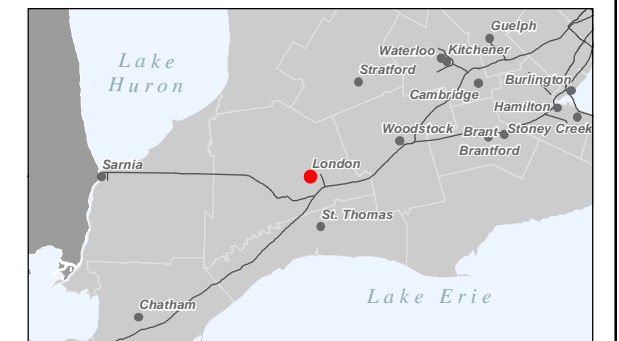
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Legend

- 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. 160940616 REVA  
HERITAGE IMPACT ASSESSMENT:  
123 QUEENS AVENUE, LONDON, ONTARIO

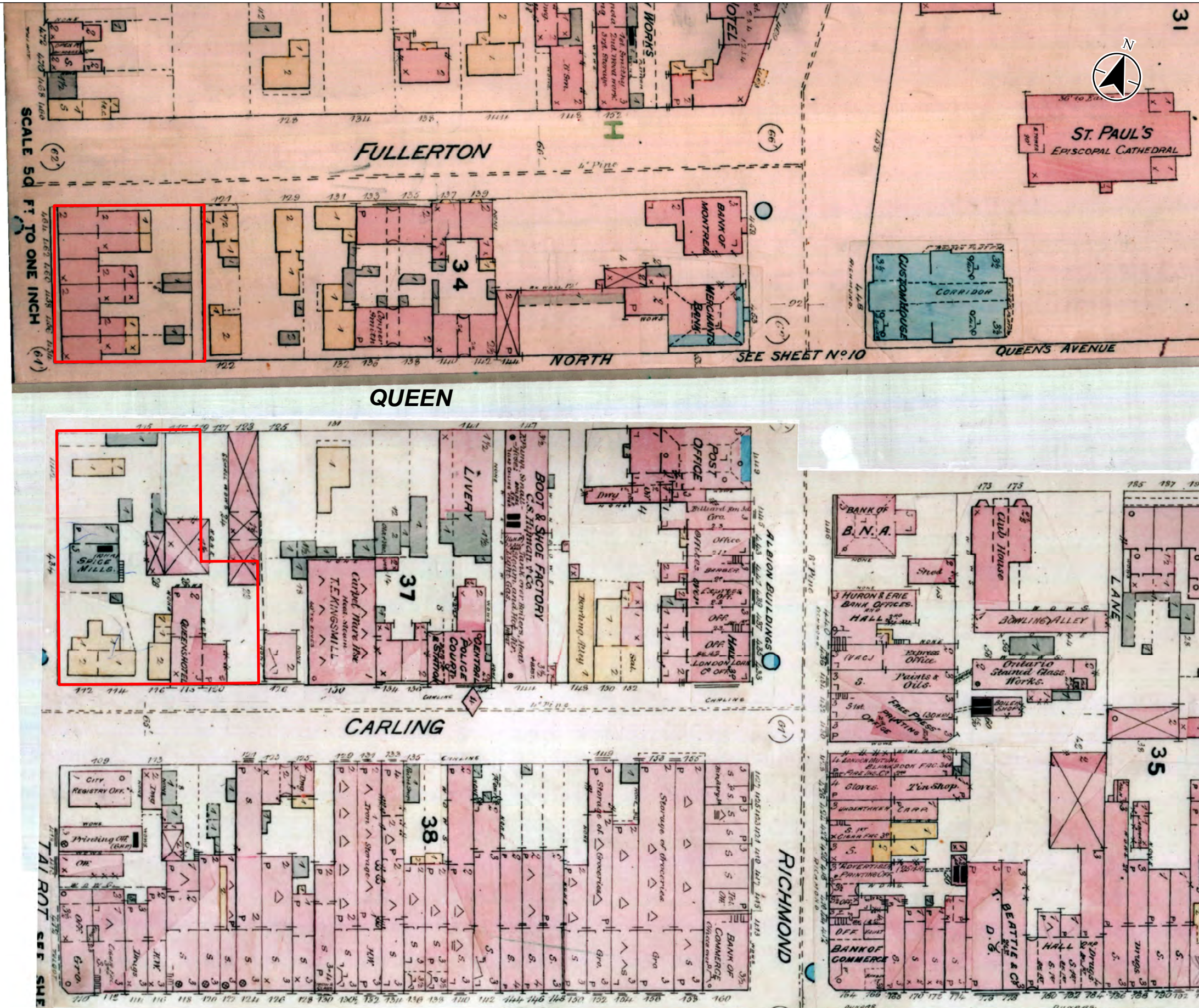
Figure No.

**2**

Title

**Study Area**

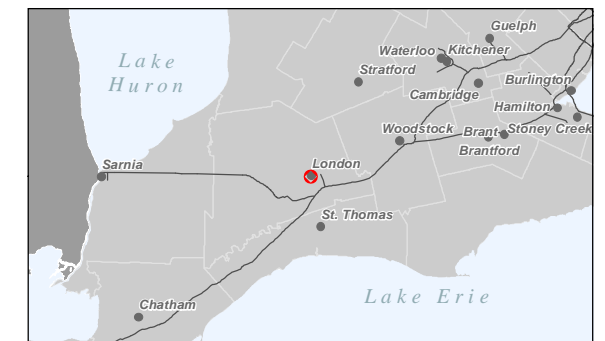
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Legend  
 Study Area

NOT TO SCALE

Notes  
 1. Source: Goad, Charles E. 1888. Insurance Plan of London, Ontario. Montreal: Charles E. Goad.

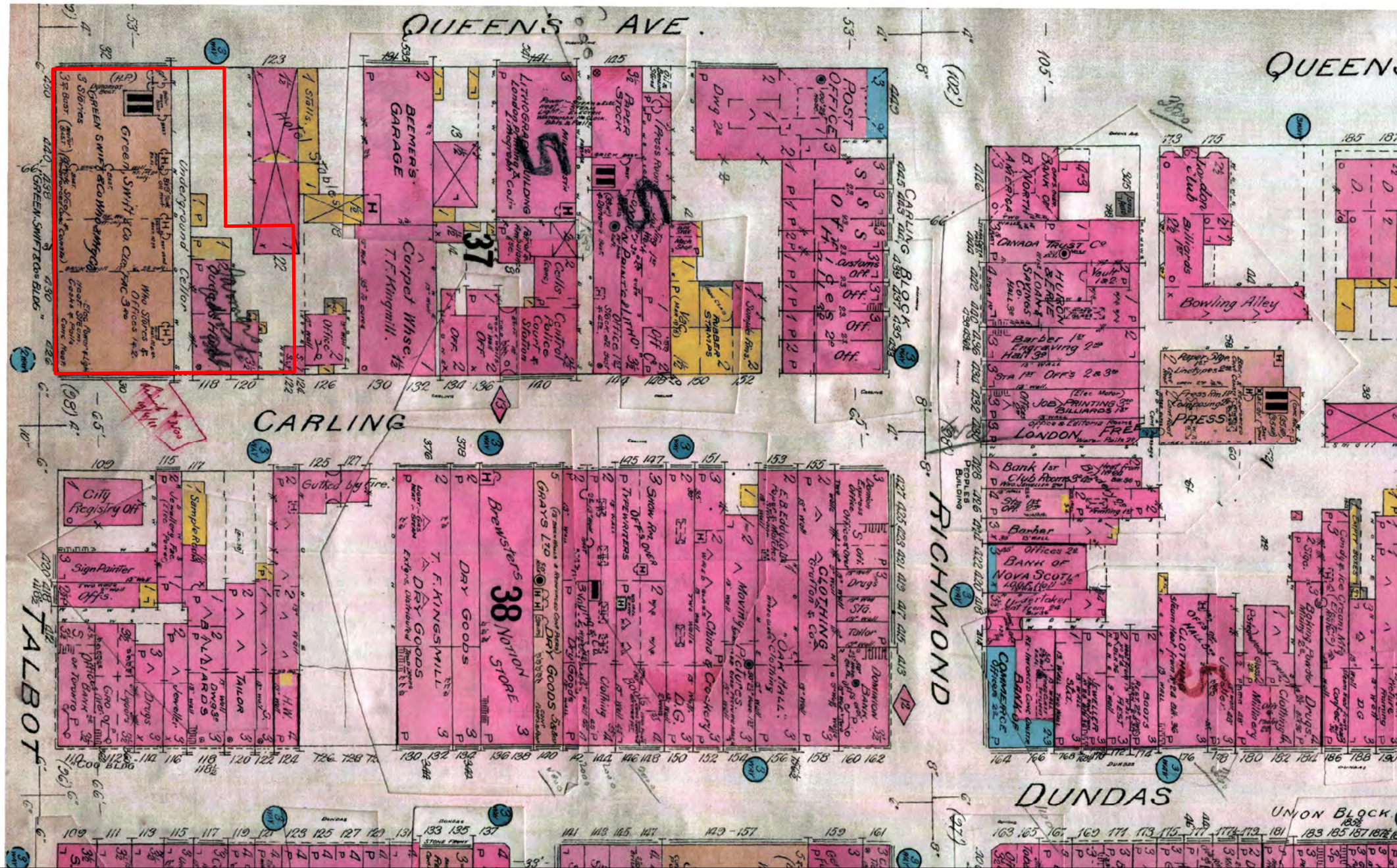


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 HERITAGE IMPACT ASSESSMENT:  
 123 QUEENS AVENUE, LONDON, ONTARIO

Figure No.  
**3**  
 Title  
**1888 Fire Insurance Plan, Sheet 10**

\\cd1215-10\work\_group\01609\active\160940616\1603\_data\gis\_mxd\gis\_mxd\culturalheritage\report\_figures\20190214\_HAI\160940616\_HAI\_Fig04\_1915\_FireInsurancePlan.mxd Revised: 2019-03-15 By: pwoisell



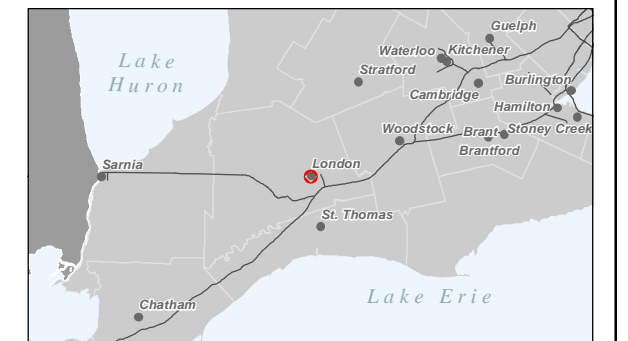
Legend

 Study Area \*

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.



