

Agenda Including Addeds

Planning and Environment Committee

The 2nd Meeting of the Planning and Environment Committee

January 6, 2020, 4:00 PM

Council Chambers

Members

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

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

	Pages
1. Disclosures of Pecuniary Interest	
2. Consent	
2.1 11th Report of the Trees and Forest Advisory Committee	3
2.2 1st Report of the London Advisory Committee on Heritage	9
2.3 Update on Subdivision Ambassador Role in Development Services	38
2.4 Candidate Approval for the Urban Design Peer Review Panel	45
a. <i>(ADDED) M. Wallace, London Development Institute</i>	63
2.5 Application - 1959 Wharncliffe Road South - Removal of Holding Provisions (h, h-100, h-197 and h-198) (H-8923)	64
2.6 Appeal of Consent Authority Decision on Consent Application B.056/18 - 16 Berkley Crescent	77
2.7 Draft Plan of Subdivision - Three Year Extension - Richardson/Middleton Subdivision - 146 and 184 Exeter Road 39T-15501	93
2.8 Request for Council Resolution, under section 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13 - 3425 Emily Carr Lane (1160 Wharncliffe Road South) 39T-16508	122
3. Scheduled Items	
3.1 Public Participation Meeting - Not to be heard before 4:00 PM - Demolition Request and Heritage Alteration Permit Application - 88 Blackfriars Street, Blackfriars/Petersville Heritage Conservation District	135
3.2 Public Participation Meeting - Not to be heard before 4:00 PM - Demolition Request for Heritage Listed Property at 2325 Sunningdale Road East	238
3.3 Public Participation Meeting - Not to be heard before 4:00 PM - Application - 1830 Wharncliffe Road South (Z-9107)	305

3.4	Public Participation Meeting - Not to be heard before 4:30 PM - Application - 1297 Wharncliffe Road South (Z-9106)	326
3.5	Public Participation Meeting - Not to be heard before 4:30 PM - Application - 635 Wilton Grove Road (Z-9110)	349
3.6	Public Participation Meeting - Not to be heard before 4:30 PM - Lots 50, 51 and 61 and Lots 62 through 89, inclusive, Registered Plan 33M-768 (Formerly 810 Westdel Bourne) (Z-9123)	372
3.7	Public Participation Meeting - Not to be heard before 5:00 PM - Hamilton Road Corridor Planning Study (OZ-8997)	393
	a. <i>(ADDED) A. Johnson, 36 Pegler Street</i>	454
4.	Items for Direction	
4.1	1st Report of the Advisory Committee on the Environment	475
5.	Deferred Matters/Additional Business	
6.	Confidential	
6.1	Solicitor-Client Privilege/Litigation or Potential Litigation	
	This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal (“LPAT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation.	
6.2	Solicitor-Client Privilege/Litigation or Potential Litigation	
	This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal (“LPAT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation.	
7.	Adjournment	

Trees and Forests Advisory Committee

Report

The 11th Meeting of the Trees and Forests Advisory Committee
November 27, 2019
Committee Room #4

Attendance PRESENT: R. Mannella (Chair), M. Demand, A. Hames, J. Kogelheide, A. Morrison, A. Valastro; and D. Turner (Committee Clerk)

REGRETS: A. Cantell and A. Thompson

ALSO PRESENT: A. Beaton, J. Parsons and R. Walker

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 9th and 10th Reports of the Trees and Forests Advisory Committee

That it BE NOTED that the 9th and 10th reports of the Trees and Forests Advisory Committee, from its meetings held on September 25 and October 23, respectively, were received.

3.2 Municipal Council Resolution - 9th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the Municipal Council resolution, from its meeting held on October 15, 2019, with respect to the 9th Report of the Trees and Forests Advisory Committee, was received.

3.3 Public Meeting Notice - City Wide Amendment - Urban Design Peer Review Panel Terms of Reference Update

That it BE NOTED that the Public Meeting Notice, dated November 13, 2019, from J. Smolarek, Urban Designer, Development Services, with respect to a City Wide Amendment to the Urban Design Peer Review Panel Terms of Reference, was received.

4. Sub-Committees and Working Groups

4.1 Education Sub-Committee Update

That it BE NOTED that the committee held a general discussion with respect to the Education Initiatives Sub-Committee update; it being further noted that the attached sub-committee meeting minutes were received.

5. Items for Discussion

5.1 Social Housing and Tree Planting Opportunities in London

That a member of the London Housing Advisory Committee BE INVITED to attend a future meeting of the Trees and Forests Advisory Committee to discuss social housing tree planting initiatives in greater detail.

5.2 Urban Forest Strategy - Topics of Interest

That it BE NOTED that the committee held a general discussion with respect to interesting topics enshrined in the Urban Forest Strategy which the committee may seek to research further, including urban design policy as it relates to green space requirements in new developments.

5.3 Trees in Parking Lots

That it BE NOTED that the committee held a general discussion with respect to tree planting and green space requirements in parking lots, noting that the Bostwick Community Centre parking lot was highlighted as a model for similar developments.

5.4 City of London Tree Planting Specifications

That the Civic Administration BE REQUESTED to investigate any discrepancies between tree planting specifications as they appear in the City of London's *Design Specifications and Requirements Manual* versus the International Society of Arboriculture's *Arborists' Certification Study Guide*.

5.5 2018 and 2019 TFAC Work Plans

That a sub-committee BE CREATED to begin drafting a 2020 work plan; it being noted that the committee's 2019 draft work plan will be used as a template.

6. Adjournment

The meeting adjourned at 1:43 PM.

**TFAC SUB-COMMITTEE:
EDUCATIONAL INITIATIVES & CITY OF LONDON FORESTRY WEBSITE – MEETING 1 MINUTES**

Meeting Date: Nov. 13, 2019

In attendance: Amber Cantell, Marnie Demand, Jim Kogelhide

Purpose of Meeting: To begin laying out a framework for discussion, questions and ideas at our upcoming TFAC meeting, with expectation that we will be in a position to submit more formal recommendations at a future TFAC meeting.

Questions for City Staff:

- How does the city plan and deliver urban forestry education now? Can we get a list? Is there a budget? How do they budget, and could we get a copy of the education budget?
- Does the City maintain (e) mailing lists of key land owners and businesses (e.g., faith groups, schools, landscapers, etc.?) Are they able to do bulk e-mails? (Or physical mailings?)
- What info is currently provided to homeowners when they get a new street tree, esp. re: watering and top-up mulching? Would it be possible for the sub-committee to get a copy of this information or these materials?
- How does the City meet with landscapers in an RFP process? Are the expectations around, for example, proper mulching verbally communicated at all, or are they only addressed within the RFP or planting guidelines? (I.e., are there opportunities to reiterate key messages).

Volcano Mulching & Other Tree Care Topics Discussion:

- Discussion came about as result of Jim’s observations that many trees seem to be being mulched badly in London (too much mulch or “volcano” mulching), which will have a negative impact on their health
- First, we wish to confirm that mulching standards are expressed in the City of London planting guidelines (Marnie has offered to take this on as a task, below)
- Folks that do mulching who the City may wish to reach out to would include:
 - City contractors
 - Non-City contractors
 - Residents
 - Potentially could see about doing a series of articles on tree care topics (maybe with the LFP), which could include:
 - Mulching
 - Watering

- Stakes & tree collars
 - Compost & fertilizer
 - Campfire wood
 - Use each post as a way to promote free trees and TreeMe?
 - Could see about posting PDFs of this content to COL website

- Create a tri-fold with all the info that's in the e-mail
 - We could potentially use TFAC budget on this or see if the COL design (communications) department could provide assistance
 - Have these tri-folds go to like Go Wild, Grow Wild, to RFL events, etc.
 - Could we brand as "Common Mistakes"?
 - Could we do a variation for landscapers that focuses on ISA standards and the science a bit more? (So it seems less general or aimed at the lay-person for them?)

- Could COL do an electronic billboard ad up the way they did like oak wilt? (But focusing on more common, current issues?)
 - Sub-committee members want to note that we thought the ads (for oak wilt) were a very effective approach

DRAFT Recommendations *(for discussion at TFAC, noting that the sub-committee members expect that we are still a few meetings away from finalizing any education-themed recommendations)*

The sub-committee is considering recommending that the City:

- 1) Develop an annual program and set a clear budget for education efforts

- 2) Produce a tri-fold for public to provide info on a range of tree care topics
 - Develop list of places to distribute it (including places like Fisher's)
 - Convert these to five posts / posters for the electronic billboard (good for spring)

- 3) Produce a separate tri-fold or fact-sheet for contractors (landscapers, arborists, fisher's, etc.) and physically drop them off to their offices (plus an e-mail?) that is more tailored to academics

- 4) Make PDFs of these available on City website -> or have a more detailed version on the City of London website (Beyond "No! Yes! For more information:")

- 5) Pitch London Free Press on a 5-article series; promote TreeMe, NRL at the same time

- 6) Hold an annual information session for landscapers, covering such topics as:
 - By-laws
 - TreeMe
 - Tree protection during construction (and associated penalties)
 - Other do's and don'ts

- 7) Hold an annual information session on tree care for the broader public and keen community volunteers with ReForest London as a part of new Signal Boost Initiative at Westminster Ponds Centre.
- 8) Undertake a “roving tree tag” initiative to put oversized tags in trees in parks across London which would contain information about tree care and London’s urban forest (inspired by ReForest London’s highly successful “hug me” tree signage campaign a few years back)

It is also proposed that TFAC buy a set of the International Society for Arboricultural’s Best Management Practice booklets to assist with the development of informational materials (though where these could best be stored would need to be discussed)

Website Discussion (Draft)

The sub-committee members anticipate spending considerable time over the next few months developing a fulsome list of suggestions for the urban forestry section of the website. Early comments from this meeting included:

- 1) City should consider adding a section on “caring for trees”
- 2) City of London should consider creating an e-mail list of all landscaping companies, retirement homes, property management, schools, churches, etc. (anyone with large areas of land) so as to be able to share tree care information with them (if allowed under privacy and anti-spam laws)
 - o Could create an e-mail with the points highlighted very simple so they know the content in 20 seconds

UFS Implementation Plan Updates:

- Deferring this discussion until Jill-Anne is back

Sub-Committee Member Tasks:

- 1) Amber to research cost of ISA BMP booklets and brochures and present a suggested list to TFAC (*Task complete – please see next page*)
- 2) Marnie to review COL Tree Planting Guidelines to see how effectively they are communicating about mulching requirements, and how easy they are to find on the City’s website
- 3) Each member of sub-committee will list problems with website (pretend to be someone else looking for certain things / “user stories”; maybe take half an hour) and propose solutions, to be compiled in advance of our next sub-committee meeting

ISA Best Management Practices Booklets

These can be found in the ISA store here: <https://www.isa-arbor.com/store/category/117/>

Generally speaking, most of these booklets cost \$11.95 (American) each for non-ISA members, plus shipping. Booklets are typically 40 – 80 pages in length, black and white, with illustrations.

BMPs likely to be of interest to TFAC for a concerted tree care & maintenance campaign would include:

- BMP: Tree Planting (2nd edition), by Gary Watson
- BMP: Root Management, by Larry Costello, Gary Watson, and Tom Smiley
- BMP: Tree Risk Assessment (2nd edition), by E. Thomas Smiley, Nelda Matheny, and Sharon Lilly
- BMP: Tree Pruning (3rd edition), by unknown
- BMP: Managing Trees During Construction, by Kelby Fite and E. Thomas Smiley
- BMP: Soil Management, by Bryant Scharenbroch, E. Thomas Smiley, and Wes Kocher
- BMP: Tree & Shrub Fertilization (3rd edition), by E. Thomas Smiley, Sharon Lilly, and Patrick Kelsey
- BMP: Tree Inventories (2nd edition), by Jerry Bond
 - This proposed because of interest in reviewing data collection processes (and specifically info on cutting rates) by TFAC, rather than for a tree maintenance and care outreach initiative (just including it here as we will likely want to do a single order if we do decide to purchase some BMP booklets)
- If TFAC were to wish to place an order (and specify which books should be included), Amber could compile a final total cost (as shipping is likely to be dependent on # of books), and then we could seek funding approval from PEC for that purchase

London Advisory Committee on Heritage

Report

The 1st Meeting of the London Advisory Committee on Heritage
December 11, 2019
Committee Rooms #1 and #2

Attendance PRESENT: D. Dudek (Chair), M. Bloxam, J. Dent, S. Gibson, T. Jenkins, J. Manness, E. Rath, M. Rice, K. Waud and M. Whalley and J. Bunn (Committee Clerk)

ABSENT: S. Bergman, L. Fischer and S. Jory

ALSO PRESENT: K. Gonyou, M. Greguol, L. Jones, M. Knieriem, M. Morris and A. Rammeloo

The meeting was called to order at 5:30 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

T. Jenkins discloses a pecuniary interest in Item 2.4 of the 1st Report of the London Advisory Committee on Heritage, having to do with a Notice of Planning Application and Notice of Public Meeting with respect to Official Plan and Zoning By-law Amendments related to the Hamilton Road Corridor Planning Study, by indicating that her employer is involved in this matter.

1.2 Election of Chair and Vice Chair for the term Ending November 30, 2020

That it BE NOTED that the London Advisory Committee on Heritage elected D. Dudek and M. Whalley as the Chair and Vice-Chair, respectively, for the term ending November 30, 2020.

2. Scheduled Items

2.1 Demolition Request and Heritage Alteration Permit Application by Distinctive Homes London Ltd. at 88 Blackfriars Street, 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 approval for the demolition of the existing building and approval for a proposed building, as described in Appendix D of the staff report dated December 11, 2019, on the property at 88 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- buff brick be used for the exterior cladding of the proposed building;
- a painted wood front door be used for the proposed building;
- parking be limited to a driveway to the west of the proposed building with front yard parking prohibited;
- the Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit 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 condition of the above-noted building constitutes another regrettable example of demolition by neglect and the London Advisory Committee on Heritage implores stronger enforcement of the Property Standards By-law to avoid future demolition by neglect of London's cultural heritage resources;

it being further noted that the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, was received.

2.2 Heritage Alteration Permit Application by Brian Allen at 906 Lorne Avenue, Old East 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 approval for alterations to the property at 906 Lorne Avenue, within the Old East Heritage Conservation District, BE PERMITTED with the terms and conditions:

- all exposed wood be painted;
- a wood lattice porch skirt set in a frame to be added where missing;
- the top rail be constructed no higher than 30" to maintain the proportions of the porch;
- the railings and guards on the steps be replaced to be consistent with the railings and guards on the entirety of the porch;
- a new base around the northwest column be installed; 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 M. Greguol, Heritage Planner, with respect to this matter, was received.

2.3 Cultural Heritage Evaluation Reports (CHERs) for the Properties Located at 90, 92 and 102 Wellington Road

That the following actions be taken with respect to the Cultural Heritage Evaluation Reports (CHERs) for the properties located at 90, 92 and 102 Wellington Road:

- a) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) concurs with the findings of the above-noted CHERs, as appended to the agenda; it being noted that the attached presentation from M. Morris, Major Projects, with respect to this matter, was received; and,
- b) the attached Stewardship Sub-Committee Report, from its meeting held on November 26, 2019, BE FORWARDED to the Civic Administration for consideration.

2.4 Notice of Planning Application and Notice of Public Meeting - Official Plan and Zoning By-law Amendments - Hamilton Road Corridor Planning Study

That it BE NOTED that the attached presentation from M. Knieriem, Planner II, with respect to a Notice of Planning Application and Notice of Public Meeting related to Official Plan and Zoning By-law Amendments for the Hamilton Road Corridor Planning Study, was received.

3. Consent

3.1 11th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 11th Report of the London Advisory Committee on Heritage, from its meeting held on November 13, 2019, was received.

3.2 Municipal Council Resolution - 11th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on November 26, 2019, with respect to the 11th Report of the London Advisory Committee on Heritage, was received.

3.3 Public Meeting Notice - Zoning By-law Amendment - 1018-1028 Gainsborough Road

That it BE NOTED that the Public Meeting Notice, dated November 13, 2019, from L. Mottram, Senior Planner, with respect to a Zoning By-law Amendment for the properties located at 1018-1028 Gainsborough Road, 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 the meeting held on November 26, 2019, was received.

4.2 556 Wellington Street Heritage Impact Statement Working Group Report

That the attached 556 Wellington Street Heritage Impact Statement Working Group Report, as appended to the agenda, BE FORWARDED to the Civic Administration for consideration; it being noted that the London Advisory Committee on Heritage supports and endorses the above-noted Working Group Report.

5. Items for Discussion

5.1 Properties Located at 197, 183 and 179 Ann Street

That the following actions be taken with respect to the requests for delegation from A. Valastro and M. Tovey related to the properties located at 197, 183 and 179 Ann Street:

a) the properties located at 175, 179, 183 and 197 Ann Street and 84 and 86 St. George Street BE REFERRED to the Stewardship Sub-Committee for research and evaluation for a possible heritage designation; it being noted that a verbal delegation by A. Valastro, with respect to this matter, was received; and,

b) the request for delegation by M. Tovey BE APPROVED for the February 2020 meeting of the London Advisory Committee on Heritage.

5.2 Heritage Alteration Permit Application by D. Sagar and K. Corcoran at 430 Dufferin Avenue, West Woodfield Heritage Conservation District

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application

under Section 42 of the Ontario Heritage Act seeking retroactive approval for alterations to the porch of the property located at 430 Dufferin Avenue, within the West Woodfield Heritage Conservation District, BE PERMITTED; it being noted that the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, was received.

5.3 Demolition Request for Heritage Listed Property at 2325 Sunningdale Road East by Lafarge Canada Inc.

That, on the recommendation of the Managing Director, Planning and City Planning, with the advice of the Heritage Planner, the following actions be taken with respect to the demolition request for the existing dwelling on the heritage listed property at 2325 Sunningdale Road East:

- a) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the dwelling on this property, and;
- b) the property at 2325 Sunningdale Road East BE REMOVED from the Register of Cultural Heritage Resources;

it being noted that the attached presentation from M. Greguol, Heritage Planner, with respect to this matter, was received.

5.4 Community Heritage Ontario 2020 Membership Renewal

That the London Advisory Committee on Heritage 2020 membership with the Community Heritage Ontario BE APPROVED; it being noted that the CHOnews newsletter for Autumn 2019, was received.

5.5 2020 LACH Work Plan

That it BE NOTED that the London Advisory Committee on Heritage (LACH) held a general discussion with respect to the 2020 LACH Work Plan.

5.6 Heritage Planners' Report

That it BE NOTED that the attached submission from K. Gonyou, L. Dent and M. Greguol, Heritage Planners, with respect to various updates and events, was received.

5.7 (ADDED) Court House at 399 Ridout Street North

That the Heritage Planner BE REQUESTED to forward copies of the Heritage Designating By-laws for the Court House on 399 Ridout Street North to the Stewardship Sub-Committee for review and a report back at a future meeting of the London Advisory Committee on Heritage.

6. Adjournment

The meeting adjourned at 7:32 PM.



Demolition Request & Heritage Alteration Permit 88 Blackfriars Street, Blackfriars/Petersville HCD

London Advisory Committee on Heritage
Wednesday December 11, 2019

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88 Blackfriars Street



- Side Hall Plan Cottage
- Built c. 1876
- Blackfriars/Petersville HCD (2015)
- Contributing Resource



88 Blackfriars Street



Property History

- 1832: Lots 1-2, East Wharnccliffe Road granted to John Kent
- 1848: Part of Kent farm surveyed into Park Lots (RP191)
- 1856: Park Lot surveyed into smaller lots by Duncan Campbell (RP111)
- **1876**: First transactions for property at 88 Blackfriars Street
- 1891: Property sold to James Blair
- 1911: Property sold to Herbert V. Nichols
- 1931: Property purchased by John and Annie Petfield; John Petfield as tenant since 1905
- 1962: Property sold to Thomas H. Gerry
- 1986-1987: Several property transactions; sold to Murray Lee Milligan in 1987
- 2018: Purchased by current property owner



Heritage Policy Framework

- *Provincial Policy Statement (2014)*
- *Ontario Heritage Act*
- *Official Plan (1989, as amended)/The London Plan (approved 2016)*
- *Blackfriars/Petersville Heritage Conservation District Plan*



Blackfriars/Petersville HCD Plan

- Section 7.5: Demolition of Contributing Resource
- Section 7.7.1: Residential Area
- Section 10.3.2: Design Guidelines – New Buildings – Residential
- Section 11: Architectural Conservation Guidelines



Blackfriars/Petersville HCD Plan



Proposed New Building

Policy 7.5.1.d:

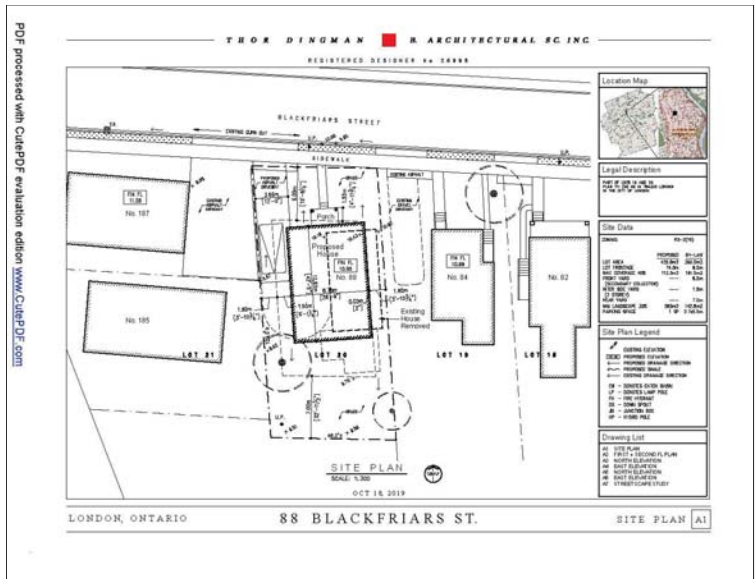
All options for on-site retention of contributing resources must be exhausted before resorting to relocation or demolition. The following alternatives must be given due consideration in order of priority:

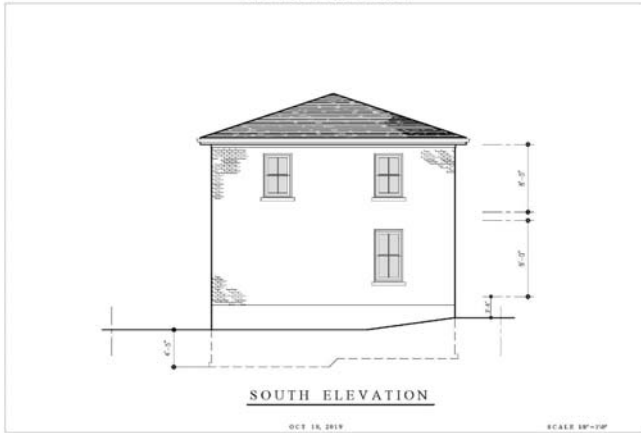
- i. On-site retention in the original use and integration with the surroundings;
- ii. On site retention in an adaptive reuse;
- iii. Relocation to another site within the Heritage Conservation District; and,
- iv. Relocation to another site within the City.



Proposed new building at 88 Blackfriars Street

- Two storey with a footprint of 1220 square feet (113.3m²), approximately 28'9" in width by 42'5" in depth built on a concrete foundation;
- Three-bay façade design, with a central doorway;
- Brick exterior cladding (reclaimed/salvaged buff brick proposed);
- Vinyl simulated divided light, two-over-two windows with a cut stone sill and brick soldier course lintel;
- Front door;
- Shallow pitched hipped roof (4/12 pitch) clad in asphalt shingles;
- Front porch with hipped roof and paneled columns, set on a concrete base with two steps (less than 24" above grade); and,
- Single width asphalt driveway to the west of proposed building (no garage) and a new concrete walkway from the sidewalk to the porch.





LONDON, ONTARIO 88 BLACKFRIARS ST. ELEVATIONS A5



LONDON, ONTARIO 88 BLACKFRIARS ST. ELEVATIONS A6



LONDON, ONTARIO 88 BLACKFRIARS ST. STREETSCAPE STUDY A7



Consultation

- Consultation with Stewardship Sub-Committee
- For Public Participation Meeting at Planning and Environment Committee on January 6, 2020:
 - Mail out to property owners within 120m, including Blackfriars Neighbourhood Association
 - Advertised in *The Londoner*



Recommendation

That, on the recommendation of the Managing Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the demolition of the existing building and approval for a proposed building, as described herein and shown in Appendix D, on the property at 88 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

- Buff brick be used for the exterior cladding of the proposed building;
- A painted wood front door be used for the proposed building;
- Parking be limited to a driveway to the west of the proposed building with front yard parking prohibited;
- The Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit 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.



Conclusion

- Retention and conservation is the preferred approach
- No significant historical or associative values unique to this property were identified
- Heritage Impact Assessment – recommending loss of this Contributing Resource can be mitigated through appropriate new building
- Evaluation of proposed new building



88 Blackfriars Street



Proposed New Building

THOM BINGMAN ARCHITECTURAL PC INC.
REGISTERED DESIGNER No. 24388



OCT 18, 2019

LONDON, ONTARIO 88 BLACKFRIARS ST. STREETSCAPE STUDY A7



Heritage Alteration Permit 906 Lorne Avenue Old East Heritage Conservation District

London Advisory Committee on Heritage
Wednesday December 11, 2019

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906 Lorne Avenue



- c. 1890
- 2 ½ storey
- Queen Anne Revival
- Old East Heritage Conservation District
- Designated on September 10, 2006
- HAP application received on October 30, 2019
- Decision required by January 28, 2020



During Alterations



During Alterations



During Alterations



During Alterations





During Alterations



Old East HCD Conservation & Design Guidelines

For porches:

- “The porches in Old East are as significant to the appearance of this heritage district as its gables and dormers.” (Section 3.2)
- “Given their contribution to the overall visual character of Old East, preservation and restoration of the design and detail of porches and verandahs on the fronts of houses should be considered a very high priority for the heritage district.” (Section 3.2)
- Appropriate materials, scale and colour (Section 4.1)



Analysis

- Deterioration of existing wood railing and spindles
- Restoration is not feasible
- Height increase from 26” to 30” to meet requirements
- Proposed railings and spindles are similar in design, scale and materials to porches found elsewhere in Old East HCD



Analysis



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 Manager Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the property at 906 Lorne Avenue, within the Old East Heritage Conservation District, **BE PERMITTED** with terms and conditions that the exposed wood be painted, a wood lattice porch skirt set in a frame be added where missing, the railings and guards on the steps be replaced to be consistent with the railings and guards on the entirety of the porch, and a new base around the northwest column be installed.





London Rapid Transit Update



LONDON ADVISORY COMMITTEE ON HERITAGE
Michelle Morris, P.Eng.
Major Projects
December 11, 2019

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Agenda

1. Previously completed work
2. Next steps
3. Questions on:
 - 90 Wellington Road
 - 92 Wellington Road
 - 120 Wellington Road

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Previous Work

- Transit Project Assessment Process (TPAP) completed in June 2019
- Cultural Heritage Screening Report (CHSR) completed as part of TPAP



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Previous Work

Cultural Heritage Screening Report (CHSR):

- Recommended completion of CHERs for 12 properties following the Transit Project Assessment Process
 - Potential cultural heritage value or interest
 - May be impacted by project but impacts could be mitigated

Direction from Council:

- Nine of 12 properties prioritized at this time.

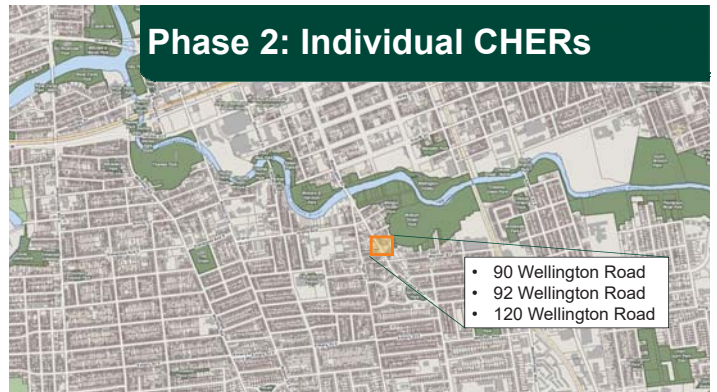
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Next Steps

- Phase 1 (Presented: November 13, 2019)
 - 327 Wellington Road
 - 331 Wellington Road
 - 333 Wellington Road
- Phase 2 (Presentation Today)
- Phase 3 (Presentation: February 12, 2020)
 - 1033 Dundas Street
 - 100 Kellogg Lane
 - 72 Wellington Street

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- 90 Wellington Road**
- Constructed Circa 1946-47
 - Vernacular style with Arts-and-Crafts style influences
 - Two-storey
 - Hipped roof
 - Vestibule has a steeply-pitched asymmetrical gable roof
 - 6-over-1 sash type windows with concrete sills



O. Reg. 9/06 Evaluation – 90 Wellington Road

Criteria	Meets Criteria (Y/N)
Design or Physical Value	No
Historic or Associative Value	No
Contextual Value	No

Recommendation:

- The property at 90 Wellington Road was determined not to have significant cultural heritage value or interest. Subsequently, no additional cultural heritage work is recommended for the property.

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- 92 Wellington Road**
- Constructed Circa 1949
 - Single storey
 - Vernacular style
 - Hipped roof
 - Large rectangular window projecting in a shallow bay
 - Clad in grey horizontal vinyl siding and grey asphalt shingles



O. Reg. 9/06 Evaluation – 92 Wellington Road

Criteria	Meets Criteria (Y/N)
Design or Physical Value	No
Historic or Associative Value	No
Contextual Value	No

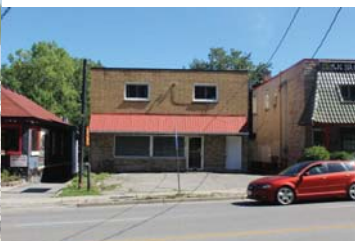
Recommendation:

- The property at 92 Wellington Road was determined not to have significant cultural heritage value or interest. Subsequently, no additional cultural heritage work is recommended for the property.

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- 120 Wellington Road**
- Constructed Circa 1958-59
 - Two-storey commercial building
 - Flat roof
 - Constructed of concrete blocks
 - Ground level clad with artificial Angel Stone cladding
 - Second storey clad with beige brick
 - Red painted metal awning



O. Reg. 9/06 Evaluation – 120 Wellington Road

Criteria	Meets Criteria (Y/N)
Design or Physical Value	No
Historic or Associative Value	No
Contextual Value	No

Recommendation:

- The property at 120 Wellington Road was determined not to have significant cultural heritage value or interest. Subsequently, no additional cultural heritage work is recommended for the property.

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Questions?



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**LACH Stewardship Sub-Committee
Report**

Tuesday November 26, 2019

Location: Committee Room 4, City Hall

Time: 6:00pm-6:30pm, 6:30pm-9:15pm

Present: M. Whalley, J. Cushing, K. Waud, J. Hunten, T. Regnier; M. Greguol, J. Bunn, K. Gonyou (staff)

Agenda Items:

1. Demolition Request and Heritage Alteration Permit application for the Heritage Designated Property at 88 Blackfriars Street, Blackfriars/Petersville Heritage Conservation District.

The Stewardship Sub-Committee review the Heritage Impact Assessment (Thor Dingman, dated October 21, 2019) for the demolition request and Heritage Alteration Permit application for the property at 88 Blackfriars Street.

Motion: The Stewardship Sub-Committee does not object to its demolition, but expressed disappointment in the loss of this Contributing Resource. The proposed new building is appropriate in the Blackfriars/Petersville Heritage Conservation District. The Stewardship Sub-Committee notes that the condition of this building constitutes another regrettable example of demolition by neglect. The Stewardship Sub-Committee implores stronger enforcement of the Property Standards By-law to avoid future demolition by neglect of London's cultural heritage resources. Moved: K. Waud; Seconded: J. Hunten. Passed.

2. Cultural Heritage Evaluation Reports (CHER) for Rapid Transit

a. CHER 90 Wellington Road

The Stewardship Sub-Committee reviewed the Cultural Heritage Evaluation Report for the property at 90 Wellington Road prepared by AECOM. The Stewardship Sub-Committee supports the conclusions of the evaluation (based on the criteria of Ontario Regulation 9/06) that the property does not demonstrate sufficient cultural heritage value or interest to warrant further cultural heritage assessment related to the Rapid Transit project, with the following comments:

- The Stewardship Sub-Committee met on November 26, 2019 (not November 29, 2019)
- The building at 455 Baker Street was constructed in 1947
- The building at 508 Baker Street was constructed in 1929

b. CHER 92 Wellington Road

The Stewardship Sub-Committee reviewed the Cultural Heritage Evaluation Report for the property at 92 Wellington Road prepared by AECOM. The Stewardship Sub-Committee supports the conclusions of the evaluation (based on the criteria of Ontario Regulation 9/06) that the property does not demonstrate sufficient cultural heritage value or interest to warrant further cultural heritage assessment related to the Rapid Transit project, with the following comments:

- The Stewardship Sub-Committee met on November 26, 2019 (not November 29, 2019)
- The building at ~~637~~ 657 Percy Street was built in 1952
- The building at 38 Gower Street was built in 1954
- The building at 134 Paul Street was built in 1950
- The building at 603 Winblest Avenue was built in 1953
- The building at 45 Heather Crescent was built in 1953
- The building at 68 Bond Street was built in 1943

c. CHER 120 Wellington Road

The Stewardship Sub-Committee reviewed the Cultural Heritage Evaluation Report for the property at 120 Wellington Road prepared by AECOM. The Stewardship Sub-Committee supports the conclusions of the evaluation (based on the criteria of Ontario Regulation 9/06) that the property does not demonstrate sufficient cultural heritage value or interest to warrant further cultural heritage assessment related to the Rapid Transit project, , with the following comments:

- The Stewardship Sub-Committee met on November 26, 2019 (not November 29, 2019)
- The façade of the buildings at 744 and 746 Richmond Street are clad in natural limestone (not artificial)

3. Draft City-Wide Urban Design Guidelines

The LACH referred the Draft City-Wide Urban Design Guidelines to the Stewardship Sub-Committee at its meeting on November 13, 2019 for review and comment. The Stewardship Sub-Committee was unable to review the draft City-Wide Urban Design Guidelines.

4. Request for Designation: 247 Halls Mill Road

A request for designation from a community member was referred to the Stewardship Sub-Committee by the LACH at its meeting on November 13, 2019. Members of the Stewardship Sub-Committee will work on collecting historical information for the evaluation of the property using the criteria of O. Reg. 9/06 and report back at the January Stewardship Sub-Committee meeting.

5. Compile a list of Potential Cultural Heritage Landscapes in London

The Stewardship Sub-Committee continued their discussion on potential cultural heritage landscapes in London.

6. (Added) Demolition Request for Heritage Listed Property at 2325 Sunningdale Road East

The Stewardship Sub-Committee received the Heritage Impact Assessment (MHBC) for the demolition request for the heritage listed property at 2325 Sunningdale Road East. The Stewardship Sub-Committee noted that it received the Heritage Impact Assessment the same day as its meeting (November 26, 2019) which did not have ample time to review the report.

7. Western University Public History Program – Property Research Presentations

Following the preceding items on the agenda, the Stewardship Sub-Committee, with invited guests, received property research presentations from the Western University Public History Program graduate students on the following properties:

- 700-706 Dundas Street
- 2056 Huron Street
- 130 Kent Street
- 75 Langarth Street East
- 700 Oxford Street East
- 782 Richmond Street
- 962 Richmond Street
- 1156 Richmond Street
- 535-537 Talbot Street
- 593-595 Talbot Street
- 644 Talbot Street



Hamilton Road Corridor Planning Study



Engagement

- Meetings with BIA
- Community Information Meeting #1 – May 1, 2019
- Planner Office Hours at Crouch Branch Library
 - May 9, 2019
 - May 21, 2019
 - June 20, 2019
 - June 22, 2019
- Door-to-Door Engagement along Hamilton Road – October 9 and October 10, 2019
- Get Involved Website

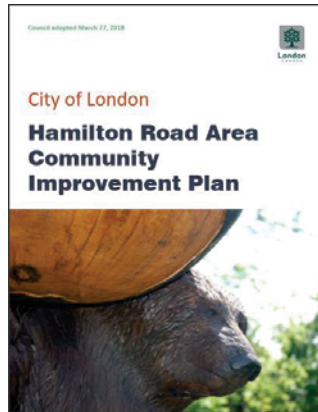


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Purpose of the Study

- Hamilton Road Community Improvement Plan (CIP) adopted by City Council in Spring 2018 to help guide redevelopment.
- This Study is dealing with 4 of the recommendations from the CIP to make it easier to use properties
- Need to change the Official Plan and Zoning to make it happen



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Item 1: Lower Parking Requirements



Item 2: Reduce Building Setbacks



Item 3: Allowing more uses





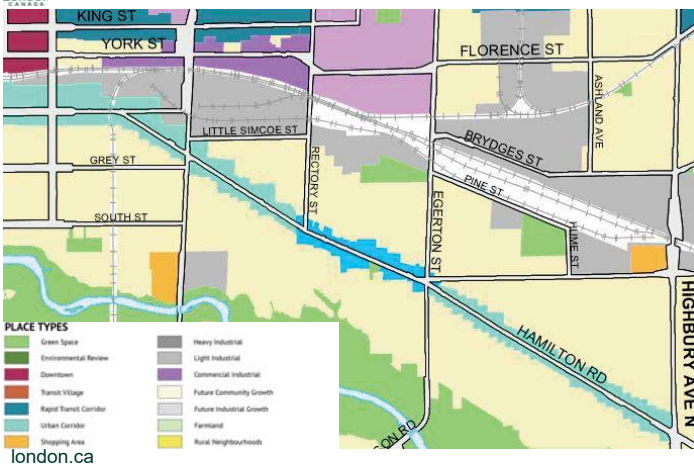
Item 4: Making it easier to join/combine properties



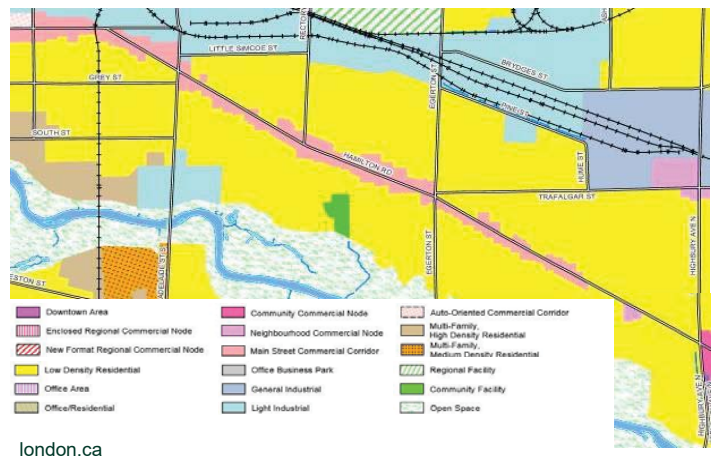
Existing Zoning



The London Plan



1989 Official Plan



Timeline and Next Steps

- Q1-4 2019 • Meetings with BIA
- Q2 2019 • Community Meeting #1: Introduce the study and gather ideas
- Q2-4 2019 • Stakeholder meetings and community engagement
- Q4 2019 • Community Information Meeting #2: Introduce draft amendments and get feedback
- Q4 2019 • Notice of Application + Public meetings circulated including draft amendments**
- Jan 6 2020 • Public Meeting at Planning & Environment Committee (PEC) to consider amendments
- Jan 14 2020 • Council consider recommendation of PEC and makes decision



Proposed Changes





What would change



- Area 1: BDC(_)H13
- Allow a wider range of commercial and residential uses
 - Need less parking
 - Buildings can be up to 4 storeys
- Area 3: Existing Zoning/BDC(_)H13
- No changes to what is allowed, unless joined with a property in Area 1

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What would change

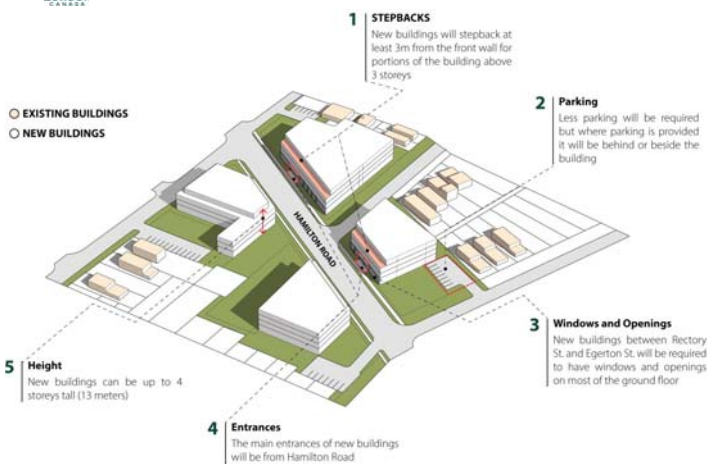


- Area 2: BDC(_)H13
- Allow a wider range of commercial and residential uses
 - Need less parking
 - Buildings can be up to 4 storeys
 - Must have commercial/service uses on ground floor
- Area 4: Existing Zoning/BDC(_)H13
- No changes to what is allowed, unless joined with a property in Area 2

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How this could look



Other Reviews Underway

Heritage Study

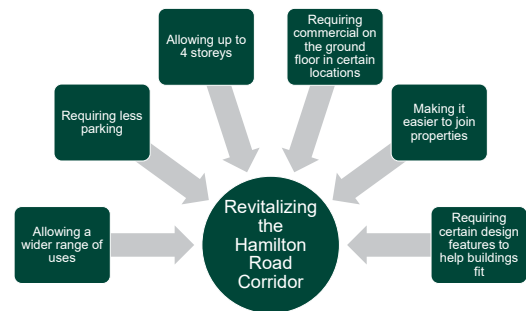
Archaeological Assessment

Review of Right of Way Width for Hamilton Road

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How would changes work



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Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Corporation of the City of London relating to the properties located near the Hamilton Road Corridor, generally between Bathurst Street and Highbury Avenue, as identified in Appendix "A":

- The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend the Official Plan (1989) to amend Chapter 10 to add a Specific Area Policy for the lands identified in Appendix "B";
- The proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in parts (a) and (c), to change the zoning of the properties identified in Appendix "C", **TO** the zoning as identified in Appendix "C";
- The proposed by-law attached hereto as "Appendix "D" **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan, 2016, The London Plan at such time as Map 1 and Map 7 are in full force and effect by **ADDING** a Specific Policy Area to the Neighbourhood Place Type and to Map 7 – Specific Policy Areas.

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Proposed Changes



Response of LACH Working Group to Item 5.4 on the Nov 13th 2019 Agenda regarding the Heritage Impact Statement (Golder Associates May 13th, 2019) for 556 Wellington St

LACH does not agree with or support the findings of the HIA for the following reasons:

HCD Guidelines for West Woodfield (WWHCDP) state: ‘a new building should be sensitive to and compatible with the existing cultural heritage landscape through attention to height, built form, setback, massing, materials and other architectural elements’.

It is considered that none of these criteria have been met.

Height: WWHCDP states that the ‘City Hall Precinct’ (which includes the lands of 556 Wellington St) consider new development to be of 3 storeys adjacent to Wolfe St and Princess Ave and 8-10 facing Dufferin and Wellington. The majority of the surrounding buildings are of 2 storeys.

Built Form: Table 3 of the HIA ‘Assessment Direct and Indirect’ admits that this development will be a ‘significant alteration to the existing character of the HCD’ but saying that setbacks align to streets and that the podium is in scale. This committee believes that the whole building is not in scale with a huge massing and height that bear no relation to the surroundings.

Setback: The setback may be compatible with (or slightly larger than) the much smaller residential properties adjacent but are meaningless for a property of this huge size and height. It is at a ‘zero lot line’.

Massing: LACH considers that in Table 4 of the HIA “Design Guidelines’ the guideline to ‘match setback, footprint, and massing patterns to the immediately adjacent neighbours’ has not in any way been met – the scale of the main building is 50 x 70m and the height of 18 storeys which does not accord at all with the residential buildings of the HCD.

The ‘stepbacks’ of the building which are intended to accord with neighbouring properties are not sufficient to bring the proposed development into compatibility with nearby buildings. In addition the ‘stepbacks’ have far less use for a building that overlooks a public space – Victoria Park - where the views are much longer, creating significant visual impact for it. The building’s massing cannot be considered just from street level but from surrounding properties, including Victoria Park.

The podium has been designed to fit in with the height of the surrounding streetscape but it is part of the appearance of a very large, bulky and dominant building. In particular this building will be eminently visible from a distance, that is from Victoria Park, which will negate the desired effect of the podium.

The parking garage is expected to be ‘screened’ – but a 5 storey height is going to require very large trees, hedges and very tall fences. The shadow impact statement demonstrates that shadows will fall considerably on the neighbouring buildings. It is noted that there is no Winter Solstice study included.

The large footprint is that of a very substantial monolith and ancillary buildings of such a scale that will overlook, dominate and overwhelm the surroundings. The massing is bulky, crowded and not consistent with the residential character of the HCD. In addition no attempt has been to transition the building into the surrounding built heritage landscape. The setbacks do not achieve this.

Materials: It is noted in the HIA that the building 'uses materials similar to those found throughout the HCD'. The WWHCDP states that new residential buildings should 'use materials and colours that represent the texture and palette' of the neighbourhood. The HIA states that building cladding material is not common in the HCD but is found on 'several large buildings close to the property including London City Hall, Centennial Hall, Central Secondary School and Centennial Towers'. LACH notes that these are not appropriate comparators, as they do not reflect the predominant building materials throughout the HCD, nor do they reflect the heritage character of the HCD.

Other architectural elements: No 'traditional details' of the heritage houses surrounding have been, or could be, incorporated into a project of this scale and massing. The application of a narrow 'decorative cornice' on part of the second and fifth storey fails to achieve this.

THE HIA Table 4 also states that the development is compatible with WWHCDP design guidelines which state that the 'size, shape, proportion and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate area'. This HIA notes that the window size, shape and placement is consistent with that of Centennial Hall. Once again this is not an appropriate comparator and does not reflect the predominant style and heritage character of the HCD.

The WWHCDP further comments on 'visual setting (including significant views or vistas to or from a protected heritage property)'. And the *London Plan* speaks of protecting cultural heritage and includes 'public spaces and landscapes as well as buildings'. It is notable that the views from Victoria Park in particular will be impacted by this development as well as the adjacent properties on Wolfe St.

The statement did not adequately address the impact on Victoria Park and its heritage attributes – the development has potential to impact significant archeological resources of this historic City park.

It is also to be noted that a *Victoria Park Secondary Plan* is about to be implemented and this has included substantial city-wide input.

The LACH considers the conservation of the heritage character of the West Woodfield Heritage Conservation District to be fundamental to good land use planning for this site.



Heritage Alteration Permit 430 Dufferin Avenue, West Woodfield HCD

London Advisory Committee on Heritage
Wednesday December 11, 2019

london.ca



430 Dufferin Avenue



- Part IV: By-law No. L.S.P.-3251-30 (1995)
- West Woodfield HCD (2008)
- B-rated
- Built c.1875
- Two-storey, four-bay, vernacular "Townhouse"



430 Dufferin Avenue



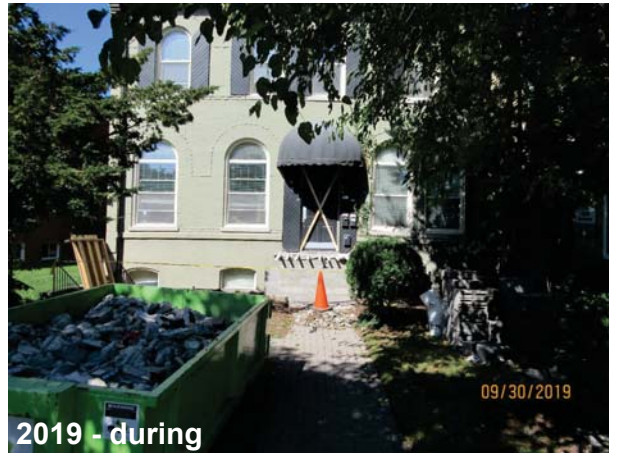
1995



2019 - before



430 Dufferin Avenue



2019 - during



Heritage Alteration Permit

- Retroactive approval for removal of the former concrete stoop and railings and its replacement.