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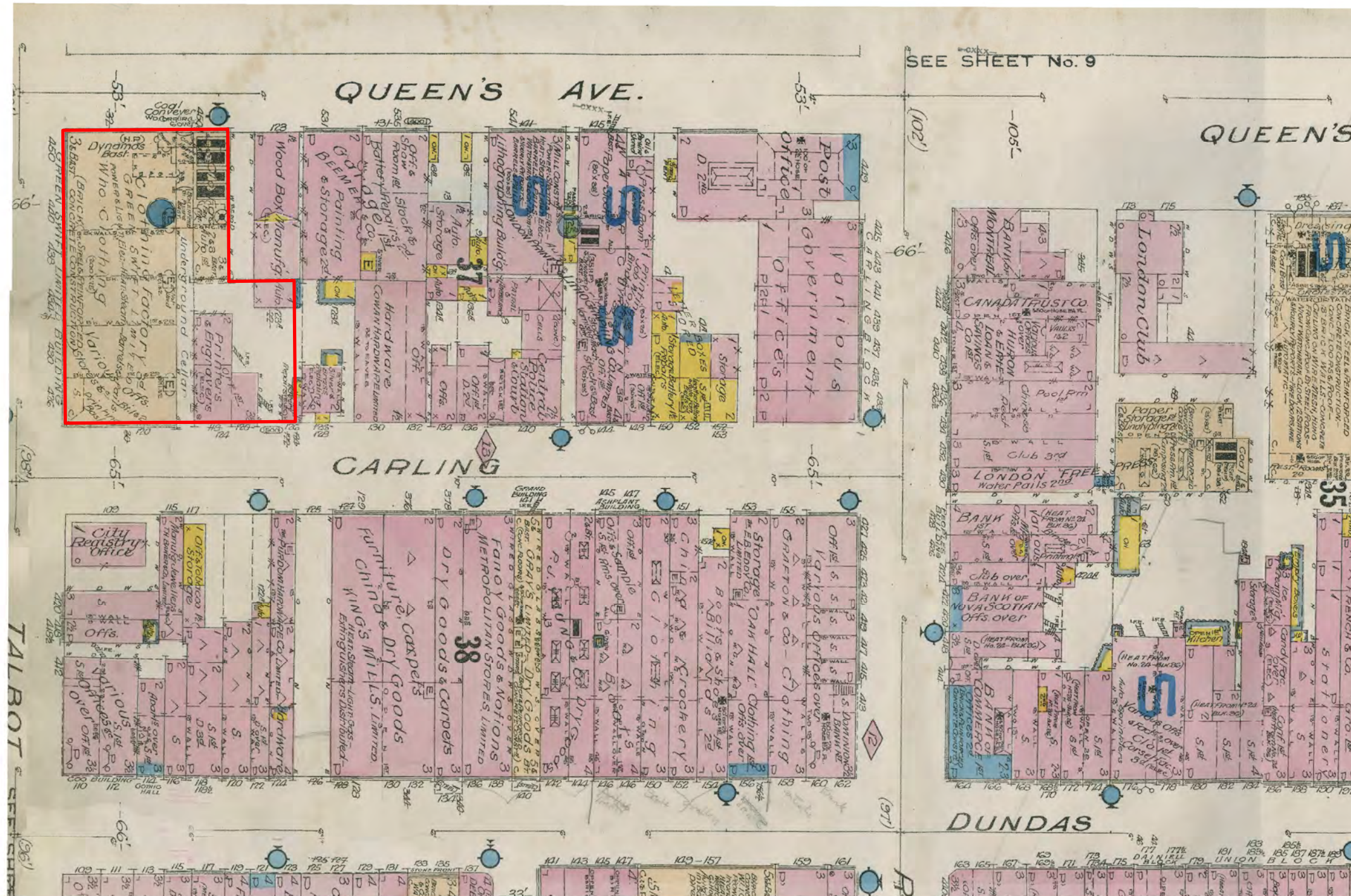
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123 QUEENS AVENUE, LONDON, ONTARIO  
160940616 REVA

Figure No.

4

Title

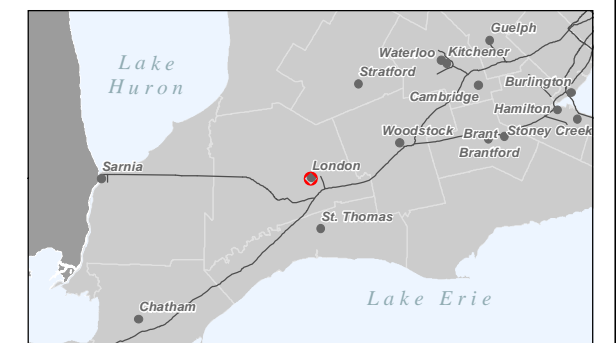
1915 Fire Insurance Plan



NOT TO SCALE

**Notes**  
 1. Source: Underwriters Survey Bureau, 1922. City of London Ontario. Toronto: Underwriters Survey Bureau.

\* Northern portion of the Study Area not included on this mapping.



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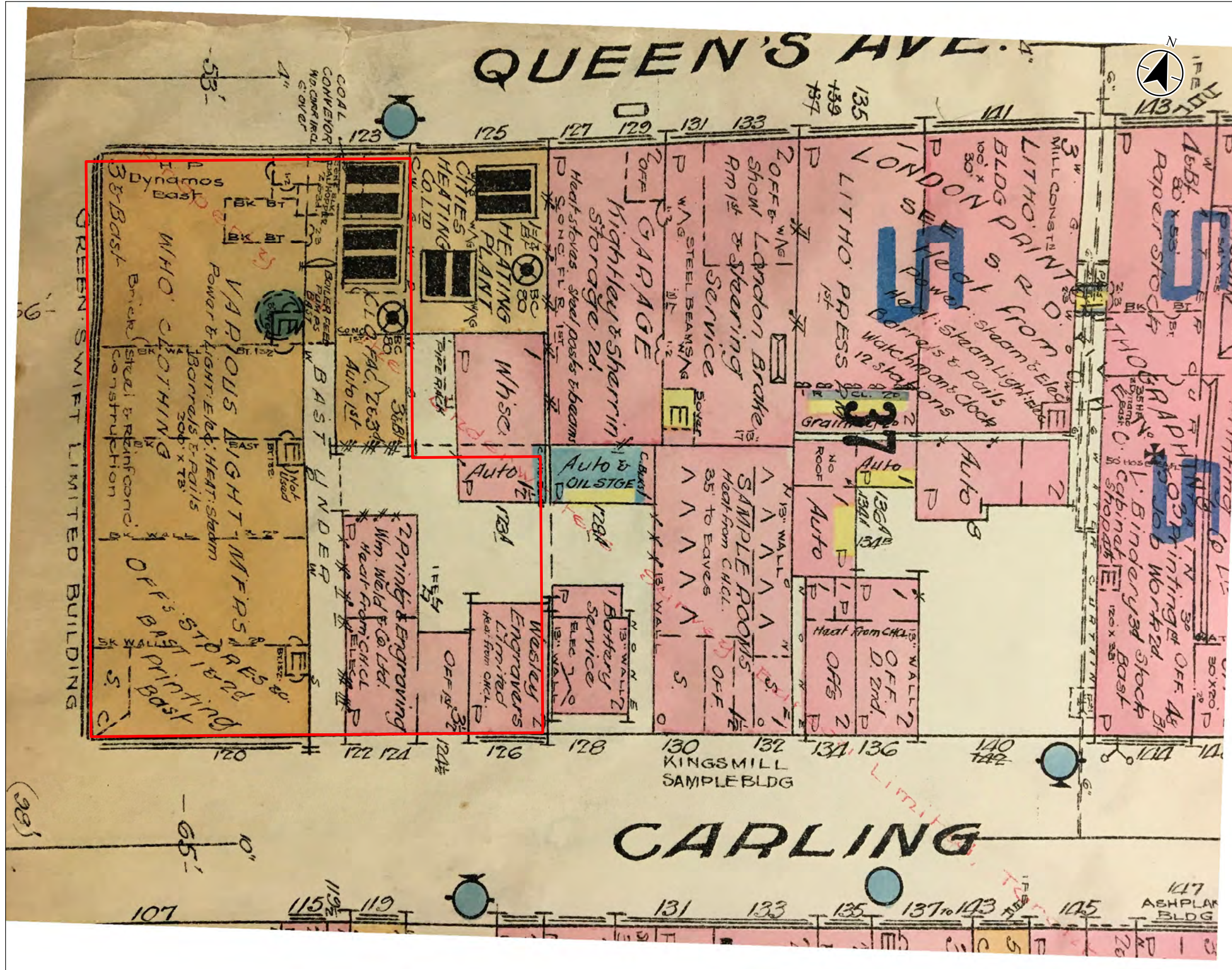
Figure No.

**5**

Title

**1922 Fire Insurance Plan**

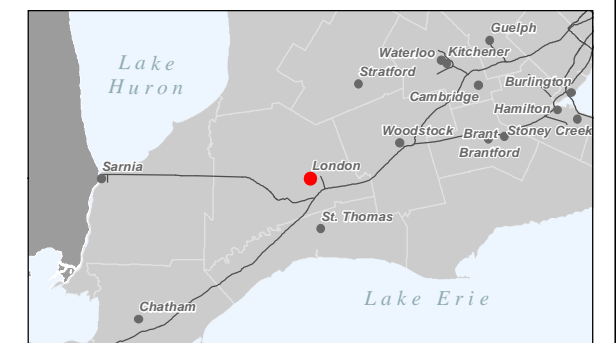
Legend  
 Study Area \*



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


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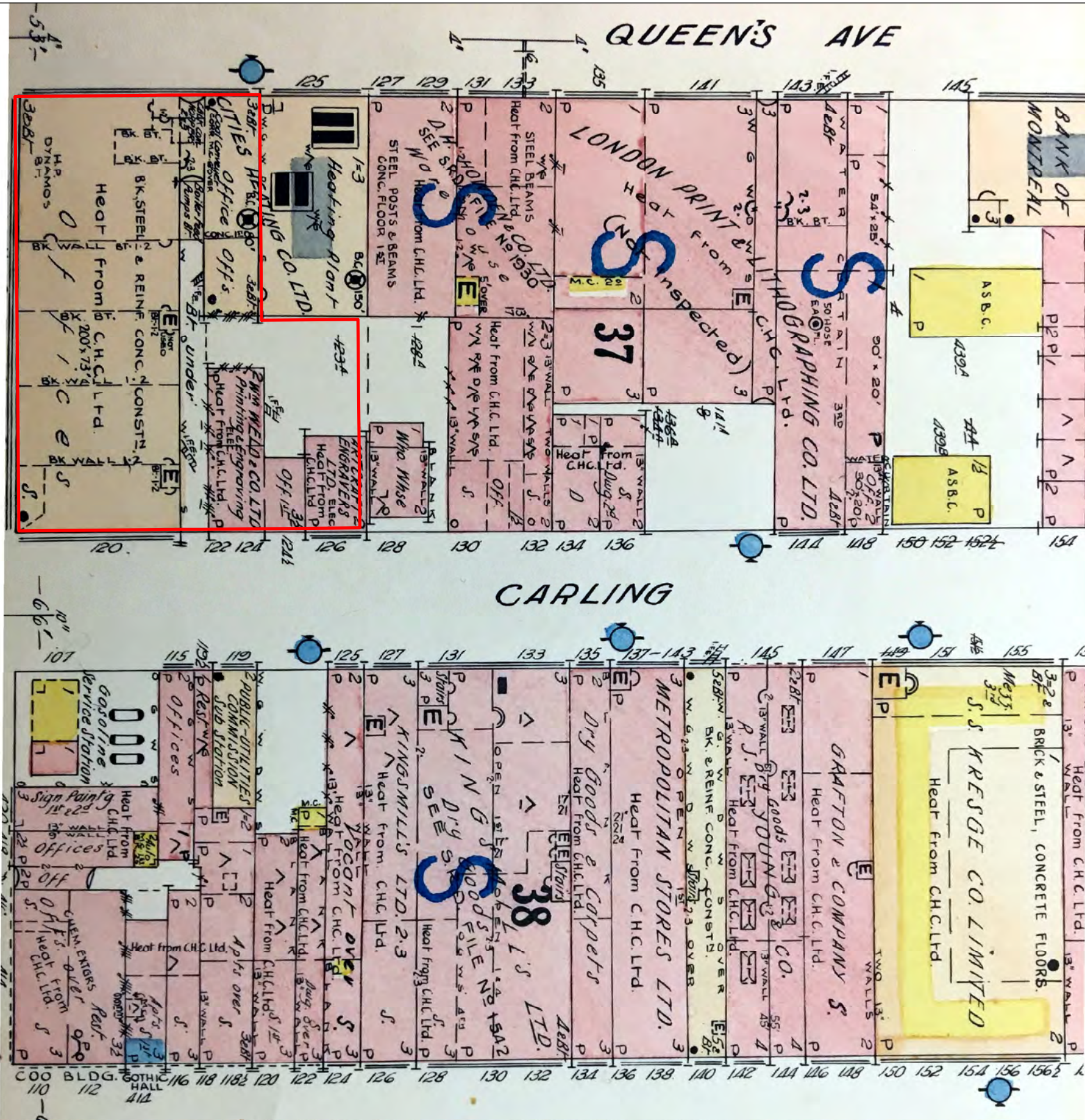
**Client/Project**  
 2470894 ONTARIO, INC.  
 HERITAGE IMPACT ASSESSMENT:  
 123 QUEENS AVENUE, LONDON, ONTARIO

**Figure No.**  
 6

**Title**  
 1940 Fire Insurance Plan

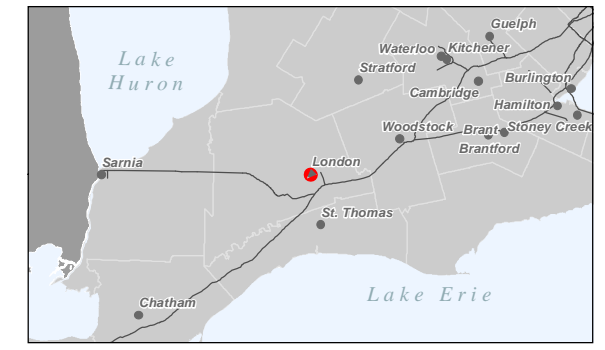


Legend  
 Study Area \*



NOT TO SCALE

**Notes**  
 1. Source: Underwriters Survey Bureau, 1958. 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.  
**7**

Title  
**1958 Fire Insurance Plan**

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## 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 20<sup>th</sup> century industrial structure. The property at 120 Queens Avenue contains a mid-20<sup>th</sup> century office building. The property at 450 Talbot Street contains an early 20<sup>th</sup> century industrial structure that has been converted to commercial/office use. The property at 122 Carling Street contains a mid-19<sup>th</sup> century commercial building. The property at 126 Carling Street contains an early 20<sup>th</sup> 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



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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**



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**Plate 13: CHC manhole cover, located outside 171 Queens Avenue**



**Plate 14: Looking north on Talbot Street**



**Plate 15: Looking south on Talbot Street**



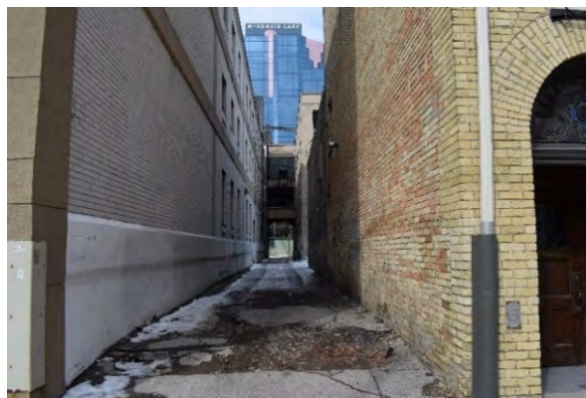
**Plate 16: Looking east on Carling Street**



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**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).



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**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**



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#### **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**



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**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**





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**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**



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#### **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-20<sup>th</sup> 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-20<sup>th</sup> 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**



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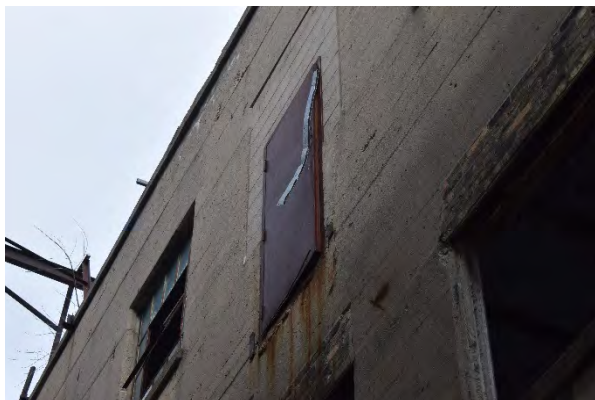
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**Plate 36: Opaque glass windows on west façade, looking east**



**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**



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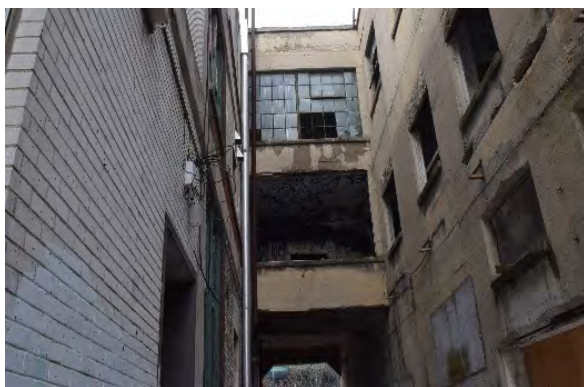
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**Plate 42: Doorway at rear of west façade, looking east**



**Plate 43: Windows with bars on west façade, looking east**



**Plate 44: Corridor connection, looking north**



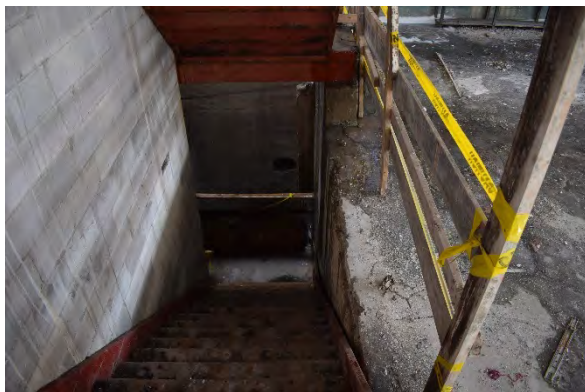
**Plate 45: Exposed rebar, looking south**



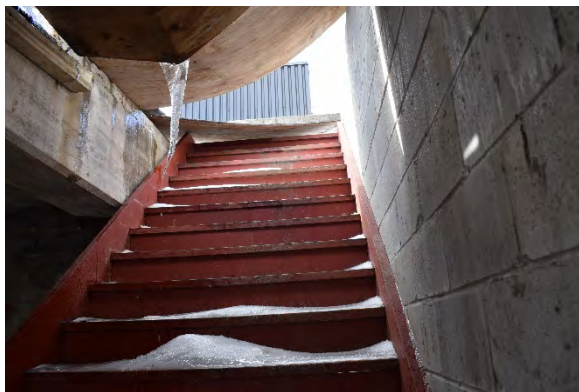
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### 4.3.2 Interior

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**



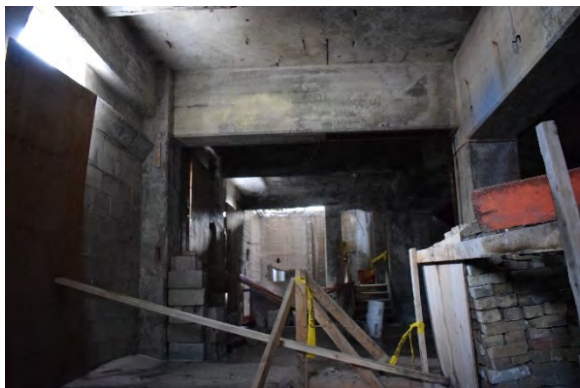
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#### **4.3.2.1 First Storey**

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**



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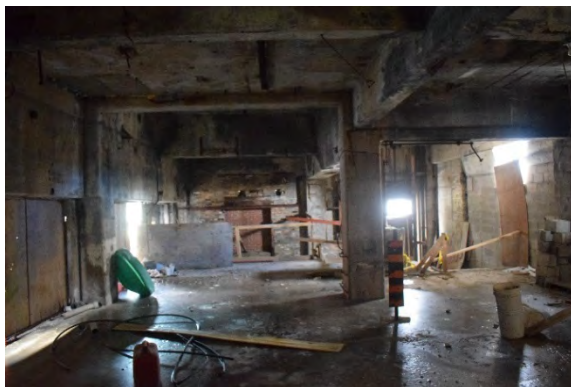
**Plate 52: Opening to basement**



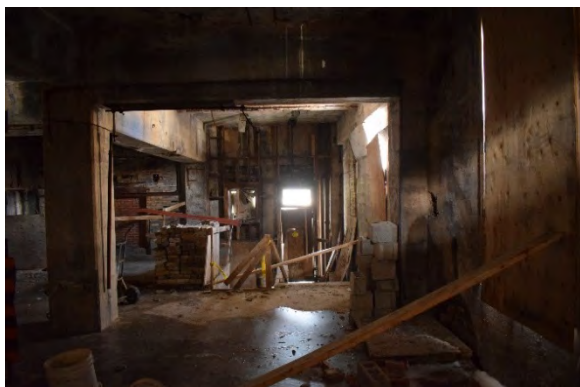
**Plate 53: Bricked window**



**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**



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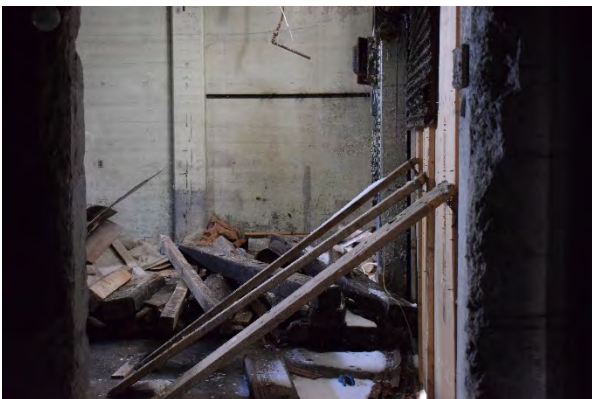
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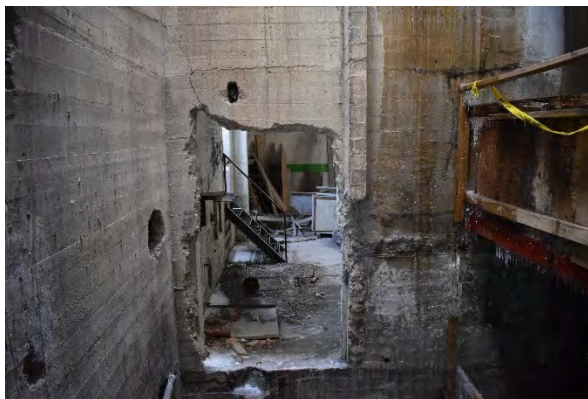
**Plate 58: Ladder rungs**



**Plate 59: Pallet of buff bricks**



**Plate 60: Debris blocking entrance to Level 3, looking south**



**Plate 61: Staircase, looking south from Level 2**





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#### **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**



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**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**



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### 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.

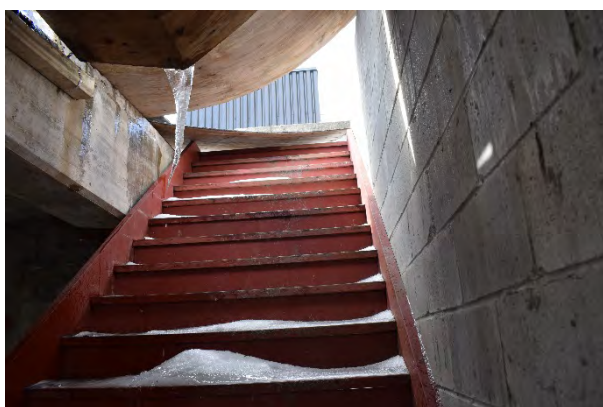


Plate 70: Access to roof, looking east



Plate 71: South and west walls, looking south



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**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**



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**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



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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**



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**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.



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**Plate 88: 450 Talbot Street, looking southeast**



**Plate 89: Original exterior of 450 Talbot Street, at left, looking north**





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## 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 20<sup>th</sup> 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



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## 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



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## 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



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## 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.



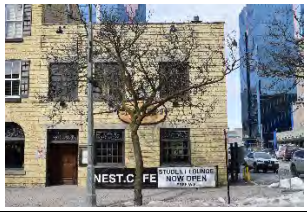

**Table 1: Cultural Heritage Resources Identified in London Downtown HCD Plan**

Municipal Address	Description	Ranking	Character Defining Elements	Photograph
123 Queens Avenue	N/A	C	<ul style="list-style-type: none"> <li>Red brick and concrete reinforced structure connection to 450 Talbot</li> </ul>	



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Municipal Address	Description	Ranking	Character Defining Elements	Photograph
450 Talbot Street	Greene-Swift Building, 1907	C	<ul style="list-style-type: none"> <li>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</li> </ul>	
122 Carling Street	Queens, Hotel c. 1890	A	<ul style="list-style-type: none"> <li>Unpainted brick with replacement windows in original openings; stain glass transoms on ground floor original from the hotel era, c. 1890</li> <li>Rebuilt dormers; period light fixture</li> </ul>	
126 Carling Street	Print Shop, c. 1925	A	<ul style="list-style-type: none"> <li>Two storey cleaned brick</li> <li>Replacement windows in original openings</li> </ul>	
120 Queens Avenue	Lipton Building, 1956	C	<ul style="list-style-type: none"> <li>This building has been completely renovated in recent years leaving no heritage elements</li> </ul>	

## 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



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- 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 Armouries 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.