Analysis

- Porch removed and replaced, requiring HAP approval
- No alteration to size, height, dimension of concrete base or steps
- Railings/guard replaced with custom metal railings to match former railings/guards but comply with Ontario Building Code heights



London
CANADA

430 Dufferin Avenue



2019 - after



2019 - after



London
CANADA

Recommendation

That, on the recommendation of the Managing Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval for alterations to porch of the property 430 Dufferin Avenue, within the West Woodfield Heritage Conservation District, **BE PERMITTED.**



London
CANADA

430 Dufferin Avenue



2019 - before



2019 - after



Demolition Request for Dwelling on Heritage Listed Property at 2325 Sunningdale Road East

London Advisory Committee on Heritage
Wednesday December 11, 2019

london.ca



2325 Sunningdale Road East



- 99 acres
- Former London Township, annexed in 1993
- Heritage listed property
- Lafarge Canada Inc.



Dwelling



- 1 1/2 storey
- Buff brick
- Gable roof
- Entry from enclosed vestibule
- Angelstone
- Interior alterations
- Unoccupied since c.2018



Property Ownership

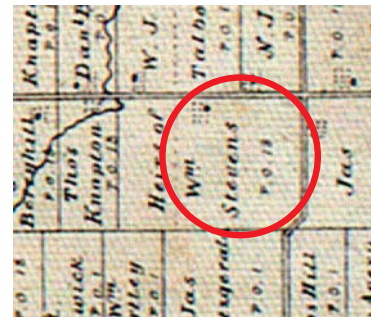
- 1828: Grant to King's College
- 1863: William Stephens (*Tremaine, Illustrated Atlas*) (census)
- 1909: William Stone
- 1913: Lafayette Quinn
- 1918: Walter B. Haskett
- 1921: James Lee
- 1925: William Marcus Talbot
- 1967: J.F Marshall and Sons Ltd.
- 1979: Standard Industries Ltd.



Tremaine (1863)



Illustrated Historical Atlas (1878)





Aerial Photographs

1967



1993



O. Reg. 9/06

- Physical or design value:
 - Is a rare, unique, representative or early example of a style, type, expression, material or construction method;
 - Displays a high degree of craftsmanship or artistic merit; or,
 - Demonstrates a high degree of technical or scientific achievement.
- Historical or associative value:
 - Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
 - Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
 - Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- Contextual value:
 - Is important in defining, maintaining or supporting the character of an area;
 - Is physically, functionally, visually or historically linked to its surroundings; or,
 - Is a landmark.



Historical or Associative Value

Cultural Heritage Value	Criteria	Evaluation	Meets Criteria?
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	"The house is not directly associated with a theme, event, belief, person activity or organization or institution that is significant to the community."	✗
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	"The house does not yield, or have potential to yield information that contributes to the understanding of a community or culture that is significant."	✗
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	"It does not demonstrate o reflect the work or ideas of an architect, artist, building, designer or theorist who is significant to a community; the building/architect is unknown."	✗

Source: MHBC (2019), Heritage Impact Assessment, 2325 Sunningdale Road East, City of London, Ontario



Demolition Request

- Received: November 25, 2019
- 60-day Review Period: January 24, 2020
- Heritage Impact Assessment



Physical or Design Value

Cultural Heritage Value	Criteria	Evaluation	Meets Criteria?
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	"The house is described as a Georgian farmhouse in the Register, however the alterations to the house, in particular the irreversible covering of a large portion of the main façade, has removed its ability to be an exceptional representative of this type of architecture. There are 102 properties on the Register of Cultural Heritage Resources listed as being of a Georgian architectural style; 51 of which are described as 'Georgian'. There is one (1) designated Georgian building under Part IV of the OHA and two (2) designated under Part V of the OHA.	✗
	Displays a high degree of craftsmanship or artistic merit	"The existing dwelling does not appear to demonstrate a high degree of craftsmanship or artistic merit."	✗
	Demonstrates a high degree of technical or scientific achievement	"The existing dwelling is not believed to demonstrate a high degree of technical or scientific achievement."	✗

Source: MHBC (2019), Heritage Impact Assessment, 2325 Sunningdale Road East, City of London, Ontario



Contextual Value

Cultural Heritage Value	Criteria	Evaluation	Meets Criteria?
The property has contextual value because it,	Is important in defining, maintaining, or supporting the character of an area	"The existing house is shown on the 1877 map with rows of trees to the east of the property perhaps to facilitate a wind break. The house continues to remain in-situ and there are remnants of the treed windbreak. However, its original context as an agricultural property has been altered by the aggregate extraction activities on the property...The house is not important in defining, maintaining or supporting the character of the area as land use of the property has altered its original purpose."	✗
	Is physically, functionally, visually, or historically linked to its surroundings	"Its original functionality has been, for the most part removed. It is no longer physically, functionally, visually linked to its surrounding area. It is historically linked to the original land patterns and roadways in its orientation and position, however, not in itself significant or unique to any other agricultural landscape in Ontario."	✗
	Is a landmark	"It is not a landmark"	✗

Source: MHBC (2019), Heritage Impact Assessment, 2325 Sunningdale Road East, City of London, Ontario



Consultation

- Mailed notice to property owners within 120m
- *The Londerer*
- City website
- ACO – London Region, London & Middlesex Historical Society, and Urban League



Recommendation

That, on the recommendation of the Managing Director, Planning & City Planning, with the advice of the Heritage Planner, with respect to the demolition request for the existing dwelling on the heritage listed property at 2325 Sunningdale Road East, that:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the dwelling on this property, and;
- b) The property at 2325 Sunningdale Road East **BE REMOVED** from the Register of Cultural Heritage Resources.



Heritage Planners' Report to LACH: December 11, 2019

1. Heritage Alteration Permits processed under Delegated Authority By-law:
 - a) 870 Queens Avenue (OE HCD): porch
 - b) 125 King Street (DT HCD): window replacement and alteration
 - c) 345 Talbot Street (DT HCD): signage
 - d) 532 Dufferin Avenue (Part IV): detached accessory building
 - e) 145 Wortley Road (WV-OS HCD): awning
 - f) 280 St. James Street (BH HCD): masonry restoration
 - g) 424 Wellington Street (DT HCD): clock and signage lettering
 - h) 45 Ridout Street South (WV-OS HCD): porch alteration

2. Upcoming consultation regarding *Ontario Heritage Act* Regulations for Bill 108 Implementation

Upcoming Heritage Events

- Rotary Club of London South – Historic London Building in Pewter Christmas Ornaments – Blackfriars Bridge and the Normal School
- Victoria Christmas at Eldon House, December 1, 2019 – January 1, 2020.
www.eldonhouse.ca/product/victorian-christmas/. More Holiday events at Eldon House!
- New Year's Levee at Eldon House – January 1, 2020, 1:00-4:00pm
www.eldonhouse.ca/product/new-years-levee/
- SAVE THE DATE: ACO London Region & Heritage London Foundation Awards Gala – Thursday March 5, 2020 at Museum London

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: G. Kotsifas, P. Eng
Managing Director, Development & Compliance Services &
Chief Building Official
Subject: Update on Subdivision Ambassador Role in Development
Services
Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following report **BE RECEIVED** for information on actions taken to date with respect to the strategy for Living in New Neighbourhoods and Unassumed Subdivisions.

Executive Summary

Summary of Request

On September 5, 2017, Council directed staff to develop a strategy to improve enforcement and compliance in new subdivisions to resolve typical complaints from homeowners living in these unassumed developments. As a result, the 'Subdivision Ambassador' was hired in August of 2018, and this report highlights the progress made to date on key initiatives and processes.

Purpose and the Effect of Recommended Action

Development and Compliance Services (DCS) strategy identifies methods for connecting home owners to City resources related to living in a new subdivision and home ownership. It also identifies the appropriate City contacts for compliance and enforcement matters in new developments that have not had parks, pipes, and roads assumed by the City.

Analysis

1.0 Proposed Strategy Update:

Overall Strategy Update

Pre-Strategy Action – Hire "Ambassador" position

The "Subdivision Ambassador" position was filled in August 2018.

Phase 1 – Fees, Customer Service and Streamlining

The establishment of updated content in regards to New Homeowner Packages, Clarification of Roles, and the link to www.london.ca/newsubdivisions.

Phase 2 – Build Performance and Resources

Comparing neighbouring municipalities and their approach to new development, as well as the creation of materials for outreach events, including additional ways for City of London residents to interact with the Subdivision Ambassador via Facebook.

Phase 3 – Improve Regulatory Framework and Process

New GIS resources in CityMap and the background of CRM to help direct internal and external inquiries to the appropriate group for resolution.

Phase 4 – Continuous Improvement

Development Services has integrated the pillars of continuous improvement into the day to day work. The work of the Subdivision Ambassador, by nature, involves assessing issues and highlighting opportunities for improved communication and or consistency.

2.0 Improvements, Actions and Illustrations

Phase 1 – Fees, Customer Service, and Streamlining

1. New homeowner packages

A simplified web address (www.london.ca/newsubdivisions) has been created to help direct people to the appropriate page on the City of London’s website for information in regards to living in new subdivisions. Updates are planned in 2020 to refresh and refine the messages and information being delivered.

Living in a New Subdivision

The following information is directed toward people who have moved into a new home, and into an area of the City that is newly developed.

Subdivision Assumption

In the early stages, when new home construction begins in newer subdivisions, the services and the upkeep of the streets are the responsibility of the Developer: The City of London has not yet *assumed* the land, and this can take several years depending on the speed with which the developer sells the lots, and the builder builds the houses.

During all phases - from planning to construction - City staff monitor the development to ensure that it will comply with the Subdivision Agreement. The City won't take over (assume) any subdivision until it has inspected all work, and the Developer has satisfied all parts of the Subdivision Agreement.

Making Changes to Your Property

Though you may have moved into your home, it is advised that you make few, if any, changes to your yard or driveway prior to assumption, in order to avoid complications and delays in the assumption process. You will be required to remove structures that are built without permits, or constructed such that they interfere with the assumption of the subdivision; this can include altering the grading and drainage pattern. Make sure you read the associated pages thoroughly, or call if you have any further questions.

Contact Us

Development Services
Phone: 519-930-3500
Fax: 519-930-2355
E-mail:
developmentsservices@london.ca

Related Content

- [Yard and Lot Maintenance](#)
- [Property Standards By-law](#)
- [Winter Road Maintenance](#)
- [Street Lights](#)
- [Garbage](#)
- [Find a School \(Thames Valley Board\)](#)

In an effort to better help educate and inform homeowners, development of easier to understand materials that assist homeowners in navigate complex bylaw and zoning matters has begun. The issues experienced by the homeowners can be exasperated by the long subdivision assumption process where service is provided by both the City and the developer. For example, the pamphlet below identifies the important components of the Streets By-Law and the Zoning By-Law that a resident constructing a driveway should take into account.



2. Clarification of Roles

The delineation of roles has been an organic process. The volume of calls, emails, etc. remains consistent within Development Compliance. Following the hiring of the

Subdivision Ambassador, the amount of general inquiry interaction by DS's Inspection Technologists has decreased due to the majority of contact being routed through the Subdivision Ambassador. This has had the desired effect of focusing the technical and assumption process issues to the inspectors with the customer and resident-oriented questions to the Ambassador. The Ambassador role has also opened direct lines of communication with the Councillors Office, resulting in faster turnaround times for area residents' concerns, questions and comments.

Consistent with the May 28, 2018 Living in New Neighbourhoods and Unassumed Subdivisions report, these include questions on the following;

- Sidewalks not constructed, or sidewalks that have been constructed are not maintained;
- Street lights are not functioning or are too bright;
- There is no safe access and connectivity within school zones;
- Construction traffic not adhering to identified construction routes outlined in the subdivision agreement, resulting in cut-through traffic within new neighbourhoods;
- Location of construction trailers on development blocks that are parked next to backyards of single family homes;
- On-street parking of trades and contractors that block the road of residents living in the subdivision;
- Catch basins that flood on a regular basis;
- Dust control not addressed either from dirt and debris on the streets, or nearby dirt stock piles; and
- Understanding the City's role in garbage collection and how to deal with construction debris and litter.

3. Development agreement streamlining

The City has continued to work closely with the development industry to review and streamline the Draft Plan Conditions and Subdivision Agreement Conditions to ensure that they are actionable and relevant. From time to time, reviews of this nature are necessary to improve efficiency and effectiveness of the development approvals and build-out process. Through this project, there has been significant discussion on the enforcement and compliance components of our agreements. While this review has improved the language, a more detailed process review is required to understand how City staff across the Corporation interact and enforce the conditions in the agreements. It is anticipated that tracking interactions in the Customer Relationship Management (CRM) system will provide the opportunity to identify issues related to litter and construction debris, dust control, garbage pick-up, etc. during the course of build-out that would inform a future review of development agreement conditions.

4. Fees and charges review

Development Services has been identified as a participant in Council's Deep Dive Service Review. This review will include a complete assessment of fees and charges related to development applications from pre-consultation through to the assumption of City infrastructure. A report to Council is targeted for Fall 2020 to allow any changes to the fee structure to be in place by January 1st, 2021.

Phase 2 – Build Performance and Resources

1. Develop Performance Measures

One of the components of the Annual Development Report could include performance metrics related to customer service interactions. These metrics have not been developed, and the resources to track them are still being established in conjunction

with Service London. To date, Development Services is unaware of another municipality in the province of Ontario that has a role similar to the 'Subdivision Ambassador'. By providing a conduit for Councillor's, residents, developers, builders, and internal City staff, the City of London is leading the way with our customer service focused initiative.

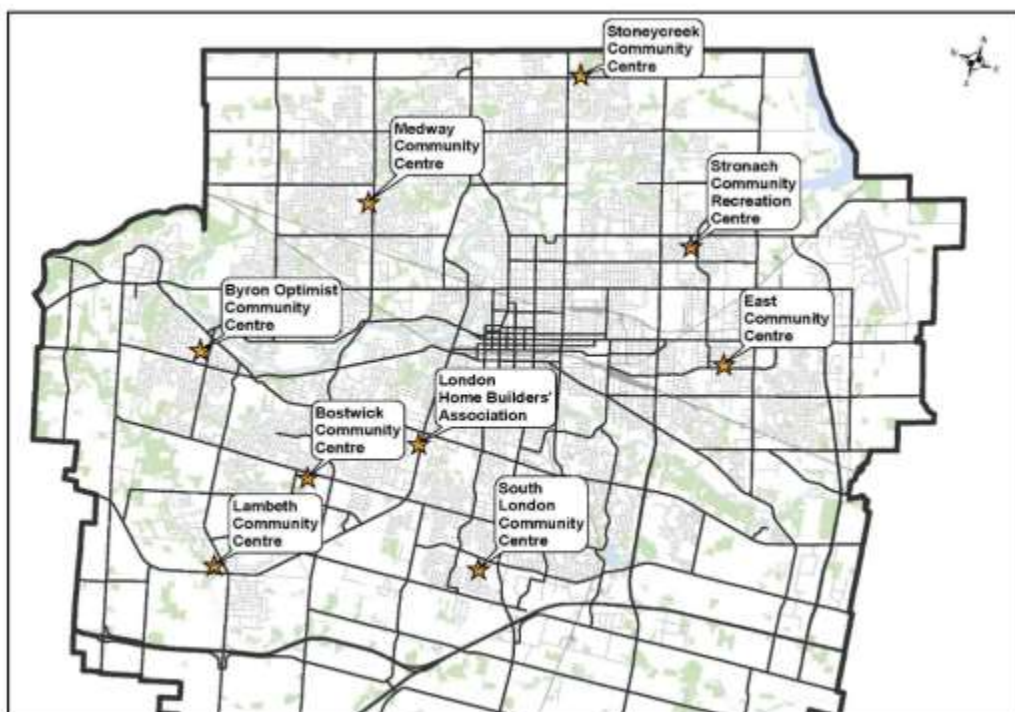
City of London staff have been reviewing outreach and education initiatives from these other municipalities to assist developing programs here for our residents in newly developed areas. A best-practice review has been undertaken with some neighbouring municipalities, including the City of Kitchener, City of Waterloo, City of Hamilton, Town of Oakville, and the City of Windsor.

2. Additional Resources/Outreach Events

Council's Strategic Plan identifies a target of twelve (12) Subdivision Ambassador outreach events within Strengthening Our Community. These can include 'piggy-backing' on neighbourhood gatherings within new subdivisions (i.e. Neighbourhood Movie Nights in the Park, etc.), and attending City of London-wide festivals and events (i.e. London Home Show, Victoria Park Events, etc.).



To help introduce the role into the community, an InfoCard was created and distributed in early 2019. The cards were placed in community centres and arenas that were located as close as possible to areas of the City that are experiencing subdivision growth.



Further outreach has been achieved in the digital realm with the creation of the Subdivision Ambassador Facebook page. To date, regular posts on the page have dealt with everything from winter maintenance to dust and debris accumulation on

streets. Significant interaction was achieved with a video post, produced internally by the City of London Communications, in regards to construction traffic.



The video is available to be viewed on the Subdivision Ambassador Facebook page, at <https://www.facebook.com/SubdivisionAmbassador/>.

Phase 3 - Improve Regulatory Framework and Process

1. Leverage customer interaction (build work flow into CRM)

From the May 2018 PEC Report:

Leverage Customer Interaction

The City has made significant investments into Service London over the past number of years, including the development of the CRM software system. Recently, DCS staff have been in conversations with Service London staff to determine the best way to incorporate unassumed subdivisions into the CRM and leverage the tracking data and work flow that is already established. Many of the services requested by new homeowners will ultimately be provided by the City and these property owners are simply looking for ways to connect and resolve their issues.

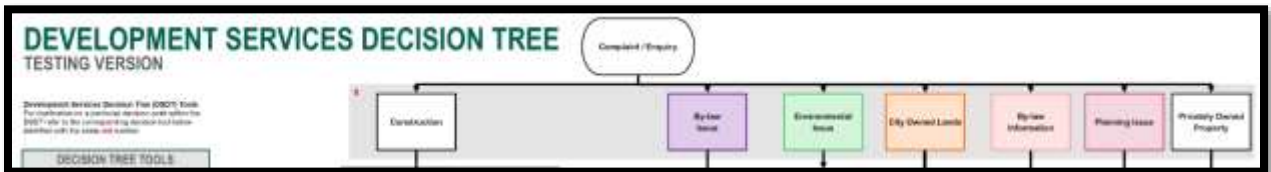
Through a working group including staff from Service London, Information Technology Services and our internal GIS team in Development Services, a new 'Subdivision Assumption Status' layer has been created the City of London's internal CityMap. This provides further opportunities to disseminate information throughout the organization.

The information now available via this layer can help identify the status of a subdivision, and when a complaint is received regarding a specific property or construction activity in general. It is much easier to identify whether the area is Assumed, Not Assumed (Unassumed) or Assumed with Warranty.



The layer is currently active in the 'background' of Service London. When new service requests are created by users, or City of London staff, they are then automatically sorted and categorized based on their assumption status. This service allows for items submitted to the portal to be triaged by Subdivision Compliance on a trial basis. The ultimate goal is to direct concerns, questions, or comments received via subcompliance@london.ca through the CRM environment, which will allow for better tracking of each issue that is brought forward to ensure that the loop is closed in regards to the service request.

Further to the above, a Development Services Decision Tree was created to help staff in Development Services and Service London direct enquiries in regards to new development. Created in conjunction with Service London, Site Plan staff, and Building Division and Zoning staff, the Decision Tree is currently in a testing phase within Development Services. Updated versions of the Decision Tree will be made available once staff feedback has been received and evaluated in regards to its completeness, ease of use, etc.



Using the continuous improvement model, further updates to the 'Subdivision Assumption Status' layer are being explored which will facilitate the inclusion of engineered drawings, subdivision agreements, and more documentation that relates to subdivision approval. This will help with knowledge exchange internally at City Hall between divisions.

2. By-law review and alignment

In conjunction with the ReThink Zoning project and partners in Bylaw Enforcement, revisions to existing bylaws that would help bring development compliance related issues in line with other divisions will be investigated in the future. This will involve discussion with other divisions / departments including City Planning, Environmental Services, By-law Enforcement, etc.

Phase 4 – Continuous Improvement

1. Annual review and tweaks of strategy to match market conditions and resident needs

Efforts in this area will become more focused as the progression of the aforementioned policies, partnerships, and new and improved processes are refined moving forward.

There has been a great deal of change in the past 18 months in this service area, and improvements in regards to customer interaction and assistance will continue.

3.0 Conclusion

The strategy, which was developed in response to Council’s direction from September 5, 2017, is progressing and continues to improve customer interaction during the development process. Process improvements, allocating resources more effectively, growing our outreach strategies and finding ways to “close the loop” when the work is completed all contribute to improving our corporate customer service strategy.

This report has been prepared with the assistance of Matt Feldberg, Manager, Development Services (Subdivisions).

Prepared by:	Jeff Shaughnessy Specialist I, Municipal Policy ("Subdivision Ambassador")
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official

December 16, 2019

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cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Ted Koza, Manager, Development Engineering
cc: John Nolan, Manager, Service 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: Candidate Approval for the Urban Design Peer Review Panel
Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following candidates **BE APPROVED** for the positions, listed below, on the Urban Design Peer Review Panel:

- a) Tim Wickens – Position of Architect
- b) Leo Xuan-Yi Lin– Position of Architect
- c) Michael Davis – Position of Planner

Rationale

On November 26, 2012, Planning and Environment Committee approved a revised Terms of Reference for the Urban Design Peer Review Panel. The revised Terms of Reference outlined the makeup of the Panel with the following positions: three (3) Architects and three (3) other professionals that influence the design of the built environment and are registered in their field; these fields include, in order of preference, Landscape Architecture, Urban Design, Planning or other professional fields that influence the design of the built environment. The Terms of Reference also staggered the terms of Panel appointees to balance the Panel's representation between a desire for consistency of operation while allowing for fresh perspectives. The Terms of Reference indicates Panel members are to be approved by Council upon the recommendation of administration.

Panel members serve a two (2) year term from the date of their appointment and shall not sit for two consecutive terms. On December 31, 2019, the identified term limits expire for three (3) of the panelists. At this application cycle, the positions required to be filled are for two (2) architects and one (1) professional that influences the design of the built environment.

The applications from the recommended candidates are included in Appendix A. All other candidate applications are included in Appendix B.

Overall, the recommended candidates noted in this report provide a full complement of expertise in the various disciplines. The overall collective experience of the candidates will assist the City as we move forward and continue the value of the Panel within the development approvals process.

Prepared by:	Wyatt Rotteau Urban Design Technician, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services & Chief Building Official
<p>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</p>	

December 16, 2019

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Candidate Approval - WR 1of1.docx

cc: Heather McNeely, Manager, Development Services (Site Plans)
cc: Michael Pease, Manager, Development Planning

Appendix A

Name: Tim Wickens

Occupation: Architect

Work experience:

Ian Macdonald Architect, Hariri Pontarini Architects, Tim Wickens Architect, Nicholson Sheffield. Residential and institutional mainly. Studio Adjunct Prof at Waterloo, Guest at Uoft and Ryerson.

Education:

Professional BArch, Post-professional MArch, OAA, MRAIC

Skills:

Studio Professor, Independent Study of Housing and Urbanism in the Netherlands, Current profession focus on multi-unit residential in the City of London.

Interest reason:

Get to know the city, be involved in the community, make a contribution.

Contributions:

Constructive architectural and urban design critique

Past contributions:

Nothing directly applicable. Served on interview panel for Waterloo admissions, judged for Canadian Interiors Magazine Awards and Marvin Window Student Design Awards. OAA Mentorship Program.

Interpersonal:

Design lead for joint venture projects, taught in various design studios at the University of Waterloo School of Architecture, guest critic and lecturer at U of T and Ryerson. Required to recognize design intent and innate qualities of a project and offer advice based on a it's own merits.

Interview interest: Yes

Name: Leo Xuan-Yi Lin

Occupation: Architect

Work Experience:

I am a practicing Architect and Urban Designer, currently working as an Associate at Giannone Petricone Associates Architects (GPA). Over the course of my 5+ years at GPA, I have led an extensive range of projects from the design of large multi-phased community masterplans to mid-scaled mixed-use projects to modest infill developments. Most of these projects have an emphasis on utilizing public realm to drive built form in creating a unique urban culture. I also have both international and domestic experience in hospitality interior projects for restaurants and hotels. Previous to my employment with GPA, I worked for a number of years at LGA Architectural Partners designing and seeing through the construction of mid-to-large scale institutional and publicly funded projects in and around the GTA. This portfolio of work includes the Toronto Public Library, Woodgreen Community Services Housing, Region of Simcoe Senior Supportive Housing, and Bradford Public School. During my internship years between my Bachelor and Masters degrees, I had the great pleasure and opportunity to work in Taiwan, Beijing and Shanghai on large masterplan proposals for projects in China and the UAE. In addition to my role at GPA, most recently I have worked as a Sessional Lecturer at Daniels Faculty of Architecture, Landscape, and Design, teaching undergraduate level Design Studios. Some of the relevant projects I am currently leading are: • Brightwater Community in Port Credit, Mississauga • Golden Mile Redevelopment, Scarborough • Cumberland Square (Cumberland Terrace Renewal Proposal), Toronto • Daniels City of the Arts, East Bayfront Toronto

Education:

I am an OAA licensed Architect. My educational background includes Master of Architecture at University of Toronto, and Bachelor of Environmental Studies for School of Planning at University of Waterloo, with a specialization in Urban Design.

Skills:

I am a practicing Architect and Urban Designer who received education in both respective disciplines.

- I have a wide range of professional experience in various building types and in multiple phases from site planning to building construction.
- I have worked on urban design projects located in Ontario and overseas in Asia.
- Many of my current and past projects involve highly mixed-use program on very complex and important city sites where the design approach emphasizes a great public realm contribution. All of these projects require working with the local community and ratepayer groups, municipal and regional departments, and government officials from the rezoning stage to site plan approvals to permit applications.
- I have prepared multiple Design Review presentations for various boards and committees, all of which have received unanimous approvals.
- I have prepared and presented Urban Design Guidelines to the City of Mississauga for our masterplan at Brightwater Community.
- I am familiar with provincial planning policies, various bylaws and urban design guidelines from Toronto and surrounding municipalities, as well as the Ontario Building Code.

Interest reason:

I believe urban design excellence should be upheld in all Canadian municipalities as one of the main pillars to great city planning; regardless of its history, size, or demographics. I have always been interested in the practice of planning and urban design in mid-sized cities such as London, beginning with my studies at Waterloo. I also have gained first-hand experience through working with smaller municipalities like Mississauga and learned how much urban design can play a role in taking a very different approach to what one would expect in a large city like Toronto. These discussions have further broadened my interest in contributing to smaller but equally important municipalities. As our province continues to grow, I believe cities like London are presented with a unique opportunity to equip itself to provide higher quality of life, better places to work, learn, live and play. Urban Design excellence combined with effective planning framework can play a tremendous role in shaping how London can be one of the best cities in Canada to live. I would welcome the opportunity to be involved included on this Panel.

Contributions:

Being both an Architect and an Urban Designer, I believe I can help bridge between the inside and the outside; and contribute to strengthen the relationship between the inherent interior program with its surrounding context. Through my own work, I have developed a profound understanding in the challenges of applying strict design guideline principles to every unique site and program. As a member of this body, I will aim to provide creative insights that could achieve balance in both disciplines.

Past contributions:

Perhaps not so dissimilar to an Urban Design Peer Review Panel, I am a recurring guest critic at a number of local universities such as University of Waterloo, University of Toronto, and OCAD University. I have also taught Design Studios at University of Toronto in which regular discussions between the students and I with the other instructors are required to ensure the project is at its highest design standard. I have also helped organize and served to advised on a design competition that was held for one of the Masterplan projects I was leading.

Interpersonal:

As an Architect and Urban Designer, we solve complex problems that require skills and expertise from many other disciplines; including city staffs, clients, consultants, contractors and various trades etc. Many of my own projects, due to its large scale and multiple phases, it is quite common for us to work with other architects on achieving the same overall vision and ensuring consistency in the public realm experience. Some projects such as the Brightwater Community in Mississauga, we are tasked with the role of being the Master Architect, and one of the roles as the Master Architect is to peer review and comment on other architects' work in this community. This is a highly productive process to ensure a high quality of design and a diversity of style and opinion is ultimately achieved. Within the organization of my firm, my role as an Associate also requires me to lead a design team with a portfolio of ten to fifteen ongoing projects of various scales and types. I am routinely required to critique the work of my staff, often delivering difficult messages while ensuring respect and positivity for their ideas and the work involved.

Interview interest: Yes

Name: Michael Davis

Occupation: Planner

Work experience:

Urban planner with approaching nine (9) years of professional experience across the public and private sectors in Ontario and Alberta. I've held senior positions with the City of Calgary and City of Hamilton where my work has focused on planning and delivering new large-scale master-planned neighbourhoods, realizing significant urban redevelopment projects, and reimagining suburban places through new land use policy and design guidelines. Summary: Senior Planner, Development Planning, Heritage and Design - City of Hamilton (May 2019 - Present) Senior Planner, Community Planning - City of Calgary (September 2016 - May 2019) Planner II, Community Planning & Design - City of London (June 2013 - August 2016) Planner, Cuesta Planning Consultants Inc. - Owen Sound, ON (April 2011 - May 20)

Education:

I hold a Bachelor's Degree in Urban and Regional Planning from Ryerson University and a Certificate in Real Estate Development from the University of Calgary. Additionally, I am a member of the Canadian Institute of Planners (MCIP), the Ontario Professional Planner's Institute (OPPI) and am a Registered Professional Planner (RPP). Credentials: B.U.R.Pl., Ryerson University (2011) RED Cert., University of Calgary (2017) Registered Professional Planner (R.P.P.) Professional Affiliations: Canadian Institute of Planners (MCIP) Ontario Professional Planner's Institute (OPPI)

Skills:

I bring considerable skills and knowledge in the following areas relevant to the function of the UDPRP: - Land Use Planning and Urban Design - The Ontario Planning Framework - Transit-Oriented Development - Greenfield Master-Planning - Built Heritage - Zoning - Low-Impact Development - Development Approvals - Negotiation

Interest reason:

1. Passion for Urbanism: Most importantly to the role, I bring a passion for urbanism, design and city-building. I have a sincere personal and professional interest in contributing to and supporting communities across southwestern Ontario in their efforts to build better places. Throughout my career I've taken advantage of every opportunity to grow my experience and expand my influence in the profession. I see this role as another exciting outlet to expand those experiences and contributions.
2. Local Roots: One of my early professional roles was with the City of London's planning division. For me, that was a period of huge personal and professional growth. John Fleming, his leadership team and my colleagues at the City of London had a massive influence on my evolution as a planner and my approach to design conversations. I continue to nurture these professional connections and would truly value the opportunity to further them in this capacity. My time spent in London has also fostered a strong understanding of the local planning context and an appreciation of how much the staff, citizens and industry care about advancing the dialogue around design and city-building.
3. The Mid-Sized City Mission: My experience working in a range of Canada's mid-sized cities has given me an understanding, appreciation and interest in the unique challenges currently facing mid-sized cities. Whether it's attracting and retaining creative talent, addressing the climate emergency or building resiliency, I understand there is an inherent link between those strategic objectives and creating well-design urban places. The Urban Design Peer Review Panel, in my experience, can help make significant positive contributions to addressing these overall challenges.

Contributions:

1. **A Creative Lens:** My professional experience, working in urban municipalities across Canada, has provided me with a rounded perspective and diverse base of experiences, examples and cases to draw from. I believe this diverse base of experience provides significant value in terms of supporting creative design responses in new development that can be applied to projects in London. A considerable proportion of my work has centred around development planning and site-specific design negotiations. This has honed my practical skills in urban design and given me the chance to work with leading architects and urban designers in Ontario and Alberta.

2. **Tact and Negotiation Skills:** One of the key's to my career advancement has been my strengths in collaborating and negotiating with our partners in the development industry. My approach balances critical analysis with positive reinforcement and a "human-touch". Through this approach I have consistently been able to build trust with applicants and effectively inject creative vision into projects to advance the city's design goals. I understand the need to focus on solutions-based feedback that's practical and productive for staff and applicants.

3. **Building Trust through Communication:** Establishing your own vision of an ideal outcome is an important part of negotiation in the design context. However, if you're not effective in communicating your ideas, you risk them being disregarded. I bring a depth of professional experience presenting written and oral recommendations before City Councils', Planning Commissions, Design Review Panels and the Ontario Municipal Board. Through this, I've honed my approach and built my skills in interacting with others in a way that inspires confidence in my intentions and those of the organization I'm representing.

Past contributions:

As a planner with mid-sized and large urban municipalities, I have over six years of professional experience working with, collaborating and helping to carry forward recommendations from Design Review Panels in the development process. This experience has fostered an understanding of the responsibilities of the panel, the value it can bring, and effective ways to work with staff and industry to influence design outcomes. In addition to this experience gained through the traditional aspects of my role, I've served in varying capacities on a range of advisory committees related to city-building including:

1. **Development Review Team - Hamilton, ON. (2019-Present):** As a Senior Planner with the City of Hamilton I'm responsible for chairing Development Review Team meetings where recommendations from city technical stakeholders are coordinated and delivered to applicants in a round-table setting. The Development Review Team plays a significant role in shaping urban design outcomes in Hamilton.

2. **Administrative Advisory Panel - This is My Neighbourhood - Calgary, AB. (2017):** In Calgary, I served as the planning division representative on the City of Calgary's administrative review panel for the "This is my Neighbourhood" program. This panel reviewed applications by community organizations for funding for neighbourhood-scale community building initiatives including public realm improvement projects. My work on the review panel involved making recommendations on project design to applicant groups and funding approval to City Council.

3. **Town and Gown Committee - Planning Division Representative - London, ON. (2015):** In London, I served as a non-voting administrative representative from the planning division on the Town and Gown Committee. My role involved supporting dialogue around planning issues affecting the City's near-campus neighbourhoods and providing a staff lens to help inform recommendations to Council for policy and initiatives made by voting members of the committee.

Interpersonal:

Overall, I bring almost nine years of professional urban planning experience, with a focus on development planning. Through this journey I've developed a track-record of collaborating with developers, community stakeholders and internal technical teams to ensure that our design goals are implemented through planning applications and quality development is realized. My work in the public sector has always been carried out in a customer-focused environment where our obligations to the profession are balanced with our role as public servants. My experience tells me that achieving successful design outcomes is the result of the contributions of diverse perspectives and talent. I also appreciate that fostering an effective and positive working relationship with staff and the development industry is the best way for the Urban Design Peer Review Panel to influence such outcomes. I look forward to the opportunity to bring this experience and perspective to the Panel!

Interview interest: Yes

Appendix B

Name: Vasile (aka Bill) Katsios

Occupation: Architect

Work experience:

I have been working as an architect since 1980 and as a registered Architect since 1995. I have my own firm as an Architectural practice since 2010. My office mainly designs Commercial, High rise residential and Condos, Industrial and Assembly bldgs.

Education:

I have the following degrees: 1. B.Sc., 2. B.E.S. (Arch) 3. M. Arch. I am registered with OAA (Ontario Association of Architects) and MRAIC.

Skills:

I am running a very successful practice for over 15 years and completed all types of projects and complexities. I have been elected as the president for the London Society of Architects for 2 terms (4 yrs). I have taught Architectural design and Materials at Fanshawe College for 3 years.

Interest reason:

I am offering my time for a good cause and volunteering as a good citizen for the City of London which I have spend the majority of my time.

Contributions:

My ability to see, observe and listen, due to my experience, what is the intend of the design based on the drwgs provided. My ability to exchange views, complement and encourage good design principles and offer alternative views on improving design elements.

Past contributions:

Acting as a Professor for the Fanshawe College while teaching Architectural Design and Materials courses. Acting as the president of the London Society of Architects to organize activities for the membership.

Interpersonal:

My experience in exchanging views with others is my daily event with my clients who are interested in building new buildings or renovating existing. My recommendations to my clients to use as many principles in sustainable design by reducing the energy requirements and thus the carbon footprint for an improvement on the Globe's climate.

Interview interest: Yes

Name: Ron Versteegen

Occupation: Senior Planner

Work experience:

I've worked as an Environmental Planner and Development Planner for approximately 30 years with various agencies.

Education:

BA - Human Geography/Urban Environmental Studies - Brock University. Have MCIP/RPP accreditation.

Skills:

Have assisted in the development and implementation of various community design guidelines outside the City of London.

Interest reason:

To assist the City in developing an attractive and livable community.

Contributions:

Years of experience working in other communities can aid in applying City's guidelines while also ensuring development is approved in a timely fashion.

Past contributions: None.

Interpersonal:

Have worked in planning for many years - but as a staff resource capacity. Working as part of committee will enable me to impart that knowledge with the goal of implementing attractive development that is a positive to the community.

Interview interest: Yes

Name: Xin Liu

Occupation: Architectural technologist

Work experience:

ABBARCH Architecture Inc. 2017.3-now Intern Architect Design and develop presentation drawings for large scale of retail and commercial projects (Walmart, Metro and etc.). Provide CAD working drawings for building permit and construction drawings. Coordinate with various consultants. Avenue Architecture Inc. 2015.6-2017.3 Intern Architect Engaged with PM and GC to understand project intent and scope. Propose design sketches. Perform design development. Prepare construction drawings. Write specifications for the project. Research local materials. Coordinate with various engineering systems. Check document. Coordinate with building code consultant. Write Site Instruction, Addendum and NOC. Take part in Project meetings. Respond to Project Manager inquiries. Prepare Autocad and Revit drawings. Culmone Associates Ltd. (Canada) Designer 2013.9-2015.6 Create comprehensive schematics and construction designs, and develop design and working drawings. Coordinate with various consultants. Do Building Code and material research. CHK Engineering Inc. (Canada) Designer 2013.5-2013.9 Develop working drawings and details as Autocad technologist. Shanghai Xian Dai Architectural Design (Group) Co., Ltd. (China) Architect 2010- 2012 Shanghai Xian Dai Architectural Design (Group) Co., Ltd. (China) Intern Architect 2003- 2010

Education:

Masters Degree in Architecture (Harbin, China) 2000 – 2003 Bachelors Degree in Architecture (Harbin, China) 1995 – 2000

Skills:

To-be architect. Pass all tests of Architect. Review drawings. Familiar with OBC. Proficient in CAD tools and Ms Office. Build 3D model. Experienced designer.

Interest reason: Explore some new horizon

Contributions:

Review drawings. Help leader to communicate with other designers with CAD tools and 3D models. propose the urban design both in verbal & writing and graphically. Site visit

Past contributions: n/a

Interpersonal:

To be Architect of OAA, In licensing process. • Master Degree in architecture accredited by Canadian Architectural Certification Board (CACB) • 5 years' experience as a working designer in Canada • More than 9 years' experience as a working architect in Shanghai, China • Using Autodesk CAD from R14 to 2017 for 16 years • 2-year Revit experience. • Proficiency in Adobe Photoshop, Adobe Acrobat, Sketchup, and MS Office • Sound knowledge of OBC 2012, NBC 2015 and zoning by-law of GTA. • Varied project experience including: high rise office structures, apartments, theatres, sports complexes, hotels, residential homes, hospitals, and industrial buildings. • Excellent interpersonal and time management skills • Excellent clear and concise written and verbal communication • Ability to work independently and work collaboratively in a team environment

Interview interest: Yes

Name: Chansoo Byeon

Occupation: Architect

Work experience:

I have been working in the architecture industry for 6 years before joining the City of Mississauga's Planning and Building department two years ago. My portfolio expands from small to extra large urban design projects during my career.

Education:

Originally educated and trained as an architect from University of Toronto - I have worked at multi national architectural firms and also public sector

Skills:

Architectural design, Urban Design and Policymaking

Interest reason:

City of London's position in the grand scheme of Canadian cities is particularly interesting to me and the City has lots of great opportunities to do it right and go beyond the status quo of Canadian ways of doing things and leap into a globally leading city when it comes to Urban Design

Contributions:

By providing facts-based evidence, I aspire to help decision-makers and citizens to make the right decision for the long term goals of the City

Past contributions:

I am currently working in Planning and Building department at the City of Mississauga

Interpersonal:

Having organized various scale of design meeting including public meetings, it is important to be listening carefully to what the residents have to say. Then taking the input from all the parties and dissecting them into smaller actionable chunks to implement them step by step is key to success.

Interview interest: **Yes**

Name: Abhay Vaid

Occupation: Architect

Work experience:

Accomplished and reliable architect with strong client satisfaction record, adept at handling multiple projects simultaneously with professionalism and expertise in both high rise residential and commercial building projects, healthcare and transit projects managing teams performing preliminary design, design development, permit approvals, tender and construction documents production, contract administration, specifications and project management tasks with exceptional problem solving skills and sufficient knowledge of construction laws and regulations used to meet organization goals. KEY PERFORMANCE INDICATORS Liaised with local authorities and obtained site plan approvals and building regulations approval for a wide variety of projects worldwide. Expertise in the administration of construction management services for construction activities on various projects in a safe, timely, standardized, cost-effective manner. Led the teams to work on design concept alternatives for various projects and execution of the projects assigned from schematic design to design development, construction documents, contract administration to final completion and close out. Managed relationships with various groups of stakeholders to mitigate project risks and ensure project deliverables are met within projected schedule, budget and exceeding the client's expectations. EXPERIENCE September 2013 - Present V.A. Architect Inc., Toronto, ON, Principal Architect September 2012 - September 2013 Richard Wengle Architect Inc., Toronto, ON, Architect & Project Manager July 2011 - August 2012 Kirkor Architects & Planners, Toronto, ON, Project Architect & Project Manager August 2010 - June 2011 METROLINX, ON, Project Coordinator (Unionized Project Manager) OHL-FCC JV (Contract Manager) September 2007 – July 2010 IBI Group, Toronto, ON, Project Manager February 2007 - September 2007 HDR Architecture (G+G partnership Architects), Toronto, ON, Team Lead/ Intermediate Architect January 2004 – January 2007 Adamson Associates Architects, Mississauga, ON, Intern Architect December 2000 - December 2003 GUG Architects & Designers, London, UK, Project Manager December 1997 - September 2000 Deco Qatar, Doha, Qatar, Architect October 2018 - Present SME – RAIC (Royal Architectural Institute of Canada)

Education:

EDUCATION OAA, Licensed Architect. PMP, Project Management Professional LEED AP, Accredited Professional Construction Project Management (Modular), School of Construction Management and Engineering, Reading University, U.K. Bachelor of Architecture, Guru Nanak Dev University, India – Certificate of equivalency issued by University of Toronto

Skills:

Accomplished and reliable architect with strong client satisfaction record, adept at handling multiple projects simultaneously with professionalism and expertise in both high rise residential and commercial building projects, healthcare and transit projects managing teams performing preliminary design, design development, permit approvals, tender and construction documents production, contract administration, specifications and project management tasks with exceptional problem solving skills and sufficient knowledge of construction laws and regulations used to meet organization goals.

Interest reason:

Due to interest in Urban design strategies, development planning.

Contributions:

To help London become a more prosperous and dynamic city.

Past contributions:

Subject matter expert - Royal Architectural Institute of Canada.

Interpersonal:

In Architectural design and project management, design ideas are exchanged with stakeholders and comments/ feedback is received from them to enhance design, skills, abilities and knowledge of others. I have more than twenty three years of professional work experience in architecture, urban design and project management.

Interview interest: Yes

Name: Sydney Bailey

Occupation: Planner/Urban Designer

Work experience:

Within my studies at the University of Waterloo I completed work terms at Better Neighbourhoods Inc (Student Urban Designer) in St. Catharines, Monteith Brown Planning Consultants (Student Planner) in London, and GSP Group (Student Planner/Urban Designer) in Kitchener. During my work at Better Neighbourhoods Inc. I worked closely on infill development and revitalization projects throughout the City including the 200 ac. former General Motors Plant and performed research on the sustainability of infill-based neighbourhood. Currently I am a Planner/Urban Designer at GSP Group (June 2019-present). In my present role I direct development projects through the planning and urban design process and work in municipalities across southwestern Ontario. Throughout my time as student and full-time planner I have assisted our urban design team on several high-intensity mixed-use developments within downtown Kitchener including preparing urban design reviews and CPTED analysis. In addition I have also worked with municipalities on the drafting and updating of Urban Design Guidelines.

Education:

I am a graduate of the University of Waterloo Planning Program (B.E.S.), with a completed specialization in urban design. I additionally studied urban design abroad at the University of Newcastle in the United Kingdom. I am a candidate RPP and MCIP member.

Skills:

As an professional planner and urban designer I have a wide-based experience and knowledge to provide to the panel. Through pursuing abroad studies in the United Kingdom I have gained a global perspective on local design matters which I see as a great asset. My special focus on CPTED in my current professional practice will aid in reviewing development projects with crime-preventative lens.

Interest reason:

I am interested to expand my exposure in urban design and see this experience as an excellent opportunity. As a London resident I am interested in the development and growth of the City and would like to contribute though this position on the Urban Design Peer Review Panel.

Contributions:

In addition to my experience and interest in urban design, I am a resident of the City of London. I believe my context of the City and resident-based knowledge will make a great asset to the panel. From my previous work at Monteith Brown Planning Consultants (London based) and current work at GSP Group I am well versed with the City's development policies and zoning standards.

Past contributions: I have yet to serve on similar review panel.

Interpersonal:

I previously worked as a teaching assistant for two years at the University of Waterloo in urban design courses (Visual Approaches to Design and Communication; Urban Planning Design and the Environment). In my role I taught urban design techniques, guided concept design and reviewed final development proposals.

Interview interest: Yes

Name: Marion-Frances Cabral

Occupation: Planner

Work experience:

I've worked as a planner for over 5 years in south-western Ontario with the provincial government, local municipalities and agencies.

Education:

I have a Bachelor of Urban and Regional Planning from Ryerson University, a Environmental Management and Assessment post-graduate certificate from Niagara College, and I am currently enrolled in the Master of Planning program at the University of Waterloo. I am a "Candidate" member of OPPI and CIP, and can obtain "Environmental Professional" membership from ECO.

Skills:

I have a passion for good architectural detail that makes a city stand-out while not imposing on others. It is the ability to understand that modern planning and architecture do not need to solely be glass towers, but integrated into the community and placemakers for the City and its residents. I am able to provide advice and recommendations to planning staff as professional and representative of the community. I have the ability to manage expectations from developers and a variety of stakeholders. I am very familiar with the City of London's Official Plan and goals for the City.

Interest reason:

As a relatively new resident to the City of London I am excited to see the City starting its path towards a more urban and progressive future. Becoming a member of the Panel would allow me to provide input on new developments while protecting the history and heritage of the City. Further, I'd like to be more engaged within activities in the City and be proud of my new home.

Contributions:

As a relatively new resident to the City, as a new planner, and an avid city-dweller I believe that I would provide a fresh insight to development by bringing insight from various jurisdictions and challenging the status quo.