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**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. <b>Therefore, measures must be prepared to mitigate potential direct impacts.</b>
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. <b>Therefore, measures must be prepared to mitigate potential direct and indirect impacts.</b>
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. <b>Therefore, measures must be prepared to mitigate potential indirect impacts.</b>
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. <b>Therefore, measures must be prepared to mitigate potential indirect impacts.</b>
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. <b>Therefore, measures must be prepared to mitigate potential indirect impacts.</b>



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**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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, measures must be prepared to mitigate direct impacts.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>

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**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 Area the Study Area does not contain these landscape features along Queens Avenue where change will be experienced. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, measures must be prepared to mitigate impacts.</b>
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'. <b>Therefore, no mitigation measures are required.</b>
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

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**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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, measures must be prepared to mitigate impacts.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, mitigation measures are required.</b>

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**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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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.

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**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	
								<b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>
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. <b>Therefore, no mitigation measures are required.</b>

### 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 in 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 parking 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 affect 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,



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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.





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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 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



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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 20<sup>th</sup> century.



### 8.0 SUMMARY STATEMENT AND CONSERVATION RECOMMENDATIONS

The building at 123 Queens Avenue is an early 20<sup>th</sup> 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 20<sup>th</sup> century. It experienced a second life as an office space for CHC during the latter part of the 20<sup>th</sup> 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



## HERITAGE IMPACT ASSESSMENT—123 QUEENS AVENUE, LONDON, ONTARIO

Summary Statement and Conservation Recommendations

March 26, 2019

- 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:
    - o A site-specific history including the results of Documentation and Salvage activities
    - o Specific approaches to commemorating the site (interpretive signage, material reuse, etc.) that will be required in any future development
    - o General design guidelines for future development
    - o Consultation with the London Heritage Advisory Committee regarding the history of the site, potential interpretive approaches, and design guidelines



Closing  
March 26, 2019

## 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.**



**Meaghan Rivard, MA, CAHP**  
Senior Cultural Heritage Specialist  
Phone: 519-645-3350  
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**Colin Varley, MA, RPA**  
Senior Archaeologist, Senior Associate  
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March 26, 2019

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

June 12, 2019

M. Rivard  
Stantec Consulting Inc.  
600-171 Queens Avenue  
London ON N6A 5J7

I hereby certify that the Municipal Council, at its meeting held on June 11, 2019 resolved:

That, the applicant BE ADVISED that pursuant to Section 42(4) of the *Ontario Heritage Act*, the Municipal Council approves the request for an extension until July 31, 2019, relating to the Demolition Permit application for the property located at 123 Queens Avenue to allow the Structural Engineering firm, VanBoxmeer & Stranges Engineering Limited, an opportunity to conduct a structural assessment of the subject property. (2019-P10D/R01) (4.1/11/PEC)

C. Saunders  
City Clerk  
/lm

cc. G. Barrett, Manager, Long Range Planning and Research  
K. Gowan, Heritage Planner  
J. A. Reid, Administrative and Technical Support Representative  
J. Minor, Documentation Services Representative  
External cc list in the City Clerk's Office



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

May 22, 2019

M. Rivard  
Stantec Consulting  
By E-mail

I hereby certify that the Municipal Council, at its meeting held on May 21, 2019 resolved:

That the request to demolish the heritage designated property located at 123 Queens Avenue BE REFERRED to a future meeting of the Planning and Environment Committee to allow for a structural assessment of the building to be undertaken;

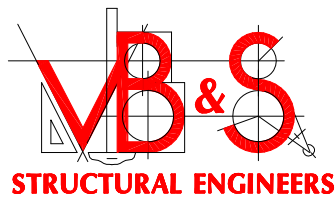
it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- the attached communication dated May 7, 2019, from R. Stranges, Vice-President, VanBoxmeer & Stranges Ltd.; and,
- the attached communication dated May 10, 2019, from P. Nanavati, Vice-President, Leasing & Property Management, FENGATE;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-P10D/R01) (3.61/9/PEC)

C. Saunders  
City Clerk  
/lm

- cc. J. M. Fleming, Managing Director, Planning and City Planner  
G. Barrett, Manager, Long Range Planning and Research  
K. Gowan, Heritage Planner  
S. Langill, Executive Assistant to the City Planner  
External cc List in the City Clerk's Office



# VanBoxmeer & Stranges Ltd.

458 Queens Ave  
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P: (519) 433-4661  
[vbands@vbands.com](mailto:vbands@vbands.com)

4802 Portage Rd, Unit 1  
Niagara Falls, Ontario  
L2A 6E3  
P: (905) 357-2030  
[al@vbands.com](mailto:al@vbands.com)

July 5, 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**  
**SUPPLEMENTAL REPORT #1**

Dear Mr. Leach:

This letter serves to supplement our report dated May 07, 2019. VB&S was provided the opportunity to add to the original report and determine the structural integrity of the structure and to test the concrete and determine whether the concrete is sound. The assessment of the building was completed in two ways. First, by constructing a digital model of the building and completing a structural analysis. Second, by taking core samples of the existing concrete and testing them to determine the structural integrity of the concrete.

## **1.1 Structural Analysis**

On May 14, 2019, Rick Stranges, P. Eng., and Michael Hatt, EIT, (of VB&S) were on site to survey the concrete structure. Physical measurements of the entire structure were taken. The measurements included but were not limited to the wall thickness, floor thickness, floor beam dimensions/locations and the reinforcing steel size and spacing (where exposed) in the walls and piers.

VB&S used these measurements to construct a virtual 3D model using E-Tabs software. E-Tabs is an integrated structural analysis and design software that allows structural engineers to analyze and design various structures. Results from the software allow the engineer to determine which virtual elements are overstressed, and to revise specific parameters until that element is capable of supporting the applied loads.

When the virtual model was built, loads were applied to the structure. The loads as prescribed by the Ontario Building Code include the self-weight of the concrete, dead and live loads applied to the floor structure, and wind loads. Given the age of the building, it was not required to check that the structure would be capable of resisting any seismic load. In discussions with the City, we agreed that as the structure and the occupancy was not changing at this time, and as the original building was not designed for seismic loads, this

study would not have to meet that requirement.

Once the E-tabs results were obtained, VB&S used a software called “S-Concrete” to check the capacity of the elements that were shown to be overstressed in E-Tabs. We use S-Concrete software to design structural concrete elements and in this case walls. The program allows us to construct a virtual wall and precisely arrange the reinforcing within that wall. In this way, S-Concrete allows for a more accurate analysis of specific structural elements. After obtaining the loads and reactions of the overstressed elements from the E-Tabs model, we applied those loads to the wall in S-Concrete. We were then able to verify the stresses in the wall and determine if the maximum permissible stresses in the wall have been exceeded.

## **1.2 Concrete Sampling (PML)**

Peto MacCallum Ltd. (PML) was requested by VB&S to obtain samples of the concrete structure and report on the integrity of the concrete. On June 13, 2019, two PML technicians met with Michael Hatt on site. PML attempted to take concrete samples at three slab locations and one wall location on the third floor of the building. See Appendix ‘B’ Figure 3.

PML reported that the concrete was in such poor condition that proper samples could not be cored and sent to the lab for analysis. Due to the severe deterioration and delamination of the concrete, PML abandoned taking additional samples from the remaining floors. It was reported that attempting to obtain additional samples would be useless as the crumbled and broken concrete could not be tested. Photographs #2 and #4 of the PML report show the condition of the delaminated concrete, where asphalt topping was removed. It was verified by both VB&S and PML that the concrete was severely deteriorated and spalled.

PML notes that the concrete is in very poor condition, and as a result the concrete has extremely low compressive strength. They note that the concrete is in such a state that the slabs are not suitable for the purpose for which they were originally designed.

The condition of the corroded reinforcing and the severely deteriorated concrete renders the floor beyond repair.

## **1.3 Structural Results**

The entire structure was modelled and analyzed, and some of the areas that are overstressed are highlighted in this report. It was determined that most of the walls along the east and south ends of the building were severely overstressed under the OBC applied wind and gravity loads. As shown in the analysis results (Appendix ‘C’), walls in locations noted **V**, **W**, **X**, **Y** and **Z**, as shown in Appendix ‘B’, are overstressed by as much as twice their capacity. Below is a summary of the results in the 5 wall locations highlighted in this report.

<b><u>Wall Location 'V'</u></b>	E-Tabs Model	– Overstressed
	S-Concrete Analysis	– 142% Overstressed
	S-Concrete Warnings	– Warnings of Inadequate Steel
<b><u>Wall Location 'W'</u></b>	E-Tabs Model	– Overstressed
	S-Concrete Analysis	– 23% Overstressed
	S-Concrete Warnings	– Warnings of Inadequate Steel
<b><u>Wall Location 'X'</u></b>	S-Concrete Model	– Overstressed
	S-Concrete Analysis	– 8% Overstressed
	S-Concrete Warnings	– Warnings of Inadequate Steel
<b><u>Wall Location 'Y'</u></b>	S-Concrete Model	– Overstressed
	S-Concrete Analysis	– 102% Overstressed
	S-Concrete Warnings	– Warnings of Inadequate Steel
<b><u>Wall Location 'Z'</u></b>	S-Concrete Model	– Overstressed
	S-Concrete Analysis	– 48% Overstressed
	S-Concrete Warnings	– Warnings of Inadequate Steel

It is also important to consider that the digital analysis of the structure assumes the concrete and reinforcing steel to be working in tandem as designed. However, based on inspection by VB&S and PML, the concrete has been severely cracked and delaminated in many locations, weakening its bond with the reinforcing steel. With this in mind, the structural elements of the building cannot be expected to perform even to the level assumed by the digital analysis. This leaves the structural elements even more overstressed than shown above.

In the Peto MacCallum Ltd. (PML) report, it was noted that the concrete strength could not be determined. A structural analysis of the floor slabs was not completed, as without the concrete strength a calculated concrete stress could not be determined.

## **2.1 Summary**

The analysis results revealed that many of the walls were highly overstressed. The level of overstress removes all factors of safety from the wall, leaving the wall in a severe state of lateral instability.

The inability of PML to obtain a concrete sample from the concrete floor is a major concern. PML notes that the concrete is so deteriorated that it crumbled when trying to extract a core, and therefore the concrete strength could not be determined.

The results of the virtual model/analysis, and the concrete sampling obtained from PML, confirm the assumptions we noted in our original report.

It is our professional opinion that this building is structurally unsound. We recommend that this structure be demolished immediately as it is unsafe.

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 'A'**

**Peto MacCallum Ltd. - Report**



June 13, 2019

PML Ref.: 19LM005

Report: 1

Ms. Martha Leach  
JAM Properties  
180 Cheapside Street  
London, Ontario  
N6A 1Z8

Dear Ms. Leach

**Concrete Coring and Testing**  
**123 Queens Avenue**  
**London, Ontario**

Peto MacCallum Ltd. (PML) visited the referenced project site on June 13, 2019, at the request of Mr. Michael Hatt of VanBoxmeer & Strangers Engineering Limited, to extract a number of concrete core samples to be submitted to PML's laboratory for compressive strength testing, to assist in the analysis on the structural integrity of the noted concrete building.

Upon arrival at the site, located at 123 Queens Ave, London, Ontario, it was observed that the building is an old concrete building with obvious signs of severe cracking in the walls and the suspended floor slab area. Inspection of the suspended floor slab, at some areas, indicated that a thin layer of asphalt with approximate thickness of 25 mm was overlying the concrete floor slab where rebar was observed at approximately 150 mm from top of the slab. Upon trying to core-drill, the concrete crumble and broke into pieces.