Past contributions:

I have not been a member of an urban design review panel, however, I have been a member of Transit Windsor and GO Transit/Metrolinx's advisory committees.

Interpersonal:

As part of my day to day work, it is imperative to provide your professional opinion and judgement but be able to understand very real experiences that may force me to revisit my own understanding. It is not a one-size-fits-all model, and I approach situations to find a middle ground to best satisfy the needs of all stakeholders. As part of an advisory panel I would be open to listening to community members would be directly impacted by development and provide a sound planning recommendation above all else.

Interview interest: Yes

Name: Kyle Poole

Occupation: Landscape Architect, Town of Caledon

Work experience:

Experience within the fields of landscape architecture and the construction industry contributing to a “hands on” knowledge of the technical components and requirements of development. I possess design expertise including the financial considerations in bringing a project to completion. Municipal sector experience in all aspects of the review and approvals process associated with greenfield development and infill intensification of a variety of housing types.

Education:

Bachelor of Landscape Architecture (Honours), Minor in Business Administration – University of Guelph; Master of Science, Rural Planning and Development – University of Guelph. Ontario Association of Landscape Architects (OALA) – Full Member, Seal and Certificate; Ontario Professional Planners Institute (OPPI) – Candidate Member.

Skills:

I am a detail-oriented Landscape Architect possessing a strong understanding of urban design principles. I possess the ability to look at development applications through various lenses, scaling from site specific to community or regional contexts. I possess a working knowledge of the municipal land development approvals process, guiding plans and policies such as the Municipalities’ Official Plan, Zoning By-law and Urban Design Guidelines.

Interest reason:

Through my contributions within a peer review capacity, I wish to influence the development of communities and employment areas that portray a strong sense of place and community identity. By undertaking an advisory role, I am interested in contributing to a design culture within the City of London that promotes the creation of a quality public realm, with a high standard of architecture and urban design. I believe urban design is essential in creating a community identity while making spaces that are functional, sustainable and successful both socially and economically. I would also appreciate the opportunity to work alongside other land development professionals, to further build and refine my design skills while raising awareness around the importance of good design.

Contributions:

My dual degrees in Planning and Landscape Architecture serve to increase the level of design expertise employed in the design review process. I believe through quality and informed commentary I can offer professional and objective advice, providing design critiques that support innovative and imaginative design solutions.

Past contributions:

I have previously taught various design and construction courses within the field of Landscape Architecture at the University of Guelph in both a Sessional and Graduate Teaching Assistant capacity. I am currently conducting design review of site plan, subdivision, minor variance and other development applications, working closely in conjunction with the Town of Caledon’s Urban Design Planner to ensure the best built form is achieved within the developments of Caledon. I have also been called upon frequently by colleagues and former Professors to participate in design review critiques of current students within the BLA and MLA programs at the University of Guelph.

Interpersonal:

I possess previous teaching and design critique experience noted above from the University of Guelph, respecting the efforts of students while offering constructive criticism in positive manner. Working with multi-disciplinary consulting teams, both within the private and public sector I can understand and appreciate the need to listen to each professions opinions and technical expertise, working collaboratively to achieve an overarching goal.

Interview interest: Yes

From: Mike Wallace

Sent: Thursday, December 19, 2019 11:26 AM

To: Cassidy, Maureen <mcassidy@london.ca>; PEC <pec@london.ca>

Subject: [EXTERNAL] Item 2.4 of the Consent Agenda. Candidate Approval for the Urban Design Peer Review Panel

Hello Chair Cassidy and City Clerk Department

I know the above item is in the Consent portion of the January 6th Agenda but I am asking for delegation status to speak to the item on behalf of the development industry.

Let me know.

Thanks

Mike

Mike Wallace, Executive Director

London Development Institute

562 Wellington Street, Suite 203, London, Ontario N6A 3R5

20Report 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: 1640209 Ontario Limited c/o York
Development.
1959 Wharncliffe Road South
Removal of Holding Provisions (h, h-100, h-197 and h-
198)

Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of 1640209 Ontario Limited c/o York Development relating to the property located at 1959 Wharncliffe Road South the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning for a portion of 1959 Wharncliffe Road South **FROM** a Holding Residential R8/R9 Special Provision (h*h-100*h-197*h-198*R8-4/R9-3(13)*H32) Zone **TO** a Residential R8/R9 Special Provision (R8-4/R9-3(13)*H32) Zone.

Executive Summary

Purpose and the Effect of Recommended Action

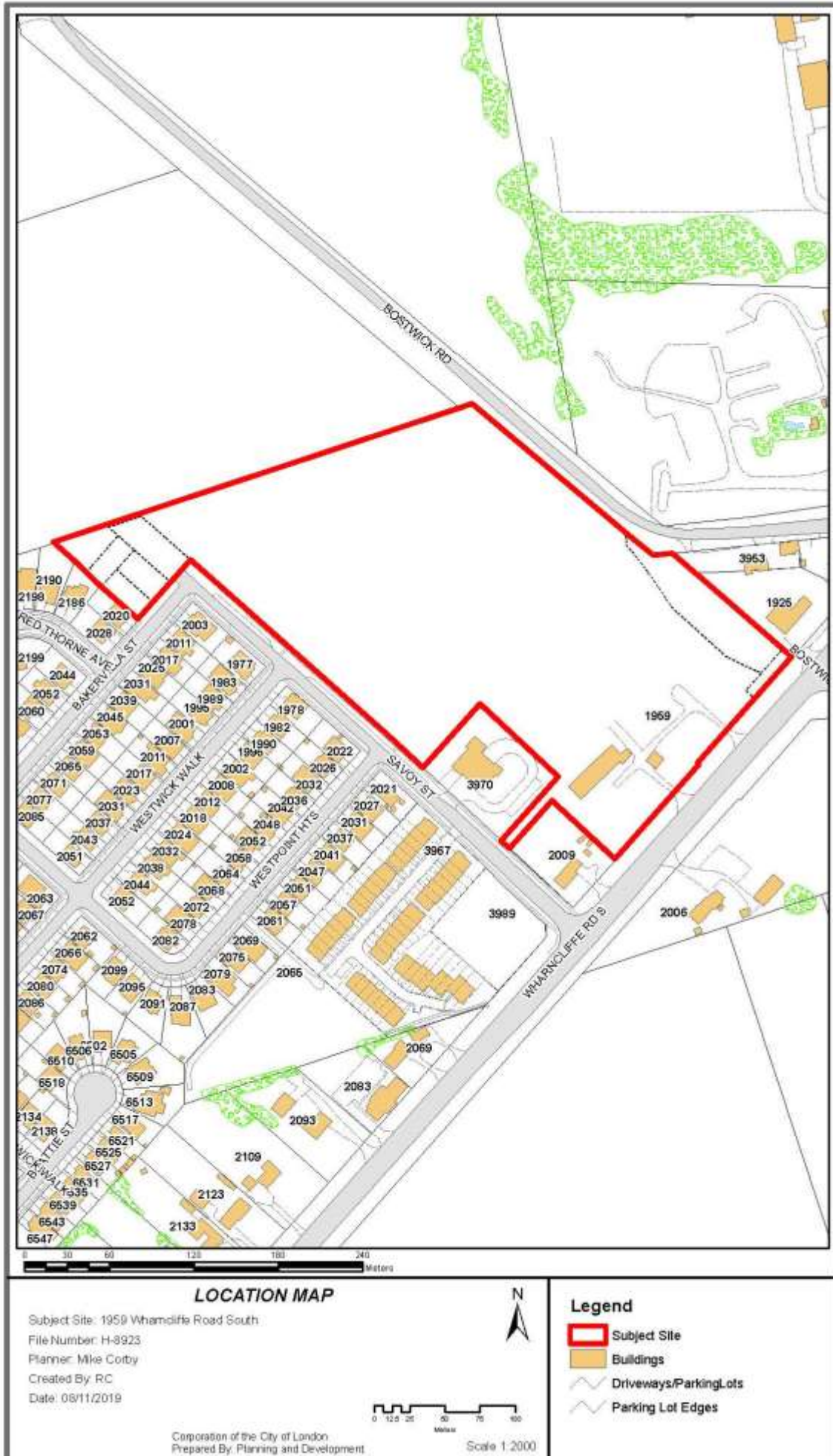
The purpose and effect of this zoning change is to remove the h, h-100, h-197 and h-198 holding symbols to permit the development of three (3) separate, 3.5 storey stacked, back-to-back townhouse blocks, yielding a total of 104 units.

Rationale of Recommended Action

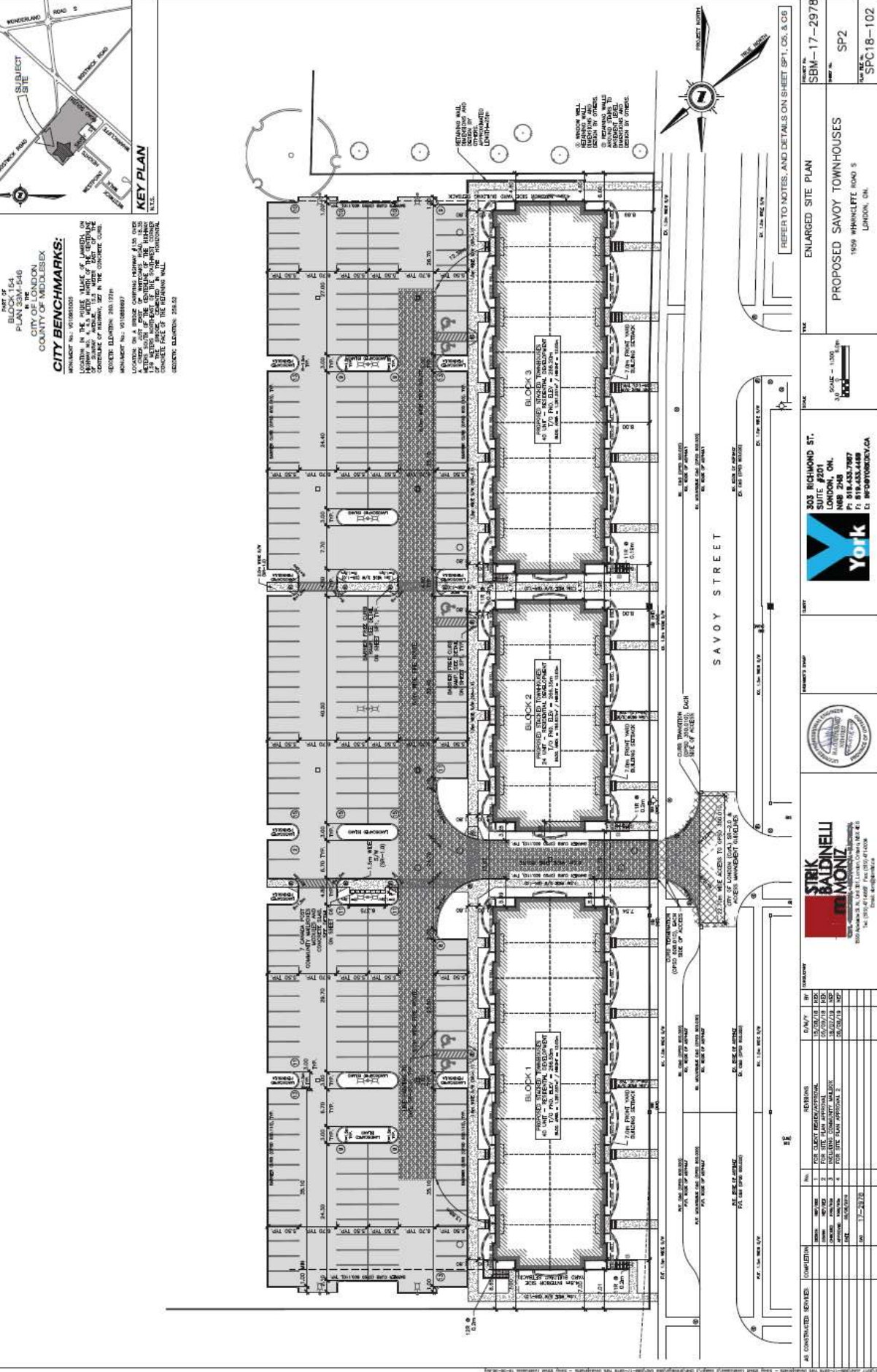
1. The removal of the holding provisions will allow for development in conformity with The London Plan and (1989) Official Plan and in compliance with the Zoning By-law.
2. Through the site plan approval process, the required security has been submitted to the City of London and a development agreement has been executed. The “h” holding provision is no longer required.
3. Through the site plan approval process the applicant has identified how the site can be appropriately serviced by water. The “h-100” holding provision is no longer required on this portion of the site.
4. Through the site plan approval process the applicant has identified that the proposed lot is of a size and configuration that is appropriate for the area and suitably serviced. The Environmental Assessment for the Bostwick Road realignments has been completed and will not affect the proposed site. A subdivision agreement can no longer be entered into as the previous subdivisions on the subject lands has lapsed making this condition redundant as it cannot be satisfied. Therefore it is appropriate to remove the “h-197” specific to this portion of land subject.
5. The proposed stacked townhouses provide a street-oriented development which has been reviewed by urban design staff through the site plan approval process. The “h-198” is no longer required on this portion of the property.

Analysis

1.1 Location Map



1.2 Site Plan - 1959 Wharnccliffe Road South



MAP OF
 BLOCK 54
 PLAN 33M-546
 COUNTY OF MIDDLESEX
 CITY OF MIDDLESEX
CITY BENCHMARKS:
 LOCATION IN THE TOWER BLOCK OF LAMORON
 SQUARE AS A 1:500 SCALE PLAN OF THE ESTIMATE
 CONTROLLING OF HIGHWAY, SEE IN THE CONCRETE CODE.
 SEWER: ELEVATION: 200.125M
 MONUMENT No.: V01088897
 LOCATION ON A BRIDGE CROSSING RIVERWAY AT THE
 POINT OF THE CENTRE OF THE BRIDGE
 OF THE BRIDGE AND THE POINT OF THE BRIDGE
 OF THE BRIDGE AND THE POINT OF THE BRIDGE
 SECOND: ELEVATION: 200.52

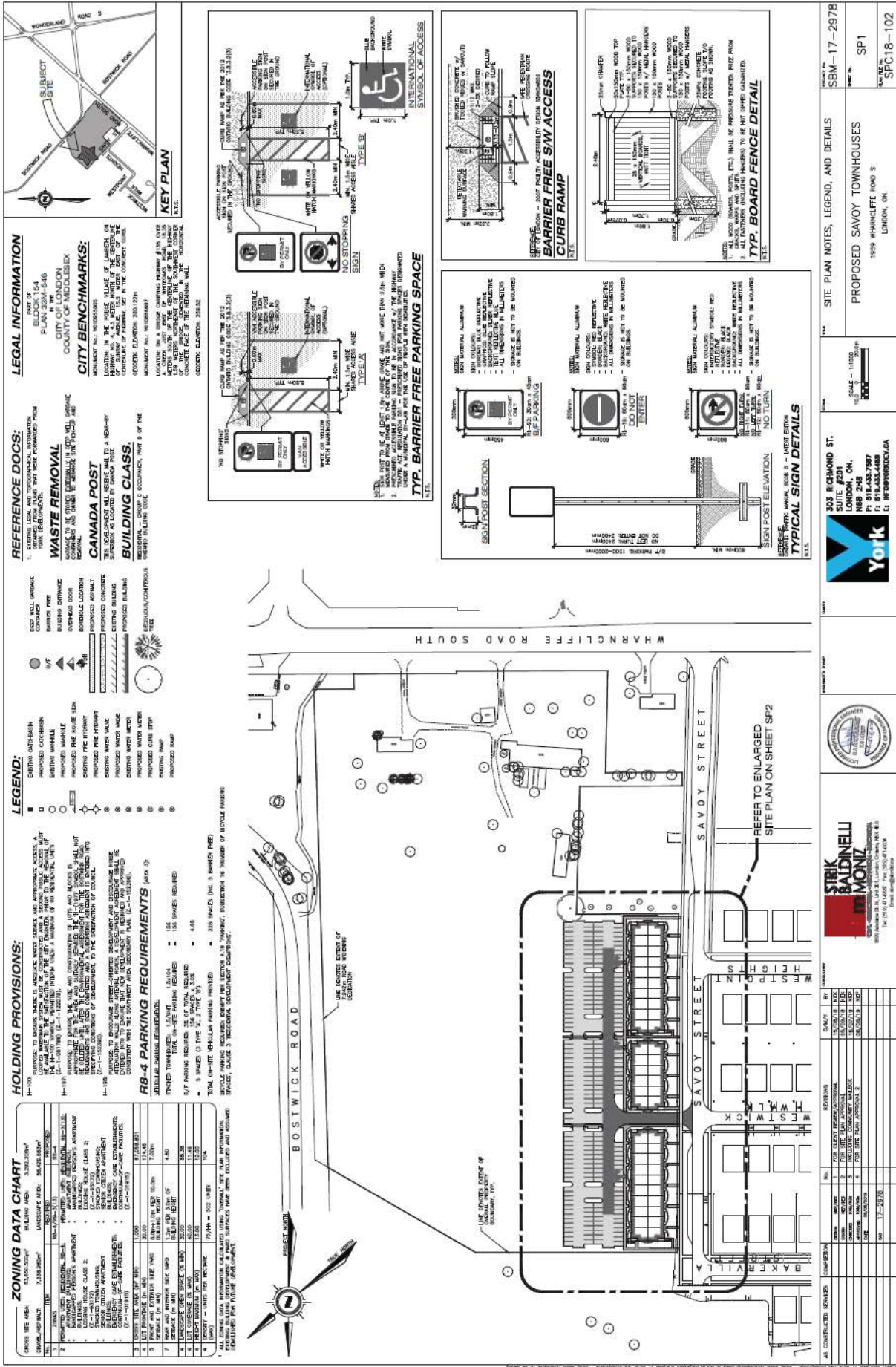


NO.	DATE	DESCRIPTION	BY	CHECKED
1	15/07/18	FOR CLIENT REVIEW/PROVISION	MC	MC
2	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
3	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
4	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
5	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
6	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
7	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
8	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
9	15/07/18	FOR SITE PLAN APPROVAL	MC	MC
10	15/07/18	FOR SITE PLAN APPROVAL	MC	MC

REFER TO NOTES, AND DETAILS ON SHEET 09T1, 09T2, 09T3 & 09T4
 ENLARGED SITE PLAN
 SBM-17-2978
 PROJECT No.
 DRAWING No.
 SHEET No.
 1959 WHARNCLIFFE ROAD S
 LONDON, UK
 SPC18-102

York
 303 RICHMOND ST.
 SUITE #201
 TORONTO, ONT.
 M5R 3K8
 P: 416-593-7897
 F: 416-593-4488
 E: INFO@YORK.CO.CA

STRIK BALDINELLI MONZ
 1000 MARKHAM RD. UNIT 211 LONDON, ONTARIO N6E 4E6
 TEL: 519-836-8888
 WWW.STRIKBALDINELLI.COM

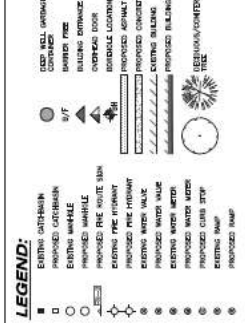


LEGAL INFORMATION

PART OF BLOCK 154
PLAN OF THE
COUNTY OF MIDDLESEX
CITY BENCHMARKS:
MUNICIPAL NO. 001000005
SECTION ELEVATION 280.120m
MUNICIPAL NO. 001000007
SECTION ELEVATION 280.120m
MUNICIPAL NO. 001000008
SECTION ELEVATION 280.120m
MUNICIPAL NO. 001000009
SECTION ELEVATION 280.120m

REFERENCE DOCS:

1. EXISTING LEGAL AND TOPOGRAHICAL INFORMATION WITH REQUIREMENTS THAT WERE FORMERLY FROM THE CITY OF TORONTO.
2. WASTE REMOVAL CONTRACT AS SET OUT IN EXISTING SITE PLAN AND CONTRACT.
3. CANADA POST CONTRACT AS SET OUT IN EXISTING SITE PLAN AND CONTRACT.
4. BUILDING CLASS CONTRACT AS SET OUT IN EXISTING SITE PLAN AND CONTRACT.



HOLDING PROVISIONS:

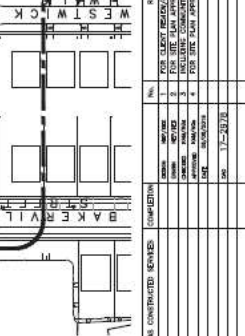
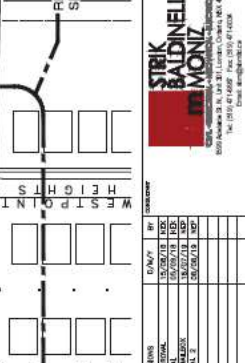
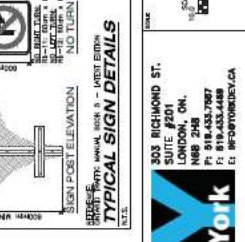
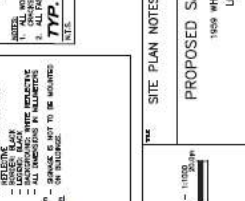
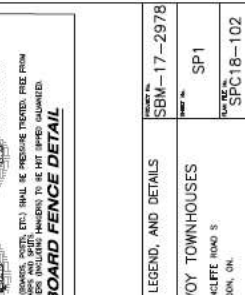
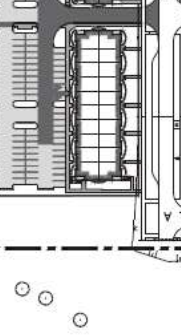
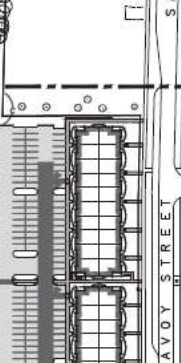
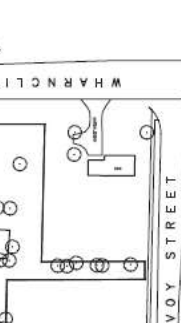
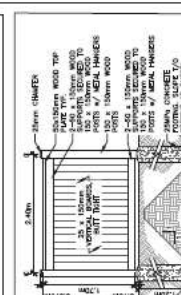
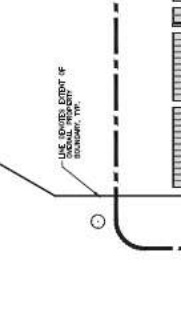
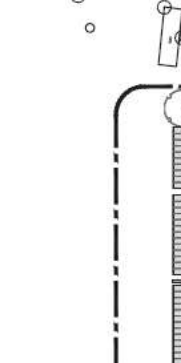
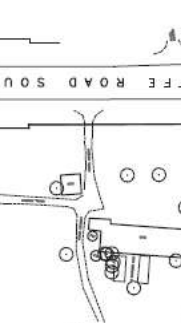
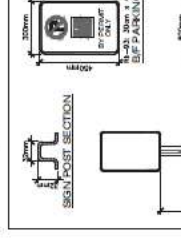
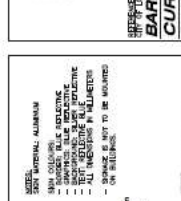
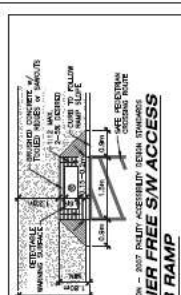
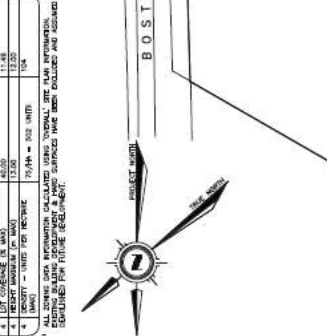
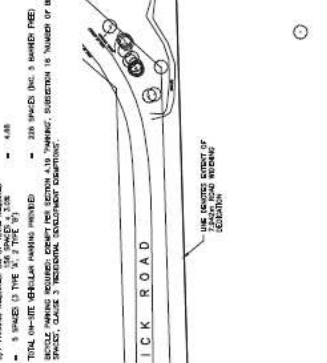
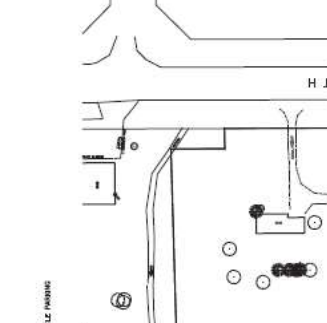
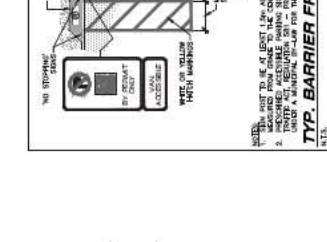
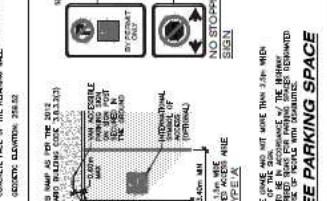
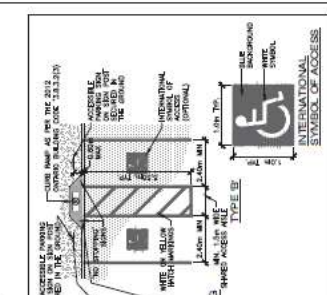
H-100: 1. TO BE MAINTAINED AS A HOLDING PROVISION FOR THE PURPOSES OF THE CITY OF TORONTO'S ZONING BY-LAW, 2012, UNTIL THE CITY OF TORONTO'S ZONING BY-LAW, 2012, IS REVISED TO PERMIT THE DEVELOPMENT OF THE SITE AS SHOWN ON THIS PLAN.

H-101: 1. TO BE MAINTAINED AS A HOLDING PROVISION FOR THE PURPOSES OF THE CITY OF TORONTO'S ZONING BY-LAW, 2012, UNTIL THE CITY OF TORONTO'S ZONING BY-LAW, 2012, IS REVISED TO PERMIT THE DEVELOPMENT OF THE SITE AS SHOWN ON THIS PLAN.

H-102: 1. TO BE MAINTAINED AS A HOLDING PROVISION FOR THE PURPOSES OF THE CITY OF TORONTO'S ZONING BY-LAW, 2012, UNTIL THE CITY OF TORONTO'S ZONING BY-LAW, 2012, IS REVISED TO PERMIT THE DEVELOPMENT OF THE SITE AS SHOWN ON THIS PLAN.

ZONING DATA CHART

ZONE	MINIMUM AREA	MINIMUM SETBACK	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK
RESIDENTIAL	5,000 SQ.M.	7.32M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M
COMMERCIAL	1,000 SQ.M.	7.32M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M	1.52M



308 RICHMOND ST. SUITE 1000 LONDON, ON N6B 2H8
P: 918-832-7987
F: 918-832-7987
E: INFO@YORKSIGN.COM

YORK SIGN

STRICK BALDINELLI MONIZ
ARCHITECTS

LEGEND

DATE: 11/20/2013
SCALE: 1:1000

SBM-17-2978
SP1
SPC18-102

2.0 Description of Proposal

The removal of the existing holding provisions apply to a specific portion of the property that is currently going through Site Plan Approval (SPA18-107) process and a Consent application (B.003/19) to create a new property for development. The future development would include three (3) separate, 3.5 storey stacked, back-to-back townhouse blocks, yielding a total of 104 units

3.0 Relevant Background

3.1 Requested Amendment

The applicant is requesting the removal of the “h”, “h-100”, “h-197” & “h-198” holding provision from a portion of the property located at 1959 Wharncliffe Road South.

3.2 Community Engagement (see more detail in Appendix B)

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

3.3 Planning History

The subject site was part of a Plan of Subdivision that was submitted on August 5, 2014. Phase 3 of the overall subdivision development in the area and comprised 167 residential units in the form of single detached dwellings, two medium density residential blocks (Blocks 168 and 169), four convenience commercial blocks (Blocks 170-173), an institutional block (Block 176), two walkway blocks (Blocks 177 and 178), two future development blocks (Blocks 174 and 175), two open space blocks (Blocks 179 and 180) and 6 local public streets (an extension of Bakerville Street to the north and to the east, an extension of Debra Drive to the north, an extension of Westpoint Heights to the north, an extension of Savoy Street to the north and a new Street “A”, Street “B” and Street “C”).

The Draft Plan was endorsed by Municipal Council on April 28, 2015 and through this process holding provisions were put in place on Blocks 154 and 155 (the subject lands) to ensure that the final size and configuration of the low density residential lots and medium density residential blocks are not created until such time as the Class EA has been completed to identify the location of the realignment of Bostwick Road.

The Plan of Subdivision received final approval in February of 2017 and the subject lands were not included as part of this approval as the holding provision could not be removed at that time as the Class EA had not been completed.

The portion of the site seeking removal of holding provision is also subject to two other planning applications which includes a site plan application (SPA18-107) and consent application (B.003/19).

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 these Holding Provisions?

The h holding provision states that:

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.

On December 12, 2019 Site Plan Approval Staff confirmed the Owner has provided the necessary security and has entered into a development agreement with the City. This satisfies the requirement for removal of the “h” holding provision.

h-100 Holding Provision

The (h-100) holding provision states that:

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.

Through the site plan approval process Development Engineering staff confirmed that adequate water servicing can be provided to the subject site through a looped watermain system and that at least two public access points are available. The h-100 (for water servicing) can be removed, but from this site only and shall remain in place for the remaining portion of the site.

This satisfies the requirement for removal of the “h-100” holding provision.

h-197

Purpose: To ensure the size and configuration of lots and blocks is appropriate for the area and suitably serviced the “h-(197)” symbol shall not be deleted until after the Environmental Assessment for the Bostwick Road realignments has been completed and a subdivision agreement is entered into specifying conditions of development, to the satisfaction of Council.

Through the current Site Plan Approval (SPA18-107) process it has been determined that the proposed lot is an appropriate size and configuration for the area and can be suitably serviced. The EA for the Bostwick Road re-alignment has been completed and will not impact the proposed site.

The previously draft approved plan of subdivision on the subject lands has recently lapsed and is no longer in affect. Therefore the requirement to enter into a subdivision agreement cannot be satisfied. Through the site plan approval process a development agreement has been entered in to ensuring appropriate conditions of development have been specified and are sufficient to satisfy this condition on this specific portion of the subject site. The h-197 shall be maintained on the remainder of the lands to ensure the property is developed through a subdivision process in the future.

This satisfies the requirement for removal of the “h-197” holding provision.

h-198

Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area

Secondary Plan.

The proposed stacked townhouses provide a street-oriented development which has been reviewed by Urban Design Staff through the site plan approval process. A development agreement has been entered into to ensure that the new development is designed and approved consistent with the Southwest Area Secondary Plan. The site also does not have frontage on an arterial road therefore the h-198 is no longer required on this portion of the property.

This satisfies the requirement for removal of the “h-198” holding provision.

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, h-100, h-197 and h-198 holding provisions from the subject lands at this time as a development agreement has been enter into and the required security has been submitted to the City of London.

<p>Prepared by:</p>	<p>Mike Corby, MCIP, RPP Senior Planner, Development Planning</p>
<p>Recommended by:</p>	<p>Paul Yeoman, RPP, PLE Director, Development Services</p>
<p>Submitted by:</p>	<p>George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official</p>
<p>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.</p>	

December 16, 2019

MC/

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

cc: Lou Pompili, Manager, Development Planning

cc: Ted Koza, Manager Development Engineering

Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of the lands located at 1959 Wharncliffe Road South.

WHEREAS 1640209 Ontario Limited c/o York Development (London) Inc. have applied to remove the holding provisions from the zoning for a portion of the lands located at 1959 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 1959 Wharncliffe Road South, as shown on the attached map, to remove the h, h-100, h-197 and h-198 holding provisions so that the zoning of the lands as Residential R8/R9 Special Provision (R8-4/R9-3(13)*H32) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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



GeoDataBase

Appendix B – Public Engagement

Community Engagement

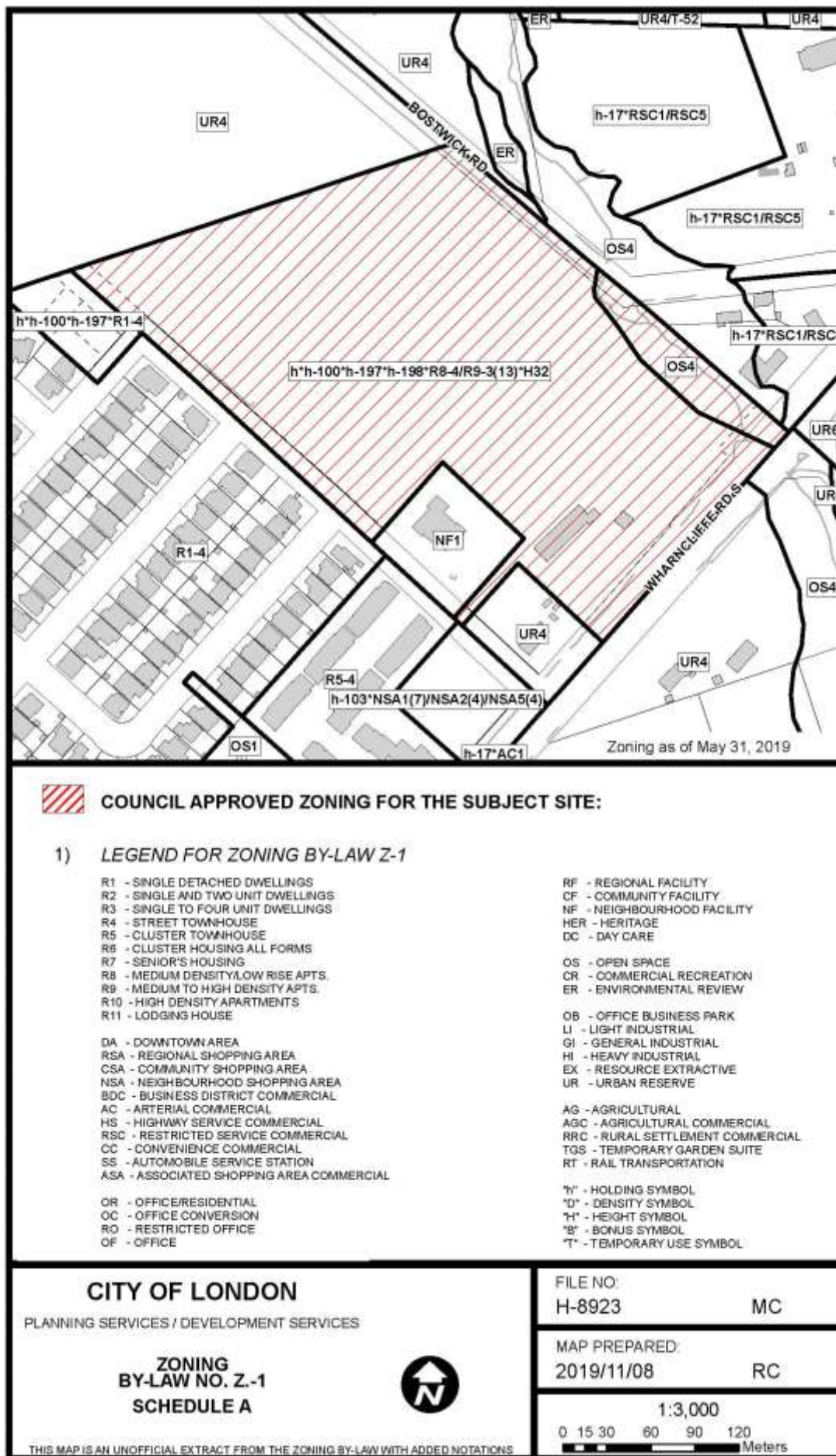
Public liaison: Notice of the application was published in the Londoner on August 2, 2018

0 replies were received

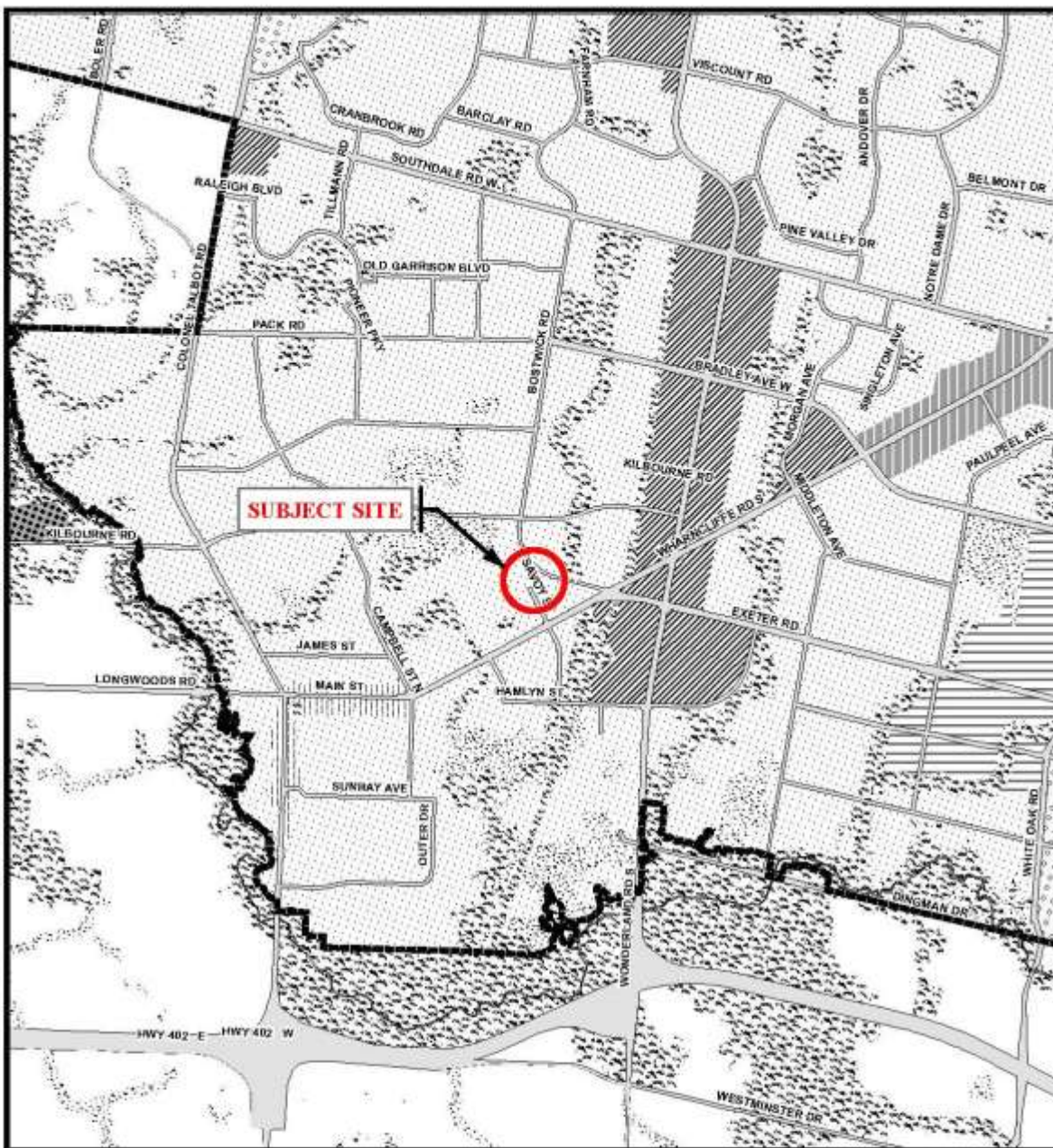
Nature of Liaison: City Council intends to consider removing the h, h-100, h-197 and h-198 holding provisions from the lands which requires for the provision of all municipal services, two or more public access, discouragement of noise walls, street orientation, completion and conformity to the Bostwick Road EA and an agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than December 2, 2019.

Appendix C – Relevant Background

Existing Zoning Map



The London Plan – Place Types



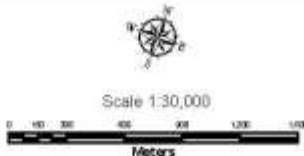
Legend

- | | | |
|------------------------|--------------------------|---|
| 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.

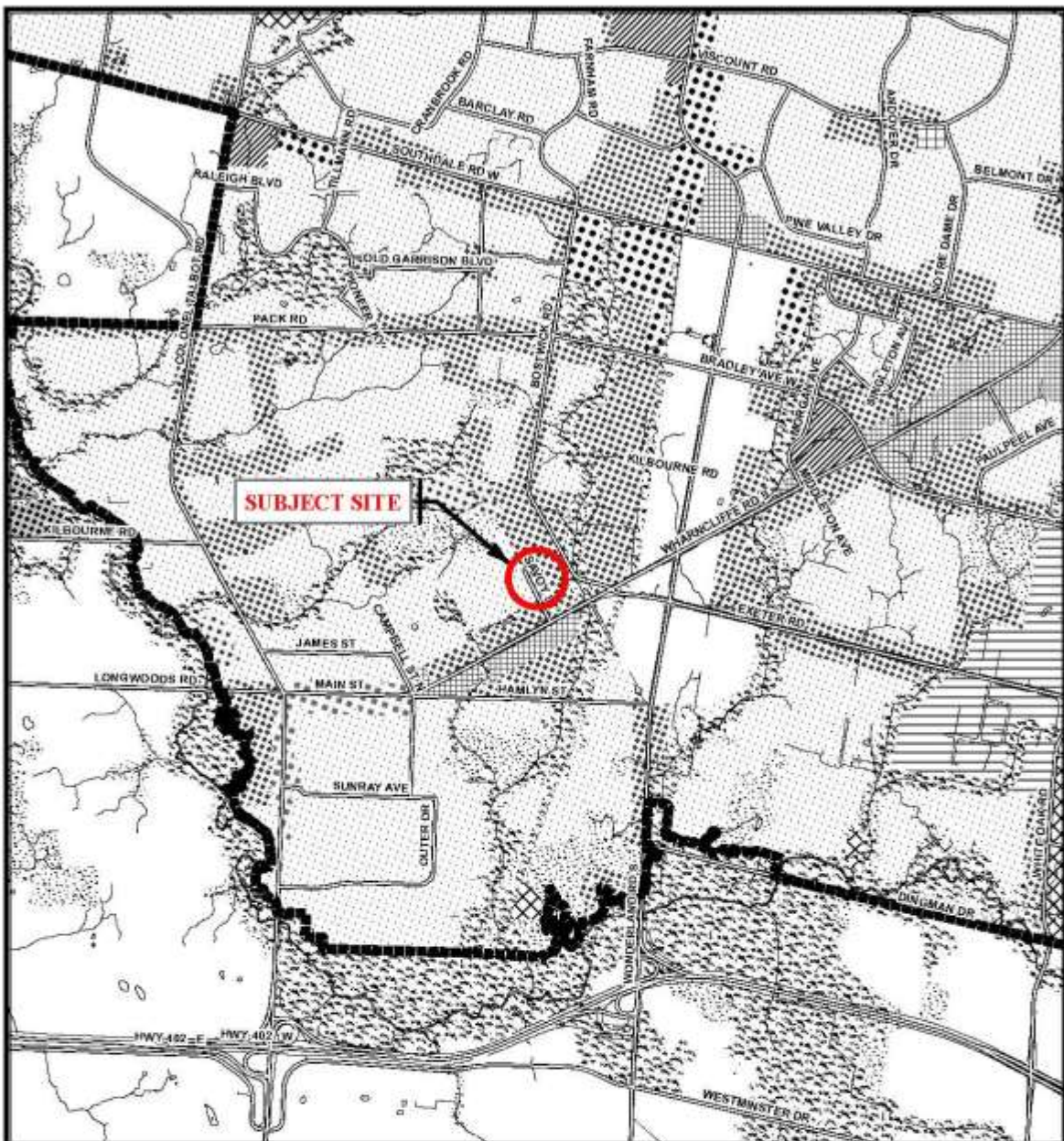
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
Planning Services /
Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services



File Number: H-8923
Planner: MC
Technician: RC
Date: November 8, 2019

1989 Official Plan

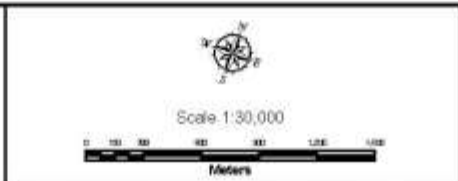


Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented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

CITY OF LONDON
Department of
Planning and Development

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: H-8923
PLANNER: MC
TECHNICIAN: RC
DATE: 2019/11/08

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\conso\00\excerpts\mxd_templates\scheduleA_NEW_b&w_3x14.mxd

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 Consent Authority Decision on Consent Application
B.056/18
16 Berkley Crescent

Meeting on: January 6, 2020

Recommendation

That, 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 Consent Authority, in response to the letter of appeal to the Local Planning Appeal Tribunal, dated September 6, 2019, and submitted by Analee J.M. Baroudi for Bernadette Green relating to the consent application concerning 16 Berkley Crescent.

Executive Summary

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to inform Council of an upcoming appeal and to seek instructions with respect to the representation of the Consent Authority at the upcoming hearing.

Background

On December 20, 2018, McFadyen Design & Build (2005) Inc. c/o Paul M. Hurdle, submitted an application for consent on behalf of Bernadette Green for lands located at 16 Berkley Crescent. The application would permit the severance of a parcel from an existing residential lot for the purpose of future residential uses.

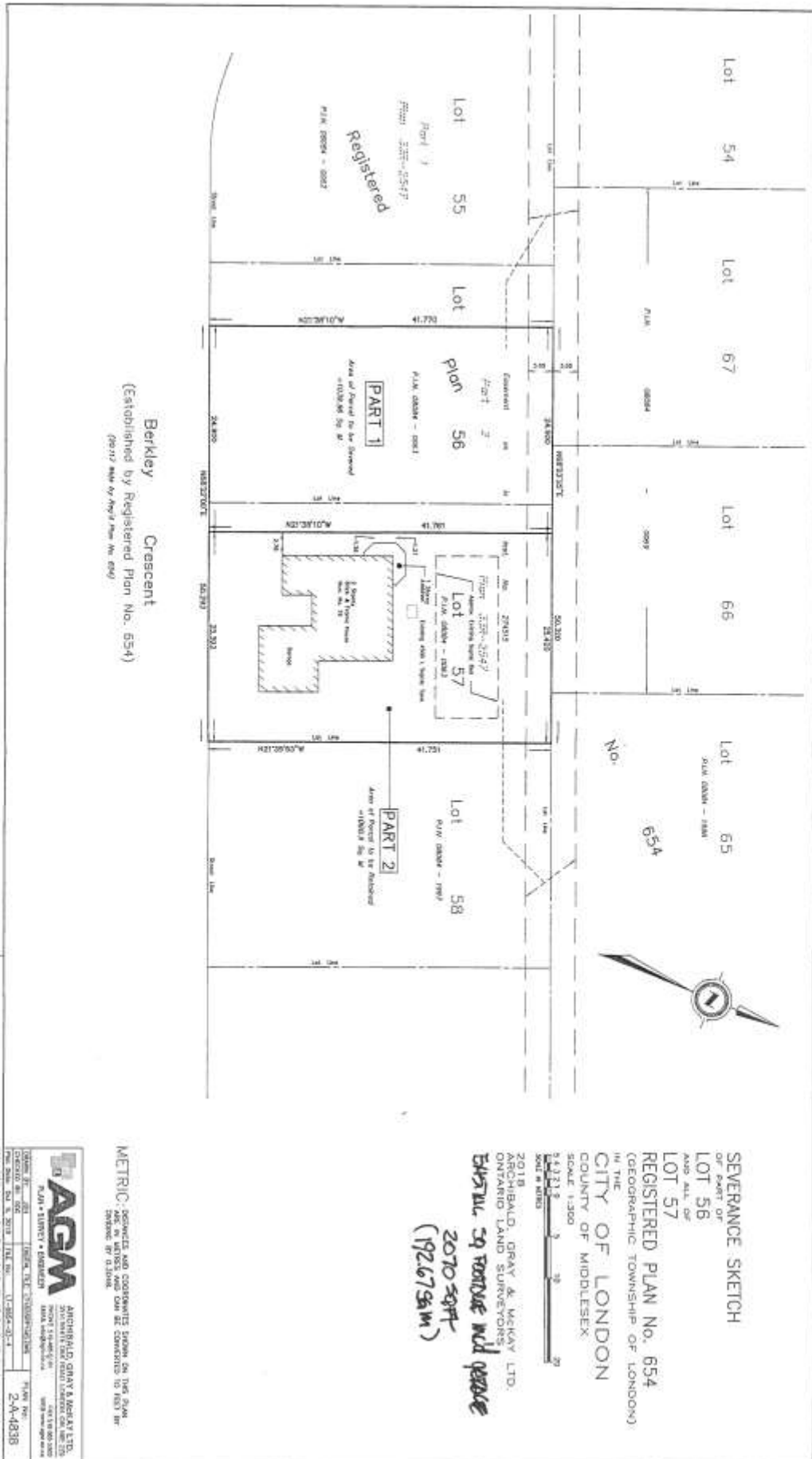
Notice of the Application was published in The Londoner on January 17, 2018 and circulated to internal and external agencies for comment. On January 16, 2018 a mail circulation to all residents within a 60m radius was sent out. On August 19, 2019, based on the recommendation by Development Services staff (see Appendix 'A') the Consent Authority refused the application for consent (see Appendix 'B') for the following reasons:

1. The proposed consent is not consistent with matters of Provincial interest as referred to in Section 2 of the *Planning Act*, including (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management, (o) the protection of public health and safety, and the (p) the appropriate location of growth and development.
2. The lots to be established through the consent do not conform to the policies of the Official Plan as referred to in Section 51(24)(c) of the *Planning Act*.
3. The proposed consent does not conform to The London Plan.

Figure 1: Location Map



Figure 2: Severance Map



On September 6, 2019, an appeal was submitted by Baroudi Law Professional Corporation c/o Analee J.M. Baroudi, in opposition to the Notice of Provisional Consent Decision issued by the Consent Authority on August 19, 2019. The appellant lists four reasons for the appeal:

1. The Appellant applied for a consent to sever a lot from the lot municipally known as 16 Berkeley Crescent.
2. The proposed lot would be used for residential purposes. The anticipated purchaser of the proposed lot intends to build a single-family home on it. At present, the land that would comprise the proposed lot is vacant: it is used as a side yard for the existing lot.
3. The Appellant participated fully in the consultation process with City of London Staff. City Staff were generally supportive of the proposed consent throughout the consultation process. In fact, Developments Services prepared a set of draft conditions that would govern the proposed consent, which the Appellant accepted.
4. On August 19, 2019, the Consent Authority refused the Application for Consent. The Consent Authority's decision to refuse the Application is inconsistent with the Provincial Policy Statement, fails to conform with the London Plan, fails to conform with the 1989 Official Plan, and represents poor land use planning.

Analysis

The subject lands are not serviced by municipal sanitary sewage infrastructure and are not in proximity to an existing sanitary sewer where an extension would be feasible. There is currently no anticipated extension of sanitary services to the subject lands either privately or through City-initiated projects within the ten year horizon.

The Provincial Policy Statement 2014 (PPS)

The PPS permits the use of individual on-site sewage services provided site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development. (1.6.6.2.). However, Policy 4.7 states that the official plan is the most important vehicle for implementing the Provincial Policy Statement, and that comprehensive, integrated and long-term planning is best achieved through official plans. While the PPS permits this form of servicing, The London Plan policies outlined below expressly prohibit the use of which within the Urban Growth Boundary.

Based on the foregoing, the proposed consent is not consistent with the Implementation and Interpretation policies of the PPS as it does not conform to the policies of The London Plan.

The London Plan

Policy 473(5)_ within the Civic Infrastructure policies of The London Plan states that "within the Urban Growth Boundary, new development will be permitted only if it can be connected to adequate municipal sanitary sewage infrastructure".

Policy 1699_ within the Our Tools section of The London Plan directs the Consent Authority to consider all of the policies of The London Plan as well as thirteen criteria when reviewing an application for consent. One of these criteria speaks to the availability of adequate municipal services. Policy 1700_ directs the Consent Authority to consider an additional set of criteria where individual on-site wastewater treatment systems are proposed, the first of which is the application's conformity to the Civic Infrastructure policies of the Plan. As the proposed consent does not comply with Policy 473(5)_, it does not meet the criteria for the approval of an individual on-site wastewater treatment system. Further analysis in this regard is provided in the report to the Consent Authority attached herein as Appendix 'A'.

It is noted that Policy 473 of The London Plan came into force and effect on February 20, 2017.

1989 Official Plan

The Services and Utilities policies of the 1989 Official Plan allows for individual onsite sanitary facilities provided a higher order alternative is not available and subject to a number of criteria.

This application, when considered under the current policy framework of The London Plan's in-force policies does not conform to the City's Official Plan. While the 1989 Official Plan allows for additional flexibility in this regard, The London Plan represents the long-term vision of Council and does not permit development where it cannot be connected to adequate municipal sanitary sewage infrastructure.

Conclusion

The proposed severance has been evaluated under the *Planning Act*, Provincial Policy Statement, The London Plan, 1989 Official Plan and Zoning By-law and does not represent sound planning and appropriate development. The consent application was refused on August 19, 2019 by the London Consent Authority. The purpose of this report is to request that Municipal Council provide the Consent Authority with legal and planning support for the hearing regarding the matters under appeal.

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

December 16, 2019
MS/ms

CC: John Fleming, Consent Authority, City of London
Aynsley Anderson, Solicitor II, City Solicitor's Office

Appendix A:
Development Services Recommendation



London
CANADA

THE CORPORATION OF THE CITY OF LONDON

Date: August 9, 2019

To: J.M. Fleming
London Consent Authority

From: Paul Yeoman
Development Services – M. Sundercock

Subject: Development Planning - Consents

B.056/18 16 Berkley Crescent (Severance)

OFFICIAL PLAN DESIGNATION:
• LOW DENSITY RESIDENTIAL
PLACE TYPE:
• NEIGHBOURHOODS
EXISTING ZONING:
• RESIDENTIAL (R1-10)

PURPOSE AND EFFECT

	Area	Frontage	Use
Retained Lot	1,061m ²	25.4m	Residential – Single detached dwelling
Severed Lot	1,040m ²	24.9m	Vacant – Proposed single detached

The purpose and effect of this consent will permit the severance of 1,040m² from 16 Berkley Crescent for the purpose of constructing a single detached dwelling.

PROPOSED CONSENT

The applicant, McFadyen Design & Build (2005) Inc. c/o Paul M. Hurdle for Bernadette Green is requesting to sever 1,040m² from 16 Berkley Crescent for the purpose of a future residential use, and retain 1,061m² for the purpose of maintaining an existing residential use.

RECOMMENDATION

Development Services are recommending that the Consent Authority refuse the requested severance.

RATIONALE

1. The severance is not consistent with the Implementation and Interpretation policies of the 2014 Provincial Policy Statement.
2. The severance does not conform to the policies of The London Plan, including but not limited to the Civic Infrastructure policies, and the Our Tools policies as it does not meet the required criteria for the evaluation of consent applications.

INTRODUCTION

Notice of Application for Consent was mailed to area residents on January 16, 2019 and Notice of Application for Consent was published in the "The Londoner" on January 17, 2019.

One public comment was received with respect to this application and expressed support for the proposed severance.

PLANNING ACT

In considering this application, Development Services had regard for matters of Provincial Interest in accordance to Section 2 of the *Planning Act*. In considering this application,

Development Services staff had regard for the health, safety, convenience, accessibility for persons with disabilities and welfare of present and future inhabitants of the municipality, in accordance with Section 51 (24) of the *Planning Act*.

PROVINCIAL POLICY STATEMENT

The consent has been reviewed in conjunction with the 2014 Provincial Policy Statement (PPS).

Building Strong Communities: This consent application is within an existing settlement area. The PPS permits municipalities to allow the use of individual on-site sewage services provided site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development. (1.6.6.2.). Policy 4.7 also states that the official plan is the most important vehicle for implementing the Provincial Policy Statement, and that comprehensive, integrated and long-term planning is best achieved through official plans.

Wise Use and Management of Resources: The subject lands are not located within an area identified as having potential archaeological significance.

Protecting Public Health and Safety: There are no known Natural Hazards or Human-Made Hazards issues associated with this consent application.

Based on the foregoing, the proposed consent is not consistent with the Implementation and Interpretation policies of the PPS as it does not conform to the policies of The London Plan.

THE LONDON PLAN

The subject lands are located within the 'Neighbourhoods' Place Type and are located on a Neighbourhood Street. The use on the severed and retained lands, for single detached residential purposes, is permitted.

The proposed use of a single detached dwelling on the severed lot would require an individual on-site sanitary sewage system. Policy 1700_ directs the Consent Authority to consider all of the following criteria where individual on-site wastewater treatment systems are proposed:

1. The Civic Infrastructure policies of this Plan.

The Civic Infrastructure policies state that "within the Urban Growth Boundary, new development will be permitted only if it can be connected to adequate municipal sanitary sewage infrastructure" (473_5).

The plan of subdivision for this area was approved in 1949 with the intent that the lots were of a sufficient size to accommodate individual septic systems. The majority of the dwellings in the area were constructed in the 1970s and 80s which coincided with the construction of the water service in 1978. The subject lands were the subject of a previous severance in 1977 which conveyed a portion of the property (part of Lot 56 on Plan 654) to the neighbouring property to the west. As such, the subject lands are not comprised of two whole lots on a registered plan of subdivision and are not permitted a severance as of right.

There is currently no anticipated extension of sanitary services to the subject lands either privately or through City-initiated projects within the ten year horizon.

Despite the original intention of the subdivision, this application, when considered under the current policy framework of The London Plan's in-force policies does not conform to the City's Official Plan. While the 1989 Official Plan allows for additional flexibility in this regard, The London Plan represents the long-term vision of Council and does not permit development where it cannot be connected to adequate municipal sanitary sewage infrastructure.

2. The proposed development is consistent with the surrounding area in terms of pattern and size.

As noted above, the proposed severed parcel is smaller in size than existing lots, but is generally consistent with the surrounding area in terms of pattern and size.

3. The proposed development does not represent an extension to an area for existing development on individual services.

The proposed consent would not have the effect of extending a developed area, but rather further intensifying the neighbourhood and the use of individual services.

4. The proposed development would not create a precedent for future similar applications on adjacent or nearby lots

A precedent has been established on an adjacent lot for the development of a single detached dwelling with a private septic system. 73 and 115 Sunningdale Road East, and 27 Redford Road are also two whole lots on the plan of subdivision which would be granted the ability to re-establish the lot lines as of right through the Land Registry Office. The property at 95 Sunningdale Road East has also been established in this manner and is currently undeveloped. On this basis, the proposed consent may create or unduly encourage the creation of additional lots contrary to the policies of The London Plan.

Additional policies are present in The London Plan which provide guidance for the consideration of consent applications, which are now in force and effect.

When reviewing an application for consent to create a lot(s), the Consent Authority will consider all the policies of The London Plan and the following criteria:

1699_1. That any lot(s) to be created would conform to the policies of this Plan, the Zoning By-law, and any applicable area study or guideline document.

As noted above, the proposed lots and uses do not conform to the Civic Infrastructure provisions of The London Plan.

1699_2. That the matters which, according to the Planning Act, are to be regarded in the review of a draft plan of subdivision have been taken into account.

The proposal has been reviewed in conjunction with Section 51(24) of the Planning Act and is not considered compliant with these criteria.

1699_3. That the size and shape of any lot(s) to be created would be appropriate for the intended use, and would generally conform with the intent of the policies of this Plan and the Zoning By-law as they pertain to the subject area.

As noted above, the proposed lots and uses do not conform to the provisions of The London Plan.

1699_4. That the size and shape of any lot(s) to be created is compatible with adjacent development and conforms to any development agreements registered against the title of the subject land.

The size and shape of the proposed lots is compatible with adjacent development. Neighbouring properties at 18, 20, and 24 Berkley Crescent are generally 1,130m² in lot area with a frontage of approximately 27 metres. This severance will result in lots which are smaller than those in the area but comply with the minimum requirements of the Zoning By-law.

1699_5. That the creation of any lot(s) would have the effect of infilling an existing developed area where the pattern of land use has been established, and would not have the effect of extending a developed area.

The proposed development will have the effect of creating infill development in an area which is not served by municipal sanitary services. While this application would not represent the extension of a developed area, the intensification of this area is inappropriate given the need for an on-site sewage facility within the Urban Growth Boundary.

1699_6. That the proposed lot(s) would front on, or have access to, an existing public street and would not involve the opening or extension of a public street.

The proposed severed and retained lands have frontage along an existing public street, being Berkley Crescent.

1699_7. That the proposed lot(s) would not unduly reduce the accessibility of abutting lands suitable for development.

While the proposal does not necessarily preclude the ability of adjacent lands to develop, new development is required to connect to adequate municipal services. An additional septic system

in this area on an undersized lot – relative to what presently exists in the area – may increase the risk for failure and potential public health concerns.

1699_8. That access to the proposed lot(s) would not create traffic problems or hazards and that policies of this Plan regarding street access would be complied with.

The proposed conveyance will not result in any traffic problems.

1699_9. That adequate municipal services and utilities would be available.

The proposed severance has access to municipal storm and water services. There are no sanitary services available to the subject lands.

1699_10. That any health and safety matters relating to the Building Code are adequately addressed.

The Building Division has no comments with respect to this application.

1699_11. For a consent application pertaining to lands within the Farmland or Future Growth Place Types, that the lot to be created would conform to the Farmland policies of this Plan.

The subject lands are not located within a Farmland or Future Growth Place Type. It is noted that the Place Type policies of The London Plan are presently under appeal.

1699_12. For a consent application pertaining to natural features located on lands within a Green Space or Environmental Review Place Type the potential impacts resulting from fragmentation of natural features corridors and linkages will be taken into consideration.

The subject lands are not located within a Green Space or Environmental Review Place Type. It is noted that the Place Type policies of The London Plan are presently under appeal.

1699_13. That potential impacts on components of the Natural Heritage System will be addressed in conformity with the policies of this Plan.

The subject lands are located within proximity of a Natural Heritage System, though the UTRCA has no objections to the consent as proposed.

1989 OFFICIAL PLAN

The subject lands are designated Low Density Residential (LDR) in the 1989 Official Plan, which permits low density forms of residential development. The Services and Utilities policies of the 1989 Official Plan allows for individual onsite sanitary facilities provided a higher order alternative is not available and subject to a number of criteria.

Subject to policy 17.2.2 (iii) (b), for the development of a residential dwelling provided that:

1. Municipal servicing is not available within approximately 150 metres of the property;

Municipal sanitary services are not available within 150 metres of the property.

2. There are no other viable options for a connection to a municipal sanitary sewer and municipal services for the area will not be available within a reasonable time frame;

The property at 58 Sunningdale Road West (at the southwest corner of Sunningdale Road and Richmond Street) is the subject of a draft approved subdivision application which proposes an extension of sanitary services from the existing stubs at Callingham Drive and Pelkey Road through to Richmond Street and establishing a potential connection at Uplands Drive. However, this extension of services is dependent on private forces and is not immediately available.

3. The proposed wastewater treatment system can meet all applicable requirements for approval; and

Individual septic systems are regulated under the *Ontario Building Code*. The proposed development is dependent on such facilities, and as it requires approvals under the *Planning Act*, does not meet all applicable requirements as noted above.

4. *The owner agrees to connect to a municipal sanitary sewer, if available, at no cost to the municipality, when replacement of the system becomes necessary*

Sanitary services may not be available at such time as an individual sanitary system requires replacement, extending the use of a septic system on the lands.

ZONING

The subject lands are within a Residential R1 (R1-10) Zone which permits single detached dwellings. The proposed severed and retained lots conform to the regulations of the R1-10 Zone and the regulations of the Z.-1 Zoning By-law.

CONCLUSION

This consent application does not conform to the policies or intent therein of The London Plan. Based on the foregoing, Development Services are recommending that the Consent Authority refuse the requested severance.

Prepared by:	Meg Sundercock, BURPL Site Development Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
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	

Y:\Shared\DEVELOPMENT SERVICES\2 - Consents\2018 Consents\B.056-18 - 16 Berkley Cres (MS)\Notice of Decision\B.056-18 - DS Comments.doc

Appendix B:
Notice of Provisional Consent Decision

Applicant: Bernadette Green c/o
McFadyen Design & Build (2005) Inc.
File No: B.056/18
Municipality: City of London
Subject Lands: 16 Berkley Crescent

Date of Decision: August 19, 2019
Date of Notice: August 19, 2019
Last Date of Appeal: September 8, 2019



NOTICE OF PROVISIONAL CONSENT DECISION

Section 53 of the Planning Act

TAKE NOTICE that the City of London Consent Authority, **REFUSED** applicant Bernadette Green c/o McFadyen Design & Build (2005) Inc. consent to sever approximately 1040.7m² for the purpose of future residential uses, and to retain approximately 1061.5m² for the purpose of existing residential uses, file No. B.056/18 on the **19th day of August, 2019**, under Section 53 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended, for the following reasons:

1. The proposed consent does not conform to The London Plan.
2. The proposed consent is not consistent with matters of Provincial interest as referred to in Section 2 of the *Planning Act*, including (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management, (o) the protection of public health and safety, and the (p) the appropriate location of growth and development.
3. The lots to be established through the consent do not conform to the policies of the Official Plan as referred to in Section 51(24)(c) of the *Planning Act*.

In the opinion of the City of London Consent Authority, the application is not in conformity with The London Plan for the following reasons:

1. The proposed consent would create new development within the Urban Growth Boundary which cannot be connected to adequate sanitary sewage infrastructure, further to Policy 473_(5) of The London Plan.
1. The proposed consent does not meet the criteria of the Our Tools policies which the Consent Authority must consider where individual on-site wastewater treatment systems are proposed, further to Policy 1700_ of The London Plan.
2. The proposed consent does not meet the criteria of the Our Tools policies which the Consent Authority must consider when evaluating consent applications, in addition to all the policies of The London Plan, further to Policy 1699_ of The London Plan.

AND TAKE NOTICE that any person or public body may appeal this decision or any of the conditions imposed by the Consent Authority to the Local Planning Appeal Tribunal by filing a notice of appeal with the City of London Consent Approval Authority, Development Services, 300 Dufferin Avenue, London, ON N6A 4L9, **NOT LATER THAN THE 8th day of September, 2019**. The notice of appeal must set out the reasons for the appeal and must be accompanied by the \$300.00 fee prescribed by the Local Planning Appeal Tribunal Act, in the form of a **certified cheque or money** order made payable to the Minister of Finance and must be accompanied by an **Appellant Form (A1)** found on the LPAT website: <http://elto.gov.on.ca/tribunals/lpat/> or from the office of the London Consent Authority. If you have any questions regarding the appeal process, please contact the ELTO Citizen Liaison Office toll free at 1-866-448-2248, by email at elto.clo@ontario.ca or in person at 655 Bay Street, Suite 1500, Toronto, ON.

One response from the public was received with respect to this application which voiced support for the proposed consent.

The land to which this application applies is the subject of a minor variance application (A.046/19) under the *Planning Act*.

Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

You will be entitled to receive notice of any changes to the conditions of the Provisional Consent if you have either made a written request to be notified of the decision of the London Consent Authority or you made a written request to the London Consent Authority to be notified of changes to the conditions for the provisional consent.

Additional information on this consent decision is available from Development Services, 6th floor, City

**Applicant: Bernadette Green c/o
McFadyen Design & Build (2005) Inc.
File No: B.056/18
Municipality: City of London
Subject Lands: 16 Berkley Crescent**

**Date of Decision: August 19, 2019
Date of Notice: August 19, 2019
Last Date of Appeal: September 8, 2019**

Hall or by telephoning 519-930-3500 during business hours/weekdays from 8:30 a.m. to 4:30 p.m.

Dated at the City of London this 19th day of August, 2019



J.M. Fleming
City Planner
City of London Consent Authority
300 Dufferin Avenue, London, ON N6A 4L9

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Applicant: Bernadette Green c/o
McFadyen Design & Build (2005) Inc.
File No: B.056/18
Municipality: City of London
Subject Lands: 16 Berkley Crescent

Date of Decision: August 19, 2019
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APPEALS TO THE LOCAL PLANNING APPEAL TRIBUNAL CONSENTS
SECTION 53. PLANNING ACT, R.S.O.1990, c.P.13 (as amended)

The following extracts from Section 53 of the Planning Act outline the appeal process for appealing consents:

Appeal

53 (19) (19) Any person or public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Tribunal by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged under the *Local Planning Appeal Tribunal Act, 2017*. 1994, c. 23, s. 32; 1996, c. 4, s. 29 (6); 2017, c. 23, Sched. 5, ss. 80, 81.

Note: The fee for an appeal is \$300.00 and \$25.00 for a related appeal and should be in the form of a **certified cheque or money order** made payable to the Minister of Finance of Ontario.

Appeal

53 (27) (27) Any person or public body may, not later than 20 days after the giving of notice under subsection (24) is completed, appeal any of the changed conditions imposed by the council or the Minister by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged under the *Local Planning Appeal Tribunal Act, 2017*. 1994, c. 23, s. 32; 1996, c. 4, s. 29 (10); 2017, c. 23, Sched. 5, s. 81.

Record

53

(28) If the clerk or the Minister, as the case may be, receives a notice of appeal under subsection (19) or (27), the clerk or the Minister shall ensure that,

- (a) a record is compiled which includes the information and material prescribed; and
- (b) the record, the notice of appeal and the fee are forwarded to the Tribunal within 15 days after the last day for filing a notice of appeal under subsection (19) or (27). 1994, c. 23, s. 32; 2017, c. 23, Sched. 5, s. 100 (4).

Hearing

53 (30) On an appeal, the Tribunal shall hold a hearing, of which notice shall be given to such persons or public bodies and in such manner as the Tribunal may determine. 2017, c. 23, Sched. 5, s. 100 (6).

Dismissal without hearing

53

(31) Despite the *Statutory Powers Procedure Act* and subsection (30), the Tribunal may dismiss an appeal without holding a hearing, on its own initiative or on the motion of any party, if,

- (a) it is of the opinion that,
 - (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Tribunal could give or refuse to give the provisional consent or could determine the question as to the condition appealed to it,
 - (ii) the appeal is not made in good faith or is frivolous or vexatious,
 - (iii) the appeal is made only for the purpose of delay, or
 - (iv) the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process;
 - (b) the appellant did not make oral submissions at a public meeting or did not make written submissions to the council or the Minister before a provisional consent was given or refused and, in the opinion of the Tribunal, the appellant does not provide a reasonable explanation for having failed to make a submission;

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-
- (c) the appellant has not provided written reasons for the appeal;
 - (d) the appellant has not paid the fee charged under the *Local Planning Appeal Tribunal Act, 2017*; or
 - (e) the appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal. 2017, c. 23, Sched. 5, s. 100 (6).

Representation

(32) Before dismissing an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (31) (e). 2000, c. 26, Sched. K, s. 5 (7); 2017, c. 23, Sched. 5, s. 80.

Dismissal

(32.1) The Tribunal may dismiss an appeal after holding a hearing or without holding a hearing on the motion under subsection (31), as it considers appropriate. 2017, c. 23, Sched. 5, s. 100 (6).

Decision final

(33) If all appeals under subsection (19) or (27) are dismissed or withdrawn, the Tribunal shall notify the council or the Minister and, subject to subsection (23), the decision of the council or the Minister to give or refuse to give a provisional consent is final. 1994, c. 23, s. 32; 2017, c. 23, Sched. 5, s. 80.

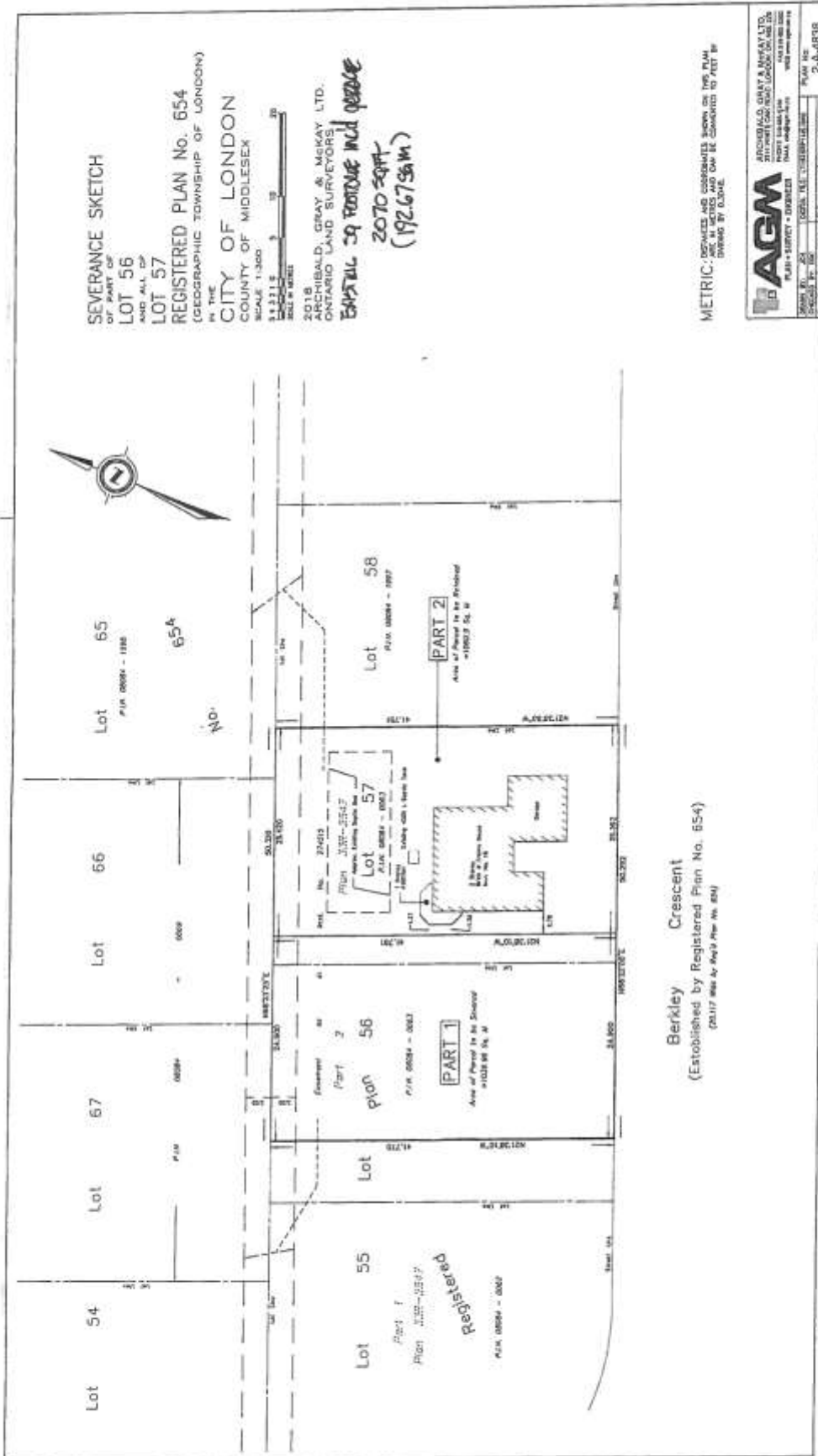
Powers

(34) On an appeal under subsection (14) or (19), the Tribunal may make any decision that the council or the Minister, as the case may be, could have made on the original application and on an appeal of the conditions under subsection (27), the Tribunal shall determine the question as to the condition or conditions appealed to it. 2017, c. 23, Sched. 5, s. 100 (6).

Amended application

(35) On an appeal, the Tribunal may make a decision on an application which has been amended from the original application if, at any time before issuing its order, written notice is given to the persons and public bodies prescribed under subsection (10) and to any person or public body conferred with under subsection (11) on the original application. 2017, c. 23, Sched. 5, s. 100 (6).





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: Draft Plan of Subdivision – Three Year Extension
Richardson/Middleton Subdivision
146 & 184 Exeter Road

Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the Approval Authority **BE ADVISED** that Council supports the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Sifton Properties Limited (File No. 39T-15501), prepared by Stantec Consulting and certified by Jeremy Matthews (Project No. 161401268, dated December 22, 2016), as redline amended, which shows twenty-two (22) low density blocks, six (6) medium density blocks, one (1) school block, one (1) park block, four (4) multi-use pathway blocks, one (1) open space block, one (1) future road block, eleven (11) 0.3 m reserves and road widenings, all served by one (1) new secondary collector road/neighbourhood connector, and ten (10) new local roads/neighbourhood streets **SUBJECT TO** the conditions contained in the attached Schedule "A".

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to consider a three (3) year extension to Draft Approval for the remaining phase(s) within the residential draft plan of subdivision (39T-15501).

Rationale of Recommended Action

1. The requested three (3) year extension of Draft Plan Approval is reasonable, and should allow the applicant sufficient time to satisfy revised conditions of draft approval towards the registration of this plan.
2. The plan of subdivision will provide for future residential land uses and supports connectivity with adjacent future development lands. Therefore, an extension should be supported provided the conditions of Draft Approval are updated to reflect current City Standards and regulatory requirements.

2.0 Relevant Background

2.1 Property Description

The subject site consists of a portion 12.078 ha (19.8 acres) of land located on the north side of Exeter Road. It is situated midpoint between Wonderland Road South and White Oaks Road, in the former Township of Westminster. Portions of this property include the former site of the Southwest Optimist Baseball Complex, which at one time contained up to 16 baseball diamonds. The subject site is located just south of existing retail/commercial uses (1352 Wharncliffe Road South), with vacant lands to the east, existing industrial uses along Exeter Road, a wetland/natural heritage feature to the southwest (known as the Pincombe Drain). The property is relatively flat.

2.2 Previous Reports

December 12, 2016 - Report to Planning and Environment Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments. (39T-15501/Z-8470)

January 21, 2019 – Report to Planning and Environment Committee to rezone a portion of land (Block 30 and portion of Block 31, 39T-15501) within a draft plan of subdivision by adding an additional Residential (R7) Zone to permit a long term care facility in addition to the existing range of residential uses permitted. (Z-8969)

February 19, 2019 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement related to the stormwater management pond. (39T-15501)

April 15, 2019 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement Phase 1. (39T-15501)

April 15, 2019 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement Phase 1A. (39T-15501)

May 27, 2019 - Report to Planning and Environment Committee to re-zone a portion of Block 36 and all of Block 37 in draft approved plan 39T-15501, to permit street townhouse dwellings, in addition to the multi-family uses already permitted. (Z-9034)

May 27, 2019 - Report to Planning and Environment Committee to redesignate the park, stormwater management pond (Pincombe 3) and lands along Middleton Avenue to “Low Density Residential”, and to redesignate a portion of the lands to “Open Space” to recognize a natural heritage component on Schedule “A” of the Official Plan and on Schedule 4 (Southwest Area Land Use Plan) and Schedule 10 (Central Longwoods) of the Southwest Area Secondary Plan, and to re-zone Block 38 from draft approved plan 39T-15501 (Richardson Subdivision) to permit single detached dwellings. (OZ-9038)

2.3 Planning History

This application for Draft Plan of Subdivision Approval was accepted on March 12, 2015. It was circulated to the required agencies and municipal departments on March 23, 2015 and advertised in the Londoner on April 2, 2015. A revised application and plan was received on April 20, 2016 and was advertised in the Londoner on May 19, 2016. Notice of Public Meeting was sent out on November 29, 2016 and was advertised in the Londoner on November 24, 2016. The Public Meeting was held on December 12, 2016. Draft approval was granted on January 27, 2017.

Since draft approval, the Applicant has registered two phases of the subdivision. Phase 1 consisted of two (2) medium density multi-family blocks, one future street block, and 6 reserve (0.3 m, 1 ft.) blocks, all served by two new local streets, Mia Avenue and Kennington Way. It was registered on July 12, 2019 as 33M-765. Phase 1A consisted of forty two (42) single family lots, one (1) medium density blocks, two (2) open space

blocks, four (4) 0.3 metre reserves, all served by two (2) new streets, namely Middleton Avenue and Kennington Way. It was registered on October 9, 2019 as 33M-769.

2.4 Applicant Request

The Applicant has requested a two (2) year draft plan extension for the remainder of the lands. Staff are instead recommending the standard three (3) year extension to ensure adequate time is given to complete the subdivision.

2.5 Redline and Changes

The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards. The changes to conditions of draft approval are to address engineering and planning issues. The amendments to the conditions of draft approval are shown as **highlights** for revisions, ~~strikeouts~~ for deletions and underlines for additions on the attached Schedule "A".

No changes are proposed to the approved zoning, lotting pattern or road alignments within the draft plan. Staff have recommended minor redline changes to the plan, to delineate areas that have been registered, and to add one foot reserves along the eastern boundary of the subdivision.

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

2.6 Policy Context

Provincial Policy Statement

The redlined subdivision accommodates a range and mix of residential units and densities, such as street townhomes, single detached dwellings, and various cluster housing zones. The grid type pattern and short residential blocks promote a more efficient subdivision pattern that allows for pedestrian walkability and efficiency in services.

The plan also provides for parks and a school, to meet the needs of the future residents. The plan layout will foster social interaction and facilitate active transportation and community connectivity.

The subject lands are within the Urban Growth Boundary (settlement area) as identified in the Official Plan and are designated to permit a mix of uses.

There are no Mineral and Petroleum, Mineral Aggregate Resources issues associated with this proposal. There are no Natural Hazards associated with this plan.

It is staff's position that the draft plan of subdivision will provide for a healthy, livable and safe community. It will provide for a walkable community, and provides for on street pedestrian linkages to commercial, open space and parkland.

(1989) Official Plan

The (1989) Official Plan contains policy on draft plans of subdivisions, and extensions to draft plans. Policy 19.6.3. specifies that as part of a request by an applicant for an extension to a draft plan of subdivision approval, the Approval Authority, in considering this request, may apply new conditions or amend existing conditions of draft approval, based on new or updated policies, guidelines and community standards.

The remaining lands are designated Low Density Residential and Multi-Family, Medium Density Residential on Schedule A of the (1989) Official Plan. The zoning for all the Blocks reflects the current designations, including zoning provisions related to density and height.

The London Plan

The policies of The London Plan encourage a mix of housing types within the Neighbourhoods Place Type. The lands are located along a Neighbourhood Connector, several Neighbourhood Streets, and a Civic Boulevard (Wharncliffe Rd S).

Southwest Area Secondary Plan

The Southwest Area Secondary Plan (SWAP) policies supersede the policies of the (1989) Official Plan and The London Plan. The subject site is located within the Central Longwoods Residential Neighbourhood, and the lands are designated Low and Medium Density Residential to encourage a mix of housing types, forms and intensities throughout the Central Longwoods Neighbourhood and within individual developments, at an intensity that is higher than is found in more recent suburban neighbourhoods. A minimum and maximum density of development have been incorporated into the zoning for the site, as well as a range of housing, such as single detached, street town, cluster housing, and long term care facilities.

Redlined Draft Plan of Subdivision – December, 2019



3.0 Conclusion

Staff are recommending a three (3) year extension to the Draft Approval for this plan of subdivision, subject to the revised conditions as attached. The proposed plan and recommended conditions of Draft Approval will ensure that development proceeds in accordance with Provincial Policy Statement, The London Plan, and the (1989) Official Plan. A three (3) year extension is recommended to allow sufficient time for registration of the lands within this Draft Plan.

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

December 16, 2019

cc: Lou Pompilii, Manager, Development Planning
cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Ted Koza, Manager, Development Engineering

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Appendix A

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO DRAFT APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-15501, ARE AS FOLLOWS

No. Condition

1. This draft approval applies to the draft plan as submitted by 1103125 Ontario Limited (File No. 39T-15501), prepared by Stantec Consulting and certified by Jeremy Matthews (Project No. 161401268, dated December 22, 2016), as red-line amended, which shows twenty-two (22) low density blocks, six (6) medium density blocks, one (1) school block, one (1) park block, four (4) multi-use pathway blocks, one (1) open space block, one (1) future road block, eleven (11) 0.3 m reserves and road widenings, all served by one (1) new secondary collector road/neighbourhood connector, and ten (10) new local roads/neighbourhood streets.
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 Owner shall enter into a subdivision agreement with the City, in the City's current approved form (a copy of which can be obtained from Development Services), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.
4. 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.
5. In conjunction with the first submission of engineering drawings, street(s) shall be named and the municipal addressing shall be assigned to the satisfaction of the City.

~~The Owner shall request that street(s) shall be named to the satisfaction of the City.~~

~~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.

~~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.~~

~~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, where such services and drainage cannot be accommodated in the existing and/or proposed right-of-way, to the satisfaction of the City, at no cost to the City.~~

~~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 studies, reports, data, information or detailed engineering drawing, 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.~~

~~Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.~~

7. 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.
8. 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.
9. Prior to final approval, the Owner shall provide copies of all transfer documentation for all land transfers/dedications and easements being conveyed to the City, for the City's review and approval.
10. 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.

Planning

11. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
12. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.
13. In conjunction with the first submission of engineering drawings, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
14. In conjunction with the first submission of engineering drawings, Design Studies submission, the Owner shall submit a lotting plan, demonstrating how all Low Density Blocks and the Medium Density Blocks will meet the minimum target densities as set out in the Southwest Area Plan for Central Longwoods. The lotting plan will be used for the basis of final registered plan, to the satisfaction of the City.

~~In conjunction with Design Studies submission, the Owner shall submit a noise study, prepared by a certified consultant, concerning the impact of noise generated from adjacent industrial operations located at 150 Exeter Road and on the south side of Exeter Road, to the proposed residential development, which considers existing and future industrial uses based on zoning, and recommended noise attenuation requirements, and increased setbacks, landscaping, privacy screening or other measures to provide an appropriate buffer between residential and industrial uses. These noise abatement measures may be applied in accordance with the requirements of the Ministry of the Environment D-6 Guidelines, and shall implement results of the study, to the satisfaction of the City.~~

- ~~15. Prior to final approval, † The Owner shall agree to include a statement in all offers of purchase and sale within 150 metres of the industrial property at 150 Exeter Road and in the subdivision agreement to include a suitable warning clause within the subdivision agreement advising future purchasers that there are active industrial operations on going in the area and that nuisances can be expected.~~

~~As part of final approval, the Applicant will ensure that Block 48 (industrial) is consolidated with the property at 150 Exeter Road.~~

~~The Owner agrees to withhold Block 37 from development until such time as a viable servicing option is available. The Owner also agrees to maintain the holding provision on this block until such time as a development agreement has been entered into which provides for appropriate servicing.~~

~~In conjunction with the Design Studies submission, the Owner shall provide design concepts for Blocks 35 and 36 to illustrate how these blocks can develop on a Permanent Private Stormwater (PPS) system, all to the satisfaction of the City. If it is determined that the development of these blocks is not viable from a land area/servicing perspective, the Approval Authority may consider an amendment to the draft plan to remove Street N in order to provide sufficient land for the development of these blocks.~~

Urban Design

~~In conjunction with Design Studies submissions, the Owner will be required to provide a detailed urban design guidelines (for Architectural Control) for the entire subdivision, including all proposed building forms and implementation processes for low density and medium density blocks, to the satisfaction of the Managing Director of Planning, City Planner.~~

~~In conjunction with Design Studies submissions, the Owner shall provide conceptual block plans for all medium density blocks, detailing locations of buildings, parking areas, building orientation towards the public streets and open spaces, and other relevant information, to the satisfaction of the Managing Director of Planning, City Planner. Building orientation shall be directed to the highest order street as a priority, and all other streets/open spaces for secondary facades.~~

- ~~16. The Owner shall register on title through the subdivision agreement 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 (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage~~

Parks and Open Space

~~In conjunction with Design Studies submissions, the Owner shall provide an update to the Environmental Impact Study – Revised (March 14, 2016) in the form of an addendum, prepared by Stantec Consulting Inc. which addresses compensation, restoration, monitoring, and species at risk, to the satisfaction of the Managing Director of Planning, City Planner.~~

17. In conjunction with the first submission of engineering drawings, the Owner shall implement all recommendations from the Environmental Management Plan from the Environmental Impact Study – Revised (March 14, 2016) and any EIS addendums approved by the City, as prepared by Stantec Consulting Inc. As part of the design studies, The Owner shall indicate how each of the recommendations and the Environmental Management Plan will be implemented (i.e., design studies, engineering review, special provisions) to the satisfaction of the City.

18. The Owner shall convey Block 39, 40, 41, 42, 43, 44 and 45 to the City as the required 5% parkland dedication for this plan of subdivision. The Owner will receive a 0.84 hectare credit for parkland dedication in excess of the required parkland under the Planning Act. The credit shall be applied towards the required parkland dedication of future subdivision lands to the east owned by the Owner.

19. In conjunction with the first submission of engineering drawings ~~As part of the Design Studies~~, the Owner shall prepare and provide:

- i) ~~A concept~~ buffer detailed plan for all Open Space blocks;
- ii) ~~A concept~~ detailed plan for all proposed pathway blocks;
- iii) ~~A concept~~ detailed plan for all in-boulevard pathway alignments; and
- iv) ~~A concept~~ detailed plan for Park Blocks 39 and 40.

20. In conjunction with the first submission of engineering drawings ~~As part of the Design Studies submission~~, the Owner shall prepare an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern. The educational package shall be prepared to the satisfaction of the City Planner. This package is to be delivered to all homeowners adjacent to natural heritage areas.

~~Prior to any work on the site and as part of the Design Studies submission, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the preservation of quality specimen trees within Lots and Blocks and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree Preservation Reports and Tree Preservation Plans to the satisfaction of the City. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.~~

21. The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all 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.

22. The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.

23. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures shall be installed and certified with site inspection reports submitted to Development Services the ~~Environmental and Parks Planning Division~~ monthly during development activity along the edge of the wetland.

24. Within one (1) year of registration of the plan, the Owner shall grade, service and seed all parkland to the satisfaction of the City Planner.

Upper Thames River Conservation Authority

~~In conjunction with Design Studies submissions, a final Environmental Impact Study be prepared to the satisfaction of the UTRCA. This report shall address the following matters:~~

- ~~i) A Hydrogeological Assessment and Water Balance Analysis be prepared, consistent with the Hydrogeological Assessment Submissions Conservation Authority Guidelines to Support Development Applications (June, 2013);~~
- ~~ii) The appropriate amount of associated habitat from the nests in the culverts is being protected as per the general habitat description;~~
- ~~iii) Calculations showing the amount of "offsetting" that will occur for the loss of natural areas be provided; and~~
- ~~iv) The information included in the Response to UTRCA Comments in Support of Richardson Subdivision Draft Plan 39T-15501 prepared by Stantec dated November 21, 2016, revised November 24, 2016 be incorporated into the Final EIS.~~

~~The Owner shall detail and implement the recommendations of the revised EIS through drawing review and the subdivision agreement.~~

~~In conjunction with Design Studies submissions, the watercourse feature that traverses proposed Park Block 40 shall be maintained as an open watercourse and shall be incorporated into the overall park design, to the satisfaction of the city and the UTRCA.~~

~~In conjunction with Design Studies submissions, the Stormwater Management Report (Functional and Final) be circulated to the UTRCA for review and sign-off.~~

25. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent shall obtain the necessary permit/approvals from the UTRCA prior to undertaking any site alteration or development within the regulated area.

Sanitary

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

- i) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced and identify any sanitary private drain connections that will be constructed external to this plan, to the satisfaction of the City Engineer (ie. Municipal 1210, 1240, 1330, 1350 and 1352 Wharncliffe Road South, 108 Exeter Road and a preliminary routing of the proposed sanitary sewer) ~~and include the existing commercial property at 150 Exeter Road;~~
- ii) ~~Confirm the location of the existing sanitary septic system and infrastructure that service 150 Exeter Road and provide a proposal, including timing, to construct a municipal sanitary outlet connection and sanitary sampling manhole for 150 Exeter Road to connect to this plan of subdivision (currently serviced by an onsite private sanitary system). The proposal is to include the timing of decommissioning of the existing septic system and infrastructure for 150 Exeter Road;~~
- iii) Confirm the location of the existing sanitary septic system and water well that service 1350/1352 Wharncliffe Road South. Should any portion of

- septic system be located within this plan, provide a proposal to address the encroachment of these works. Should the existing septic system and infrastructure be decommissioned, provide a proposal, including timing, regarding the decommissioning of any septic systems and infrastructure.
- iv) Provide confirmation that if the proposed populations identified for the medium density blocks is proposed at a higher density of 75 upha that this is accounted for in the design of the subdivision sewers and proposed Exeter Road sewer;
 - v) Propose a suitable routing for the sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this proposed sanitary trunk sewer;
 - vi) ~~To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407,~~ Provide 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 to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407; and
 - vii) Provide confirmation of the minimum lot sizes being proposed for street townhouse dwellings and stacked townhouses to ensure proper service separation distances for the proposed street facing townhomes meet City Standards and will attain adequate horizontal separation between water services, pdc's and consider conflicts with other utilities such as street lights, hydrants, driveways, boulevard trees, snow storage, on street parking, etc., which meet City of London standards and requirements.
27. 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 sanitary services for this draft plan of subdivision:
- i) ~~Construct sanitary sewers to serve this Plan and connect them to the municipal sanitary sewer system, namely, the proposed 375 mm (15") diameter sewer located on Exeter Road; when it is available, all as set out in the City's Growth Management Implementation Strategy (GMIS) currently scheduled for 2017 timing;~~
 - ii) Construct a maintenance access road and provide a standard municipal easement, if necessary, for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) ~~Make provisions to keep the existing sanitary septic system for 150 Exeter Road operational until municipal sanitary servicing, including a sanitary sampling manhole, is available to service this property and is constructed and operational, to the satisfaction of the City Engineer, at no cost to the City. Once 150 Exeter Road has been provided municipal sanitary servicing, the Owner shall decommission the existing septic system, at no cost to the City;~~
 - iv) ~~Provide sanitary pdc's for external lands (150 Exeter Road), if necessary, as identified in the accepted Design Studies;~~
 - v) 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. These sewers must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - vi) 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.
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) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407;
- iv) 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; and
- v) Implementing any additional measures recommended through the Design Studies stage.

29. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Greenway Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Storm and Stormwater Management (SWM)

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

- i) Identify the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
- iii) ~~Provide a proposal, including timing and decommissioning of all existing drainage systems, as applicable, and identify servicing for 150 Exeter Road;~~
- iv) Address the rerouting, enhancements, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses in consultation with the Upper Thames River Conservation Authority, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority;
- v) ~~Provide a preliminary plan demonstrating how the proposed grading and road design will be compatible with the grading of the proposed Pincombe Drain SWM Facility #3 to be built by the City;~~
- vi) Complete a geotechnical study to address all geotechnical issues including erosion, maintenance and structural setbacks related to slope stability associated with existing UTRCA regulated areas are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;

- vii) Develop 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
~~Develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment and Climate Change 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,~~
- viii) Implement SWM soft measure Best Management Practices (BMP's), including Low Impact Development infiltration measures 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, all to the satisfaction of the City:

- i) The Dingman Creek Subwatershed Stormwater Servicing Strategy Schedule 'C' Municipal Class Environmental Assessment;
- ii) The approved Storm/Drainage and SWM Servicing Functional Report and Detailed Design for the subject lands;
- iii) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
- iv) The City's Design Requirements for Permanent Private Stormwater (PPS) Systems that were approved by City Council and was effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology;
- v) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
- vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
- vii) The Ministry of the Environment and Climate Change (MOECC) SWM Practices Planning and Design Manual and any companion documents, as revised; and,
- viii) 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 Dingman Creek Subwatershed, and connect them to the proposed Pincombe Drain SWM Facility # 3 to be built by the City via the proposed sewer system within the proposed draft plan of subdivision and future external servicing.
- ii) ~~In the event 150 Exeter Road will be served by a new stormwater outlet to Pincombe Drain SWM Facility # 3, the Owner shall maintain the existing storm outlet for 150 Exeter Road until storm servicing is available to service this property and is constructed and operational, to the satisfaction~~

~~of the City Engineer, at no cost to the City. Once 150 Exeter Road has been provided storm servicing, the Owner shall decommission the existing storm system;~~

- iii) Construct and implement any geotechnical recommendations regarding slope stability to the satisfaction of the Upper Thames River Conservation Authority and the City Engineer;
- iv) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
- ~~v) Grade the boundaries of the blocks in this Plan to blend in with the SWM Facility Block 46, at no cost to the City;~~
- vi) 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,
- vii) Address forthwith any deficiencies of the stormwater works which may be identified throughout construction or identified through the monitoring and inspection 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 and external lands (e.g. 150 Exeter Road) 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 overland flow routes and minor storm system for the subject lands, to the satisfaction of the City;
- iii) Decommission all existing and temporary stormwater management and conveyance systems once ultimate systems have been constructed and operational, to the satisfaction of the City; and,
- iv) Implement all geotechnical/slope stability recommendations made by the geotechnical report and as shown on the engineering drawings, accepted by the City.

34. Prior to the issuance of any Certificate of Conditional Approval, the Pincombe Drain SWM Facility # 3, to be built by the City, to serve this plan must be constructed and operational.

~~The Owner shall ensure that Block 46 is adequately sized to accommodate Pincombe Drain SWM Facility #3 in accordance with the final accepted Functional SWM Report for the Pincombe Drain SWM Facility # 3, City specifications and is consistent with the Dingman Creek Subwatershed Stormwater Servicing Strategy—Schedule 'C' Municipal Class Environmental Assessment, all to satisfaction of the City Engineer. Block 47 will be held out of development until such time as the size and configuration of Block 46 for Pincombe Drain SWM Facility #3 has been confirmed.~~

35. The Owner shall ensure that all existing upstream external flows traversing this plan are accommodated within the overall minor and major storm conveyance servicing system design, all to the specifications and satisfaction of the City Engineer, at no cost to the City.

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

37. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities policies and

processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.

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. 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 hydrogeological investigation carried out by a qualified consultant, to determine, or provide an update to the existing hydrogeological investigation, including but not limited to, the following:
- i) Identify any abandoned wells in this plan;
 - ii) Assess the impact on water balance in the plan, as applicable;
 - iii) Assess any fill required in the plan;
 - iv) Provide recommendations for foundation design should high groundwater be encountered;
 - v) 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;
 - vi) Determine the effects of the construction associated with this subdivision on the existing groundwater elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. The hydrogeological investigation should identify all required mitigation measures including Low Impact Development (LIDs) solutions and associated details, as necessary, to the satisfaction of the City Engineer. Details related to proposed LID solutions, if applicable, should include information related to the long term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site. The hydrogeological investigation should also include the development of appropriate short-term and long-term monitoring plans (if applicable), and appropriate contingency plans (if applicable), in the event of groundwater interference related to construction; and
 - vii) Determine water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction), including sediment and erosion control measures and dewatering discharge locations.

~~In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydrogeological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:~~

- ~~i) The effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;~~
- ~~ii) Identify any abandoned wells in this plan;~~
- ~~iii) Assess the impact on water balance in the plan;~~

- ~~iv) — Any fill required in the plan;~~
- ~~v) — Provide recommendations for foundation design should high groundwater be encountered~~
- ~~vi) — Identify all required mitigation measures including Low Impact Development (LIDs) solutions;~~
- ~~vii) — Address any contamination impacts that may be anticipated or experienced as a result of the said construction; and~~
- ~~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.~~

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

~~Prior to final approval, the Owner shall dedicate sufficient lands to the City to enable to completion of the proposed SWM facility and all related servicing, including dedicated blocks sized to accommodate applicable major overland flow routes.~~

~~In the event that the Owner constructs temporary stormwater works and until said works are decommissioned, the Owner shall complete the following to the satisfaction of the City Engineer, and at no cost to the City:~~

- ~~i) — Operate, monitor and maintain the temporary works;~~
- ~~ii) — In the event that the works include a stormwater facility, have their professional engineer submit semi-annual monitoring reports to the City Engineer demonstrating that the works perform in accordance with the approved design criteria. The reports are to provide test results on the volume and nature of the sediment accumulating in the works. The timing and content of the monitoring reports is to be in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" guidelines. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the Plan and shall continue until the temporary works are decommissioned;~~
- ~~iii) — Remove and dispose of any sediment to an approved site;~~
- ~~iv) — Address forthwith any deficiencies of the temporary works and/or monitoring program; and~~
- ~~v) — Decommission the temporary works within six months of the permanent works being constructed and operational.~~
- ~~vi) — The Owner is responsible for all costs related to the temporary works including decommissioning and any redirection of sewers and overland flow routes.~~

Water

41. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report which addresses the following, all to the satisfaction of the City Engineer:

- i) Water distribution system analysis & modeling and hydraulic calculations for the Draft Plan of Subdivision confirming system design requirements are being met (residential A.D.D. shall be 255 litres per capita per day; maximum residual pressure 80 psi);
- ii) Identify domestic and fire flows for the residential Lots and development Blocks from the low-level water distribution system;
- iii) Address water quality and identify measures to maintain water quality within all watermains throughout the entire subdivision from zero build-out through full build-out of the subdivision;
- iv) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;

- v) Include modeling for two fire flow scenarios as follows:
 - i. Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
 - ii. Max Day + Fire confirming the available fire flows at fire hydrants at 20PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
 - iii. Develop a looping strategy to the satisfaction of the City Engineer for 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 – address potential conflicts and identify solutions;
- x) Include full-sized water distribution and area plan(s);
- xi) Include full-sized water distribution and area plan(s) which identifies the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings), fire hydrant rated capacity & marker colour, and the design domestic and fire flow demands applied to development Blocks.

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

- ~~i) A water servicing report which addresses the following:
 - Identify external water servicing requirements;
 - Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;
 - Confirm capacity requirements are met;
 - Identify need to the construction of external works;
 - Identify the effect of development on existing water infrastructure — identify potential conflicts;
 - Water system area plan(s);
 - Water network analysis/hydraulic calculations for subdivision report;
 - Phasing report and identify how water quality will be maintained until full built-out;
 - Oversizing of watermain, if necessary and any cost sharing agreements;
 - Water quality;
 - Identify location of valves and hydrants;
 - Identify location of automatic flushing devices as necessary; and
 - Looping strategy.~~
- ~~ii) Submit a servicing layout to the lots for the street townhouse configuration which indicates adequate separation requirements will be met for all servicing.~~

42. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City. The requirements or measures which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.

43. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this Draft Plan of Subdivision:

- i) Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 400mm diameter watermain on Wharncliffe Road South, the 250mm diameter watermain on

- Middleton Avenue, and the 250mm diameter watermain on Kennington Way.
- ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;
 - iii) Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval; and
 - iv) Have their consulting engineer confirm to the City that the watermain system has been constructed and is operational.

~~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 600 mm diameter watermain on Exeter Road and the 400 mm diameter watermain on Wharncliffe Road South;~~
- ~~ii) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;~~
- ~~iii) The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval; and~~
- ~~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.~~

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

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

45. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

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

46. 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.
47. 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.
48. 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.

Roadworks

49. 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.
50. 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.

~~In conjunction with the Design Studies submission, 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, alignments, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.~~

51. 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.

~~In conjunction with the Design Studies submission, the Owner shall provide a concept plan for review and acceptance by the City Engineer how access to 150 Exeter Road from Street 'P' will be accommodated.~~

52. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional engineer provide a detailed concept plan showing the alignment of Street 'A' and Morgan Avenue, to the specifications and satisfaction of the City Engineer.

53. The Owner shall align Street 'A' opposite Morgan Avenue, to the satisfaction of the City Engineer.

~~In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide a concept plan showing the alignment of Street 'P' opposite Meadowbrook Drive, to the satisfaction of the City Engineer.~~

~~The Owner shall align Street 'P' opposite Meadowbrook Drive, to the satisfaction of the City Engineer.~~

54. The Owner shall construct Street 'A', Street 'I', Street 'M', Street 'O' and Street 'P' to secondary collector road standards to the satisfaction of the City Engineer.

55. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on all street in this Plan of subdivision in accordance with the accepted design criteria, to the specifications and satisfaction of the City Engineer.

56. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:" and make any necessary adjustments to the draft plan, to the satisfaction of the City Engineer.

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

- i) Street 'A', Street 'I', Street 'M', Street 'O' and Street 'P' have a minimum road pavement with (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres; and
- ii) Street 'B', Street 'C', Street 'D', Street 'E', Street 'F', Street 'G', Street 'H', Street 'J', Street 'K', Street 'L' and Street 'N' have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.

58. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall submit a detailed ~~concept~~ plan of the enhanced landscape boulevards on Street 'C', Street 'M', Street 'O' and Street 'P' and gateway treatment on Street 'A' at Wharncliffe Road South, all to the satisfaction and specifications of the City.

59. The Owner shall construct a gateway treatment on Street 'A' at Wharncliffe Road on a right-of-way width of 28.0 metres with a minimum road pavement width (excluding gutters) of 16.0 metres for a distance of 45 metres tapered back over a distance of 30 metres to the standard secondary collector right-of-way width of 21.5 metres with a minimum road pavement width of 9.5 metres (excluding gutters), all to the satisfaction of the City.

~~The Owner shall install enhanced landscape boulevards on Street 'P' at Exeter Road and Street 'O' at Exeter Road on a right-of-way with of 28.0 metres with a minimum road pavement width (excluding gutters) of 11.0 metres for a distance of 45 metre tapered back over a distance of 30 metres to the standard secondary collector right-of-way width of 21.5 metres with a minimum road pavement width of 9.5 metres (excluding gutters), to the satisfaction of the City.~~

60. The Owner shall install enhanced landscape boulevards on Street 'C' at Wharncliffe Road on a right-of-way width of 21.5 metres with a minimum road pavement width of 8.0 metres (excluding gutters) for a distance of 30 metres tapered back over a distance of 30 metres to a right-of-way width of 20.0 metres

with a minimum road pavement width of 8.0 metres (excluding gutters), to the satisfaction of the City.

61. 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>
20m	9.0 m

62. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide a detail concept of the future intersection of Street 'H' and Street 'I' to ensure the intersection is ~~if~~ perpendicular and not into a bend. If necessary, the Owner shall adjust the east limit of the school block to eliminate any future bend through the future intersection of Street 'H' and Street 'I', all to the satisfaction of the City.

63. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide a detailed concept plan showing the alignment of any street and existing accesses across the external roads, to the satisfaction of the City.

~~The Owner shall align Street 'O' with the access to 165 Exeter Road, to the satisfaction of the City.~~

~~The Owner shall convey Future Development Block 49 to the City for future use as needed, at no cost to the City. Should the block not be needed upon development of adjacent lands, the City shall return the Block to the Owner, at no cost to the City.~~

~~The Owner shall install enhanced landscape boulevards on Street 'M' at Exeter Road on a right-of-way width of 22.5 metres with a minimum road pavement width of 11.0 metres (excluding gutters) for a distance of 45 metres tapered back over a distance of 30 metres to the standard secondary collector right-of-way width of 21.5 metres with a minimum road pavement width of 9.5 metres (excluding gutters) to the satisfaction of the City.~~

64. The Owner shall convey Future Development Block 50 to the City for future access use as needed, at no cost to the City. Should the adjacent lands develop for residential use and Future Development Block 50 is required for a private access, Block 50 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-15501) within 30 days of such sale. If this Block is not needed upon development of the lands to the north, the City agrees that the Block will be returned to the Owner for a nominal fee, for use as building lot(s).
65. The Owner shall include in the Agreements of Purchase and Sale for Block 19 and Block 20 and register on the title of all Lots/Blocks adjacent to Block 50 in this plan a warning clause advising the purchaser/transferee that Block 50 may become a future right-of-way should lands to the north develop.
66. The Owner shall design and construct bike lanes on Middleton Avenue (Street A) in accordance with the Complete Streets Design Manual, to the satisfaction of the City Engineer.

Sidewalks

67. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of all streets in this draft plan of subdivision in accordance with the Southwest Area Plan.

~~The Owner shall provide sidewalk links from any private streets to the proposed sidewalk on Exeter Road 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.~~

68. The Owner shall construct a 2.4 metre sidewalk fronting Block 38 on Street 'A', Street 'H' and Street 'I' in accordance with City standards and the City's Access Management Guidelines, to the satisfaction of the City.

Street Lights

69. 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.

70. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary streetlights at the intersection of Wharncliffe Road and Street 'A' and Wharncliffe at Street 'C', to the satisfaction of the City Engineer, at no cost to the City.

Boundary Road Works

71. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment, to the satisfaction of the City Engineer, at no cost to the City.

72. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional consulting engineer submit design criteria, including pavement markings, for the left turn and right turn lane on Wharncliffe Road South at Street 'A', a right turn lane on Wharncliffe Road at Street 'C' and ~~for a left turn lane on Exeter Road at Street 'P'~~ and the construction of any centre median islands as necessary, as determined by the City to restrict access, for review and acceptance by the City.

73. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left and right turn lane on Wharncliffe Road South at Street 'A', to the satisfaction of the City Engineer.

74. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a right turn lane on Wharncliffe Road at Street 'C', to the satisfaction of the City Engineer.

~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install pavement markings for a left turn lane on Exeter Road at Street 'P', to the satisfaction of the City Engineer.~~

75. The Owner shall be required to make minor boulevard improvements on Wharncliffe Road South and ~~Exeter Road~~ 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.

~~In conjunction with Design Studies submission, the Owner shall have its professional consulting engineer submit design criteria, including pavement markings for Street 'O' at Exeter Road and Street 'P' at Exeter road and identify the construction of any centre median islands as necessary as determined by the City to restrict access for review and acceptance by the City.~~

~~The Owner shall implement any recommendations at the intersections of Street 'O' and Street 'P' at Exeter road as identified in the accepted design studies and engineering drawings, to the satisfaction of the City.~~

Road Widening/Road Dedication

76. The Owner shall be required to dedicate sufficient land to widen Wharncliffe Road South and Exeter Road to 18.0 metres (59.06') from the centreline of the original road allowance.
77. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Wharncliffe Road South at Street 'A' and Street 'C', Exeter Road at Street 'P', Exeter Road at Street 'O' and Exeter Road at Street 'M', in accordance with the Z-1 Zoning By-law, Section 4.24.
78. 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 (i.e. where 21.5 m right of way's meet – Street 'A' and Street 'I') to satisfy requirements necessary for servicing bus transit routes, as specified by the City Engineer.

Vehicular Access

79. The Owner shall ensure that no vehicular access will be permitted to any lots and/or blocks from Wharncliffe Road and Exeter Road. All vehicular access is to be via the internal subdivision streets.
80. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall submit detailed concept ~~concept~~ plans of the restricted accesses on Wharncliffe Road at Street 'C', including any proposed islands or centre median islands, to the satisfaction of the City Engineer.
81. The Owner shall restrict access on Wharncliffe Road at Street 'C' to right in and right out only in accordance with the City's Access Management Guidelines (AMG), to the satisfaction of the City Engineer.

~~In conjunction with the Design Studies submission, the Owner shall submit concept plans of the restricted accesses on Exeter Road at Street 'M' and Street 'O', including any proposed or centre median islands, to the satisfaction of the City.~~

~~The Owner shall restrict access on Exeter Road at Street 'O' and Street 'M' to rights-in and rights-out only in accordance with the City's Access Management Guidelines (AMG), to the satisfaction of the City Engineer.~~

Traffic Calming

82. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional engineer provide a detailed conceptual ~~conceptual~~ design of the proposed traffic calming measures along Street 'A', Street 'C', Street 'D', Street 'E', Street 'I', Street 'J', Street 'K', Street 'M', Street 'O' and Street 'P', including roundabouts, parking bays, curb extensions, speed cushions, raised intersections and other measures, to the satisfaction of the City.
83. The Owner shall construct roundabouts, including splitter islands, at the intersections of Street 'A' and Street 'P', to the satisfaction of the City Engineer.
84. The Owner shall construct the following traffic calming measures on Street 'A' and Street 'S', to the satisfaction of the City Engineer:
 - i) Raised intersections along Street 'A' at Street 'F'/'D' and at Street 'I';
 - ii) Curb extensions along Street 'A' at Street 'B'/'E' and Street 'D'/'G';
 - iii) Parking bay on the north side of Street 'A' between Street 'P' and the east limit of the subdivision;
 - iv) ~~Raised intersection on Street 'P' at Street 'L' and Street 'O' at Street 'L';~~
 - v) ~~Parking bay on the west side of Street 'P' between Exeter Road and Street 'A';~~
 - vi) ~~Raised intersection on Street 'M' at Street 'L';~~
 - vii) ~~Parking bay on the west side of Street 'M'; and~~

viii) Parking bay on the west side of Street 'I'.
Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures, to the satisfaction of the City Engineer.

85. The Owner shall construct speed cushions along the following Streets, to the satisfaction of the City Engineer:
- i) Street 'K' between Street 'J' and Street 'L';
 - ii) Street 'J' between Street 'L' and Street 'K';
 - iii) Street 'D' between Street 'E' and Street 'A';
 - iv) Street 'E' between Street 'A' and Street 'H';
 - v) Street 'I' between Street 'A' and Street 'J';
 - ~~vi) Street 'N' between Street 'M' and Street 'O'; and~~
 - vii) Street 'C' between Wharncliffe Road and Street 'B'.

Construction Access/Temporary Access Roads

86. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Exeter Road or other routes as designated by the City.
87. 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. Should an emergency access be required to accommodate development, the Owner shall locate, construct, maintain and close the access to the satisfaction of the City Engineer.
88. 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.
89. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall identify and provide a detail concept of the pathway system, including the portion to be located in the Street 'C' boulevard, to the satisfaction of the City Engineer.

General Engineering

90. In conjunction with the engineering drawing submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC Bylaw) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
91. 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.
92. 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.
93. 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.

94. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
- i) Servicing, grading and drainage of this subdivision;
 - ii) Road pavement structure;
 - iii) Dewatering;
 - iv) Foundation design;
 - v) Removal of existing fill (including but not limited to organic and deleterious materials);
 - vi) The placement of new engineering fill;
 - ix) Any necessary setbacks related to slope stability for lands within this plan; and
 - x) Identifying all required mitigation measures including Low Impact Development (LIDs) solutions; and
 - xi) Any other requirements as needed by the City.
- The Owner shall implement all geotechnical recommendations to the satisfaction of the City all to the satisfaction of the City.

95. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.

~~In the event that relotting of the Plan is undertaken, the Owner shall relocate and construct services to standard location, at no cost to the City and all to the specifications and satisfaction of the City.~~

96. 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.

97. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall have his consulting engineer submit a detailed 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 streets in this plan with Zoning R4-6 on Blocks 27 and 32. 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.

98. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement any approved servicing for the street townhouse units, to the satisfaction of the City Engineer.

~~In the event that servicing is constructed on streets in this plan of subdivision fronting proposed street townhouse blocks prior to site plan approval, the Owner shall relocate any services that are not in standard location, all to the specifications and satisfaction of the City, at no cost to the City.~~

99. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall have its professional engineer submit the ultimate profile for Wharncliffe Road and Exeter Road, to the satisfaction of the City.

100. The Owner shall have the common property line of Exeter Road and Wharncliffe Road South graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Exeter Road and Wharncliffe Road South are the ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

101. 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; and
- 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.

102. 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.

103. 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.

104. 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.

105. 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.

106. 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.

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

108. 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".

109. 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.).

110. 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.
111. In conjunction with the first submission of engineering drawings ~~Design Studies 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.
112. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the Plan.
113. 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.
114. 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.
115. The Owner shall decommission any abandoned infrastructure, (eg. water irrigation, communication tower, lights, etc.) 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.
116. 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.
117. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
118. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the proposed block lotting plan shall be reviewed and accepted with respect to City services, road geometries, easements requirements, etc., to the satisfaction of the City.
119. At the time this plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal storm, water and sanitary works required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.
120. Prior to Final Approval, 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.
121. Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any section(s) of easement(s) in this plan, quit claimed to the satisfaction of the City, at no cost to the City.

122. The Owner shall include in all agreements of purchase and sale and register on the title of all Lots/Blocks in this plan a warning clause advising the purchaser/transferee that these Lots/Blocks are not to be developed until the existing services are removed, alternate services are installed if necessary to replace the existing private services and the existing easement is quit claimed to the satisfaction of the City.
123. ~~The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be constructing the SWM Facilities and Sanitary trunk sewer in 2017. The Owner shall co-operate with the City, as necessary to complete the project, including providing access to their lands and easements as necessary.~~
124. Prior to registration of the plan, the Owner shall decommission any works in the existing easements, as necessary, and the existing easements are to be released, to the satisfaction of the City.
125. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
126. The Owner shall include in any Agreement of Purchase and Sale or lease and in the transfer of deed of all Lots/Blocks in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said Lots/Blocks shall observe and comply with the City easements, private easements and private sewer serviced required for the servicing of external lands to this plan.
- The Owner(s) further acknowledge that no landscaping, vehicular accesses, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading or drainage that services other lands and/or easements.
127. 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, where such services and drainage cannot be accommodated in the existing and/or proposed right-of-way, to the satisfaction of the City, at no cost to the City.

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, R.S.O. 1990, c. P.13 – 39T-16508,
3425 Emily Carr Lane (1160 Wharncliffe Road South)
Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the City Clerk, the report dated January 6, 2020 and entitled “Request for Council Resolution, under section 45(1.4) of the *Planning Act, R.S.O. 1990, c. P.13 – 39T-16508,* 3425 Emily Carr Lane (1160 Wharncliffe Road South)” **BE RECEIVED** for information.

Background

This report is submitted in response to a request to the attached letter (Appendix “A”) from Scott Allen, MHBC Planning, on behalf of Goldfield Ltd., to obtain approval from the Municipal Council to submit a Minor Variance application to for the property known as 3425 Emily Carr Lane (1160 Wharncliffe Road South), within Draft Approved Plan of Subdivision 39T-16508, in the City of London.

Section 45(1.3) of the *Planning Act, R.S.O. 1990, c. P.13* 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, R.S.O. 1990, c. P.13* 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 October 2, 2018, enacted By-Law Z.-1-182694 to amend Schedule “A” to By-law No. Z.-1, as amended, to change the zoning applicable to the lands located at 3425 Emily Carr Lane, from an Urban Reserve (UR4) Zone and Urban Reserve (UR6) Zone TO a Holding Residential R4 Special Provision (h.*h-100*h-104*h-155*R4-4(2)) Zone, Holding Residential R5 (h.*h-100*h-104*h-155*R5-7) and a Holding Residential R8 Special Provision (h.*h-100*h-104*h-198*R8-4) Zone.

In accordance with the above-noted sections of the *Planning Act, R.S.O. 1990, c. P.13*, Scott Allen, MHBC Planning, on behalf of Goldfield Ltd. is requesting authorization from Municipal Council to submit a Minor Variance application with respect to the property known as 3425 Emily Carr Lane (1160 Wharncliffe Road South), within Draft Approved Plan of Subdivision 39T-16508, in the City of London, to permit the development of the subject property with reduced front, exterior side and rear yards of 4.39 / 4.44 / 4.51 metres, respectively, whereas 6.0 metres is required by the Zoning By-law. The applicant may also require relief to the density regulation of the Zoning By-law.

To assist the Municipal Council in consideration of the request, the balance of this report provides background information with respect to the previous *Planning Act R.S.O. 1990, c. P.13* applications and Zoning By-law information pertaining to the subject property.

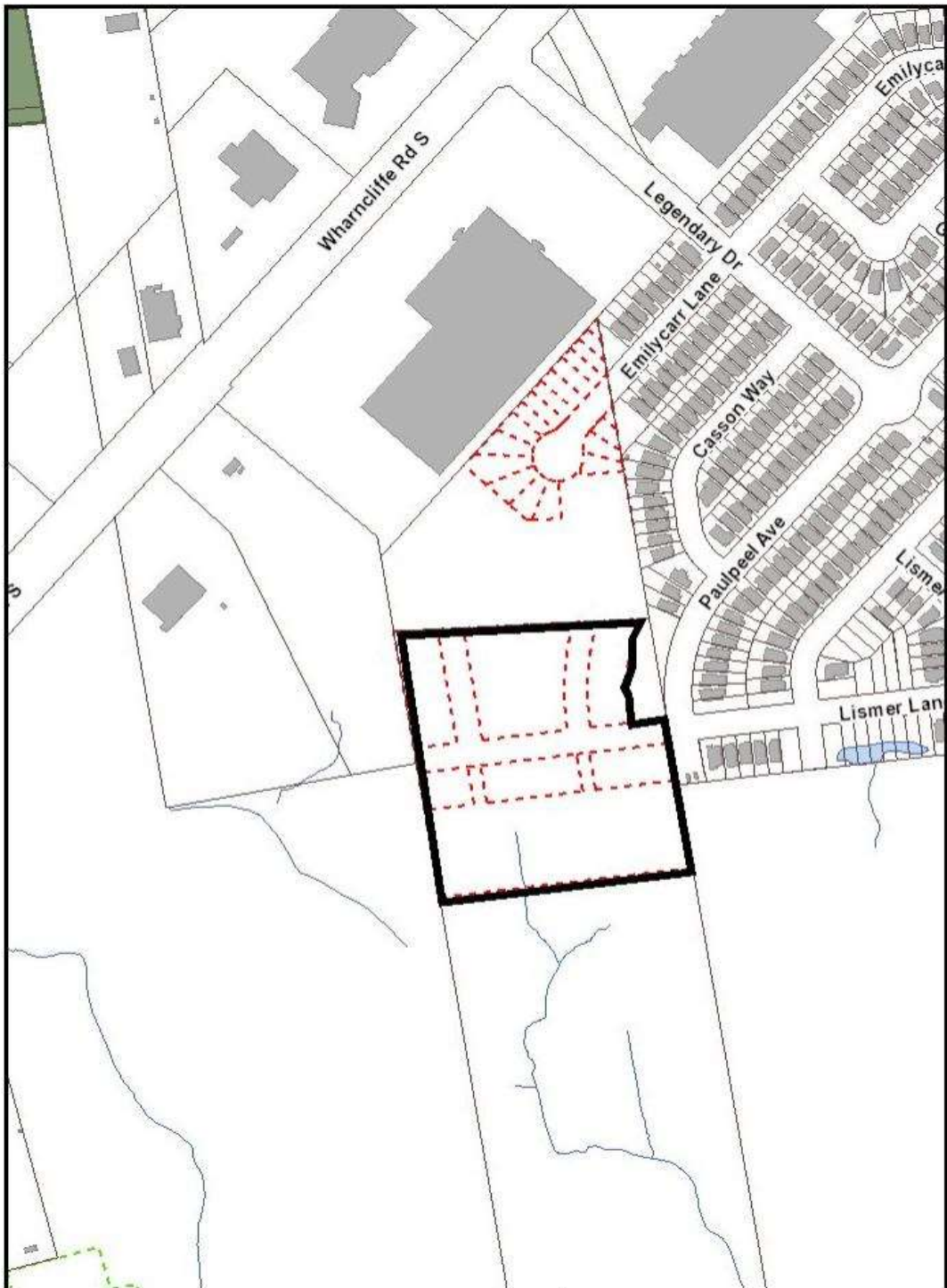
Property History

The request is to seek a resolution from Municipal Council to permit the submission of a Minor Variance Application for the subject property to permit development with reduced front, exterior side and rear yards of 4.39 / 4.44 / 4.51 metres, respectively, whereas 6.0 metres is required by the Zoning By-law. The Applicant may also require relief from the density regulation of the Zoning By-law.

In support of the request, Development Services staff acknowledge that requested front, exterior side and rear yard setback special provision were part of the original Zoning By-law Amendment application submitted as part of this Draft Plan of Subdivision, but were not carried forward for consideration in the Notice of Application and the subsequent approved and in-force Zoning By-law (Z.1-182694). Neither staff nor the Applicant were aware of the omission at that time.

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 by the Committee of Adjustment. Development Services staff will submit a Planning Report providing planning analysis of the request for the Committee of Adjustment's consideration.

Location Map



Location Map

Subject Property: 3425 Emily Carr Lane
 Applicant: FARHI HOLDINGS CORP
 File Number: 39T-16508
 Created By: Craig Smith
 Date: 8/30/2018
 Scale: 1:4000

Legend

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

Corporation of the City of London



Subject Site



Previous Reports Pertinent To This Matter

39T-16508 / OZ-8697 - The Applications submitted by 2178254 Ontario Limited c/o DNL Group Inc. (previous applicant / owner) relates to the properties located known as 3425 Emily Carr Lane (1160 Wharnclyffe Road South), within Draft Approved Plan of Subdivision 39T-16508. A report was submitted to the Planning and Environment Committee on September 24, 2018, related to the request for approval of a Draft Plan of Subdivision consisting of seven (7) medium density residential blocks, two (2) local public street and the extension of Lismer Way to the west

Block 6 of Draft Plan of Subdivision 39T-16508, which is the central Block within the Draft Plan flanked by Emily Carr Lane, Lismer Road and Street 'A' is the property that is the subject of the future Minor Variance application submission, if permitted by Municipal Council. As part of the Draft Plan of Subdivision and rezoning application, Block 6 was rezoned to a Holding Residential R5 (h.*h-100*h-104*h-155*R5-7) Zone.

Planning History

The Application for Draft Plan of Subdivision Approval was accepted on October 16, 2016 and a revised Application was accepted on May 30, 2017 and again on April 15, 2018. The Application was circulated to the required agencies and municipal departments on November 17, 2016. Notice of Application was sent to all property owners within 120m of the subject property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 24, 2016. On June 21, 2018, a Revised Notice of Application was sent to all property owners within 120m of the subject property and on June 28, 2018, the Revised Notice of Application was published in *The Londoner*. A notice of a Public Participation Meeting was advertised in *The Londoner* on September 6, 2018 and a notice of a Public Participation Meeting was sent out on September 6, 2018. The Public Participation Meeting was held on September 24, 2018. No comments were received from the public at the Public Participation Meeting.

Municipal Council advised the Approval Authority of its support for the issuance of draft approval of the proposed plan of subdivision, submitted by 2178254 Ontario Limited c/o DNL Group Inc. (previous applicant / owner) subject to conditions contained in the report dated September 24, 2018.

Draft Plan Approval was granted by the Approval Authority on October 23, 2018.

Pertinent Matters from the Municipal Council Direction granting Approval

The subject site identified as Block 6 of draft plan 39T-16508, known municipally as 3425 Emily Carr Lane (1160 Wharnccliffe Road South), is currently zoned Holding Residential R5 (h.*h-100*h-104*h-155*R5-7). The Zone approved by Municipal Council includes some of the following lot regulation listed below:

R5-7)

a) Regulations

- Lot Area (Minimum) 1,000 m²
- Lot Frontage (Minimum) 10 m
- Yard Setbacks:
 - Front Yard 6.0 m
 - Interior Yard 6.0 m
 - Exterior Yard 6.0 m
- Landscape Open Space (Min) 30%
- Height (Maximum) 12 m
- Lot Coverage (Max) 45%
- Density 40 units per hectare

The following holding provisions have also been applied to this site:

- (h) holding provision - To ensure that there is orderly development through the execution of a or 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-104) - 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

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 R.S.O. 1990, c. P.13* 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 R.S.O. 1990, c. P.13* (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).

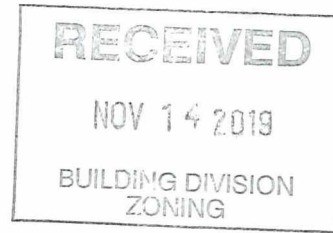
The Applicant has made a request of Municipal Council by way of the Planning and Environment Committee in accordance with Section 45 (1.4), to permit such a resolution to be passed.

It should be noted that Minor Variance applications 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 front, exterior side and rear yard setback (and if required, Density) staff will present recommendations to the Committee of Adjustment with regard to the planning merits of the Application.

SUBMITTED BY:	CATHY SAUNDERS CITY CLERK
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KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

November 14, 2019

Mark Smith, Business and Zoning Co-ordinator
Development and Compliance Services Division
City of London
300 Dufferin Avenue
London, ON N6A 4L9

Dear Mr. Smith:

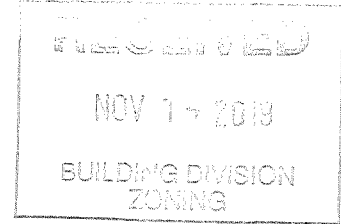
**RE: Minor Variance Application Consultation
1160 Lismer Lane (Block 6; Draft Plan 39T-16508), London
Goldfield
OUR FILE 17334'I'**

On behalf of Goldfield, MHBC is submitting a Minor Variance application for the above-referenced property (the Site). The Site fronts the north side of Lismer Lane, and is bounded by David Milne Way to the east and Emily Carr Lane to the west. This parcel measures approximately 6,389 m² in area and has approximately 66 m of lot frontage on Lismer Lane. These lands are located within the North Longwoods Residential Neighbourhood of the City's Southwest Planning Area, and are currently vacant.

Proposal

The enclosed Site Plan prepared by Strik Baldinelli Moniz (SBM) illustrates the development plan designed for the Site. Below is a summary of the major components of the Goldfield proposal:

- Five townhouse blocks (Blocks 'A' to 'E') integrating back-to-back and conventional townhouse configurations providing a total of 40 residential units (equating to a residential density of 63 units/ha). The proposed townhouse blocks range in scale from Block 'C', which accommodates four units and encompasses a building area of approximately 242 m², to Block 'B', which contains 12 units and incorporates approximately 718 m² of ground floor area. In total, the development layout encompasses a total building area of approximately 2,387 m² and a total landscape area of approximately 2,107 m²;
- Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the northern property boundary (interfacing with planned residential development on lands addressed as 3425 Emily Carr Lane);
- An internal driveway arrangement integrating accesses from Lismer Lane and David Milne Way; and



- At-grade parking areas accommodating two spaces per unit, as well as barrier free and visitor parking.

A Site Plan Approval pre-application consultation meeting was held for the proposed cluster townhouse development on August 8, 2019. As set out in the associated 'Record of Site Plan Consultation' a Minor Variance application is be required to address certain components of the proposed development layout (discussed below).

Planning Context

1989 Official Plan

Schedule 'A' of the City of London Official Plan (1989) designates the subject lands 'Multi-Family, Medium Density Residential'. Section 3.3.1 of this Official Plan prescribes that the primary permitted uses in this designation include multiple-attached dwellings (e.g., row houses, cluster houses), low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged.

With respect to development scale, Section 3.3.3 of the 1989 Official Plan states that building heights in this designation will normally not exceed four storeys. However, as stated in this Section, "In some instances, height may be permitted to exceed this limit, if determined through a compatibility report as described in Section 3.7.3 to be appropriate subject to a site specific zoning by-law amendment and/or bonus zoning provisions of Section 19.4.4 of this Plan." Subsection ii) prescribes that residential densities in this designation would normally not exceed 75 units/ha, and are limited to a maximum of 100 units/ha. It is further stated that exceptions to this policy are permitted in certain instances, including applications that qualify for density bonusing.

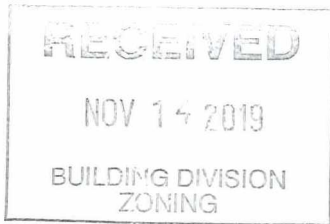
New Official Plan (The London Plan)

The project site is designated Neighbourhoods on the land use schedule of the City's new Official Plan (Map 1 - Place Types). Several residential forms and secondary uses (e.g., retail/service commercial activities, community facilities, small-scale offices) are permitted in the Neighbourhoods place type; contingent upon the adjacent road network delineated on Map 3 (Street Classifications). With respect to the proposed Draft Plan, the site is bounded by three roads classified as 'Neighbourhood Streets' (i.e., local roads).

Tables 10 and 11 of the new Official Plan (The London Plan) generally specify the land use, intensity and building form permissions in the Neighbourhoods place type. Given the attributes of the subject lands noted above, The London Plan permits these lands to be developed for a limited range of low and medium density residential types (e.g., single detached, semi-detached, duplex dwellings, townhouses). Building heights at this location are limited to 2.5 storeys. There are no residential density restrictions applied to the Neighbourhoods place type.

Southwest Area Plan

Block 6 is designated 'Medium Density Residential' under the Secondary Plan applying to this site; the Southwest Area Plan (SWAP). The property is also located in the SWAP's North Longwoods Residential Neighbourhood. In this Neighbourhood, the Medium Density Residential allows for those housing types



permitted by the Multi-Family, Medium Density Residential designation of the 1989 Official Plan (including townhouses).

Zoning By-law

Block 6 is zoned 'Residential R5 (R5-7)', with holding provisions, pursuant to the City's Zoning By-law Z-1. Section 9.1 of the Zoning By-law states that the parent R5 Zone provides for and regulates medium density residential development in the form of cluster townhouses. Permitted uses in the standard R5 Zone Variations are limited to cluster townhouse dwellings and cluster stacked townhouse dwellings.

Table 1 below compares the proposed Site Plan with the applicable regulations of the R5-7 Zone Variation (pursuant to Table 9.3 of the Zoning By-law).

Table 1 – Zoning Comparison (R5-7 Zone Variation)

Regulation	Required	Proposed
Lot Area (min.)	1,000 m ²	6,389.2 m ²
Lot Frontage (min.)	10 m	66.2 m
Front Yard Depth (min.)	6.0 m	4.39 m
Exterior Side Yard Depth (min.)	6.0 m	4.44 m
Interior Side Yard Depth (min.)	6.0 m	n/a
Rear Yard Depth (min.)	6.0	4.51
Landscaped Open Space (min.)	30 %	36.3 %
Lot Coverage (max.)	45.0 %	35.2 %
Height (max.)	12.0 m	< 12.0 m
Density (max.)	60 units/ha (38 units)	63 units/ha (40 units)

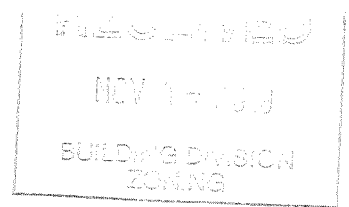
As highlighted on Table 1, the following relief is required to implement the planned development:

- A reduction in the minimum front yard setback from 6.0 m to 4.3 m;
- A reduction in the minimum exterior side yard setback from 6.0 m to 4.4 m;
- A reduction in the minimum rear yard setback from 6.0 m to 4.5 m; and
- An increase in the maximum residential density from 60 units/ha to 63 units/ha.

Minor Variance Request

Under the terms of Section 45(1) of the Planning Act, applications for Minor Variance are considered on the basis of four 'tests':

1. Is the variance minor?
2. Is it desirable for the appropriate development or use of the land, building or structure?
3. Is the general intent and purpose of the Official Plan being maintained?
4. Is the general intent and purpose of the Zoning By-law being maintained?



The following discussion evaluates the application in relation to the prescribed tests:

1. Is the variance minor?

With respect to the requested density increase, three (3) additional units per hectare are required to accommodate the intended development. It is our opinion that this requested (1) does not appreciably increase the total unit yield on site and (2) does not result in an overdevelopment of lands intended for medium density residential purposes. Rather, in our opinion, the back-to-back and conventional townhouse configurations associated with this project encourages a compact, efficient development pattern. Regarding the requested reductions in building setbacks:

- The proposed front and exterior side yard setbacks position townhouse units in all Blocks closer to the street than standard zoning requirements. Consistent with contemporary urban design principles, the proposed layout supports both compact design and a pedestrian-oriented environment.
- Reduced rear yard setbacks are proposed for Blocks 'A' and 'C', which are situated along the northern property limit of the Site. In our opinion, the proposed setbacks provide an adequate separation distance from single detached residential developments planned immediately north of the Site (3425 Emily Carr Lane). Solid board fencing would be installed along the entire northern property line of the Site in order to provide (1) an appropriate level of privacy for local residents and (2) adequate buffering to minimize potential conflicts between the two development sites.

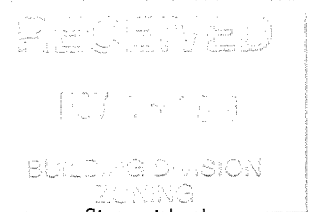
In light of these considerations, it is our opinion that the requested increase in residential density and the requested reduction in front yard, exterior side yard and rear yard setbacks should not generate significant land use conflicts with adjacent properties. It is therefore our opinion that the proposed variances from the R5-7 Zone are minor in nature.

2. Is it desirable for the appropriate development or use of the land, building or structure?

In our opinion, the proposal represents an efficient development form that promotes the intensification of lands: located within the City's Urban Growth Boundary; designated for medium density residential uses; and zoned to permit townhouses. The Site is also suitable for the intended use given its proximity to established and planned residential neighbourhoods, local and regional-scale commercial activities, employment opportunities, public transit, schools, parks, open space, and trail systems. Additionally, the lands benefit from (1) convenient access to the arterial road network and (2) the provision of municipal servicing infrastructure (existing and planned) and public service facilities. Accordingly, and with consideration for other matters discussed in this letter, it is our opinion that the requested variances are desirable to facilitate the appropriate development and use of the land.

3. Is the general intent and purpose of the Official Plan being maintained?

It is our opinion that the requested variances maintain the general intent and land use permissions of the 1989 Official Plan, The London Plan and the SWAP. In this respect, the Site is to be developed for townhouse forms permitted under the applicable residential designation of each Plan. Additionally, pursuant to 20.5.11 of the SWAP, in our opinion the proposed development plan is compatible with the mix of land uses within the North Longwoods Residential Neighbourhood and promotes street-



oriented built form. Further, it is our opinion that the requested variances do not conflict with the SWAP vision for the North Lambeth Residential Neighbourhood (i.e., to promote development reflective of the existing neighbourhood character).

4. Is the general intent and purpose of the Zoning By-law being maintained?

The setback regulations prescribed in the Zoning By-law provide for adequate separation and privacy between cluster housing units and adjacent properties. In our opinion, the requested variances from the minimum front yard, exterior side yard and rear yard regulations of the R5-7 Zone maintain the general intent and purpose of the Zoning By-law in light of commentary provided in this letter. As discussed, reduced front and exterior side yard setbacks are proposed for Blocks 'A' and 'C' to position townhouse units closer to the adjacent local streets, thereby promoting a pedestrian orientation and aligning with contemporary design principles. The reduced rear yard setback proposed for these Blocks will be mitigated with provision of a solid board privacy fence planned along the northern perimeter of the Site. Given these considerations, reducing the noted setbacks for these townhouse units should not result in an appreciable loss of separation distance or privacy for neighbouring developments.

Regarding the request for an increase density on the Site, in our opinion, the intent of the 60 units/ha maximum density requirement is to support medium density development that is compatible with neighbouring development and avoids overdevelopment of project sites. As noted in Table 1, a total of 38 units are permitted on the Site based on a 60 units/ha maximum requirement. In our opinion, the proposed 40-unit layout would have a minimal impact on both the compatibility of this development with neighbouring uses and the overall intensity of this townhouse cluster. Further, the proposed density (63 units/ha) does not exceed the normal maximum density set out for the Multi-Family, Medium Density Residential designation of the 1989 Official Plan (75 units/ha). Accordingly, it is our opinion that the requested density variance maintains the intent of the Zoning By-law.

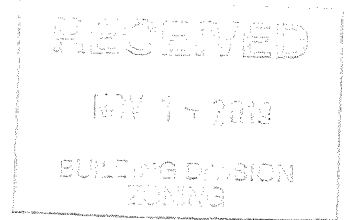
Given the foregoing, it is our opinion that the requested relief is minor in nature, desirable for the appropriate development of the subject lands and is in keeping with the purpose and intent of both the Official Plan and the Zoning By-law.

Enclosed Material

In support of this application, please find enclosed the following:

- Two (2) copies of the Minor Variance application (including a draft Zoning Referral Record and the Preliminary Site Plan);
- A cheque for the Minor Variance application fee; and
- A digital copy of the submission material.

Please note that the draft Zoning Referral Record was previously submitted to the Development Services Division for review. We understand that this draft Record is being reviewed by Dan FitzGerald, Site Development Planner.



We look forward to working with staff on the review of this application. Should you have any questions pertaining to our submission, please do not hesitate to contact the undersigned.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Scott Allen".

Scott Allen, MA, RPP
Partner

cc. *Mohamed Abuhajar; Incon
Kyle Kane, Nelson Guiot; SBM*

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 and Heritage Alteration Permit
**Application by Distinctive Homes London Ltd. at 88
 Blackfriars Street, Blackfriars/Petersville Heritage
 Conservation District**

Public Participation Meeting on: Monday January 6, 2020

Recommendation

That, on the recommendation of the Managing Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the demolition of the existing building and approval for a proposed building, as described herein and shown in Appendix D, on the property at 88 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

- a) Buff brick be used for the exterior cladding of the proposed building;
- b) A painted wood front door be used for the proposed building;
- c) Parking be limited to a driveway to the west of the proposed building with front yard parking prohibited;
- d) The Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,
- e) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Executive Summary

A demolition request and Heritage Alteration Permit application have been submitted for the property at 88 Blackfriars Street, a Contributing Resource in the Blackfriars/Petersville Heritage Conservation District.

Analysis

1.0 Background

1.1 Location

The property at 88 Blackfriars Street is located on the south side of Blackfriars Street between Albion Street and Wharncliffe Road North (Appendix A).

1.2 Cultural Heritage Status

The property at 88 Blackfriars Street is located within the Blackfriars/Petersville Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* in 2015. The property at 88 Blackfriars Street is identified as a Contributing Resource by the *Blackfriars/Petersville Heritage Conservation District*, meaning it contributes to the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District.

1.3 Description

The dwelling located at 88 Blackfriars Street is a single storey, frame building with a shallow hipped roof and central gable (Appendix B). The Contributing Resource was constructed in c.1876.

1.4 Property History

The Euro-Canadian history of the subject property at 88 Blackfriars Street begins with the first survey of London Township (1810). The *Blackfriars/Petersville Heritage Conservation District Study* (2014) reports the early Euro-Canadian history of the area, including Joshua Applegarth's cultivation of hemp at the Forks of the Thames and the acquisition of Lots 1-2, east of the Wharncliffe Highway (or Proof Line) in 1832 by John Kent. In 1848, John Kent began to survey his property on the east side of the North Branch of the Thames River into park lots (RP191(W)), generally thought to be intended for small farms or market gardens. Lot 1, on the east side of "the Wharncliffe Road" and on the west of Centre Street (now Wilson Avenue), was purchased by Duncan Campbell in 1852, who, in May 1856, surveyed the park lot into smaller lots for development in RP111(W).

A review of the available records in the land registry office suggest that Duncan Campbell's plan of subdivision, Registered Plan 111(W), was not developed until the mid-1870s. The subject property at 88 Blackfriars Street includes parts of Lots 19-20 on RP111(W), with the transactions in 1876.