Based on our observations during the attempt to extract core samples for testing, the slab concrete has deteriorated to the extent that sound (or intact) concrete core samples could not be extracted. The fact that the concrete easily crumbled into pieces upon core-drilling is indicative of deteriorated concrete with extremely low compressive strength. From a concrete material view point, the concrete slab is not suitable for the purpose for which the structure was designed. A structural analysis/evaluation should be carried out to assess the remaining service life, if any.

As a result and based on our discussions with Mr. Hatt who was present at the site during our visit, no concrete coring was performed at the noted concrete building.

Photographs showing the observed poor concrete condition in the building are attached for reference.

Should you have any questions regarding the information presented, please contact our office.

Sincerely

Peto MacCallum Ltd



Souzan Dabbagh, M.Eng, P.Eng.  
Discipline Manager – Inspection and Testing  
and Geotechnical Services

SD:ak

Enclosure(s) : 4

1 cc: JAM Properties (email only)

1 cc: Van Boxmeer & Strangers Engineering Limited (email only)

4023 Meadowbrook Drive, Unit 103. London, Ontario N6L 1E6

Tel: (519) 203-7500

E-mail: [kitchener@petomacallum.com](mailto:kitchener@petomacallum.com)

BARRIE, COLLINGWOOD, HAMILTON, KITCHENER, LONDON, TORONTO



**APPENDIX A**  
Site Photographs



Photograph No. 1 – Severe Concrete Floor and Wall Cracks



Photograph No. 2 – Asphalt Layer Overlying the Poor Concrete Floor Slab



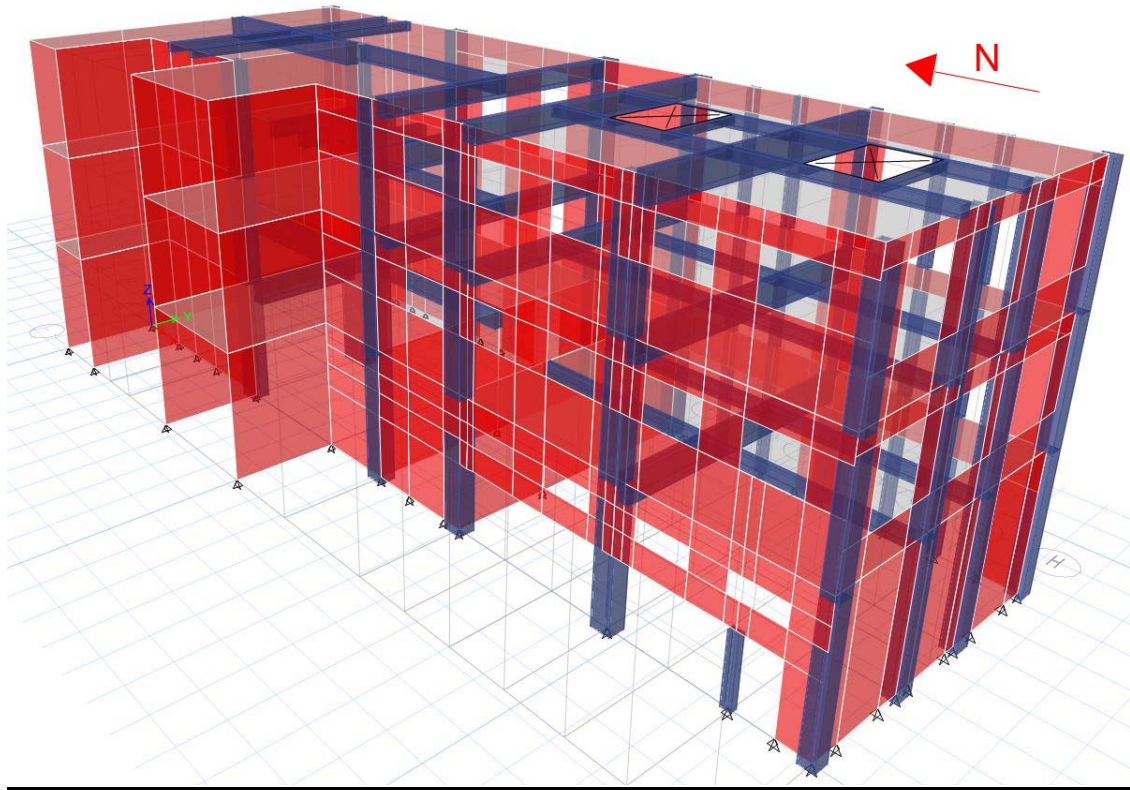
Photograph No. 3 – Overall Picture Showing Poor Concrete Floor and Wall Conditions



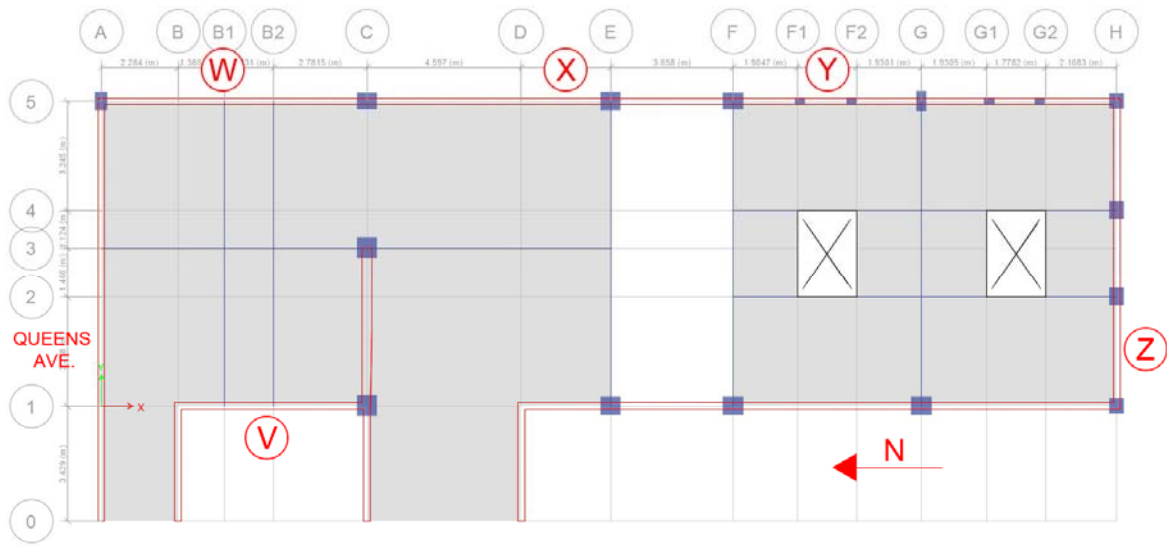
Photograph No. 4 – Broken Pieces/Crumble of Concrete Floor Showing Unsuitable Coring Conditions