In 1876, the lot was conveyed to Elizabeth Drummond, with mortgages taken out in 1876, 1878, 1886 (two) before the property was sold to William Nicholls by James Blair (Trustee) in 1891. The property was sold to Herbert V. Nicholls in 1911 for \$1.00, suggesting a familial relation between the grantee and grantor (Instrument 15275). Some transactions in the 1930s and 1940s appear to suggest boundary adjustments to the Lots 19 and 20 in RP111(W). Information ascertained from the City Directory suggests that the property was a rental, as the occupants changed every few years particularly during the 1890s and early 1900s (Appendix C).

On September 10, 1931, John and Annie Petfield purchased the property for \$1,800 (Instrument 30853). John H. Petfield is recorded as the occupant of the property at 88 Blackfriars Street from at least 1905 until his death on April 2, 1962 (he was predeceased by his wife, Annie, on October 1, 1953) (Instrument GR17545). This suggests that John and Annie Petfield were first tenants of the property and later property owners. On November 9, 1962, the property was sold by the estate of John H. Petfield to Thomas H. Gerry (Instrument 106636). Following the death of Thomas H. Gerry in 1986, the property was granted to Jennie Leona Gerry, his wife, who granted the property in 1987 to Patricia Leone Swatuk (Instruments 729591, 757164). In the same year, she sold the property to Murray Lee Milligan for \$56,000 (Instrument 764331). The property changed hands several more times and was purchased by the current owner in July 2018.

Based on the form and remaining details of the property, and supported by some documentation within the land registry records, the ascribed date of construction of circa 1876 is believed to be accurate for the existing dwelling.

2.0 Legislative/Policy Framework

2.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement* (2014) promotes the wise use and management of cultural heritage resources and directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved."

2.2 Ontario Heritage Act

Section 42 of the *Ontario Heritage Act* requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit:

- 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 make a decision on the Heritage Alteration Permit application within 90 days or the request is deemed permitted (Section 42(4), *Ontario Heritage Act*).

2.3 The London Plan

The policies of *The London Plan* found in the Cultural Heritage chapter support the conservation of London's cultural heritage resources. Policy 554_ of *The London Plan* articulates one of the primary initiatives as a municipality to "ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources." To help ensure that new development is compatible, Policy 594_ (under appeal) of *The London Plan* provides the following direction:

1. *The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district.*
2. *The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area.*
3. *Regard shall be had at all times to the guidelines and intent of the heritage conservation district plan.*

Policy 13.3.6 of the *Official Plan* (1989, as amended) includes similar language and policy intent.

Policy 597_ states,

Where a property is located within a heritage conservation district designated by City Council, the alteration, erection, demolition, or removal of buildings or structures within the district shall be subject to the provisions of Part V of the Ontario Heritage Act.

Policy 600_ states,

Where a property within a heritage conservation district is to be demolished or removed, the City will ensure the owner undertakes mitigation measures including a detailed documentation of the cultural heritage features to be lost, and may require the salvage of materials exhibiting cultural heritage resources for the purpose of re-use or incorporation into the proposed development.

2.3 Blackfriars/Petersville Heritage Conservation District

The Blackfriars/Petersville Heritage Conservation District is recognized for its significant cultural heritage value, not just for its individual cultural heritage resources (Contributing Resources) but for the value that they have together, collectively. The goals of the designation of Blackfriars/Petersville as a Heritage Conservation District pursuant to Part V of the *Ontario Heritage Act* support the conservation of its resources. Specifically for its cultural heritage resources:

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.*

To implement this goal and these objectives, the policies of Section 7.5 (Demolition of Contributing Resources), Section 7.7.1 (Residential Area), and the design guidelines of Section 10.3.2 (Design Guidelines – New Buildings - Residential) and applicable

Architectural Conservation Guidelines of Section 11 were considered in the evaluation of the demolition request and Heritage Alteration Permit application.

The Blackfriars/Petersville Heritage Conservation District Plan identifies Contributing Resources and Non-Contributing Resources. The property at 88 Blackfriars Street is identified as a Contributing Resource. Contributing Resources are defined as

A property, structure, landscape element, or other attribute of a Heritage Conservation District that supports the identified cultural heritage values, character, and/or integrity of the HCD. Contributing Resources are subject to the policies and guidelines for conservation, alteration, and demolition.

The demolition of a Contributing Resource is discouraged by the policies and guidelines of the *Blackfriars/Petersville Heritage Conservation District Plan*. Section 7.5.1 recognizes that situations may arise where the demolition of a Contributing Resource is necessary. The demolition of a Contributing Resource is the last option, after all other potential options have been exhausted.

Applicable policies of Section 7.5.1 regarding the demolition of a Contributing Resource include:

- Policy 7.5.1.c *The demolition or relocation of contributing resources located within the Blackfriars/Petersville Heritage Conservation District is strongly discouraged and will only be permitted in exceptional circumstances.*
- Policy 7.5.1.d *All options for on-site retention of contributing resources must be exhausted before resorting to relocation or demolition. The following alternatives must be given due consideration in order of priority:*
- i) On-site retention in the original use and integration with the surroundings;*
 - ii) On site retention in an adaptive reuse;*
 - iii) Relocation to another site within the Heritage Conservation District; and,*
 - iv) Relocation to another site within the City.*
- Policy 7.5.1.e *In the event that demolition, relocation or irrevocable damage to a contributing resource is unavoidable as determined by Council, thorough archival documentation is required to be undertaken by the proponent and made available to the City for archival purposes.*
- Policy 7.5.1.f *The above-noted archival documentation must be prepared by a qualified heritage architect or built heritage specialist and include at least the following as appropriate, or additional matters as specified by the City:*
- i) Architectural measured drawings;*
 - ii) Land use history; and,*
 - iii) Photographs, maps and other available materials about the cultural heritage resource and its surrounding context.*
- Policy 7.5.1.g *Any proposal to demolish or relocate a contributing resource, or portion thereof, located within the Blackfriars/Petersville Heritage Conservation District shall require the approval of the Council of the City of London;*
- Policy 7.5.1.h *The proponent of any proposal to demolish a contributing resource, or portion thereof, located within the Blackfriars/Petersville Heritage Conservation District shall be required to provide supporting evidence and documentation demonstrating the necessity of the demolition, as well as the exploration of all other, more desirable conservation approaches to the satisfaction of the City's Heritage*

Planner. This may take the form of a Heritage Impact Assessment and/or Demolition Plan.

Policy 7.5.1.i *Salvage or reclamation of materials from a demolished contributing resource is encouraged.*

The policies of Section 7.7 are intended to assist in the management of change within the Residential Area of the *Blackfriars/Petersville Heritage Conservation District*. Guidelines for new buildings are found within Section 10.3.2 of the *Blackfriars/Petersville Heritage Conservation District Plan*.

3.0 Demolition Request & Heritage Alteration Permit Application

The property owner's written notice of intention to demolish the building located at 88 Blackfriars Street was received on October 25, 2019. The demolition request was accompanied by a Heritage Impact Assessment (Thor Dingman B. Architecture Sc. Inc., dated October 21, 2019).

The Heritage Alteration Permit application was submitted by an authorized agent for the property owners and received on November 8, 2019. The applicant has applied for a Heritage Alteration Permit for a new building with the following details:

- New, proposed building with the following details:
 - Two storey with a footprint of 1220 square feet (113.3m²), approximately 28'9" in width by 42'5" in depth built on a concrete foundation;
 - Three-bay façade design, with a central doorway;
 - Brick exterior cladding (reclaimed/salvaged buff brick proposed);
 - Vinyl simulated divided light, two-over-two windows with a cut stone sill and brick soldier course lintel;
 - Front door;
 - Shallow pitched hipped roof (4/12 pitch) clad in asphalt shingles;
 - Front porch with hipped roof and paneled columns, set on a concrete base with two steps (less than 24" above grade); and,
 - Single width asphalt driveway to the west of proposed building (no garage) and a new concrete walkway from the sidewalk to the porch.

Drawings for the proposed building are attached to this report as Appendix D. The Heritage Impact Assessment (Thor Dingman B. Architecture Sc. Inc., dated October 21, 2019) is attached as Appendix E).

As the demolition of a Contributing Resource is a major alteration within a Heritage Conservation District, consultation with the London Advisory Committee on Heritage is required. Consistent with Policy 7.5.1.g, a decision of Municipal Council is required.

Per Section 42(4) of the *Ontario Heritage Act*, Municipal Council must make a decision on this demolition request and Heritage Alteration Permit application by January 23, 2020 or the request is deemed permitted.

The scope of the designation of the subject property in the Blackfriars/Petersville Heritage Conservation District is limited to the exterior of the building and property; interior design is not subject to the approvals required pursuant to the *Ontario Heritage Act*.

4.0 Analysis

One of the goals of the designation of the Blackfriars/Petersville Heritage Conservation District pursuant to the *Ontario Heritage Act* is to avoid the unnecessary demolition of identified heritage resources (Contributing Resources). It is the onus of the proponent to demonstrate the necessity of the demolition of a Contributing Resource in compliance with Policy 7.5.1.h of the *Blackfriars/Petersville Heritage Conservation District Plan*.

To support the demolition request, a Heritage Impact Assessment (HIA) (Thor Dingman B. Architecture Sc. Inc., dated October 21, 2019) was submitted as part of the demolition Request. The HIA is appended to this report as Appendix E.

4.1 Review of the Heritage Impact Assessment

The HIA (TD-BAS) undertook site-specific analysis to understand how the subject property *fits* within the context of the Blackfriars/Petersville Heritage Conservation District. Limited historical research, supplemented by the property history presented in Section 1.4 of this report, positioned the property in the context of the Blackfriars/Petersville Heritage Conservation District. The property-based research did not identify any specific or significant historical associations of the subject property. Extensive documentation and consideration of its context was presented. The HIA found that 50% of the building stock on Blackfriars Street was constructed before 1900 and that 80% of the building stock was one or one-and-a-half storey buildings (TD-BAS, Section 3.4, 21).

The HIA undertook an evaluation of the property using the criteria of O. Reg. 9/06. As the property has been identified as a Contributing Resource as part of the *Blackfriars/Petersville Heritage Conservation District Plan*, designated pursuant to Part V of the *Ontario Heritage Act*, it was unclear why this evaluation was completed. Staff have not completed a detailed review of this evaluation. However, the evaluation found that the property has cultural heritage value and heritage attributes of the subject property were identified.

4.2 Demolition of a Contributing Resource

Demolition of a Contributing Resource is strongly discouraged. Policy 7.5.1.c of the *Blackfriars/Petersville Heritage Conservation District Plan* directs that demolition of a Contributing Resource should be permitted only in exceptional circumstances.

Options for retention of the Contributing Resource were considered in Section 4.3 of the HIA (TD-BAS, 31). It concluded that the existing resource was “virtually beyond repair or salvage” and that “repairs are impractical and not advised.” The HIA has articulated that demolition of the existing Contributing Resource at 88 Blackfriars Street is unavoidable. This Contributing Resource has suffered years of neglect, resulting in the frustrating position that it is not “practical or feasible” to repair the resource because of its “advanced state of neglect.” The HIA reported that the existing building had not been inhabited for approximately 18 years.

The HIA considered options for on-site retention, on-site retention and adaptive reuse, and relocation, in compliance with Policy 7.5.1.d. Section 4.4 of the HIA (TD-BAS, 32) states, “the retention, repair and restoration, adaptive reuse or relocation of the building is untenable [sic.] due to the advanced deterioration of the structure due to long term neglect and abandonment.”

Demolition of a Contributing Resource in the Blackfriars/Petersville Heritage Conservation District is the least desired outcome. The analysis completed in the HIA found no alternatives to the demolition of the building, citing its condition. No significant historical or associative values unique to this property were identified, which would otherwise force the preservation of a cultural heritage resource.

The demolition of a Contributing Resource will have a negative impact on the cultural heritage values of the subject property and on the Blackfriars/Petersville Heritage Conservation District. The HIA states,

In conclusion, the loss of the contributing heritage property at 88 Blackfriars Street results in a negative impact on the neighbourhood along Blackfriars Street and throughout its connection within the broader context of the HCD. Due to serious and irreversible structural deterioration the heritage resource cannot be retained. Mitigation of this loss is achieved through the effective incorporation of the HCD design guideline recommendations in the design of the new house (TD-BAS, 45).

The HIA recommends that the loss of this Contributing Resource can be mitigated by the design of a new building at the property.

Pursuant to Policies 7.5.1.e-f of the *Blackfriars/Petersville Heritage Conservation District Plan* and Policy 600_ of *The London Plan*, archival documentation of the subject property is required. The information contained within the HIA, accompanied by this report, can serve to document the land use history of the property and other available material about the cultural heritage resource. Measured drawings of the existing building have been submitted to the satisfaction of the Heritage Planner, as part of the HIA.

With the advanced state of deterioration of the existing building noted by the HIA and knowledge that the front door was stolen, no elements of the existing building have been identified or recommended for salvage prior to demolition.

4.2 Heritage Alteration Permit (New Building)

As the HIA has articulated that the demolition of the existing Contributing Resources unavoidable, the HIA recommends the mitigation of this loss through the design and construction of a new building on the property that complies with the design guidelines for new buildings. While the approval of a Heritage Alteration Permit with terms and condition may signal an intent or desire, no planning mechanism can compel the construction of a new building.

Section 7.7 of the *Blackfriars/Petersville Heritage Conservation District Plan* identifies policies for the residential area. These policies are intended to ensure the conservation of the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District. The following policies were used in the analysis of the proposed building at 88 Blackfriars Street.

Table 1: Policies and Analysis of Section 7.7.1, Residential Areas, of the Blackfriars/Petersville Heritage Conservation District Plan

Policies	Analysis
a) The predominant form of development within the residential area should continue to be single detached dwellings of 1 – 1 ½ storeys	Information presented in Section 3.4 of the HIA (TD-BAS) found that 80% of the buildings on Blackfriars Street were one or one-and-a-half storeys in height. Some examples of two-storey residential buildings were identified in the surrounding area (e.g. buildings at 167 Wharncliffe Road North, 88 Albion Street, 29 Argyle Street, 13 Napier Street), demonstrating the general compatibility of a two-storey building in the area. The form of development will remain a detached dwelling at 88 Blackfriars Street.
b) Proposed development or site alteration that is not sympathetic to the heritage attributes and cultural heritage value of Blackfriars/Petersville Heritage Conservation District, and which may have a negative impact on the residential area, shall be discouraged	The design guidelines of Section 10.3.2 of the <i>Blackfriars/Petersville Heritage Conservation District Plan</i> will be applied to evaluate the design of the proposed building; see Table 2 (below).

Policies	Analysis
c) Where incompatible land use and/or built form already exists, their replacement with land uses and built form that contribute to the cultural heritage value of Blackfriars/Petersville Heritage Conservation District should be encouraged	No land use change is proposed.
d) The creation of new lots or enlarging existing lots within Blackfriars/Petersville Heritage Conservation District should be discouraged, unless resulting in lot(s) are of compatible depth, width, and overall size and configuration as surrounding and/or adjacent lots	No new lot/lot fabric alteration is proposed.
e) Continued or adaptive reuse of a contributing resource is encouraged rather than demolition and development	See Section 4.1 of this staff report and Appendix E; the HIA submitted in support of this application found the demolition of the existing Contributing Resource to be unavoidable.
f) Gaps in the streetscape are discouraged	To discourage a vacant lot within the Blackfriars/Petersville Heritage Conservation District, the demolition request for the existing Contributing Resource at 88 Blackfriars Street is being brought forward with a Heritage Alteration Permit application for a proposed building.
g) The conservation of front porches, gardens and other front yard features is encouraged to support a friendly atmosphere and interactions among neighbours	The proposed building retains the front yard character of the existing property. The design of the proposed building includes a front porch (see Appendix D).
h) Replacement of buildings lost due to circumstances such as severe structural instability, fire, flood or other reasons shall be sympathetic , respectful , and contextual to the heritage attributes and cultural heritage value of Blackfriars/Petersville Heritage Conservation District	The design guidelines of Section 10.3.2 of the <i>Blackfriars/Petersville Heritage Conservation District Plan</i> will be applied to evaluate the design of the proposed building; see Table 2 (below).
i) New development shall conserve the continuity of the street edge by implementing setbacks, form, scale, and massing similar to adjacent protected resources along the streetscape	The proposed building maintains the general setback of dwellings on the south side of Blackfriars Street and contributes to the rhythm of the street in general form, scale, and massing.
j) Additions should be generally located in the rear or side yards to maintain the consistent street edge, front yard landscaping, front porches, and front façade of protected heritage resources	Not applicable.

Policies	Analysis
k) Parking should be located in the driveways at the side of the dwelling or in a garage at the rear of the main building, wherever possible. New garages shall not be permitted at the front of the building. Front yard parking shall be discouraged	Parking for the proposed building is located to the west side. No front yard parking is proposed or permitted.
l) Ongoing maintenance of protected heritage resources should be promoted to build a sense of community pride. Property standards shall be enforced within the Blackfriars/Petersville Heritage Conservation District	
m) The conservation of landscaped areas and mature vegetation should be encouraged	The proposed building will maintain a landscaped area in front of the proposed building.
n) The planting of new trees where gaps exist to contribute to the urban forest should be encouraged	Noted.
o) Along major entrances, particularly along Wharncliffe Road North, Oxford Street West, Blackfriars Street, Riverside Drive/Queens Avenue, development should generally reflect the character of the area and instill a sense of arrival	The HIA states that the proposed building will improve the gateway at Blackfriars Street. Gateways in Section 12.9 of the <i>Blackfriars/Petersville Heritage Conservation District</i> are generally considered to be public features, rather than private property. The built form and setbacks of the proposed building will make positive contributions, in accord with the guidance of Section 10.2.1 (Key Elements: Building Form, Massing, Height, Width, and Visual Depth) of the <i>Blackfriars/Petersville Heritage Conservation District</i> .

Design guidelines included within Section 10.3.2 of the *Blackfriars/Petersville Heritage Conservation District Plan* were used in the analysis of the proposed building at 88 Blackfriars Street.

Table 2: Guidelines and Analysis of Section 10.3.2, New Buildings, of the Blackfriars/Petersville Heritage Conservation District Plan

Guideline	Analysis
Match setback, footprint, size and massing patterns of the area, particularly to the immediately adjacent neighbors. Match façade pattern of street or of “street wall” for solids and voids, particularly to ensure continuity of the street wall where one exists.	The setback of the proposed building is consistent with that of other properties on the south side of Blackfriars Street. As demonstrated in the HIA, there is some variety of footprint, size, and massing, however the proposed building has been designed to generally fit within this character. The proposed building will contribute to the street wall and maintain the rhythm of the street.
Setbacks of new development should be consistent with adjacent buildings. Where setbacks are not generally uniform, the new building should be aligned with the building that is most similar to the predominant setback on the street.	The setback of the proposed building is consistent with the properties on the south side of Blackfriars Street.

Guideline	Analysis
New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the visual appeal of the district.	The proposed building only has one entry door, which faces Blackfriars Street. The porch located at the front door provides architectural interest and contributes to the cultural heritage values of the Blackfriars/Petersville Heritage Conservation District.
Respond to unique conditions or location, such as corner properties, by providing architectural interest and details on both street facing façades.	The subject property does not have any unique conditions within the context of the Blackfriars/Petersville Heritage Conservation District.
Size, shape, proportion, number and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate areas.	The size, shape, proportion, number, and placement of windows and doors follows conventions in Italianate/Georgian architectural styles. Noted examples in the Blackfriars/Petersville Heritage Conservation District include buildings at 167 Wharncliffe Road North, 13 Napier Street, and 9 Blackfriars Street. The proposed windows are simulated divided lights to replicate historic proportions and glazing patterns, with spacing that is stoic reflecting Georgian proportions of the proposed building. Three-bay buildings are common in the Blackfriars/Petersville Heritage Conservation District.
Use materials and colours that represent the textures and palette of the Blackfriars/Petersville area.	The proposed use of salvaged buff brick is part of the historic texture and palette of the Blackfriars/Petersville Heritage Conservation District. The porch must be constructed with painted wood posts (and railings, if required). The front door must be wood.
Where appropriate, incorporate in a contemporary way, some of the traditional details that are standard elements in the principal façades of properties within the Blackfriars/Petersville area. Such details as transoms and sidelights at doors and windows, covered entrances, divided light windows and decorative details to articulate plain and flat surfaces, add character that complements the original appearance of the neighbourhood and add value to individual properties.	The proposed building reflects the vernacular architectural character of the Blackfriars/Petersville Heritage Conservation District. It draws inspiration from popular historic forms and details without replicating a specific building. The proposed building includes simulated divided lights and a porch; details which characterize many other Contributing Resources in the Blackfriars/Petersville Heritage Conservation District.
New buildings should not be any lower in building height than the lowest heritage building on the block or taller than the highest heritage building on the same block.	The proposed building may be near the tallest building on the block, but as a two-storey building it is anticipated to fit within an appropriate height range for the Blackfriars/Petersville Heritage Conservation District. The shallow pitch of the roof (12:4) is anticipated to minimize any overwhelming appearance of height in the building.

The proposed building complies with the policies of Section 7.5.1 and the guidelines of Section 10.3.2 of the *Blackfriars/Petersville Heritage Conservation District*. The proposed building reflects the prevailing character of the Blackfriars/Petersville Heritage Conservation District, in accord with Policy 13.3.6.ii of the *Official Plan* (1989, as amended) (and Policy 594_* of *The London Plan*). To ensure compliance, the terms and conditions are recommended as noted in Table 2.

5.0 Conclusion

The subject property at 88 Blackfriars Street has suffered long-term neglect. It survived the floors of 1883 and 1937, but cannot withstand anymore.

The policies and approach within a Heritage Conservation District seeks to conserve existing resources that contribute to the cultural heritage values of an area that make it unique. Situations arise, from time to time, where retention and conservation are no longer possible. Physical deterioration of a heritage designated property is not a justification to support the demolition of this cultural heritage resource. The retention and conservation of a cultural heritage resource is the preferred approach.

Property-based research was undertaken to understand the history of the property at 88 Blackfriars Street and its place within the context of the Blackfriars/Petersville Heritage Conservation District. No significant historical or associative values unique to this property were identified.

When a building has deteriorated to the point where retention and conservation are no longer possible, and has been sufficiently demonstrated from a cultural heritage perspective, the redevelopment of the site in conformity with the *Blackfriars/Petersville Heritage Conservation District Plan* that reflects the cultural heritage values, character, and context of the Blackfriars/Petersville Heritage Conservation District may be an acceptable alternative.

The Heritage Impact Assessment, submitted as part of the demolition request and Heritage Alteration Permit application, recommends that the loss of this Contributing Resource can be mitigated by an appropriately designed new building. This approach is not appropriate in every situation, as our cultural heritage policies and approaches to heritage conservation discourage the inappropriate destruction of our cultural heritage resource; it may be appropriate in this situation. The proposed new building has been designed in a manner which complies with the guidelines for new buildings in the *Blackfriars/Petersville Heritage Conservation District Plan* and conforms to the policy direction *Official Plan/The London Plan* which protects the character of our Heritage Conservation Districts, with terms and conditions recommended to ensure its appropriate execution at the time of construction.

<p>Prepared by:</p>	<p>Kyle Gonyou, CAHP Heritage Planner</p>
<p>Submitted by:</p>	<p>Gregg Barrett, AICP Manager, Long Range Planning and Sustainability</p>
<p>Recommended by:</p>	<p>John M. Fleming, MCIP, RPP Managing Director, City Planning and City Planner</p>
<p>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.</p>	

December 12, 2019

kg/

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- Appendix A Property Location
- Appendix B Images
- Appendix C Historic Research
- Appendix D Drawings of Proposed Building
- Appendix E Heritage Impact Assessment (attached separately)

Appendix A – Location



Figure 1: Location of the subject property at 88 Blackfriars Street in the Blackfriars/Petersville Heritage Conservation District.

Appendix B – Images



Image 1: The Contributing Resource at 88 Blackfriars Street on February 5, 2016.



Image 2: View of the main (north) and west elevations of the Contributing Resource at 88 Blackfriars Street on July 12, 2018.



Image 3: View of the main (north) and west elevations of the Contributing Resource at 88 Blackfriars Street on January 25, 2019.



Image 4: View of the main (north) and west elevations of the Contributing Resource at 88 Blackfriars Street on April 17, 2019.



Image 5: View of the south side of Blackfriars Street, looking west towards Wharcliffe Road North including a view of the subject property at 88 Blackfriars Street on October 7, 2019.



Image 6: View of the main (north) and west elevations of the Contributing Resource at 88 Blackfriars Street on October 7, 2019.



Image 7: View of the main (front) elevation of the Contributing Resource at 88 Blackfriars Street on October 7, 2019.

Appendix C – Historic Research

Table 3: Summary of City Directory Research

Year	Entry
1888-1889	No entry identified ^a
1890	No entry identified
1891	Vacant
1892	Elliott Hickson, joiner O. B. Graves
1893	Elliott Hickson, framer O. B. Graves
1894	Alfred M. Williams, agent
1895	Walter P. Hendershot, trunkmaker, P. Hendershot & Co.
1896-1897	William May, helper G. White & Sons Co.
1897-1898	William May, helper G. White & Sons Co.
1898-1899	William May, helper G. White & Sons Co.
1900	William J. Brown, pntr A. B. Greer (Carriage Manufacturer)
1901	J. Edward Dean, driver J. D. Saunby (Saunby Feed Mill)
1902	J. Edward Dean, driver J. D. Saunby (Saunby Feed Mill)
1903	J. Edward Dean, driver J. D. Saunby (Saunby Feed Mill)
1904	J. Edward Dean, driver J. D. Saunby (Saunby Feed Mill)
1905	John H. Petfield, bartender, Boswell House
1906	John H. Petfield, bartender, Boswell House
1907	John H. Petfield, bartender, Boswell House
1908	John H. Petfield, bartender, Hotel Windsor
1909-1910	John H. Petfield, wine clerk, Western Hotel
1915	John H. Petfield, pntr GTR
1915	Verne Sherdown, moto St Ry, b 88 Blackfriars ^b
1916	John H. Petfield, pntr GTR
1917	John H. Petfield, pntr GTR
1918	John H. Petfield, pntr GTR
1920	John H. Petfield, pntr GTR
1921	John H. Petfield, pntr GTR
1922	John H. Petfield, wks GTR
1923	John H. Petfield, wks GTR
1924	John H. Petfield, wks CNR
1925	John H. Petfield, wks CNR
1926	John H. Petfield, wks CNR
1927	John H. Petfield, wks CNR
1928	John H. Petfield, wks CNR
1929	John H. Petfield, wks CNR
1930	John H. Petfield, wks CNR
1931	John H. (Annie) Petfield, pntr CNR ^c
1932	John H. (Annie) Petfield, pntr CNR
1933	John H. (Annie) Petfield, pntr CNR
1934	John H. (Annie) Petfield, pntr CNR
1935	John H. (Annie) Petfield, pntr CNR
1936	John H. (Annie) Petfield, pntr CNR
1937	John H. (Annie) Petfield, pntr CNR
1938	John H. (Annie) Petfield, pntr CNR

^a Entries for London West, which was not annexed by the City of London until 1898, are recorded without an address which makes property-based research difficult to achieve particularly where it appears that the property was rented as opposed to owner occupied (which could allow information from the Land Registry records to be used to corroborate information in the City Directory).

^b The “b” that accompanies the entry for Verne Sherdown indicates that he “boarded” at the property

^c An asterisk appears with the City Directory (1931) entry for John H. Petfield, indicating that the property is owner-occupied.

Year	Entry
1939	John H. (Annie) Petfield, pntr CNR
1940	John H. (Annie) Petfield, pntr CNR
1941	John H. (Annie) Petfield, pntr CNR
1942	John H. (Annie) Petfield, pntr CNR
1943	John H. (Annie) Petfield, pntr CNR
1944	John H. (Annie) Petfield, pntr CNR
1945	John H. (Annie) Petfield, pntr CNR
1946	John H. (Annie) Petfield, pntr CNR
1947	John H. (Annie) Petfield, pntr CNR
1948	John H. (Annie) Petfield, pntr CNR
1949	John H. (Annie) Petfield, pntr CNR
1950	John H. (Annie) Petfield, pntr CNR
1951	John H. (Annie) Petfield, pntr CNR
1952	John H. (Annie) Petfield, pntr CNR
1953	John H. (Annie) Petfield, pntr CNR
1954	John H. Petfield ^d
1955	John H. Petfield
1956	John H. Petfield
1957	John H. Petfield
1958	John H. Petfield
1959	John H. Petfield
1960	John H. Petfield
1961	John H. Petfield
1962	John H. Petfield ^e
1963	Vacant
1964	Thomas Gerry
1965	Thomas (Jennie) Gerry, bridge builder
1966	Thomas (Jennie) Gerry, bridge builder
1967	Thomas (Jennie) Gerry, bridge builder
1968	Thomas (Jennie) Gerry, bridge builder
1969	Thomas (Jennie) Gerry, bridge builder
1970	Thomas (Jennie) Gerry, bridge builder
1971	Thomas (Jennie) Gerry, bridge builder
1972	Thomas (Jennie) Gerry, bridge builder
1973	Thomas (Jennie) Gerry, bridge builder
1974	Thomas (Jennie) Gerry, bridge builder
1975	Thomas (Jennie) Gerry, bridge builder
1976	Thomas (Jennie) Gerry, bridge builder
1977	Thomas (Jennie) Gerry, bridge builder
1978	Thomas (Jennie) Gerry, bridge builder
1979	Thomas (Jennie) Gerry, bridge builder
1980	Thomas H. (Jennie), bridgemn CNR
1981	Thomas H. (Jennie), bridgemn CNR
1982	Thomas H. (Jennie), bridgemn CNR
1983	Thomas H. (Jennie), bridgemn CNR
1984	Thomas H. (Jennie), bridgemn CNR
1985	Thomas (Jennie) Gerry
1986	Jennie Gerry ^f

^d Annie Petfield, born 1867, died October 1, 1953.

^e John Petfield, born 1874, died April 2, 1962. The property was sold in October 1962 to Thomas H. Gerry.

^f The property at 88 Blackfriars Street was granted to Jennie Leona Gerry in 1986, following the death of Thomas Gerry. Jennie Gerry sold the property in 1987 to Patricia Leone Swatuk, who is not recorded in the City Directory.

Year	Entry
1987	Jennie Gerry ^g
1988	No return
1989	E. Powileit
1990	A. M. Barrett
1991	Lisa Pieniazek
1992	Lisa Pieniazek
1993	Lisa Pieniazek
1994	Lisa Pieniazek
1995	Lisa Pieniazek, Murray L. Milligan ^h
1996	Lisa Pieniazek, Murray L. Milligan
1997	Lisa Pieniazek
1998	Lisa Pieniazek
1999	Lisa Pieniazek
2000	Lisa Pieniazek
2001	Lisa Pieniazek
2002	Lisa Pieniazek
2003	Lisa Pieniazek
2004	Lisa Pieniazek
2005	Lisa Pieniazek
2006	M. Hossein, Mohammed Hassan
2007	M. Hossein, Mohammed Hassan
2008	M. Hossein, Mohammed Hassan
2009	No return
2010	No return
2011	No return
2012	No return
2013 ⁱ	No return

^g The City Directory (1988) records Mrs. J. Gerry at 345 Wharnccliffe Road North, Apartment 812.

^h Murray Lee Milligan purchased the property at 88 Blackfriars Street in 1987 for \$56,000 from Patricia Leone Swatuk. He is only recorded as occupying the property in the 1995 and 1996 City Directory.

ⁱ The City Directory was last published in 2013.

Appendix D – Proposed Building



Figure 2: Front façade of the proposed new building at 88 Blackfriars Street.

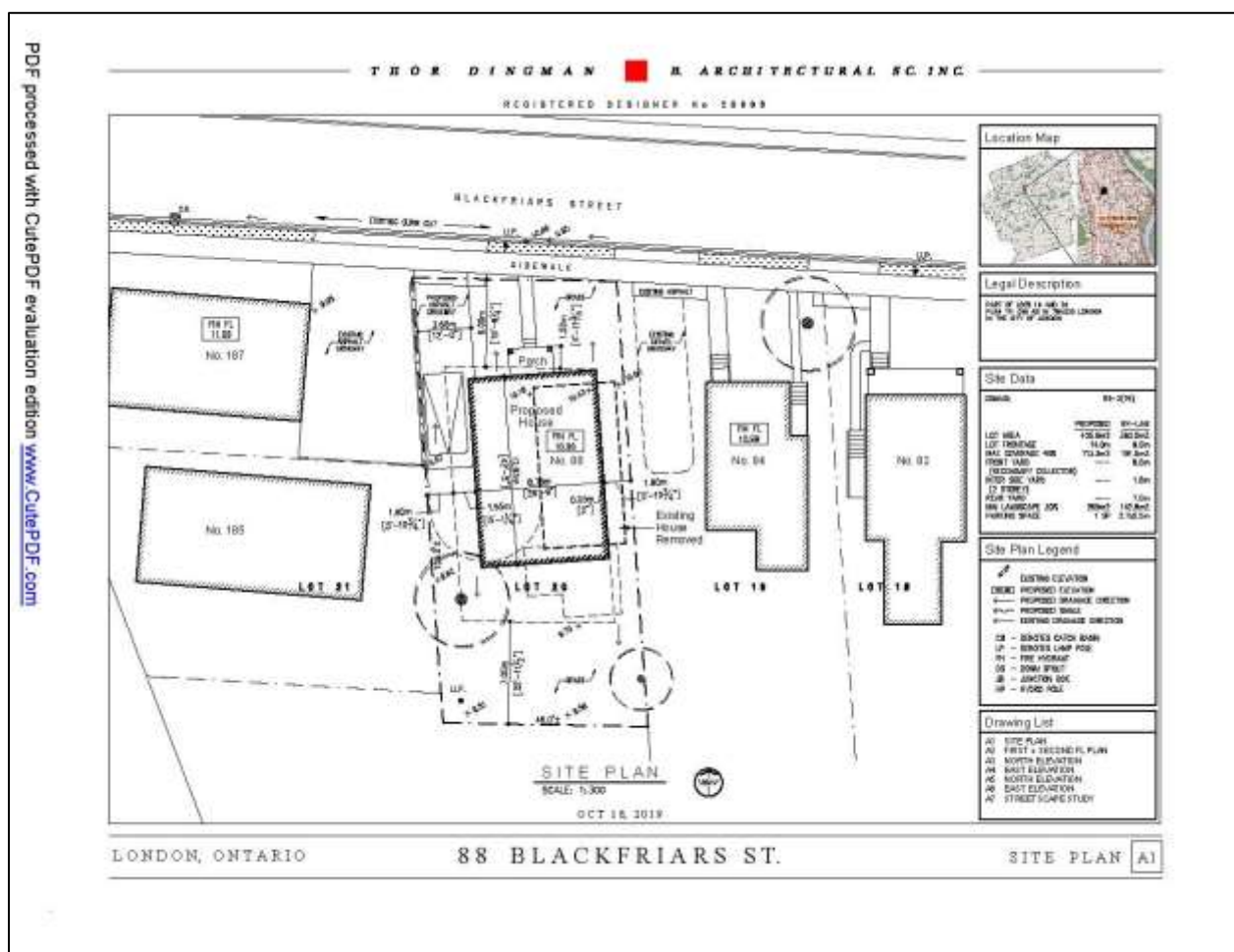


Figure 3: Site plan showing the proposed new building at 88 Blackfriars Street with the setbacks and footprints of adjacent and nearby buildings in the Blackfriars/Petersville Heritage Conservation District.

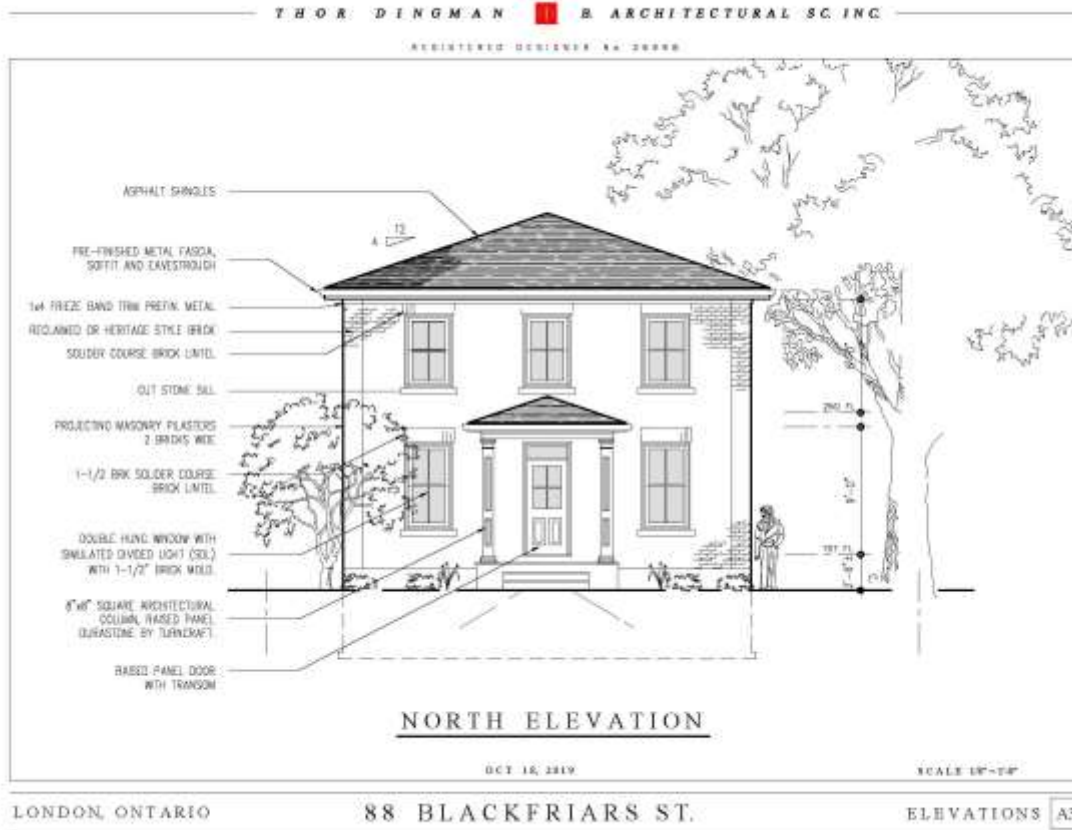


Figure 4: Front elevation of the proposed building at 88 Blackfriars Street.

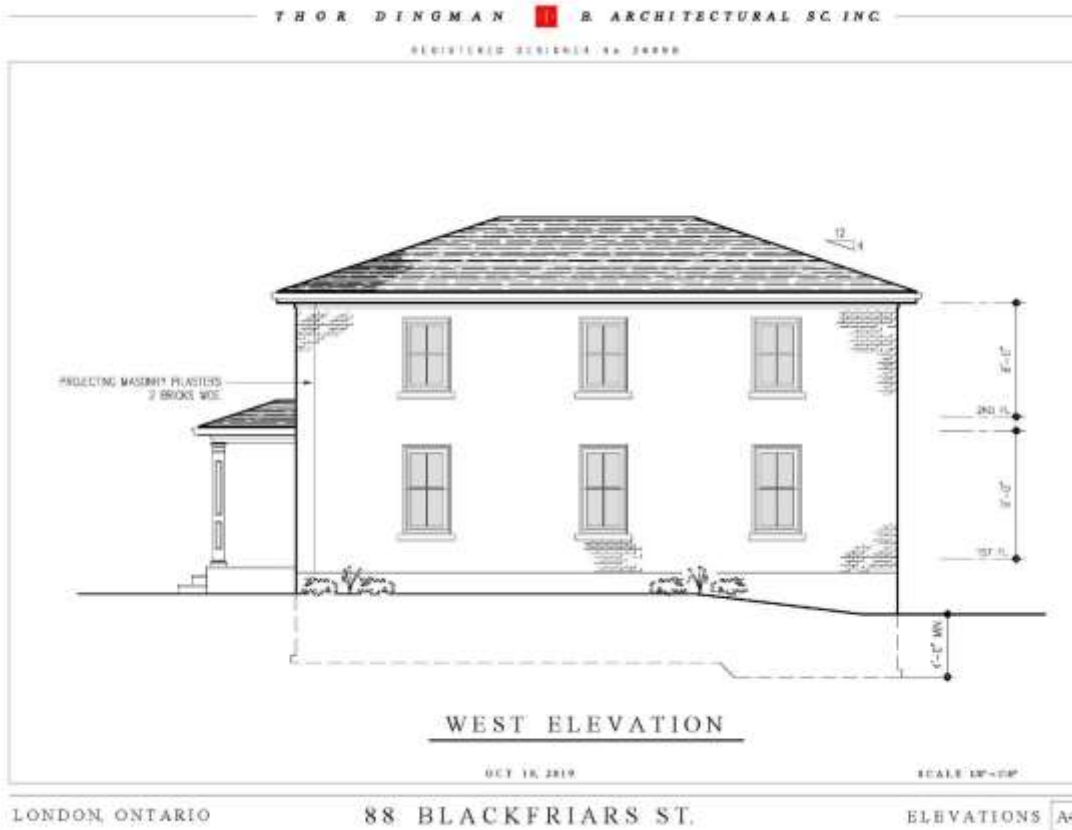


Figure 5: Side (west) elevation of the proposed building at 88 Blackfriars Street.

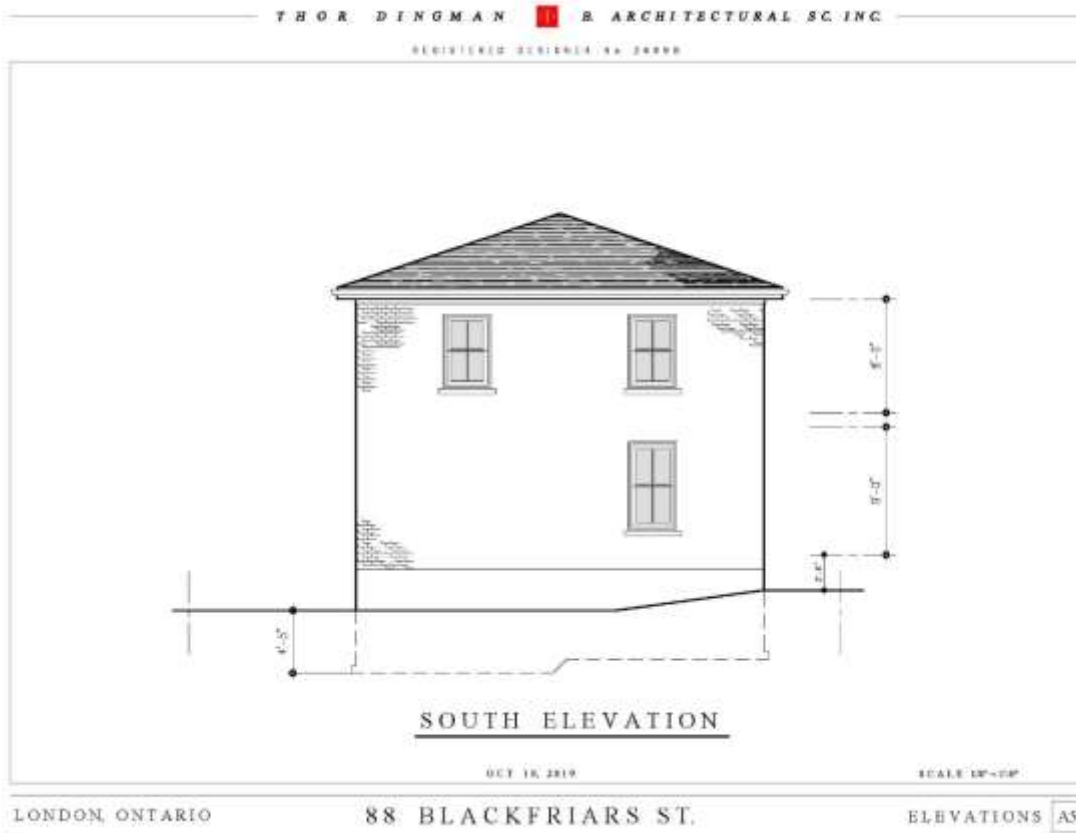


Figure 6: Rear (south) elevation of the proposed building at 88 Blackfriars Street.

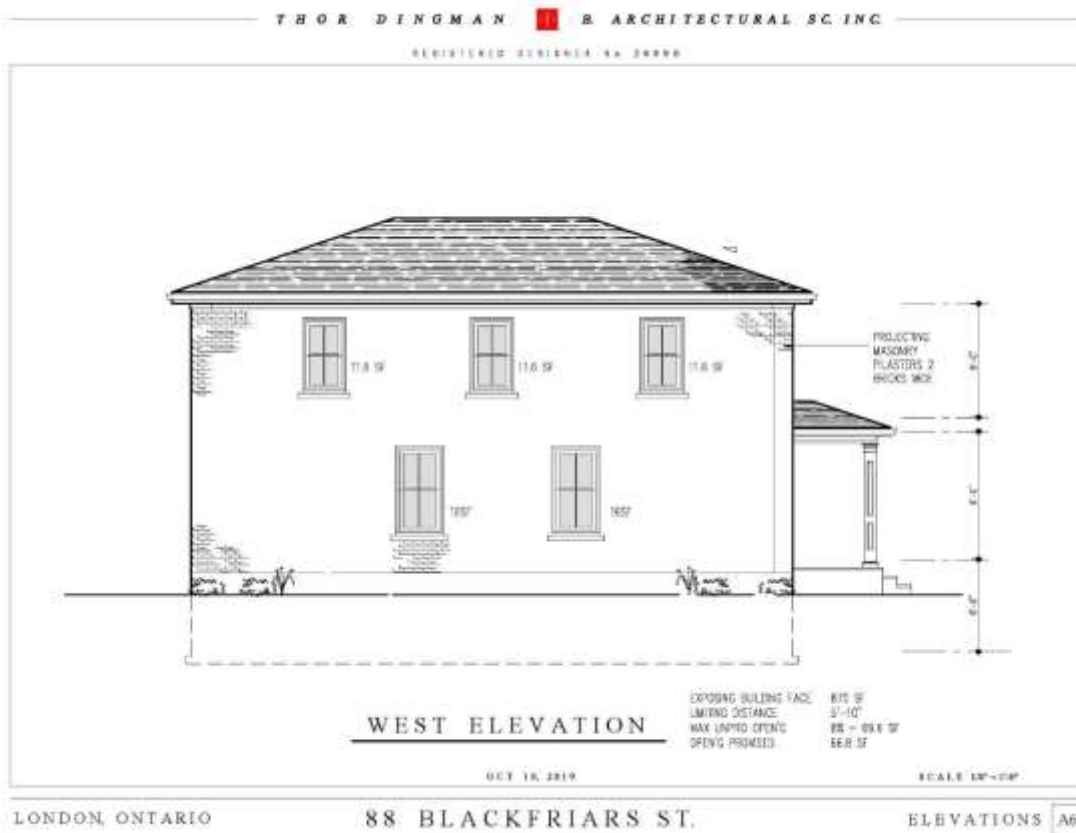


Figure 7: Side (east) elevation of the proposed building at 88 Blackfriars Street.

THOR DINGMAN  ARCHITECTURAL BC INC.
REGISTERED DESIGNER NO. 28868



OCT 18, 2019

LONDON, ONTARIO

88 BLACKFRIARS ST.

STREETSCAPE STUDY A7

Figure 8: Rendering showing the proposed building in its context on the south side of Blackfriars Street.

Appendix E – Heritage Impact Assessment

Attached Separately.

Heritage Impact Assessment **88 Blackfriars Street**

October 2019

Submitted to the City of London,
October 21, 2019

Project Number: TD19-548

Prepared for:
Distinctive Homes London Inc.