# **APPENDIX 'B'**

## **Analysis Model**

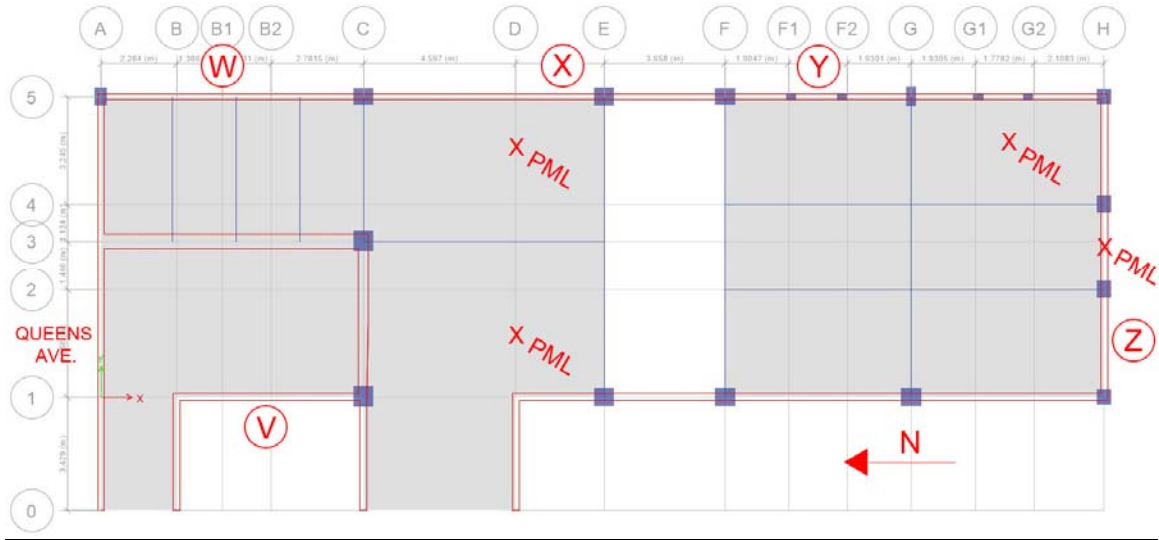


**Figure 1 - 3D Model**

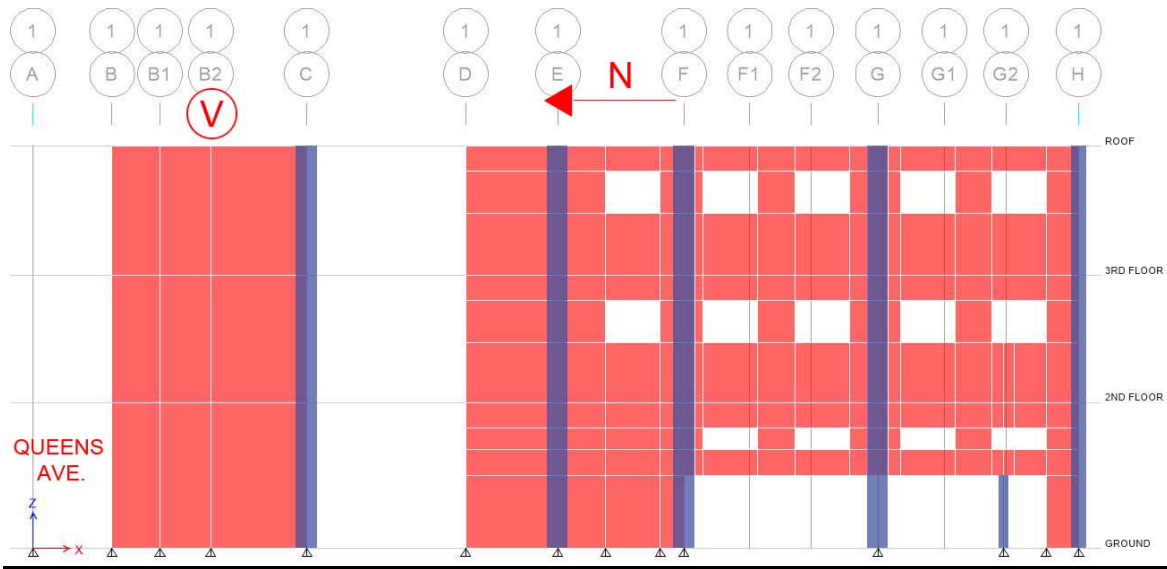


**Figure 2 - Roof Framing Plan**

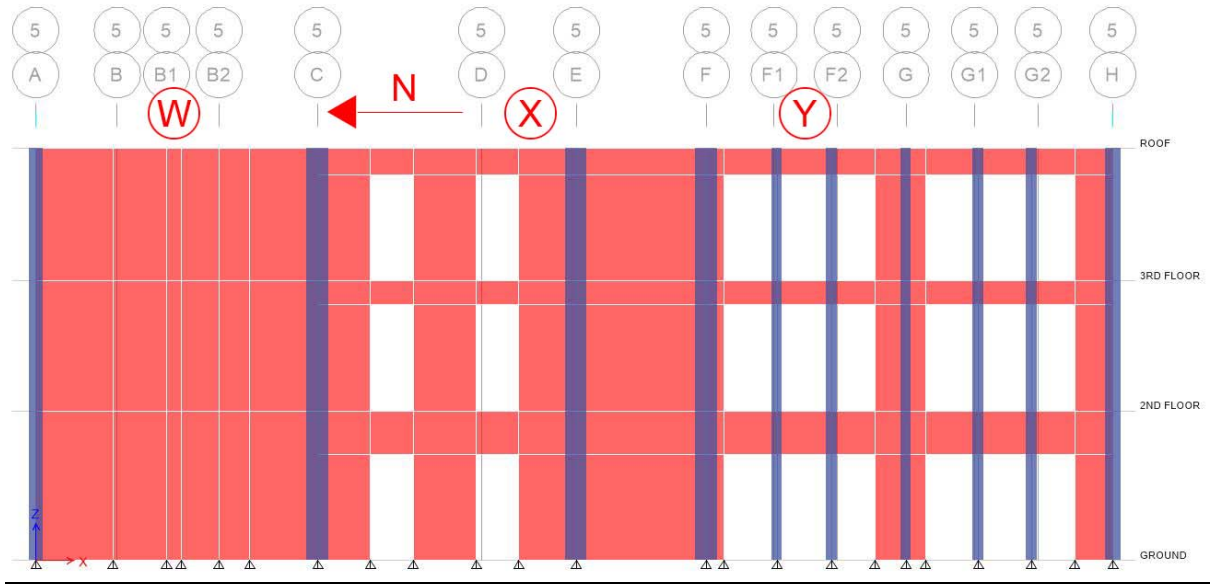




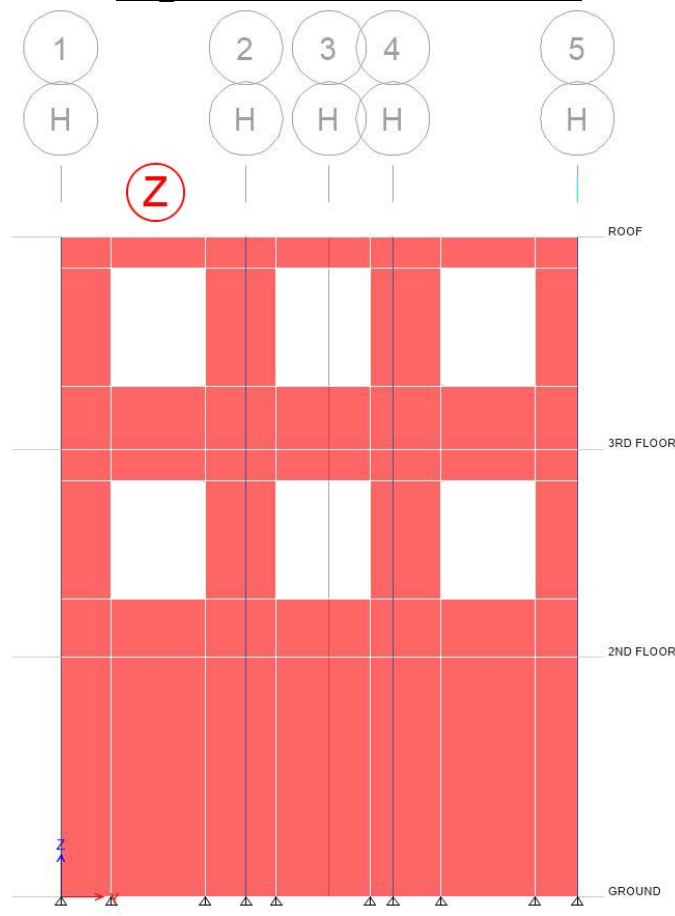
**Figure 3 - 3<sup>rd</sup> Floor Framing Plan**



**Figure 4 - Gridline 1 Elevation**



**Figure 5 - Gridline 5 Elevation**



**Figure 6 - Gridline H Elevation**

# **APPENDIX 'C'**

## **Analysis Results**

## ETABS Shear Wall Design

### CSA A23.3-14 Pier Design

#### Pier Details

Story ID	Pier ID	Centroid X (mm)	Centroid Y (mm)	Length (mm)	Thickness (mm)	LLRF
ROOF	PW21	5104.5	0	5641	203.2	1

#### Material Properties

$E_c$ (MPa)	$f_c$ (MPa)	Lt.Wt Factor (Unitless)	$f_y$ (MPa)	$f_{ys}$ (MPa)
24942	25	1	275	275

#### Design Code Parameters

$\Phi_c$	$\Phi_s$	$IP_{MAX}$	$IP_{MIN}$	$P_{MAX}$
0.65	0.85	0.04	0.0025	0.8

#### Pier Leg Location, Length and Thickness

Station Location	ID	Left $X_1$ (mm)	Left $Y_1$ (mm)	Right $X_2$ (mm)	Right $Y_2$ (mm)	Length (mm)	Thickness (mm)
Top	Leg 1	2284	0	7925	0	5641	203.2
Bottom	Leg 1	2284	0	7925	0	5641	203.2

#### Flexural Design for $P_f$ , $M_{f1}$ and $M_{f2}$

Station	D/C	Flexural	$P_f$ (kN)	$M_{f2}$ (kN-m)	$M_{f1}$ (kN-m)
Top	1.026	4. 1.25D + 1.4W(y) + 0.5L	82.0934	38.3381	49.0831
Bottom	0.238	4. 1.25D + 1.4W(y) + 0.5L	208.1524	-23.5646	-110.4123

Design Inadequacy Message: Pier fails in flexure or P-M-M interaction !!

#### Shear Design

Station Location	ID	Rebar (mm <sup>2</sup> /m)	Shear Combo	$P_f$ (kN)	$M_f$ (kN-m)	$V_f$ (kN)	$V_c$ (kN)	$V_r$ (kN)
Top	Leg 1	0	12. 1.25D - 1.4W(y) + 0.5L	93.4772	81.0846	57.4569	0	0
Bottom	Leg 1	0	12. 1.25D - 1.4W(y) + 0.5L	219.5361	133.4678	57.4569	0	0

#### Boundary Element Check (Part 1 of 2)

Station Location	ID	Edge Length (mm)	Governing Combo	$P_f$ (kN)	$M_f$ (kN-m)	c (mm)	Inelastic Rotational Demand
Top	Leg 1	0	14. D - Q(y) + 0.5L	74.2114	60.5332	0	0
Bottom	Leg 1	0	14. D - Q(y) + 0.5L	0	0	0	0

#### Boundary Element Check (Part 2 of 2)

Inelastic Rotational Capacity	Ductility Status
0	Not Needed
0	Not Needed

## LOCATION V: ETABS Results for Wall on Gridline 1 From B to C

S-CONCRETE 2019.1.1 (c) S-FRAME Software Inc. www.s-frame.com			
<b>File Name:</b> Q:\... Analysis\19158 SCONC\19158 Wall Test.SCO		<b>Summary</b>	
<b>Section Name</b> Concrete Section		<b>Status</b> Unacceptable	
<b>Consultant</b> VB&S		Maximum 1.000	
		V (shear) Util 0.106	
		<b>N vs M Util</b> 2.421	
<b>Canadian Building Standards</b>			
CSA Standard A23.3-14, "Design of Concrete Structures"			
CSA Standard A23.1-04, "Concrete Materials and Methods of Concrete Construction"			
<b>Design Aids, Manuals, and Handbooks</b>			
"Concrete Design Handbook", Cement Association of Canada, 3rd Edition, 2006			
"Prestressed Concrete Structures", Collins and Mitchell, Prentice Hall Inc., 1991 (MCFT)			
<b>Section Dimensions</b>	<b>Material Properties</b>	<b>Gross Properties</b>	<b>Effective Properties</b>
I-Shape	fc' = 25 MPa	Zbar = 0 mm	Ae = 1122.0xE3 mm <sup>2</sup>
L1 = 5610 mm	fy (panel vert) = 275.0 MPa	Ybar = 0 mm	Ie (y-y) = 3740.0xE6 mm <sup>4</sup>
T1 = 200 mm	fy (panel horz) = 275.0 MPa	Ag = 1122.0xE3 mm <sup>2</sup>	Ie (z-z) = 2942.6xE9 mm <sup>4</sup>
	fy (zone vert) = 275.0 MPa	Ig (y-y) = 3740.0xE6 mm <sup>4</sup>	Ase (Y) = 935000 mm <sup>2</sup>
	fy (zone horz) = 275.0 MPa	Ig (z-z) = 2942.6xE9 mm <sup>4</sup>	Ase (Z) = 935000 mm <sup>2</sup>
	Wc = 2400 kg/m <sup>3</sup>	Ashear (Y) = 935000 mm <sup>2</sup>	Je = 14624xE6 mm <sup>4</sup>
	Ws = 7850 kg/m <sup>3</sup>	Ashear (Z) = 935000 mm <sup>2</sup>	
	Poisson's Ratio = 0.2	Jg = 14624xE6 mm <sup>4</sup>	<b>Overstrength Factors</b>
	hagg = 20 mm		Normal (y-y) = 1.5
<b>Quantities (approx.)</b>	Es = 200000 MPa		Normal (z-z) = 1.5
Concrete = 2689 kg/m	Ec = 24943 MPa		Rd = 1.5, Ro = 1.3
Steel = 20.6 kg/m	Gc = 10393 MPa		
Primary = 11.0 kg/m	fr = 3.0 MPa		
Secondary = 9.6 kg/m			
<b>Panel 1</b>			
14-10M @ 450 Vert			
10M @ 450 Horz			
<b>N vs M Results</b>		<b>Axial Utilization</b>	<b>Moment Utilization</b>
GLC	81	Nf = -169.6 kN	Mf = 117.2 kNm
<b>Status</b>	Unacceptable	Nr (max) = -8317.5 kN	Mn = 54.7 kNm
<b>Utilization</b>	2.421	Utilization = 0.020	Mr = 48.4 kNm
Maximum	1.000		Mp = 64.0 kNm
Theta	13°		
w	1.00		
<b>Shear and Torsion Utilization</b>		<b>Shear Z-Direction</b>	<b>Shear Y-Direction</b>
GLC	138	Nf = -296.6 kN	Nf = -296.6 kN
<b>Status</b>	Acceptable	Mf (y-y) = 82.3 kNm	Mf (z-z) = -20.4 kNm
<b>Utilization</b>	0.106 = Uz + Uy	Vfz = 15.8 kN	Vfy = 51.4 kN
Maximum	1.000	bw = 5610 mm	bw = 200 mm
Method	Simplified	d = 100 mm	d = 4488 mm

**LOCATION V: S-Concrete Results for Wall on Gridline 1 From B to C – Page 1**

<b>Ductility Requirements</b>		
No Earthquake Loads		
<b>List of Messages</b>		
Message 1	Unacceptable	Axial Load and Moment Utilization equals or exceeds Maximum. Clauses 10.1, 10.10, or 14.2.2 of A23.3
Message 17	Warning	fy of Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 18	Warning	fy of Shear Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 47	Warning	Panel Vertical Steel Ratio does not meet the minimum. Clause 14.1.8.5 of A23.3
Message 49	Warning	Panel Horizontal Steel Ratio does not meet the minimum. Clause 14.1.8.6 of A23.3
Message 68	Warning	Zone required with minimum bars. Clause 14.1.8.8.1 or 21.6.3.7.4 of A23.3
Message 75	Warning	Horizontal bars may require sideways hooks or may need to be anchored within zone Clause 21.5.5.3 of A23.3

**LOCATION V: S-Concrete Results for Wall on Gridline 1 From B to C – Page 2**

## ETABS Shear Wall Design

### CSA A23.3-14 Pier Design

#### Pier Details

Story ID	Pier ID	Centroid X (mm)	Centroid Y (mm)	Length (mm)	Thickness (mm)	LLRF
ROOF	PW1	3982.5	9093	7925	203.2	1

#### Material Properties

$E_c$ (MPa)	$f_c$ (MPa)	Lt.Wt Factor (Unitless)	$f_y$ (MPa)	$f_{ys}$ (MPa)
24942	25	1	275	275

#### Design Code Parameters

$\Phi_c$	$\Phi_s$	IP <sub>MAX</sub>	IP <sub>MIN</sub>	P <sub>MAX</sub>
0.65	0.85	0.04	0.0025	0.8

#### Pier Leg Location, Length and Thickness

Station Location	ID	Left X <sub>1</sub> (mm)	Left Y <sub>1</sub> (mm)	Right X <sub>2</sub> (mm)	Right Y <sub>2</sub> (mm)	Length (mm)	Thickness (mm)
Top	Leg 1	0	9093	7925	9093	7925	203.2
Bottom	Leg 1	0	9093	7925	9093	7925	203.2

#### Flexural Design for P<sub>f</sub>, M<sub>f2</sub> and M<sub>f3</sub>

Station	D/C	Flexural	P <sub>f</sub> (kN)	M <sub>f2</sub> (kN-m)	M <sub>f3</sub> (kN-m)
Top	1.036	3. 1.25D + 1.4W(x) + 0.5L	105.5626	-53.196	-123.9426
Bottom	0.049	12. 1.25D - 1.4W(y) + 0.5L	289.9453	19.5598	90.5061

Design Inadequacy Message: Pier fails in flexure or P-M-M interaction !!

#### Shear Design

Station Location	ID	Rebar (mm <sup>2</sup> /m)	Shear Combo	P <sub>f</sub> (kN)	M <sub>f</sub> (kN-m)	V <sub>f</sub> (kN)	V <sub>c</sub> (kN)	V <sub>s</sub> (kN)
Top	Leg 1	0	3. 1.25D + 1.4W(x) + 0.5L	105.5626	123.9426	49.1424	0	0
Bottom	Leg 1	0	3. 1.25D + 1.4W(x) + 0.5L	295.5528	93.1941	41.1722	0	0

#### Boundary Element Check (Part 1 of 2)

Station Location	ID	Edge Length (mm)	Governing Combo	P <sub>f</sub> (kN)	M <sub>f</sub> (kN-m)	c (mm)	Inelastic Rotational Demand
Top	Leg 1	0	14. D - Q(y) + 0.5L	85.7966	-92.6012	0	0
Bottom	Leg 1	0	14. D - Q(y) + 0.5L	0	0	0	0

#### Boundary Element Check (Part 2 of 2)

Inelastic Rotational Capacity	Ductility Status
0	Not Needed
0	Not Needed

## LOCATION W: ETABS Results for Wall on Gridline 5 From A to C

S-CONCRETE 2019.1.1 (c) S-FRAME Software Inc. www.s-frame.com			
<b>File Name:</b> Q:\... alysis\19158 SCONC\19158 Wall Test 4.SCO		<b>Summary</b>	
<b>Section Name</b> Concrete Section		<b>Status</b> Unacceptable	
<b>Consultant</b> VB&S		Maximum 1.000	
		V (shear) Util 0.112	
		<b>N vs M Util</b> 1.227	
<b>Canadian Building Standards</b>			
CSA Standard A23.3-14, "Design of Concrete Structures"			
CSA Standard A23.1-04, "Concrete Materials and Methods of Concrete Construction"			
<b>Design Aids, Manuals, and Handbooks</b>			
"Concrete Design Handbook", Cement Association of Canada, 3rd Edition, 2006			
"Prestressed Concrete Structures", Collins and Mitchell, Prentice Hall Inc., 1991 (MCFT)			
<b>Section Dimensions</b>	<b>Material Properties</b>	<b>Gross Properties</b>	<b>Effective Properties</b>
I-Shape	fc' = 25 MPa	Zbar = 0 mm	Ae = 1585.0xE3 mm <sup>2</sup>
L1 = 7925 mm	fy (panel vert) = 275.0 MPa	Ybar = 0 mm	Ie (y-y) = 5283.3xE6 mm <sup>4</sup>
T1 = 200 mm	fy (panel horz) = 275.0 MPa	Ag = 1585.0xE3 mm <sup>2</sup>	Ie (z-z) = 8295.6xE9 mm <sup>4</sup>
	fy (zone vert) = 275.0 MPa	Ig (y-y) = 5283.3xE6 mm <sup>4</sup>	Ase (Y) = 1320.8xE3 mm <sup>2</sup>
	fy (zone horz) = 275.0 MPa	Ig (z-z) = 8295.6xE9 mm <sup>4</sup>	Ase (Z) = 1320.8xE3 mm <sup>2</sup>
	Wc = 2400 kg/m <sup>3</sup>	Ashear (Y) = 1320.8xE3 mm <sup>2</sup>	Je = 20797xE6 mm <sup>4</sup>
	Ws = 7850 kg/m <sup>3</sup>	Ashear (Z) = 1320.8xE3 mm <sup>2</sup>	
	Poisson's Ratio = 0.2	Jg = 20797xE6 mm <sup>4</sup>	<b>Overstrength Factors</b>
<b>Quantities (approx.)</b>	hagg = 20 mm		Normal (y-y) = 1.5
Concrete = 3799 kg/m	Es = 200000 MPa		Normal (z-z) = 1.5
Steel = 28.6 kg/m	Ec = 24943 MPa		Rd = 1.5, Ro = 1.3
Primary = 14.9 kg/m	Gc = 10393 MPa		
Secondary = 13.7 kg/m	fr = 3.0 MPa		
<b>Panel 1</b>			
19-10M @ 450 Vert			
10M @ 450 Horz			
<b>N vs M Results</b>		<b>Axial Utilization</b>	<b>Moment Utilization</b>
GLC	81	Nf = -133.8 kN	Mf = 136.3 kNm
<b>Status</b>	Unacceptable	Nr (max) = -11740.3 kN	Mr = 111.1 kNm
<b>Utilization</b>	1.227	Utilization = 0.011	Mp = 152.0 kNm
Maximum	1.000		
Theta	300°		
w	1.00		
<b>Shear and Torsion Utilization</b>		<b>Shear Z-Direction</b>	<b>Shear Y-Direction</b>
GLC	157	Nf = -105.3 kN	Nf = -105.3 kN
<b>Status</b>	Acceptable	Mf (y-y) = -53.7 kNm	Mf (z-z) = -120.2 kNm
<b>Utilization</b>	0.112	Vfz = 47.9 kN	Vfy = 16.6 kN
Maximum	1.000	bw = 7925 mm	bw = 200 mm
<b>Method</b>	Simplified	d = 100 mm	d = 6340 mm

**LOCATION W: S-Concrete Results for Wall on Gridline 5 From A to C – Page 1**



<u>Ductility Requirements</u>		
No Earthquake Loads		
<u>List of Messages</u>		
Message 1	Unacceptable	Axial Load and Moment Utilization equals or exceeds Maximum. Clauses 10.1, 10.10, or 14.2.2 of A23.3
Message 17	Warning	fy of Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 18	Warning	fy of Shear Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 47	Warning	Panel Vertical Steel Ratio does not meet the minimum. Clause 14.1.8.5 of A23.3
Message 49	Warning	Panel Horizontal Steel Ratio does not meet the minimum. Clause 14.1.8.6 of A23.3
Message 68	Warning	Zone required with minimum bars. Clause 14.1.8.8.1 or 21.6.3.7.4 of A23.3
Message 75	Warning	Horizontal bars may require sideways hooks or may need to be anchored within zone Clause 21.5.5.3 of A23.3
Message 85	Warning	Simplified Method of Shear Design cannot be used for this section. Clauses 11.3.6.3 or 11.3.6.1 of A23.3

**LOCATION W: S-Concrete Results for Wall on Gridline 5 From A to C – Page 2**

S-CONCRETE 2019.1.1 (c) S-FRAME Software Inc. www.s-frame.com			
File Name: Q:\... alysis\19158 SCONC\19158 Wall Test 2.SCO		<b>Summary</b> <b>Status</b> Unacceptable Maximum 1.000 V (shear) Util 0.158 N vs M Util 1.084	
Section Name: Concrete Section		Consultant: VB&S	
<b>Canadian Building Standards</b> CSA Standard A23.3-14, "Design of Concrete Structures" CSA Standard A23.1-04, "Concrete Materials and Methods of Concrete Construction"			
<b>Design Aids, Manuals, and Handbooks</b> "Concrete Design Handbook", Cement Association of Canada, 3rd Edition, 2006 "Prestressed Concrete Structures", Collins and Mitchell, Prentice Hall Inc., 1991 (MCFT)			
<b>Section Dimensions</b> I-Shape L1 = 1770 mm T1 = 200 mm	<b>Material Properties</b> fc' = 25 MPa fy (panel vert) = 275.0 MPa fy (panel horz) = 275.0 MPa fy (zone vert) = 275.0 MPa fy (zone horz) = 275.0 MPa Wc = 2400 kg/m <sup>3</sup> Ws = 7850 kg/m <sup>3</sup> Poisson's Ratio = 0.2 hagg = 20 mm Es = 200000 MPa Ec = 24943 MPa Gc = 10393 MPa fr = 3.0 MPa	<b>Gross Properties</b> Zbar = 0 mm Ybar = 0 mm Ag = 354000 mm <sup>2</sup> Ig (y-y) = 1180.0xE6 mm <sup>4</sup> Ig (z-z) = 92421xE6 mm <sup>4</sup> Ashear (Y) = 295000 mm <sup>2</sup> Ashear (Z) = 295000 mm <sup>2</sup> Jg = 4383.9xE6 mm <sup>4</sup>	<b>Effective Properties</b> Ae = 354000 mm <sup>2</sup> Ie (y-y) = 1180.0xE6 mm <sup>4</sup> Ie (z-z) = 92421xE6 mm <sup>4</sup> Ase (Y) = 295000 mm <sup>2</sup> Ase (Z) = 295000 mm <sup>2</sup> Je = 4383.9xE6 mm <sup>4</sup> <b>Overstrength Factors</b> Normal (y-y) = 1.5 Normal (z-z) = 1.5 Rd = 1.5, Ro = 1.3
<b>Quantities (approx.)</b> Concrete = 848 kg/m Steel = 8.9 kg/m Primary = 3.9 kg/m Secondary = 2.9 kg/m			
<b>Panel 1</b> 5-10M @ 450 Vert 10M @ 450 Horz			
<b>N vs M Results</b> GLC 559 <b>Status</b> Unacceptable <b>Utilization</b> 1.084 Maximum 1.000 Theta 180° w 1.00	<b>Axial Utilization</b> Nf = -0.6 kN Nr (max) = -2631.3 kN Utilization = 0.000	<b>Moment Utilization</b> Mf = 12.4 kNm Mr = 11.5 kNm Utilization = 1.084 Mn = 13.5 kNm Mp = 16.8 kNm	
<b>Shear and Torsion Utilization</b> GLC 230 <b>Status</b> Acceptable <b>Utilization</b> 0.158 = Uz + Uy Maximum 1.000 Method Simplified Warning	<b>Shear Z-Direction</b> Nf = -102.3 kN Mf (y-y) = -10.5 kNm Vfz = 7.5 kN bw = 1770 mm d = 100 mm	<b>Shear Y-Direction</b> Nf = -102.3 kN Mf (z-z) = 34.5 kNm Vfz = 24.2 kN bw = 200 mm d = 1416 mm	

**LOCATION X: S-Concrete Results for Wall on Gridline 5 From D to E – Page 1**

<u>Ductility Requirements</u>		
No Earthquake Loads		
<u>List of Messages</u>		
Message 1	Unacceptable	Axial Load and Moment Utilization equals or exceeds Maximum. Clauses 10.1, 10.10, or 14.2.2 of A23.3
Message 17	Warning	fy of Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 18	Warning	fy of Shear Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 47	Warning	Panel Vertical Steel Ratio does not meet the minimum. Clause 14.1.8.5 of A23.3
Message 49	Warning	Panel Horizontal Steel Ratio does not meet the minimum. Clause 14.1.8.6 of A23.3
Message 68	Warning	Zone required with minimum bars. Clause 14.1.8.8.1 or 21.6.3.7.4 of A23.3
Message 75	Warning	Horizontal bars may require sideways hooks or may need to be anchored within zone Clause 21.5.5.3 of A23.3
Message 85	Warning	Simplified Method of Shear Design cannot be used for this section. Clauses 11.3.6.3 or 11.3.6.1 of A23.3