October 21, 2019

Distinctive Homes London Inc.

420 York Street,
London, Ontario
N6B 1R1

Attn: Steven Underhill

Re: 88 Blackfriars Street - Heritage Impact Assessment

I am pleased to submit a completed Heritage Impact Assessment for the proposed building development at 88 Blackfriars Street. Please do not hesitate to call me if you have any questions or if you require any clarification of the findings of the impact assessment.

Respectfully Submitted,

Thor Dingman, B. Arch. Sc., CAHP, BCQ
FIRM BCIN 26998

Table of Contents

1.0	Introduction
1.1	Purpose
1.2	Objectives
1.3	Limitations
1.4	Property Introduction
1.5	Property Features Table
1.6	Scope of Work and Methods
1.7	Assessment Criteria
2.0	Planning Policy & Framework
2.1	Ontario Heritage Act
2.2	Provincial Policy Statement
2.3	London Official Plan
2.4	Blackfriars-Petersville HCD Plan
3.0	Historical Research, Site Analysis and Evaluation
3.1	Blackfriars- Petersville HCD Overview
3.2	Blackfriars Street - History & Analysis
3.3	88 Blackfriars History
3.4	Blackfriars Street - Inventory
4.0	Identification of Heritage Resources
4.1	88 Blackfriars Street Property Attributes
4.2	Blackfriars Street View Shed
4.3	Property Condition Assessment
4.4	Recommendation for Protection of Heritage Resource
5.0	Proposed Development
5.1	Proposed Building
5.2	Site Development
6.0	Measurement of Impact
6.1	Assessment of Potential Impacts
6.2	HCD Design Guideline Matrix
7.0	Avoidance, Alternatives and Mitigation Methods
8.0	Implementation and Monitoring
9.0	Summary

Appendices

APPENDIX A: Contributing and Non-Contributing Properties BPHCD
APPENDIX B: Structural Engineer Assessment
APPENDIX C: Property Standards Order
APPENDIX D: Vacant Building By-law A-35 Notice
APPENDIX E: Proposed Building Architectural Design Drawings

1.0 INTRODUCTION

1.1 Purpose

The purpose of this Heritage Impact Assessment (HIA) is to determine if the cultural heritage resources or attributes are impacted by the proposed development. If negative impacts are identified, avoidance measures, alternative development strategies or mitigation may be recommended.

The subject property at 88 Blackfriars Street is included within the boundary of the Blackfriars-Petersville Heritage Conservation District (BPHCD). The District is designated under Part V of the *Ontario Heritage Act* (OHA). The property has been identified in the District Plan to be a contributing heritage resource within the District boundary.

A Heritage Impact Assessment (HIA) has been requested by the Heritage Planner to measure the effect of the proposed development on the property at 88 Blackfriars Street, and on the Blackfriars-Petersville Heritage Conservation District.

The owner, Distinctive Homes London Inc., has retained Thor Dingman B. Architecture Sc. Inc. (TD-BAS) to prepare the HIA for the proposed redevelopment of the property. The HIA will form the primary rationale for the heritage permit application review process. The permit review process will be completed by city staff with the advice of the London Advisory Committee on Heritage (LACH). Demolition of a building within the Blackfriars-Petersville HCD requires final approval by London City Council.



2. No. 88 Blackfriars Street, the subject property. This is identified as a contributing heritage resource to the Blackfriars-Petersville Heritage Conservation District.



1. No. 11 Leslie Street, c 1887, built by bricklayer Samuel Moore, is another example of a contributing heritage resource in the Blackfriars-Petersville Heritage Conservation

1.2 Objectives

The Heritage Impact Assessment has the following objectives

1. To assess and determine the cultural heritage value and heritage attributes of the property at 88 Blackfriars Street
2. To assess and determine the contributing cultural value of the property at 88 Blackfriars Street to the broader context of the Blackfriars-Petersville Heritage Conservation District.
3. To determine the potential negative impact of the proposed redevelopment on the cultural heritage resource at 88 Blackfriars Street.
4. To determine the potential negative impact of the proposed development on the Blackfriars-Petersville Heritage Conservation District.
5. To provide recommendations including avoidance measures, alternative development strategies or mitigation of potential negative impacts by the proposed development.

1.3 Limitations

This assessment is the result of the observations, research, opinions and recommendations on cultural heritage matters. The assessment will follow good heritage practise in accordance with accepted technical and ethical standards as outlined by the Canadian Association of Heritage Professionals, the *Ontario Heritage Act* and the generally accepted heritage guidelines published by the Provincial Government of Ontario and the Federal Government of Canada.

This assessment is limited to heritage matters and shall not be interpreted as having opinions or recommendations, expressed or implied, on the adequacy of any buildings or structures for safe human occupancy. The opinions or recommendations within this assessment, expressed or implied, shall not be interpreted as taking responsibility for construction as defined under the *Ontario Building Act* or any other construction work.

1.4 Property Introduction

The owner of the property, Distinctive Homes London Inc., proposes to redevelop the land at 88 Blackfriars Street by building a new detached single dwelling. Construction of the proposed new building requires the complete removal of the existing residential structure.

The property is located in the Blackfriars-Petersville Heritage Conservation District (BPHCD) and has been identified as a Contributing Heritage Resource. Approval to proceed with demolition of the structure will require internal municipal review and London City Council approval.

The existing house is vacant and is currently unsuitable for human habitation. The property was purchased by Distinctive Homes London Inc. in July 2018. At the time of purchase the existing building was in an advanced state of neglect and was uninhabitable. The circumstances that led to the deterioration prior to the purchase by Distinctive Homes has not been determined. Local and municipal concern over the appearance and condition of the house has been on ongoing concern.

Since purchasing the building, the owner has secured the envelope. This included the removal of approximately 300 square feet at the rear of the house where the roof had totally collapsed leaving the rear width of the structure open to the weather and to unauthorized entry. At the last date of on-site review by TD-BAS, the envelope has been secured against unauthorized entry with plywood sheeting. Hydro power and natural gas have been disconnected.



3. (top right) North elevation.

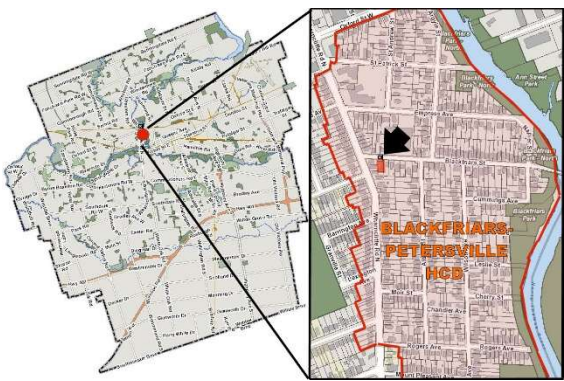

4. (top right) West elevation.



5. (bottom left) South elevation with collapsed rear roof.

6. (bottom right) South elevation with collapsed portion removed and plywood sheeting.

1.5 Property Features Table

88 Blackfriars Street	
 <p style="text-align: center;">Key Maps</p>	
 <p style="text-align: center;">North elevations (view looking southward)</p>	
Address	88 Blackfriars Street, London Ontario, N6H 1K9
Ward & Planning District	Ward 13, West London
Legal Description	Part Lots 19 & 20, Plan 111(W) As In 764330 London, Roll Number 010120002000000
Neighbourhood	Blackfriars
Historical Name	Unknown
Construction Date	1875 (unconfirmed)
Original Owner at Construction	(unconfirmed)
Original Use	Residential Single Family (assumed)
Current Occupancy	Unoccupied / Uninhabitable
Current Zoning	R2-2(19) Residential Zone - low density residential development, single detached dwellings, existing legally established semi-detached, duplex, converted (max. 2 unit) dwellings
Current Use	Vacant Single Dwelling Unit / Uninhabitable
Site Dimensions	14m x 30.5m (approximate)
Building Footprint Area	61.6 m2 (663 sq ft)
Building Height	1 Storey
Architect / Designer	Unknown
Architectural Style	Ontario Cottage, vernacular variation - asymmetrical
Additions / Alterations	Rear portions removed
Heritage Status	Part V OHA, Blackfriars-Petersville Heritage Conservation District, By-law L.S.P.-3437-179. Contributing Heritage Resource.
Proposed Work	Demolition, Redevelopment

1.6 Scope of Work & Methods

The scope of work has been compiled to determine firstly, if the cultural heritage attributes of the property at 88 Blackfriars Street are significant, and secondly, if the attributes of the property are a contributing heritage resource to the Blackfriars-Petersville Heritage Conservation District.

The modest design of the one storey house is archetypical in the residential fabric of Blackfriars-Petersville Heritage Conservation District. As a modest, one storey house with narrow frontage, its prominence is limited to the Blackfriars streetscape. For this reason, the HIA scope will be focused locally to the immediate neighbourhood within the viewshed along Blackfriars Street.

The HIA will follow the generally accepted format outline for Heritage Impact Assessments and Conservation Plans as outlined by the Province of Ontario. The scope of the HIA will be adjusted where deemed appropriate to provide a complete and comprehensive assessment of the heritage resources, and for mitigation of any potential negative impacts.

A physical assessment of the property has been completed. Due to the unsafe condition of the structure, access to the interior of the house was limited. The methods of assessment are as follows;

- on-site review of the property
- photographic records
- as-built record building measurement
- as-built drawings of the existing building
- property boundary measurements
- topographic measurements of property and adjacent property
- tree and plant inventory

Historical research on the property within the larger context of the Heritage Conservation District has been completed using the following resources;

- Ontario Land Registry Office Title search
- Blackfriars-Petersville Study
- Blackfriars-Petersville HCD
- The London Room, London Public Library
- on-site review of the district
- photographic records
- building typology and analysis

1.7 Assessment Criteria

In determining individual cultural heritage value of the subject property, criteria from OHA Regulation 9/06 will be used. The *Ontario Heritage Act*, Regulation 9/06, Criteria For Determining Cultural Heritage Value or Interest, provides a set of criteria grouped into the following three categories. Evaluation in each category determines the cultural heritage value or interest of a potential heritage resource. High value in one or more categories is sufficient to determine cultural heritage value or interest.

According to Ontario Regulation 9/06, the following criteria will be used;

1. The property has **design value or physical value** because it,
 - 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. The property has **historical value or associative value** because it,
 - 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. The property has **contextual value** because it,
 - 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.
- O. Reg. 9/06, s. 1 (2).

Further guidance may be referenced in the Ontario Heritage Toolkit including the guide to Heritage Property Evaluation, published by the Ministry of Tourism Culture and Sport. Other references and resources that are recognised and established within the practice of cultural heritage conservation may be used as required.

2.0 PLANNING POLICY & FRAMEWORK

2.1 Ontario Heritage Act

Under Part V, Heritage Conservation Districts of the *Ontario Heritage Act*, R.S.O. 1990, C.O.18, the removal of a building within a HCD is not permitted without receiving a permit from the municipality. Section 42 under Part V of the act states the following;

42 (1) No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.
2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure. 2005, c. 6, s. 32 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, paragraph 2 of subsection 42 (1) of the Act is repealed and the following substituted: (See: 2019, c. 9, Sched. 11, s. 19 (1))

2. Erect any building or structure on the property or permit the erection of such a building or structure.
3. Demolish or remove, or permit the demolition or removal of, any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).
4. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).

2.2 Provincial Policy Statement

As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. Under the Ontario Provincial Policy Statement 2014 (PPS) clearly states the protection afforded to heritage resources;

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

2.3 London Official Plan

On December 28, 2016, the Province approved The London Plan with modifications. Portions of The London Plan are currently under appeal before the Ontario Municipal Board, and until those appeals are resolved the previous Official Plan (1989) also remains in effect.

13.3.2. Changes to Buildings or Structures

After a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the Ontario Heritage Act and any secondary plan which takes the form of a Heritage Conservation District Plan. (Section 13.3.2. amended by OPA 438 Dec. 17/09)

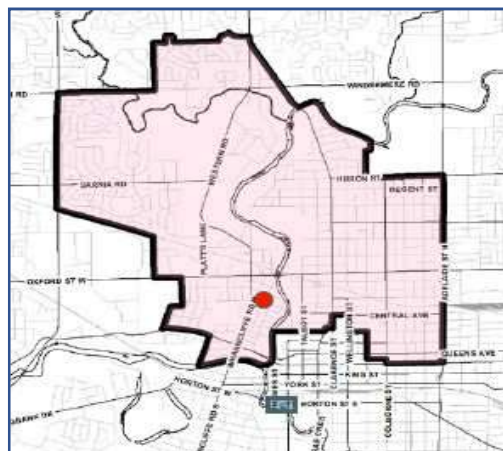
13.3.6. Heritage Conservation Districts

Within Heritage Conservation Districts established under the provisions of this Plan, the following policies shall apply:

- i) the character of the District shall be maintained by encouraging the retention of existing structures and landscape features;
- ii) the design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area;
- iii) regard shall be had at all times to the guidelines and intent of the Heritage Conservation District Plan

The Official identifies policies for near-campus neighbourhoods. A large portion of the Blackfriars-Petersville HCD is included in the “Near-Campus Neighbourhoods Area”. The following is an excerpt from 3.5.19 *Policies For Near-Campus Neighbourhoods*;

Near-Campus Neighbourhoods provide an extremely valuable asset to the City of London. They are important attributes in the City of London to attract and retain the brightest and best faculty and students. They are desirable and unique neighbourhoods, some of which offer an outstanding stock of heritage buildings and streetscapes. In addition, they provide close proximity to employment, culture and entertainment resources that their neighbouring educational institutions offer.



7. Detail of Near-Campus Neighbourhoods Area. The shaded portion show the area surrounding Western University. The red dot is the location of 88 Blackfriars Street.

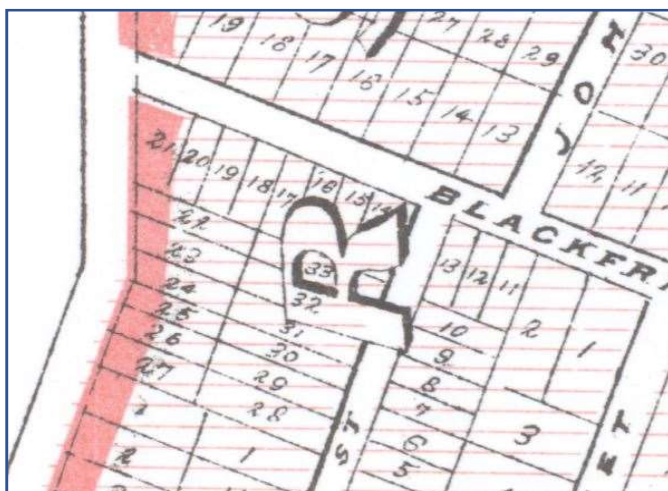
2.4 Blackfriars-Petersville Heritage Conservation District Plan

The assessment will rely principally on the previous research, evaluation and change management framework contained within the Blackfriars-Petersville Heritage Conservation District Plan (BPHCD) format. The BPHCD Plan, dated May 12, 2014, by Golder Associates and was adopted by London Municipal Council on May 6, 2014. The HCD was designated under Part V of the *Ontario Heritage Act* on May 15, 2015.

Where deemed appropriate for this assessment, direct reference will be made to relevant sections of the BPHCD Plan that sufficiently satisfy the goals of the HIA. A checkmark will appear under "Ref" column beside the relevant sections listed below. Where additional research is required to enhance the goals of the HIA, check mark will appear in the "Additional Comment" column of the table below.

BLACKFRIARS-PETERSVILLE HERITAGE CONSERVATION DISTRICT PLAN			Referenced in HIA	Additional Comment
2.0	CONSERVATION DISTRICT			
	2.1	Description of the Heritage Conservation District	✓	
	2.2	Heritage Conservation District Boundaries		
	2.3	Statement of Cultural Heritage Value	✓	
3.0	HERITAGE CONSERVATION DISTRICT GOALS & OBJECTIVES		✓	
4.0	HERITAGE CONSERVATION PRINCIPLES		✓	
5.0	ONTARIO HERITAGE ACT		✓	
	5.1	Conflict		
	5.2	Contravention of the <i>Ontario Heritage Act</i>		
6.0	MUNICIPAL POLICIES			
	6.1	Introduction	✓	
	6.2	Official Plan	✓	
	6.3	Zoning By-law	✓	
	6.4	Site Plan Control	✓	
	6.5	Severances and Minor Variances		
	6.6	Building Permits	✓	
	6.7	Design Guidelines	✓	
	6.8	Archaeological master Plan		
	6.9	Sign & canopy By-law		
	6.10	Emergency management Plan		
7.0	HERITAGE CONSERVATION DISTRICT POLICIES			
	7.1	General	✓	
	7.2	Development Pattern	✓	
	7.3	Resources in Blackfriars-Petersville heritage Conservation District	✓	
	7.4	Contributing Resources	✓	
	7.5	Demolition of Contributing Resources	✓	
	7.6	Non-Contributing Resources		
	7.7	Residential Area	✓	
	7.8	Neighbourhood Commercial Node Area		

	7.9	Open Space		
	7.11	Building Conversion		
	7.12	Public Realm		
	7.13	Public Works & Infrastructure		
	7.14	Part IV Designations within a heritage Conservation District		
	7.15	Heritage Conservation Easements		
	7.16	Adjacent Area		
8.0	HERITAGE ALTERATION PERMIT PROCESS		✓	
	8.2	Heritage Alteration Permit & Other Permits	✓	
	8.3	Emergency Repairs	✓	
9.0	IMPLEMENTAION			
	9.1	Education and Information Programs		
	9.2	Monitoring Programs	✓	
	9.3	Heritage Preservation Incentive Programs		
10.0	ARCHITECURAL DESIGN GUIDLINES			
	10.1	Introduction	✓	
	10.2	Key Elements	✓	
	10.3	Design Guidelines	✓	
11.0	ARCHITECURAL CONSERVATION GUIDLINES		✓	
	11.1	Cycles of Restoration		
	11.2	Conservation Guidelines		
12.0	CULTURAL HERITAGE LANDSCAPE CONSERVATION & DESIGN			
	12.1	Introduction		
	12.2	Streets	✓	
	12.3	Parking		
	12.4	Signage		
	12.5	Street Furniture		
	12.6	Street Lighting		
	12.7	Trees and Vegetation	✓	
	12.8	Parks and Open Space		
	12.9	Gateways	✓	
	12.10	Interpretive Features		
	12.11	Public Works and Infrastructure		



8. Map detail from the 1878 Middlesex Atlas. The subject lot 20 for 88 Blackfriars Street can be clearly shown and of equal depth to lot 19. At some point a rear portion Lot 20 was severed and joined to accommodate the house that stands today at 181 Wharncliffe Road.

Credit:
Map of the city of London and Suburbs,
Published in 1878 by Hammerburg
Productions, Drawn by Jno Rogers.

3.0 HISTORICAL RESEARCH, SITE ANALYSIS and EVALUATION

3.1 District History – Blackfriars-Petersville HCD Context

The following excerpt is taken from the Blackfriars-Petersville Heritage Conservation District Study;

2.1 Overview (BPHCD Study)

Historically, the river that dominates the area has served as both an enemy and a friend. Frequently overflowing its banks, the river has often created havoc with the homes and roads in the area. As a friend it has blanketed the plain with rich alluvial soil that fed Chippewa cornfields, produced rich farm crops and market gardens, and, because of the constant danger of flooding, provided a venue for low-income housing popular with labourers and craftsmen throughout its history.

The following excerpt is taken from the Blackfriars-Petersville Heritage Conservation District Plan;

2.3 Statement of Cultural Heritage Value (BPHCD Plan)

Architecturally, the HCD exhibits a continuity of change based on a variation of working-class housing that was built predominantly from the 1880s to the 1930s. The majority of architectural forms and styles are of the vernacular Ontario cottage style with various renditions and features. The homes within the HCD are reflective of modest, economical home building in the late-19th and early-20th centuries.

The cottage at 88 Blackfriars Street is representative of the preponderance of modest one storey cottages that are a defining characteristic of Blackfriars-Petersville Heritage Conservation District. For further background on the Blackfriars-Petersville HCD, refer to the Study, dated January, 2014 and the Plan and Guidelines, dated by May 12, 2014. Both documents are by Golder Associates in association with IBI Group and Tausky Heritage Consultants.



9. Detail of Sketch Map dated 1867 attributed to R.M. Armstrong listing croplands and species of trees in surrounding woodlands. Four categories of house are listed in the legend in the bottom right corner according to the number of rooms from one to more than eight.

The area of the lot at 88 Blackfriars Street (white arrow) does not show evidence of any buildings.

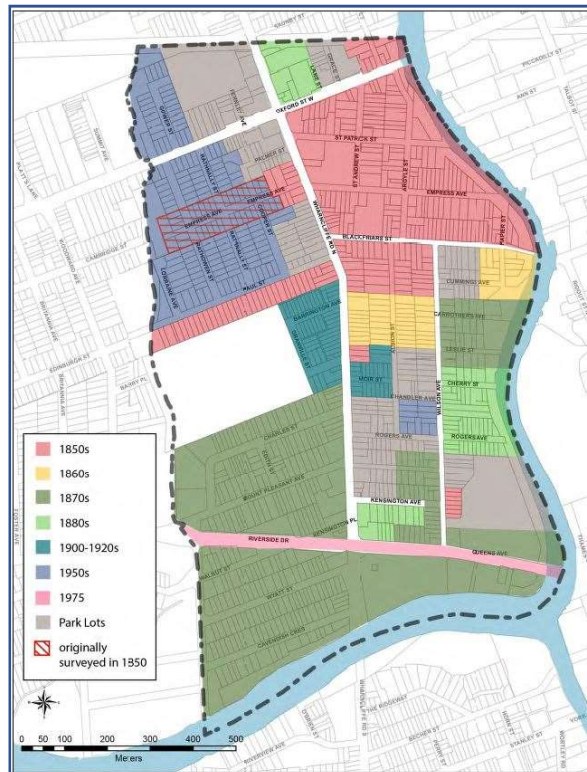
Credit:
London Historic Map Collection,
Western Libraries, University of
western Ontario.

3.2 Blackfriars Street – History & Analysis

Early access to the lands north and west of the of the Thames River forks was along the Wharncliffe Proof Line. The proof line, laid out by Mahlon Burwell in 1910, began on the north bank of the Thames River, west of the forks, and extended northward. However, a bridge across the Thames to connect the south and north sides of Wharncliffe Road was not completed until 1914. With the construction of the first Blackfriars Bridge by the 1820s, a seminal point in determining the future shape of the Blackfriars–Petersville Heritage Conservation District had arrived. The following excerpt is taken from the Blackfriars–Petersville Heritage Conservation District Study;

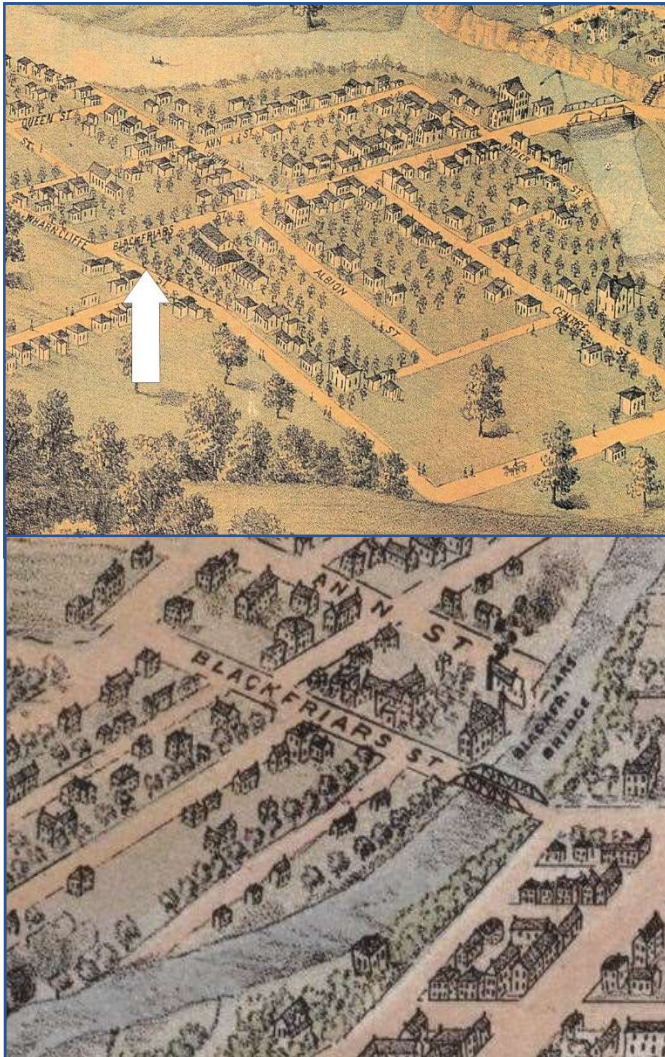
The Wharncliffe/Proof Line route was the principal means whereby people journeying from London could travel to locations north and west of the river forks. It was the first route by which settlers travelled to find their locations, and whereby they returned to London to purchase supplies or market their goods. The route they actually took from the village of London would have been north along Ridout Street and then across Blackfriars Bridge, long the only bridge connecting land on the east and west sides of the north branch of the Thames. The historical record is mute on when the first primitive bridge was constructed at the site now linking the present Ridout and Blackfriars streets. But as early as 1823, the London District Quarter Sessions dealt with a petition from Lewis Hartman, who had spent £250 constructing a bridge there, who wished to be paid for an unpaid balance.²¹

Early in the first half of the nineteenth century the route over Blackfriars Bridge and along Blackfriars Street would become an important economic link between the London and the fertile lands west of and north of the Forks of the Thames. Subdivision of land first began north and south along Blackfriars Street in the 1850s as illustrated below.



10. Map illustrating the approximate dates of surveys with the Blackfriars–Petersville HCD. The subject area at the corner of Blackfriars Street and Wharncliffe Road North is shaded in pink. This land was surveyed in the 1850s.

Reference: Figure 4, Blackfriars–Petersville Heritage Conservations District Study, 2014.



11. At left is a bird's eyes map of London dated 1872 and drawn by E.S. Glover. The area of the lot at 88 Blackfriars Street (white arrow) does not show evidence of any buildings.

Credit:
Reproduction: Canadian Cities: Bird's Eye Views, published in 1998 by the Association of Canadian Map Libraries and Archives, Ottawa, Canada. Reproduced from an original in the J.J. Talman Regional Collection Room, University of Western Ontario, London, Ontario.

12. Map of the City of London published in 1893. A building is illustrated at the corner of Wharcliffe Road and Blackfriars Street. The building shown is two storey and is possible a generic rendering. The two residential buildings south of Blackfriars Street on the east side of Wharcliffe Road could be No 175.

Credit:
City of London, Canada, With View of Principal Business Buildings, Published by Toronto Lithography Co., Published in 1893.

London Historic Map Collection,
Western Libraries, University of western Ontario.

Land assessors' records show that by 1857, 53 persons had bought land in Petersville/Bridgetown with over 30 living there. In 1863 Duncan Campbell subdivided land south of Blackfriars Street, and east of Wharcliffe, which was a first step towards settlement of lands south of Blackfriars. Despite the opening of a new wooden bridge between the City of London and Kensington/Petersville in 1871, the bird's eye view map of 1872 above does not show any buildings at the corner of Blackfriars Street and Wharcliffe Road North.

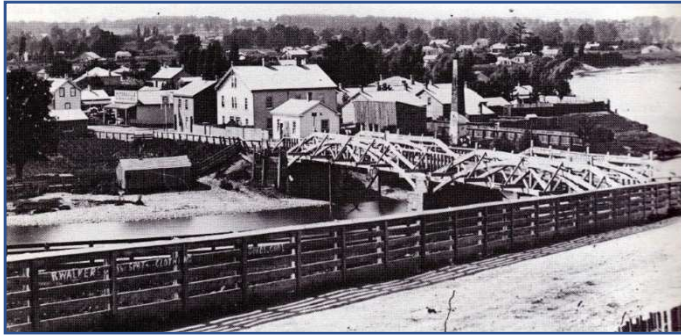
An increase in construction along Blackfriars Street coincides with the incorporation of the Village of Petersville in 1874. In a later bird's eye view map of 1893 above, representative buildings are now shown at the corner of Wharcliffe Road North and Blackfriars Street and eastward along Blackfriars Street. 88 Blackfriars is representative of the early intensification of urban growth in the area.

After a January flood in 1874 the wooden bridge connecting Petersville with London was destroyed. On September 28, 1875, a new bowstring truss bridge was opened. This was to be the first iron

bridge in London, and 144 years later, it is the same iconic Blackfriars Bridge that is in service today. It is possibly the oldest iron bridge in North America still open to vehicular service.

With the opening of a new and modern bridge, together with the pressure of urban growth spilling outward from London, the conditions were ripe for new commercial and residential building construction along Blackfriars Street. The humble, scaled down, yet attractive vernacular Georgian cottage was an affordable and popular architectural design employed throughout the district. Along Blackfriars Street today there are 8 buildings dating from the 1870s, four of which are cottage designs. 88 Blackfriars is one of the four cottages from the 1870s time period.

By 1870 Blackfriars Street was becoming a densely populated street as can be seen in the photograph of the wooden Blackfriars Bridge below. Modest, hip-roofed cottages can be seen scattered in the landscape beyond the roof line of these commercial buildings. The 1870s saw the construction of many buildings along Blackfriars Street, eight of which are still standing today.



13. Upper Left - A photograph from 1870 showing previous wooden Blackfriars bridge. This view shows a defined commercial street on Blackfriars adjacent to the bridge. Small cottage can be seen beyond the roof line of the storefronts.

14. Upper Right - Detail of a photograph of the new completed iron Blackfriars Bridge in 1875 including a view along Blackfriars Street and to the cottages west of Napier Street.

15. Left, Top Row - A current photographic collection of one-storey cottages along north side of Blackfriars Street dating from 1885 to 1890.

Left, Bottom Row - Cottages along south side of Blackfriars Street dating from 1875 to 1885.

The ubiquitous cottage design is expressed in many variations along Blackfriars Street. Above are examples of three centre hall plan designs and three side hall plan designs found on Blackfriars Street, including the subject property. All the six of these cottages examples ranges within a 15-year period, from 1875 to 1890

3.3 88 Blackfriars Street History

The earliest Land Registry Office records show that in 1900 Lot 20 was owned by Skelton Weldon. According to the Canada Census of 1871, Weldon was born in Canada in 1841 and was the son of Irish immigrants. He is listed as a farmer in Westminster Township in 1871.

No connection can be found between Skelton Weldon and noted London citizen, Col. Douglas Black Weldon. D.B. Weldon was born in Moncton New Brunswick in 1895 and moved to London after returning from overseas at the conclusion of WWI.

In Vernon's City of London Directory of 1909-10 we find John H. Pitfield, a 35-year-old painter, residing at 88 Blackfriars Street. Later, in the Canada census of 1921, John and Anna Pitfield are recorded as living at 88 Blackfriars Street and are listed as renters. John Pitfield was born in England in 1875 and immigrated with his family to Hay Township in Huron County as young boy.

Land Registry record show that Weldon was the still the owner of the property during the time Pitfield is listed as a renter. We can conclude that Weldon was likely using the property as a source of in his senior years. These records give an idea of the hard-working tradesman and farmers that were some of the early residents of the Petersville area.

The property at 88 Blackfriars Street has weathered many devastating floods from the Thames River, including the deadly floods of 1883 and 1937. The photograph below, taken along Blackfriars Street, shows how entire wood frame houses and structures could be floated off their foundations by flood waters, then deposited by chance, and sometimes overturned. Early wood frame building technics employed a timber sill plate (mud sill) placed on top of the foundation. The large timber sill provided a solid connection with the wood framed walls above but, it did not lend itself to anchoring against uplift. This construction is well illustrated by the intact condition of the exposed floor framing of the overturned building below. The house at 88 Blackfriars has identical construction.



16. This photograph shows the catastrophic damage to homes and property after the flood of 1883. This photograph was taken in the Petersville area. The cottage in the background bears a striking resemblance to 88 Blackfriars Street.

Credit: Western University Archives

Petersville survived the ongoing threat of flooding from the Thames River and had continued to thrive and grow. In retrospect, with the growth and prosperity of London, fueled by the surrounding fertile plains, woodlands and waterways, the annexation of London West (formerly Petersville) to the City of London was only a matter of time.

Since the absorption of Blackfriars Street into the diverse urban fabric of London, well over 100 years ago, the distinct and culturally rich urban character of the area is immediately apparent, and district is cherished by residents and visitors. The low, human scaled buildings, together with compact and intimate street frontages contain an infinite expression of design and today demonstrates pride of ownership. The building at 88 Blackfriars, notwithstanding its dilapidated condition, was a contributing cultural resource to the Blackfriars-Petersville Heritage Conservation District.



17. Aerial photograph of Blackfriars Street from 1922. Credit: Western Libraries, University of Western Ontario,

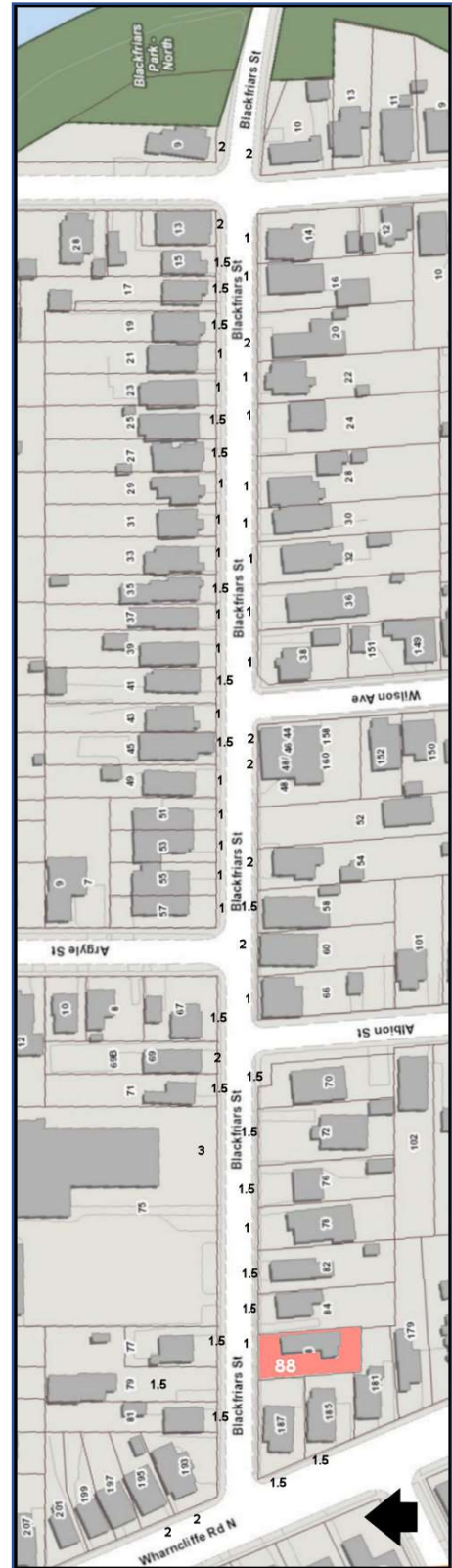
The 1922 aerial photograph above illustrates that, after a period of rebuilding following the flood of 1883, the pattern of building placement is remarkably consistent. Even the undeveloped space at the site of the former Empress United Church is apparent in the character of the west end of Blackfriars Street today.

3.4 Blackfriars Street Inventory

The GIS map at right has been used as a key to identify all building types along Blackfriars Street according to address number, building type, height and date of construction. The map corresponds with a tabular inventory on the following page. A very compact and coherent group of building frontages is evident along the north side of Blackfriars Street, between Napier and Argyle Streets. All buildings were built after the flood of 1883.

Between Argyle and Wharncliffe there is an absence of a well-defined building street edge across from 88 Blackfriars (shaded in pink). This is due in whole to the parking lot that now serves a converted office building, formerly the Empress United Church.

- 18. Below: Aerial image of Blackfriars Street. credit: Google Earth
- 19. Right: GIS Map with annotations credit: City of London



Blackfriars Street Building Height and Style Inventory							
Blackfriars Street North Side				Blackfriars Street South Side			
Address	Storey	Date	Description	Description	Date	Storey	Address
9	2	1877	Italianate Collins House Part V		1920	2	10
Napier Street							
13	2	2015		Cottage	c1880	1	14
15	1.5	1915		Cottage	1900	1	16
17	1.5	1915			1890	2	20
19	1.5	1885	Ont Farm House	Cottage	1900	1	22
21	1	1923	Cottage	Ont Cottage	c1870	1	24
23	1	1923	Cottage	Cottage	1890	1	28
25	1.5	1905		Cottage	1885	1	30
27	1.5	1890			1890	1	32
29	1	1890	Cottage	Cottage	1880	1	36
31	1	1895	Cottage		1949	1	38
33	1	1885		Wilson Avenue			
35	1.5	1885		Italianate	c1877	2	44
37	1	1890		Italianate	c1877	2	46
39	1.5	1890		Italianate	c1877	2	48
41	1	1910			1915	2	54
43	1.5	1885	Cottage		1870	1.5	58
49	1	1900			1880	2	60
51	1	1969		Ont Cottage	c1870	1	66
53	1	1969					
55	1	1969					
57	1	1969					
Argyle Street							
Albion Street							
67	1.5	1950			1980	1.5	70
69	2	1973		Ont Cottage	1880	1.5	72
71	1.5	1911			1949	1.5	76
75	3	1960s			1900	1	78
77	1.5	1947			1900	1.5	82
79	1.5	1899			1915	1.5	84
81	1.5	1927		Ont Cottage	1875	1	88
193W	2	1911			1890	1.5	187W
30	Total Buildings						26
25 x 1 Storey = 44% 20 x 1.5 Storey = 35% 11 x 2 Storey = 20%							
8x1870s = 14%		20x1880-90s=35%		16x1900-20s=28%		12x1940-2015=21%	

Blackfriars Street Building Inventory Photographs - North Side

Upper left photograph starts at the corner of Wharncliffe and moves eastward to the Thames River.



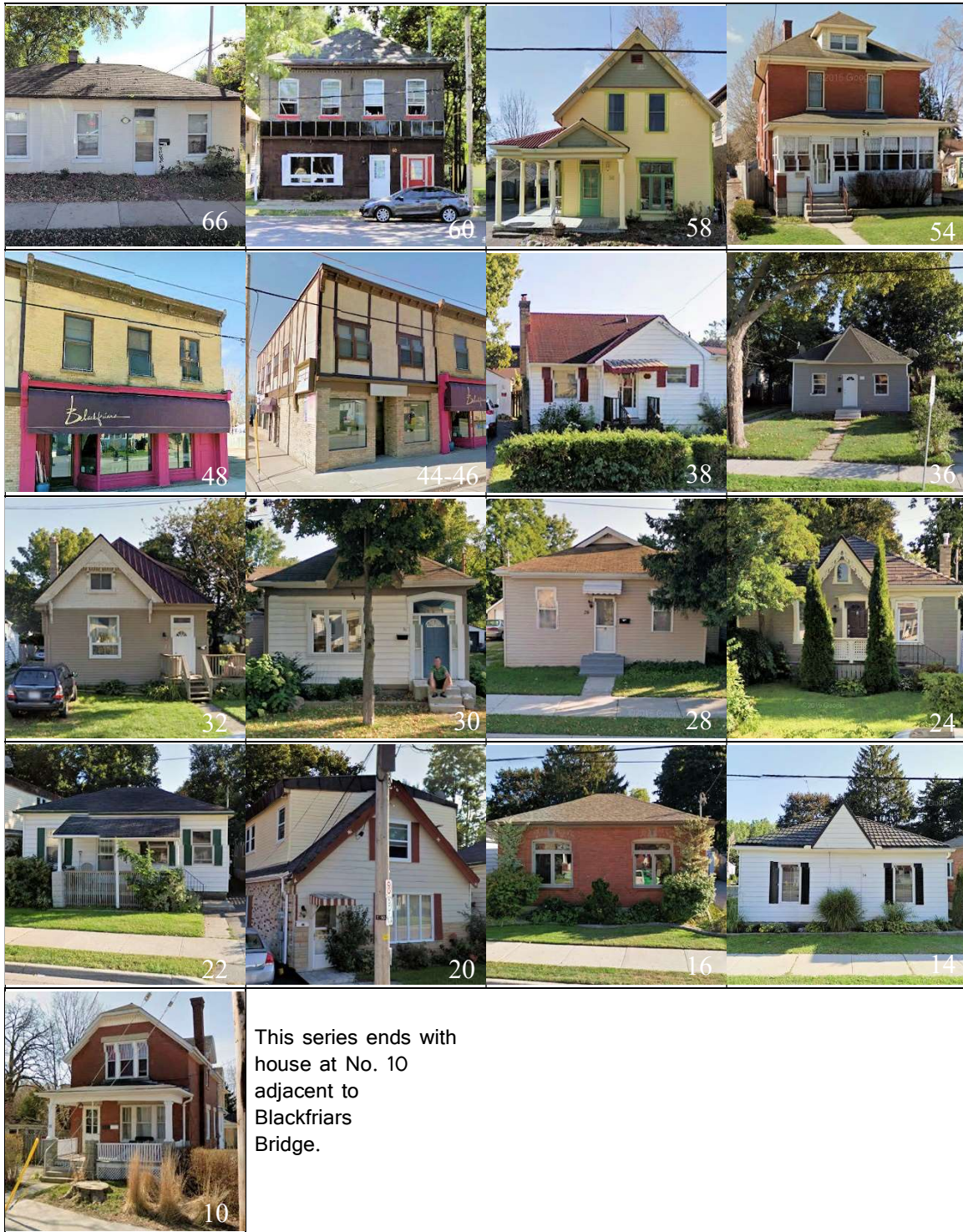
Blackfriars Street Building Inventory Photographs - North & South Side

The upper left photograph starts at 29 Blackfriars St and moves eastward to the Thames River.



Blackfriars Street Building Inventory Photographs - South Side

The upper left photograph starts at 66 Blackfriars St and moves westward Wharncliffe Road N.



This series ends with house at No. 10 adjacent to Blackfriars Bridge.

It is interesting to note that seven of the buildings from the 1870s are located on the south side of Blackfriars Street. The disastrous and deadly flooding of the Thames River in 1883 caused catastrophic damaged and the flood is likely responsible for the loss of the entire building stock on the north side of Blackfriars Street between Napier and Argyle Streets. This is possibly due to the north side of the street being exposed to up stream pressure. Construction of all of the existing buildings along this block date from after the flood of 1883.

20. Photograph after the 1883 flood looking westward from Argyle Street towards Blackfriars Street. Credit: Western Archives, University of Western Ontario.



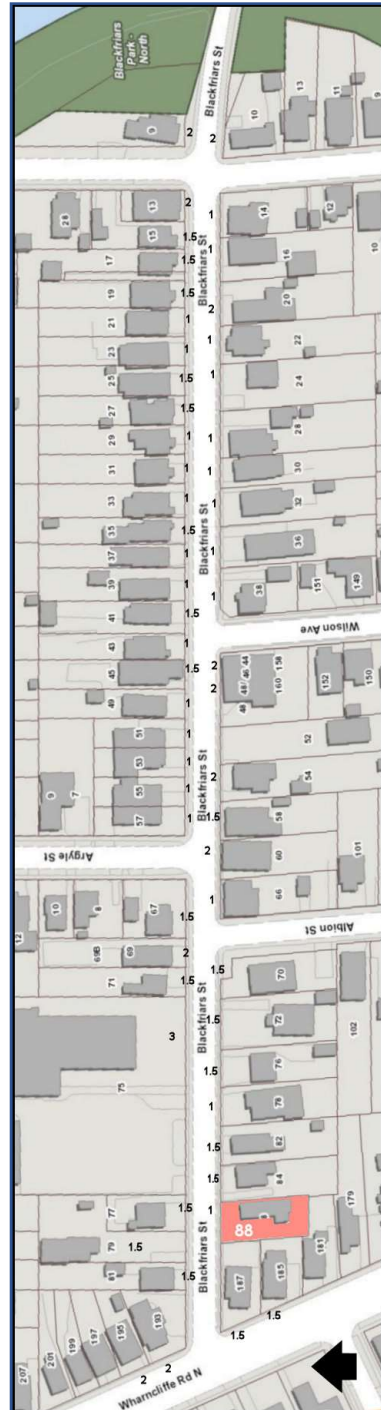
21 Photograph looking south along Argyle Street during the flood of 1937. Credit: University of Western Ontario.



22 Photograph at the corner of Blackfriars and Napier Street during the flood of 1937. Credit: University of Western Ontario.



23. Far Right: GIS Map with annotations. Credit: City of London.



4.0 IDENTIFICATION OF HERITAGE RESOURCES

4.1 88 Blackfriars Street Attributes



Clockwise from top Left 24. North elevation of 88 Blackfriars Street. 25. Interior view of the gutted interior of 88 Blackfriars, with the partially demolished rear exterior walls and roof. 26. View of the south elevation with temporary plywood sheathing as per City of London unsafe building order. 27. View of crawl space and mud sill floor framing and opening from collapsed foundation.

The building at 88 Blackfriars Street is currently in an advanced state of neglect. The present owner purchased the building in July 2018 in an advanced state of neglect. This has substantially narrowed the field of possible physical heritage attributes available for assessment. Significant heritage attributes are limited to the form of the house and include;

1. small, single storey built form with compact massing
2. front hipped roof with symmetrical front gothic gable
3. three bay façade design with vernacular side-hall Ontario cottage variation
4. double hung windows, two over two

The following assessment of possible heritage value is arranged in tabular form according to Ontario Regulation 9/06.

Heritage Attributes of the property at 88 Blackfriars Street Ontario Regulation 9/06			
1. The property has design value or physical value because it,			
i) is a rare, unique, representative or early example of a style, type, expression, <i>material or construction method</i> ,			
Rare	no	The vernacular Ontario cottage form is fairly common in Ontario but within the BPHCD the form is dominate with many extant examples including narrow side hall layout.	15% of the building along Blackfriars Street are of the cottage form
Unique	no	The vernacular Ontario cottage form is fairly common in Ontario but within the BPHCD the form is dominate with many extant examples including narrow side hall layout.	Side hall plans and gothic gables cottages are found on Blackfriars Street and within the BPHCD
Representative	yes	The building is representative of the continuity of design sensitivity by builders in the early development of Upper Canada.	The Ontario cottage style and vernacular variations are one of the dominant residential forms in the BPHCD
Early example	yes	The building is an early example of the ubiquitous cottage design employed by settlers in Petersville.	
ii) displays a high degree of craftsmanship or artistic merit,			
Craftsmanship	no	All visual surface indication of craftsmanship has been removed or are concealed from view.	
Artistic merit	no	All visual surface indication of artistic merit has been removed or are concealed from view.	
iii) demonstrates a high degree of technical or scientific achievement.			
Technical Achievement	no	Typical period residential technics employed in construction	
Scientific achievement	no	Typical period residential technics employed in construction	

Heritage Attributes of the property at 88 Blackfriars Street Ontario Regulation 9/06			
2. The property has historical value or associative value because it,			
i). has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,			
Theme	yes	The building is representative of early suburban and urban life in the development of the City of London expressed through build form. The building is integral to theme of early settlement in the area, providing modest accommodation to tradesman and a source rental income.	
Event	yes	One of few buildings in the area to survive the catesrophic London floods of 1883 and 1937.	
Belief	no	No specific beliefs have been integral to the property.	
Person	no	No notable historic person has been connected to the property	
Activity	yes	The property is tied to the intersection between agriculture work and trade work and the urban expansion of London	
Organization or Institution	No	No organization has been connected to the property	
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture,			
	yes	The unique form yields apparent information on the early development pattern of the area	
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.			
	no	No specific designer or design influence can be attributed to the vernacular architecture	

Heritage Attributes of the property at 88 Blackfriars Street Ontario Regulation 9/06			
3. The property has contextual value because it,			
i). is important in defining, maintaining or supporting the character of an area,			
Area character	yes, limited	The building is contributing heritage resource to the character of the area but its impact is weakened by subsequent adjacent development of a dissimilar scale.	
ii. is physically, functionally, visually or historically linked to its surroundings			
	yes	The building is a closely linked to early development, and expresses the cultural and socioeconomic influences during the early development of its surrounding. The building has survived natural disasters in the context of the flood plane of the Thames River.	
iii. is a landmark.			
	no	The form of the building is distinctive but does not function as a landmark on a broad urban or district scale.	