**LOCATION X: S-Concrete Results for Wall on Gridline 5 From D to E – Page 2**

S-CONCRETE 2019.1.1 (c) S-FRAME Software Inc. www.s-frame.com													
File Name: Q:\..._alysis\19158 SCONC\19158 Wall Test 3.SCO		<table border="1"> <tr> <td><b>Summary</b></td> <td></td> </tr> <tr> <td>Status</td> <td>Unacceptable</td> </tr> <tr> <td>Maximum</td> <td>1.000</td> </tr> <tr> <td>V (shear) Util</td> <td>0.226</td> </tr> <tr> <td>N vs M Util</td> <td>2.017</td> </tr> </table>		<b>Summary</b>		Status	Unacceptable	Maximum	1.000	V (shear) Util	0.226	N vs M Util	2.017
<b>Summary</b>													
Status	Unacceptable												
Maximum	1.000												
V (shear) Util	0.226												
N vs M Util	2.017												
Section Name	Consultant												
Concrete Section	VB&S												
<b>Canadian Building Standards</b>													
CSA Standard A23.3-14, "Design of Concrete Structures"													
CSA Standard A23.1-04, "Concrete Materials and Methods of Concrete Construction"													
<b>Design Aids, Manuals, and Handbooks</b>													
"Concrete Design Handbook", Cement Association of Canada, 3rd Edition, 2006													
"Prestressed Concrete Structures", Collins and Mitchell, Prentice Hall Inc., 1991 (MCFT)													
<b>Section Dimensions</b>	<b>Material Properties</b>	<b>Gross Properties</b>	<b>Effective Properties</b>										
I-Shape	fc' = 25 MPa	Zbar = 0 mm	Ae = 220000 mm <sup>2</sup>										
L1 = 1100 mm	fy (panel vert) = 275.0 MPa	Ybar = 0 mm	Ie (y-y) = 733333xE3 mm <sup>4</sup>										
T1 = 200 mm	fy (panel horz) = 275.0 MPa	Ag = 220000 mm <sup>2</sup>	Ie (z-z) = 22183xE6 mm <sup>4</sup>										
	fy (zone vert) = 275.0 MPa	Ig (y-y) = 733333xE3 mm <sup>4</sup>	Ase (Y) = 183333 mm <sup>2</sup>										
	fy (zone horz) = 275.0 MPa	Ig (z-z) = 22183xE6 mm <sup>4</sup>	Ase (Z) = 183333 mm <sup>2</sup>										
	Wc = 2400 kg/m <sup>3</sup>	Ashear (Y) = 183333 mm <sup>2</sup>	Je = 2597.2xE6 mm <sup>4</sup>										
	Ws = 7850 kg/m <sup>3</sup>	Ashear (Z) = 183333 mm <sup>2</sup>											
	Poisson's Ratio = 0.2	Jg = 2597.2xE6 mm <sup>4</sup>	<b>Overstrength Factors</b>										
	hagg = 20 mm		Normal (y-y) = 1.5										
<b>Quantities (approx.)</b>	Es = 200000 MPa		Normal (z-z) = 1.5										
Concrete = 527 kg/m	Ec = 24943 MPa		Rd = 1.5, Ro = 1.3										
Steel = 4.9 kg/m	Gc = 10393 MPa												
Primary = 3.1 kg/m	fr = 3.0 MPa												
Secondary = 1.8 kg/m													
<b>Panel 1</b>													
4-10M @ 450 Vert													
10M @ 450 Horz													
<b>N vs M Results</b>	<b>Axial Utilization</b>	<b>Moment Utilization</b>											
GLC 55	Nf = -18.6 kN	Mf = 22.3 kNm	Mn = 12.8 kNm										
Status Unacceptable	Message 1	Mr = 11.0 kNm	Mp = 15.5 kNm										
Utilization 2.017	Nr (max) = -1646.1 kN	Utilization = 2.017											
Maximum 1.000	Utilization = 0.011												
Theta 165°													
w 1.00													
<b>Shear and Torsion Utilization</b>	<b>Shear Z-Direction</b>	<b>Shear Y-Direction</b>											
GLC 136	Nf = -29.9 kN	Nf = -29.9 kN											
Status Acceptable	Mf (y-y) = -13.4 kNm	Mf (z-z) = -13.4 kNm											
Utilization 0.226 = Uz + Uy	Vfz = 12.6 kN	Vfy = 6.8 kN											
Maximum 1.000	bw = 1100 mm	bw = 200 mm											
Method Simplified	d = 100 mm	d = 880 mm											

**LOCATION Y: S-Concrete Results for Wall on Gridline 5 From F1 to F2 – Page 1**

<u>Ductility Requirements</u>		
No Earthquake Loads		
<u>List of Messages</u>		
Message 1	Unacceptable	Axial Load and Moment Utilization equals or exceeds Maximum. Clauses 10.1, 10.10, or 14.2.2 of A23.3
Message 17	Warning	fy of Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 18	Warning	fy of Shear Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 47	Warning	Panel Vertical Steel Ratio does not meet the minimum. Clause 14.1.8.5 of A23.3
Message 49	Warning	Panel Horizontal Steel Ratio does not meet the minimum. Clause 14.1.8.6 of A23.3
Message 68	Warning	Zone required with minimum bars. Clause 14.1.8.8.1 or 21.6.3.7.4 of A23.3
Message 75	Warning	Horizontal bars may require sideways hooks or may need to be anchored within zone Clause 21.5.5.3 of A23.3
Message 85	Warning	Simplified Method of Shear Design cannot be used for this section. Clauses 11.3.6.3 or 11.3.6.1 of A23.3

**LOCATION Y: S-Concrete Results for Wall on Gridline 5 From F1 to F2 – Page 2**

S-CONCRETE 2019.1.1 (c) S-FRAME Software Inc. www.s-frame.com			
<b>File Name:</b> Q:\... 8 Wall Test 5 Gridline H From 1 to 2.SCO		<b>Summary</b>	
<b>Section Name</b> Concrete Section		<b>Status</b> Unacceptable	
<b>Consultant</b> VB&S		Maximum 1.000	
		V (shear) Util 0.446	
		<b>N vs M Util</b> 1.478	
<b>Canadian Building Standards</b>			
CSA Standard A23.3-14, "Design of Concrete Structures"			
CSA Standard A23.1-04, "Concrete Materials and Methods of Concrete Construction"			
<b>Design Aids, Manuals, and Handbooks</b>			
"Concrete Design Handbook", Cement Association of Canada, 3rd Edition, 2006			
"Prestressed Concrete Structures", Collins and Mitchell, Prentice Hall Inc., 1991 (MCFT)			
<b>Section Dimensions</b>	<b>Material Properties</b>	<b>Gross Properties</b>	<b>Effective Properties</b>
I-Shape	fc' = 25 MPa	Zbar = 0 mm	Ae = 330000 mm <sup>2</sup>
L1 = 1650 mm	fy (panel vert) = 275.0 MPa	Ybar = 0 mm	Ie (y-y) = 1100.0xE6 mm <sup>4</sup>
T1 = 200 mm	fy (panel horz) = 275.0 MPa	Ag = 330000 mm <sup>2</sup>	Ie (z-z) = 74869xE6 mm <sup>4</sup>
	fy (zone vert) = 275.0 MPa	Ig (y-y) = 1100.0xE6 mm <sup>4</sup>	Ase (Y) = 275000 mm <sup>2</sup>
	fy (zone horz) = 275.0 MPa	Ig (z-z) = 74869xE6 mm <sup>4</sup>	Ase (Z) = 275000 mm <sup>2</sup>
	Wc = 2400 kg/m <sup>3</sup>	Ashear (Y) = 275000 mm <sup>2</sup>	Je = 4063.9xE6 mm <sup>4</sup>
	Ws = 7850 kg/m <sup>3</sup>	Ashear (Z) = 275000 mm <sup>2</sup>	
	Poisson's Ratio = 0.2	Jg = 4063.9xE6 mm <sup>4</sup>	<b>Overstrength Factors</b>
	hagg = 20 mm		Normal (y-y) = 1.5
<b>Quantities (aprox.)</b>	Es = 200000 MPa		Normal (z-z) = 1.5
Concrete = 791 kg/m	Ec = 24943 MPa		Rd = 1.5, Ro = 1.3
Steel = 6.6 kg/m	Gc = 10393 MPa		
Primary = 3.9 kg/m	fr = 3.0 MPa		
Secondary = 2.7 kg/m			
<b>Panel 1</b>			
5-10M @ 450 Vert			
10M @ 450 Horz			
<b>N vs M Results</b>		<b>Axial Utilization</b>	<b>Moment Utilization</b>
GLC 28		Nf = -32.8 kN	Mf = 22.3 kNm
<b>Status</b> Unacceptable	Message 1	Nr (max) = -2457.0 kN	Mn = 17.4 kNm
<b>Utilization</b> 1.478		Utilization = 0.013	Mr = 15.1 kNm
Maximum 1.000			Mp = 20.8 kNm
Theta 199°			Utilization = 1.478
w 1.00			
<b>Shear and Torsion Utilization</b>		<b>Shear Z-Direction</b>	<b>Shear Y-Direction</b>
GLC 137		Nf = -26.5 kN	Nf = -26.5 kN
Status Acceptable		Mf (y-y) = -3.1 kNm	Mf (z-z) = 17.2 kNm
Utilization 0.446	= Uz + Uy	Vfz = 25.0 kN	Vfy = 50.5 kN
Maximum 1.000		bw = 1650 mm	bw = 200 mm
Method Simplified	Warning	d = 100 mm	d = 1320 mm

**LOCATION Z: S-Concrete Results for Wall on Gridline H From 1 to 2 – Page 1**

<b>Ductility Requirements</b>		
No Earthquake Loads		
<b>List of Messages</b>		
Message 1	Unacceptable	Axial Load and Moment Utilization equals or exceeds Maximum. Clauses 10.1, 10.10, or 14.2.2 of A23.3
Message 17	Warning	fy of Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 18	Warning	fy of Shear Reinforcing is not within an Acceptable range. Clause 8.5.1 of A23.3, $300 \leq f_y \leq 500$ MPa
Message 47	Warning	Panel Vertical Steel Ratio does not meet the minimum. Clause 14.1.8.5 of A23.3
Message 49	Warning	Panel Horizontal Steel Ratio does not meet the minimum. Clause 14.1.8.6 of A23.3
Message 68	Warning	Zone required with minimum bars. Clause 14.1.8.8.1 or 21.6.3.7.4 of A23.3
Message 75	Warning	Horizontal bars may require sideways hooks or may need to be anchored within zone Clause 21.5.5.3 of A23.3
Message 85	Warning	Simplified Method of Shear Design cannot be used for this section. Clauses 11.3.6.3 or 11.3.6.1 of A23.3

**LOCATION Z: S-Concrete Results for Wall on Gridline H From 1 to 2 – Page 2**

Date: July 08, 2019  
To: Chair and Members  
Planning and Environment Committee  
Re: Request for Delegation Status for Thames Village Joint Venture for the property located at lot 66, 1738 - 1754 Hamilton Road, London, Ontario.

On June 26, 2018, Council adopted Bylaw No. Z-1-182679 being a site specific by-law to The City of London Zoning Bylaw Z.-1. Thames Village Joint Venture respectfully requests delegation status at the Planning and Environment Committee meeting on July 22 in order to obtain the Civic Administration acceptance of a minor variance application relating to property located at 1738 Hamilton Road Lot 66, Old Victoria Subdivision.

The purpose of the Minor Variance application is amend the current residential R1-3(19) zoned lands to permit an Exterior Side Yard width of 2.5 meters whereas 8.0m is required within the Z-1 bylaw.

The reasons that we believe the minor variance application is appropriate and should be accepted by the Civic Administration are:

- A noise barrier wall will be installed on the exterior side of the building close to Hamilton Road which would minimize the visual impact of a dwelling unit adjacent to Hamilton Road;
- The reduced exterior side yard setback was not identified when the site specific zoning was being applied for;
- This change will not impact the general intent of the By-Law.
- The requested minor variance will maintain the general intent and purpose of the Official Plan and Zoning bylaw

Thames Village Joint Venture grants permission to put this communication on a public Agenda and the City of London website.

Regards,

Pooneh Derakhshan  
Planner

Thames Village Joint Venture

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