4.2 Blackfriars Street Viewsheds



Viewshed photographs, clockwise from upper left - 28. View from intersection of Wharncliffe and Blackfriars Streets looking east. 29. View at the beginning of Blackfriars Street looking east. 30. View along Blackfriars Street looking west. 31. View along Blackfriars Street in front of the subject property, looking west.

The top two photographs show views facing eastward along Blackfriars Street. The house at 88 Blackfriars is not immediately viewed from Wharncliffe Road when approaching from the west. The close proximity of the corner house to the Blackfriars Street obscures the view of 88 Blackfriars. The west end of Blackfriars Street has a discontinuous building frontage edge which conveys a less discernable street character. Blackfriars Bridge is on the horizon two blocks away. The bridge is at an oblique angle to Blackfriars Street making it difficult to see.

The bottom two photographs are facing westward along Blackfriars Street. Again, the discontinuous building frontages convey a less discernable street character. The view westward terminates with the house facades on the west side of Wharncliffe Road.

The viewsheds across the street frontage of 88 Blackfriars Street are not significantly representative of the cultural heritage character of the Blackfriars-Petersville Heritage Conservation District. Alterations or loss of 88 Blackfriars does not present a significant impact to the viewshed on the

street. An opportunity exists for a replacement building to strengthen the street edge continuity as the lot is adjacent to 1-1/2 storey houses on both sides.

4.3 Property Condition Assessment

The condition of the building is in an advanced state of neglect. An engineer's report dated 2016 indicated that the building has been not been inhabited for approximately 15 years. The engineer's report states that, at the time of inspection, the floor framing was structurally unsound. The leaking roof had not been repaired for an extensive amount of time. Ongoing rot threatens the roof structure with imminent collapse. In the absence of heat, the foundation has deteriorated to the point that it can no longer be consider structurally sound to support the house.

The long-term neglect has resulted in a structure that is virtually beyond repair or salvage. It is not reasonable to estimate the repair costs since the structure has been condemned as structurally unsound. Therefore, no cost estimate will be provided in the HIA. The bulk of the material remaining of the house is limited to wood framing several windows and a rotting roof. From the perspective of a cost feasibility analysis, the repairs are impractical and are not advised.

A possible alternative is to construct a replacement building. This would require the complete removal of the existing building to provide a new foundation with new utilities and service lateral connections. The replacement of the one-storey structure of approximately 950 square feet is likely not economically feasible. Market forces would favour a house with greater floor area and more numerous bedrooms.

In conclusion, due to the advance state of neglect, the required repairs to return the building into a habitable structure is neither practical or feasible. Furthermore, due the advanced state of deterioration, it is not possible to accurately estimate construction costs to stabilize, re-support, repair, conserve and renovate the existing building.



32. The above photograph shows the rear portions of the house in June 2019. These were removed as directed due to concern for public safety.

4.4 Protection of Heritage Resource

Historical research and site analysis of the Blackfriars-Petersville Heritage Conservation District has demonstrated a connection between the heritage resource at 88 Blackfriars street property and early development within the district. Additional connections have been made between the house and patterns of settlement, socioeconomic development, historic events and its contribution to the cultural heritage and architectural character of the district.

An evaluation of the heritage attributes according to Ontario Regulation 9/06 demonstrates the property has heritage value in each of the three categories; design or physical value, historical or associative value or contextual value. This assessment re-confirms that 88 Blackfriars Street is a contributing heritage resource within the Blackfriars-Petersville Heritage Conservation District as classified and stated in Figure 3 of the district Plan & Guidelines, 2014.

In view of the Property Condition Assessment, the retention, repair and restoration, adaptive use or relocation of the building is untenable due to the advanced deterioration of the structure due to long term neglect and abandonment. Therefore, it is the finding of this Heritage Impact Assessment that no heritage protections should prevent removal of the existing structure at 88 Blackfriars Street and that a heritage permit be issued for removal of the building.

The broader scope of the heritage character of the Blackfriars-Petersville Heritage Conservation District shall be protected through the application of the district's guidelines for the design of a new infill building. As directed by the Plan & Guidelines for the HCD, the re-development of the property and the design of the replacement building shall be "respectful, sympathetic, and contextual to the cultural heritage value and heritage attributes of Blackfriars-Petersville Heritage Conservation District". Conformance with the HCD Guidelines will be through the heritage permit review process by the City of London.

5.0 PROPOSED DEVELOPMENT

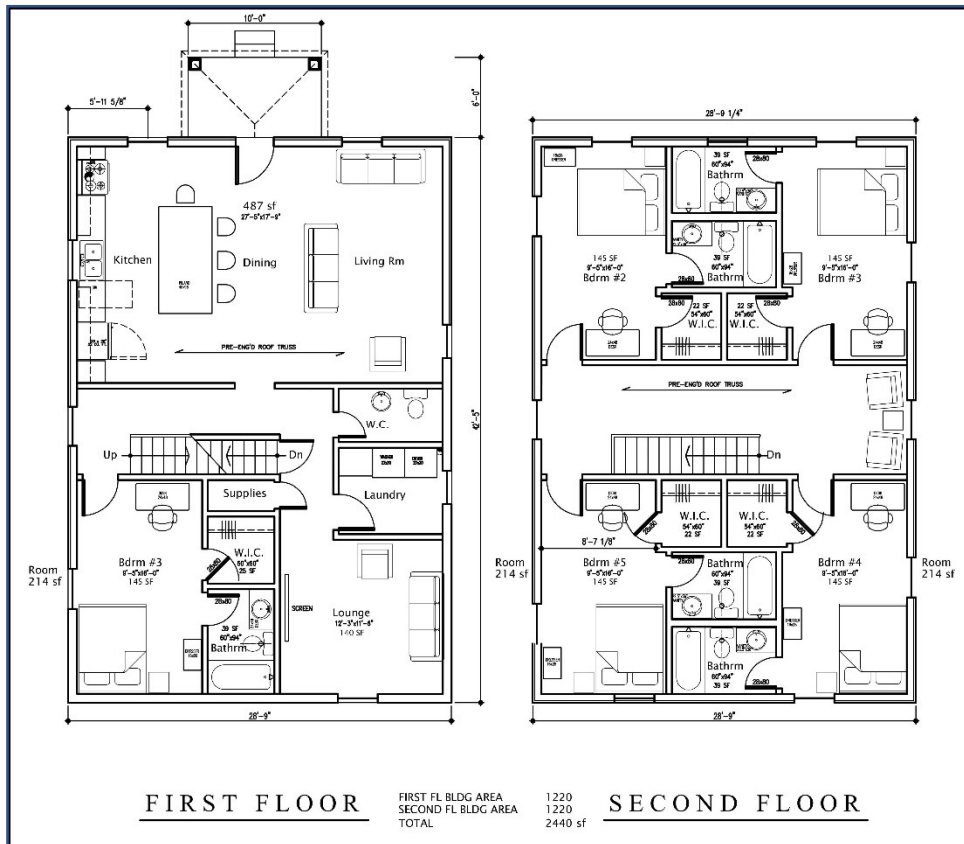
5.1 Proposed Building

The proposed development includes the removal of the existing one-storey residential building and to construct a new two-storey single detached dwelling. Refer to the complete design proposal drawings dated October 18, 2019 attached to the HIA appendix.

The proposed building area footprint is 1220 square feet (113.3m²). The total building areas over two floors is 2440 square feet (226.7m²). The basement configuration is subject to review by the Upper Thames River Conservation Authority (UTRCA). It is anticipated that occupancy of the basement will be limited by the policies of the UTRCA.

A garage, either detached or attached, is not proposed. The building contains five bedrooms, each containing an ensuite bathroom. The R2-2(19) zone only permits a single detached dwelling or other existing legally established occupancy to a maximum of 2 dwelling units.

The proposed building is intended to be used as single dwelling for the rental market. This use is in alignment with the *Official Plan* direction that identifies Blackfriars-Petersville as a "Near Campus Neighbourhood". Refer to further information on Near Campus Neighbourhoods in Section 2.0 of this HIA.



33. Left: Floor plans of the proposed building for 88 Blackfriars Street.

Floor plans for the proposed two-storey single dwelling.

The proposed building is positioned tightly against the front lot line facing Blackfriars Street. The building is aligned with the established adjacent building frontages. The proposed building increases the existing building lot coverage of 950 sf by 270 sf. The driveway entrance remains on the west side of the lot.

The proposed exterior building design follows a traditional three-bay form most often associated with vernacular Italianate revival architecture. This is a residential form commonly found in London and throughout southwestern Ontario. The three-bay fenestration pattern is centred around the front door. The exterior wall material is brick. The first choice for masonry is to use local reclaimed buff brick, often referred to in historical writing as white brick. However, the supply of local heritage reclaimed buff brick is subject to unreliable availability and quality. If local reclaimed buff brick is not available, a heritage style of new brick is proposed to be used.

The windows will be double-hung with a vertical simulated division in the upper and lower sashes. Window openings facing Blackfriars Street will be detailed with brick lintels in a soldier course pattern. All window sills will be provided with cut stone sills. The hipped roof is sloped at 4/12 pitch and asphalt shingles roofing is proposed. The proposed house features a front porch with raised panel columns and a hipped roof.

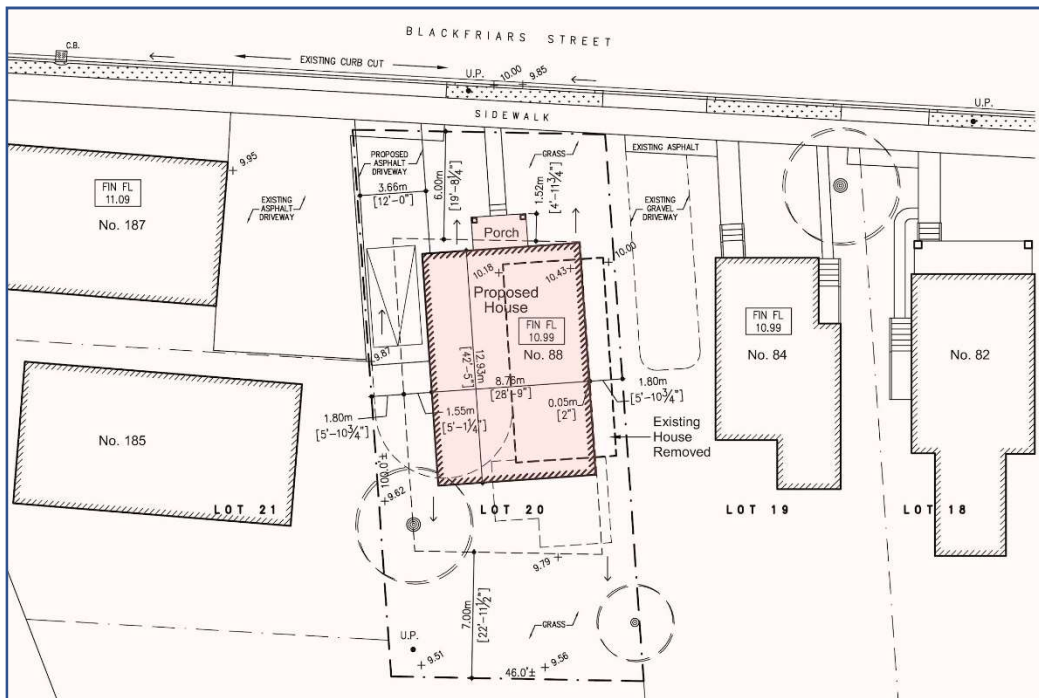


34. Above: Photographic streetscape study montage with a rendering of proposed building at 88 Blackfriars Street.

5.2 Proposed Site Development

Placement of the proposed building will closely resemble the existing house location including the distance to the street and an orientation parallel to the side property lines. The driveway will remain on the west side of the property. No garage is proposed and required parking will be on the driveway adjacent to the west side of the house.

The existing trees of a significant calliper size are to remain on the property. The proposed building will be two storeys in height. Increases in shadowing will primarily fall onto Blackfriars Street. The open space will remain grassed and unchanged in the existing front, side and rear yard. A new paved walk will connect the central front door to the existing sidewalk.



35. Above: Detail of the proposed site development plan for the 88 Blackfriars Street.


6.0 MEASUREENT OF IMPACT

6.1 Potential Impact Assessment & Mitigation Matrix

New Development (7.10.1 Policies BPCH)		
a)	Council will endeavour, through its approval process, to discourage new development or redevelopment that detracts from the integrity or results in the destruction or negative impact on contributing resources and heritage attributes of Blackfriars-Petersville Heritage Conservation District;	Loss of the contributing resource has a negative impact. Mitigation: new development shall conform to the HCD design guidelines
b)	New development shall be respectful, sympathetic, and contextual to the cultural heritage value and heritage attributes of Blackfriars-Petersville Heritage Conservation District. Heritage Impact Assessment may be required at the discretion of the Heritage Planner;	Loss of the contributing resource has a negative impact. A HIA will inform re-development Mitigation: new development shall conform to the HCD design guidelines
c)	Parking for new development should be located in the driveways at the side of the dwelling or in garages at the rear of the main building, wherever possible. Discourage new garages at the front of the building;	Loss of the contributing resource has a negative impact. Mitigation: New development parking will be in driveway. Garage is not proposed.
d)	Building elevations will be required for development proposals. The Architectural Design guidelines provided in Section 10 of this Plan will be used to review and evaluate proposals for new buildings to ensure that new development is compatible with the adjacent context;	Loss of the contributing resource has a negative impact. Mitigation: Building elevations have been provided to conform to the guidelines in the HCD Plan & Guidelines for compatibility
e)	Site Plan control may apply for new development within Blackfriars-Petersville Heritage Conservation District	Loss of the contributing resource has a negative impact. Mitigation: Site plan approval does not apply. heritage permit review process shall ensure conformance with HCD goals
f)	A Tree Management Plan may be required for proposed development or site alteration to the satisfaction of the Urban Forester to evaluate the impacts on existing vegetation and promote conservation of mature healthy trees as a heritage attribute of the	Loss of the contributing resource has a negative impact. Mitigation: Mature trees are on the property and shall be protected during

	Blackfriars-Petersville Heritage Conservation District;	construction and retained to the satisfaction of the Urban Forester.
g)	Landscaping that complements the existing landscapes of the Blackfriars-Petersville Heritage Conservation District, screens parking areas and contributes to the overall pedestrian quality and contributes to the neighbourhood's urban forest is encouraged for all new development. Specific landscape elements will be governed by Site Plan Approval requirements.	Loss of the contributing resource has a negative impact. Mitigation: Existing grass cover over the open areas of the front yard will be maintained similar to the existing grass cover.

Architectural Design Guidelines Key Elements (10.2 BPCH)		
10.2.1	Building Form, Massing, Height, Width and Visible Depth	Loss of the contributing resource has a negative impact.
Mitigation – Building Form: The form of the proposed building follows a composition of platonic solids (cubes, triangles) that is common in classical period residential buildings. A simple rectangular form and pyramidal hip roof is a building form that is sympathetic to the district		
Mitigation - Massing: The massing of the new proposed building follows the simple form and is animated by a three-bay treatment.		
Mitigation - Height: The massing of the new building is a departure from the existing one storey cottage. The adjacent houses on both sides (84 Blackfriars and 187 Wharncliffe) are 1-1/2 storey, therefore able to accommodate the proposed two-storey height. Across the street the building at 193 Wharncliffe is a taller two-storey brick building and provides continuity of context.		
Mitigation – Width: The proposed building suitably fills out the noticeable gap along the street edge at the west end of Blackfriars Street, partly resulting from the adjacent corner lot configuration. The proposed building is the last building on the west end of the street. A larger mass will provide a prominent entrance and termination to the streetscape edge. This will achieve the goal of an improved gateway to Blackfriars Street as outlined in BPHCD Gateways 12.9.		
Mitigation – Visible Depth: The proposed building will closely match the existing building depth		
10.2.2	Building Setting on Property	Loss of the contributing resource has a negative impact. A HIA will inform re-development Mitigation: The proposed building will be aligned with the established building frontages along Blackfriars Street.

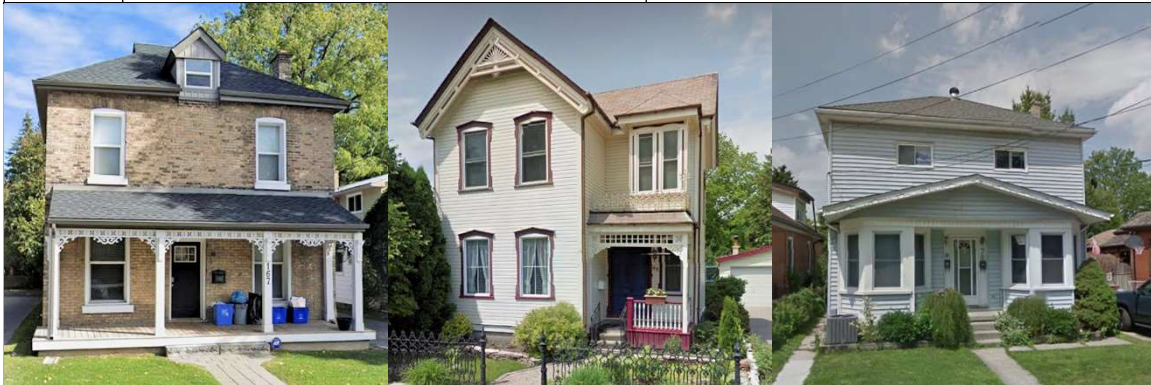
10.2.3	Architectural Style	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: The architectural style is based on a classic, symmetrical 3 bay Italianate residential form with references within the district.</p>
		
<p>11 Leslie Street, BPHCD 193 Wharnclyffe & Blackfriars, BPHCD 13 Napier Street, BPHCD</p>		
10.2.4	Building Façade Elevation Layout and Shape, Projections and Reveals	<p>Loss of the contributing resource has a negative impact.</p>
<p>The proposed building façade has a clearly articulated order in the three bay, symmetrical layout. Brick pilasters and solid course window lintels animate the front façade. A front porch projects forward to add depth, shadow and human scale.</p>		
10.2.5	Porches	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: the proposed building has a front porch with a hip roof and square, raised panel columns.</p>
10.2.6	Roof Style, Chimneys, Dormers, Gables and Soffits	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: The roof style is contemporary to a period hip roof found on Italianate revival buildings with the BPHCD. Chimneys, dormers or gables are not proposed.</p>
10.2.7	Windows, Doors and Accessories	<p>Loss of the contributing resource has a negative impact.</p>

		<p>Mitigation: Double hung windows are proposed with a two over two divisions, similar to the existing building. Accessories such a front door transom window and soldier course window lintels are utilized in the design.</p>
10.2.8	Building Materials, Textures and Colours	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: the proposed building will be clad with brick. If quality reclaimed brick is available it will be used. Otherwise a reclaimed style of brick will be selected based on a buff of red “through the body” coloured brick.</p>
10.2.9	Key Elements for Commercial and Institutional Buildings	Not applicable

<p>Design Guidelines – New Residential Buildings (10.3.2 BPCH)</p>		
10.3.2.1 a)	Match setback, footprint, size and massing patterns of the area, particularly to the immediately adjacent neighbors. Match façade pattern of street or of “street wall” for solids and voids, particularly ensure the continuity of the street wall where one exists;	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: placement and design of proposed building maintains and strengthens street wall at Blackfriars Street western termination/gateway.</p>
10.3.2.1 b)	Setbacks of new development should be consistent with adjacent buildings. Where setbacks are not generally uniform, the new building should be aligned with the building that is most similar to the predominant setback on the street;	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: the proposed building is aligned with the adjacent building frontage line and closely match the existing building</p>
10.3.2.1 c)	New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the visual appeal of the district;	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: The central front door of the proposed building faces the street, features a transom window and a covered porch.</p>
10.3.2.1 d)	Respond to unique conditions or location, such as corner properties, by providing	Loss of the contributing resource has a negative impact.

	architectural interest and details on both street facing façades;	Mitigation: the location is adjacent to the corner property of Wharncliffe and Blackfriars. Masonry detailing, brick texture, colour and a rational rhythm of fenestration pattern will animate the entrance to Blackfriars Street.
10.3.2.1 e)	Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns;	Loss of the contributing resource has a negative impact. Mitigation: The hipped low slope roof is referenced in Italianate building found throughout the BPHCD.
10.3.2.1 f)	Respond to continuous horizontal patterns along the street such as roof lines, cornice lines, and the alignment of sills and heads of windows and doors;	Loss of the contributing resource has a negative impact. Mitigation: Roof soffit with frieze band, window head and sills aligned
10.3.2.1 g)	Size, shape, proportion, number and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate area;	Loss of the contributing resource has a negative impact. Mitigation: Three bay articulation of façade is reflective of period residential building in the district.
10.3.2.1 h)	Use materials and colours that represent the texture and palette of the Blackfriars-Petersville area;	Loss of the contributing resource has a negative impact. Mitigation: local reclaimed brick will be used subject to availability.
10.3.2.1 i)	Where appropriate, incorporate in a contemporary way some of the traditional details that are standard elements in the principal façades of properties in the Blackfriars-Petersville area. Such details as transoms and sidelights at doors and windows, covered entrances, divided light windows and decorative details to articulate plain and flat surfaces, add character that complements the original appearance of the neighbourhood and add value to the individual property;	Loss of the contributing resource has a negative impact. Mitigation: transom, double hung divided windows, raised panel front door, covered front door, and soldier course brick lintels are proposed to be used.

<p>10.3.2.1 i)</p>	<p>New buildings should not be any lower in building height than the lowest heritage building on the block or taller than the highest heritage building on the same block.</p>	<p>Loss of the contributing resource has a negative impact.</p> <p>Mitigation: The height of the proposed building shall not exceed any of the height of the tallest existing heritage building within the subject property's block. Three of the tallest heritage building in the block are pictured below.</p> <p>The final height of the building is subject to minimum foundation height requirements of the flood plane limit set by the Upper Thames River Conservation Authority.</p>
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<p>167 Wharnccliffe Road N, BPHCD</p>	<p>88 Albion Street, BPHCD</p>	<p>78 Albion Street, BPHCD</p>
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Above: three examples of two storey building heights located within the bock of 88 Blackfriars Street.

7.0 AVOIDANCE, ALTERNATIVES & MITIGATING METHODS

As established in the Property Condition Assessment section, although the building demonstrates heritage value, retention of the building within the requirements of the *Ontario Building Code* for residential use is untenable. Relocation of the building for another purpose may have been feasible if the wood frame structure was structurally sound. As described in the structural engineer's report, long term abandonment, together with the absence of roof repairs or winter heat has created a hazard for any attempt at renewal of the building.

The opportunity to avoid the required removal of the building would have been through remedial repairs and habitation many years ago. Logically, it follows that, in order to ensure public safety, the building must be removed. Avoidance of the loss of contributing buildings in the future, due to abandonment and neglect, will require ongoing and thorough monitoring by enforcement agencies and neighbourhood associations.

After removal, if no development is permitted to occur, a large gap in the street wall will be created and will have a negative overall impact on continuity of Blackfriars Street and would be counter to the goals of the Blackfriars-Petersville Heritage Conservation District. After removal, a "do nothing" approach is not a reasonable or feasible option for the owner, the neighbourhood, the district, or the City of London.

By closely following the design guidelines laid out in the Blackfriars-Petersville Heritage Conservation District Plan & Guidelines, the construction of a new residential building will be a favourable method to mitigate the loss of the building at 88 Blackfriars Street.

Commemoration of 88 Blackfriars through interpretive and historical information media materials is an available option to mitigate the loss of the existing building. The building at 88 Blackfriars is representative of the overall character of the BPHCD however, no unique or rare historic associations have been identified specifically with 88 Blackfriars that are not also associated with other existing buildings in the district.

8.0 IMPLEMENTATION AND MONITORING

Upon the approval of this Heritage Impact assessment by the Heritage Planner, the Local Architectural Advisory Committee (LACH), and the Council of the City of London, a heritage permit will be issued. Upon receiving a heritage permit for the proposed redevelopment, the required demolition permits will be obtained and removal of the existing building can commence.

Due to the building's advanced state of deterioration, there are no known materials of value to be salvaged. No monitoring of the demolition will be required for cultural heritage conservation purposes.

Upon the completion of construction drawings, the final construction documents and plans will be submitted for a building permit under the. General review by design professionals is not required under *Ontario Building Code* for small residential buildings. The building permit application plans may be reviewed by the heritage planner for comment and for compliance with the Blackfriars-Petersville Heritage Conservation District Plan & Guidelines and for consistency with the Heritage Impact Assessment. The site plan may be reviewed by the Urban Forester for comment regarding the retention of significant trees.

During construction, periodic inspections by the building inspector, through the City of London Building Department, is required by the *Ontario Building Code Act*. Other periodic inspections may be completed by the Heritage Planner during construction to monitor implementation of the mitigating measures and design features proposed in this report.

The new building will be subject to the full force of the *Ontario Heritage Act* as it applies to the Blackfriars-Petersville Heritage Conservation District under the designating By-law L.S.P.-3437-179. Contravention of the Ontario Heritage Act is a Provincial offence. Illegal demolition in contravention of the Ontario Heritage Act is subject to a fine of up to \$1,000,000. Under Section 69.5.1 of the Ontario Heritage Act, in addition to any other penalties, the City of London or the Ministry of Tourism, Culture and Sport may restore an illegally demolished protected heritage resource as nearly as possible to its previous condition and may recover the cost of the restoration from the property owner.

9.0 SUMMARY

Distinctive Homes London Inc., the owner of the property at 88 Blackfriars Street, City of London, retained Thor Dingman (TD-BAS Inc) to prepare a Heritage Impact Assessment (HIA) for the subject property. The property is designated under Part V, Heritage Conservations Districts, of the *Ontario Heritage Act*. The property is listed on the City of London's Register of Cultural Heritage Resources under the designating by-law L.S.P.-3437-179, Blackfriars-Petersville Heritage Conservation District, designated on May 15, 2015.

The HIA has been requested by the City of London Heritage Planner in response to the owner's request to demolish the existing one-storey detached single unit dwelling. The existing building was built in approximately 1875. The architectural design is a vernacular variation of the Ontario Cottage. The house is representative of early settlement in the area and of the type of modest housing stock occupied by early labourers and tradesman that is characteristic of the District. The house at 88 Blackfriars Street has been identified in the HCD Plan as a Contributing Property within the District.

The surrounding Heritage Conservation District contains a residential area consisting of approximately 580 properties within 19 city blocks. The predominate building type is a smaller dwelling, typically either a 1 storey cottage or a 1-1/2 storey gabled house. Larger homes are also found scattered throughout the District. The dwellings are often set closely towards the narrow streets thereby creating a sense of enclosure that is characteristic of the district. The district has grown and evolved along the banks of the Thames River. Residents have benefited from the rich fertile soil but, they have suffered many catastrophic floods which have shaped building development patterns.

The Blackfriars-Petersville Heritage Conservation Plan & Guidelines were adopted along with the designating by-law. The Plan and Guidelines provide policies, procedures and guidance for the management of heritage resources in the District. The Plan also provides for the management of change within the District including demolition and design standards for new infill buildings.

To fully understand the potential impacts of the proposed building removal and redevelopment of the property, the HIA examined in greater detail the heritage character and attributes of the area and the connections it has to the broader context within the Heritage Conservation District boundaries. This analysis includes historical research and site analysis of the surrounding property, the viewshed along Blackfriars Street, and of the immediate neighbourhood surrounding 88 Blackfriars Street.

The heritage attributes of the building at 88 Blackfriars Street were listed, assessed and summarized in tabular format according to Regulation 9/06 to determine if the building had design or physical value, historic and associative value, or contextual value. The assessment of the heritage attributes confirmed that the 1875 Ontario Cottage at 88 Blackfriars Street has significant heritage value as classified in Figure 3 of the Blackfriars-Petersville District Plan & Guidelines, 2014.

However, in view of the structural engineer's assessment of the house, it is the finding of the Property Condition Assessment that the retention, repair and restoration, adaptive use or relocation of the building is untenable due to the advance deterioration of the structure due to long term neglect and abandonment. Therefore, it is the finding of this Heritage Impact Assessment that no heritage protections should prevent the removal of the existing structure at 88 Blackfriars Street and that a heritage permit should be issued for removal of the building.

Removal of a heritage resource and the construction of a new building may have potential negative impacts on the cultural heritage value of the HCD. To mitigate the negative impact of the proposed new building, recommendations for the design of new development was taken from the Blackfriars-Petersville HCD Plan & Guidelines and listed in tabular form in the HIA. Mitigating design measures were summarized and described and are incorporated into the proposed building design.

The proposed architectural designs have been attached to the HIA. The designs demonstrate the adoption of the recommended design guidelines provided in the Blackfriars-Petersville HCD Plan. In conclusion, the loss of the contributing heritage property at 88 Blackfriars Street results in a negative impact on the neighbourhood along Blackfriars Street and throughout its connection within the broader context of the HCD. Due to serious and irreversible structural deterioration the heritage resource cannot be retained. Mitigation of this loss is achieved through the effective incorporation of the HCD design guideline recommendations in the design of the new house.

End of Report

References

1. "Blackfriars-Petersville Heritage Conservation District Plan & Guidelines", by Golder Associates, IBI Group, Tausky Heritage Consultants, City of London, May 12, 2014
2. "Blackfriars-Petersville Heritage Conservation District Plan & Guidelines", by Golder Associates, IBI Group, Tausky Heritage Consultants, City of London, January, 2014
3. "The London Plan", by the City of London, Minister Approved December 28, 2016.
4. "Standards and Guidelines for the Conservation of Historic Places in Canada", 2nd ed., Her Majesty the Queen in Right of Canada, 2010.
5. "Heritage Resources in the Land Use Planning Process - Info Sheet #5, Heritage Impact Assessments and Conservation Plans", Ontario Ministry of Culture, Queen's Printer for Ontario, 2006.
6. Ivey Family London Room Photograph Collection, London Public Library
7. Google Street View, <https://instantstreetview.com>
8. HistoricBridges.org, web content
9. Canada Census
10. Western Libraries, University of western Ontario
11. London Room Collection London Public Library
12. The D.B. Weldon Library Map Library, Western Libraries



Curriculum Vitae

Thor Dingman - President

▪ FIRM HISTORY

Thor Dingman established his firm in 2003 and has since been in continuous practice working on a range of architectural design projects including custom residential, office, commercial, industrial and heritage conservation.



▪ PROFESSIONAL ASSOCIATIONS

A. Sc. T., OACETT

Ontario Association of Certified Engineering Technologists and Technicians

Building Specialist, CAHP

Canadian Association of Professional Heritage Consultants

Conservation Consultant, ACO

Preservation Works Program,
Architectural Conservancy of Ontario

LEED AP Green Building Council of
Canada accredited professional

▪ PROFESSIONAL REGISTRATION

OBC Firm BCIN #26998

Building Code Identification Number

OBC Designer BCIN #21537

Small Buildings
Large Buildings
Building Services
Building Structural
Plumbing All Buildings

▪ PROFESSIONAL INSURANCE

\$1,000,000 E&O Insurance,
Encon, Certificate Number 199

▪ GENERAL LIABILITY

\$2,000,000 Commercial General Liability
per occurrence. \$3,000,000 General
Aggregate.

▪ EDUCATION

B. Arch. Sc. (design)
Ryerson University, Toronto 1989

Heritage Planning Certificate
University of Waterloo, Waterloo 2003

Historic Conservation Certificate
University of Waterloo, Waterloo 2003

▪ FORMER EMPLOYERS

1992-2003
Senior Designer, Marklevitz Architect
Stratford, Ontario

1989-1991
Architectural Scientist
Otto & Bryden Architects
Ottawa, Ontario

▪ EXPERIENCE

With 19 years professional design
experience Thor Dingman has worked on a
wide range of projects for a variety of
clients;

Huron Perth Healthcare Alliance

Scotiabank

City of Stratford

Municipality of Huron East

Perth County Historical Foundation

Town of Saugeen Shores

W & H Smith Construction

Stratford Subaru

CBRE Property Management

Quadro Communications



BLACKFRIARS-PETERSVILLE HERITAGE CONSERVATION DISTRICT PLAN

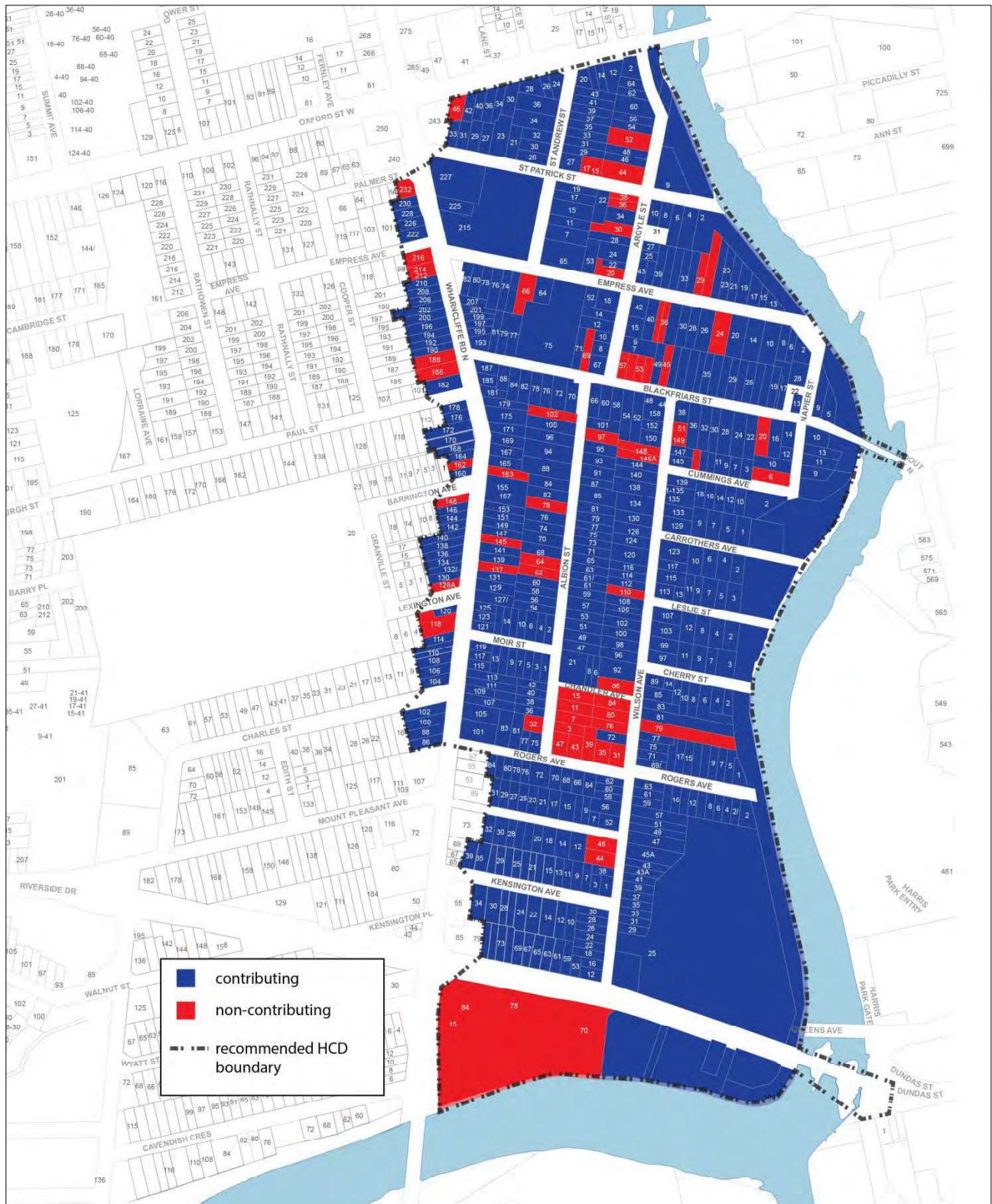


Figure 3: Contributing and non-contributing properties within the Blackfriars-Petersville Heritage Conservation District.

Register of Cultural Heritage Resources

Row	Street Name	Address	Year Built	Architectural Style	Individual Designating By-law	Interior Attributes	Plaque	Heritage Conservation District	Designating By-Law	Rating	Property Name or Comment	Cultural Heritage Status	Alternate Addresses on the Property	Force and Effect Date
290	Blackfriars Street	10 Blackfriars St	1920					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
291	Blackfriars Street	13 Blackfriars St	2015					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
292	Blackfriars Street	15 Blackfriars St	1915					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
293	Blackfriars Street	16 Blackfriars St	1900					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
294	Blackfriars Street	17 Blackfriars St	1915					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
295	Blackfriars Street	19 Blackfriars St	1885	Ontario Farmhouse				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
296	Blackfriars Street	20 Blackfriars St	1890					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
297	Blackfriars Street	21 Blackfriars St	1923					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
298	Blackfriars Street	22 Blackfriars St	1900					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
299	Blackfriars Street	23 Blackfriars St	1923					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
300	Blackfriars Street	24 Blackfriars St	c1870	Ontario Cottage				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
301	Blackfriars Street	25 Blackfriars St	1905					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
302	Blackfriars Street	27 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
303	Blackfriars Street	28 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
304	Blackfriars Street	29 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
305	Blackfriars Street	30 Blackfriars St	1885					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
306	Blackfriars Street	31 Blackfriars St	1895					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
307	Blackfriars Street	32 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
308	Blackfriars Street	33 Blackfriars St	1885					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
309	Blackfriars Street	35 Blackfriars St	1885					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
310	Blackfriars Street	36 Blackfriars St	1880					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
311	Blackfriars Street	37 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
312	Blackfriars Street	38 Blackfriars St	1949					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
313	Blackfriars Street	39 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
314	Blackfriars Street	41 Blackfriars St	1910					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
315	Blackfriars Street	43 Blackfriars St	1885					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
316	Blackfriars Street	44-48 Blackfriars St	c1877	Italianate				B/P	L.S.P.-3437-179	Con	Blackfriars Bistro	Part V Designated	44 Blackfriars St 46 Blackfriars St 48 Blackfriars St 48/ Blackfriars St 158 Wilson Ave 160 Wilson Ave	May 15, 2015
317	Blackfriars Street	45 Blackfriars St	1890					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
318	Blackfriars Street	49 Blackfriars St	1900					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
319	Blackfriars Street	51 Blackfriars St	1969					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
320	Blackfriars Street	52 Blackfriars St	1880					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
321	Blackfriars Street	53 Blackfriars St	1969					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
322	Blackfriars Street	54 Blackfriars St	1915					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
323	Blackfriars Street	55 Blackfriars St	1969					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
324	Blackfriars Street	57 Blackfriars St	1969					B/P	L.S.P.-3437-179	N/Con		Part V Designated		May 15, 2015
325	Blackfriars Street	58 Blackfriars St	1870					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
326	Blackfriars Street	60 Blackfriars St	1890					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
327	Blackfriars Street	66 Blackfriars St	c1870	Ontario Cottage				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
328	Blackfriars Street	67 Blackfriars St	1950					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
329	Blackfriars Street	69 Blackfriars St	1973					B/P	L.S.P.-3437-179	N/Con		Part V Designated	69 Blackfriars St 69B Blackfriars St	May 15, 2015
330	Blackfriars Street	70 Blackfriars St	1988					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
331	Blackfriars Street	71 Blackfriars St	1911					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
332	Blackfriars Street	72 Blackfriars St	1880	Ontario Cottage				B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
333	Blackfriars Street	75 Blackfriars St						B/P	L.S.P.-3437-179	Con	Empress United Church	Part V Designated		May 15, 2015
334	Blackfriars Street	76 Blackfriars St	1949					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
335	Blackfriars Street	77 Blackfriars St	1947					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
336	Blackfriars Street	78 Blackfriars St	1900					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
337	Blackfriars Street	79 Blackfriars St	1899					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
338	Blackfriars Street	81 Blackfriars St	1927					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
339	Blackfriars Street	82 Blackfriars St	1900					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
340	Blackfriars Street	84 Blackfriars St	1915					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015
341	Blackfriars Street	88 Blackfriars St	1875					B/P	L.S.P.-3437-179	Con		Part V Designated		May 15, 2015



**STRIK
BALDINELLI
MONIZ**
CIVIL • STRUCTURAL ENGINEERS

14361 Medway Rd, PO Box 29
Arva, Ontario, N0M 1C0
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370 University Ave E, Unit 203a
Waterloo, Ontario, N2K 3N2
P: 519 725 8093

www.sbmltd.ca

sbm@sbmltd.ca

SBM-16-1599
19 August 2016

Covington Group
Attn: Adrian

88 Blackfriars
London, Ontario

Adrian;

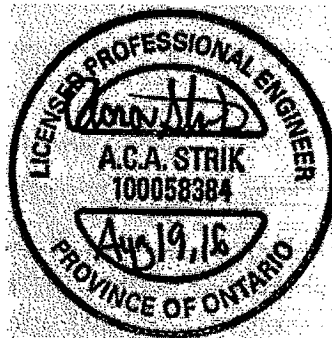
This letter is to confirm that we visited the above referenced site on the afternoon of August 15, 2017, as per your request, in order to review the condition of the existing house on the property.

It is our understanding that this property has not been inhabited for a large number of years (10 years plus) and during this period there has been no heat or overall maintenance done to the building. The house was a small bungalow duplex constructed of conventional wood lumber on a block foundation. The foundation is a shallow non accessible crawl space.

Our site inspection consisted of a walkthrough of both units. The larger front unit was fully drywalled at the time of our inspection. It was very evident during the walkthrough that the floor framing was not structurally sound. The floors were very spongy, rotted out and failing. The main floor framing is not suitable for use and the unit should not be occupied by anyone for safety reasons. The back unit was in extreme disrepair. The existing roof in this area has been leaking for an extensive period of time and is rotted out and appears to be close to complete failure. There was also large amounts of visible mold and is in our opinion an environmental hazard (see Pictures 1 and 2 below).

As this house has not been heated for an extensive period of time the foundations have not been protected against numerous freeze-thaw cycles. As such we feel that the foundations are no longer structurally sound and should not be used for any future buildings.

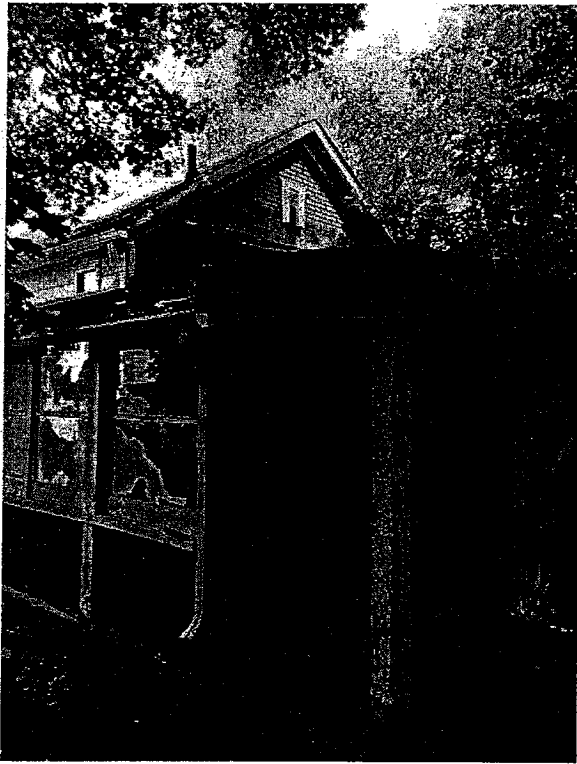
We trust this report meets your satisfaction, if you need further clarification please do not hesitate to contact us.



Regards,
Strik Baldinelli Moniz Ltd.

Aaron Strik

Aaron Strik, P.Eng
Principal





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

London
CANADA

August 23, 2018

DISTINCTIVE HOMES LONDON LTD.
420 YORK ST,
LONDON ON N6B 1R1

Dear Sir/Madam,

Re: Multi-Agency Vacant Building Initiative – 88 Blackfriars St, London ON

The City of London's Fire Prevention Office and/or Municipal Law Enforcement Services have identified your property at the above-noted address as a property of interest, as it is currently vacant and may present risks to individuals in the neighbourhood and the municipality. Vacant buildings when left unchecked and unmaintained may lead to trespass issues, which in turn increases the risk of unnecessary fires and illegal activities resulting in unnecessary and heightened risks to firefighters and emergency personnel. Furthermore, buildings in poor condition or disrepair can also adversely affect the neighbourhood through lower property values.

A multi-agency team (Fire Prevention, Municipal Law Enforcement, and Police) has been established to proactively inspect the condition of vacant buildings throughout the City and determine compliance with the *Vacant Building By-law A-35* (attached). The inspection results may lead to Orders and/or fees under applicable legislation including the *Vacant Building By-law*. Unsecured doors/windows on all levels of the structure will be immediately boarded by the City at the expense of the property owner. Vacant buildings will be visually inspected on a recurring basis going forward, noting that future violations to the Fire Code and/or By-law may result in additional costs for which the property owner will be responsible. Depending on observations made during the inspection, including an assessment of the building, the City may issue Orders, which may result in the City undertaking a building demolition at the full cost of the property owner.

For the purpose of health and safety and community aesthetics, it is important that vacant buildings comply with City by-laws and provincial legislation. You may wish to consider demolishing the subject vacant building(s) to reduce risks to yourself as the property owner and surrounding properties. Please visit the City of London website at <https://www.london.ca/business/Permit-Licences/Building-Permits/Pages/Demolition-Permits.aspx> for the process of obtaining a demolition permit.

Please contact me if you have any questions or concerns.

Regards,

Orest Katolyk, MLEO (C), RRP

Chief Municipal Law Enforcement Officer

Licensing & Municipal Law Enforcement Services - 214 Development & Compliance Services

519.661.2500 ext 4969



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

London
CANADA

REGISTERED MAIL

April 2, 2019

File No. PV 19-012594

Distinctive Homes London Ltd
420 York St
LONDON ON N6B 1R1

Municipal Address: 88 Blackfriars St

As an owner or occupant including a person having an interest in the above-noted property, I hereby enclose an Order pursuant to Subsection 15.2(2) of the Ontario Building Code Act, S.O. 1992, c.23.

Please be advised that under City of London Inspection By-law No. A-30 and the Fees & Charges By-law A-53, an inspection fee will be charged at the rate of \$110.00 per hour (minimum charge: \$110.00) for any inspection conducted following the compliance date, where any of the deficiencies listed in the schedule(s) of the Property Standards Order have not been corrected. Failure to pay for any inspection costs will result in the costs being added to the property tax roll.

Failure to comply with an Order may result in enforcement actions being taken.

If you require any information concerning this matter, please contact the undersigned at this office.

Yours truly,

Pam Hastie
Building Inspector / Property Standards Officer

PH:sb
Attach.

cc: BF – August 2, 2019

Y:\Shared\building\PropStnd.Section\Orders\2019\Hastie\blackfriars88.PS Order Ltr.doc

The Corporation of the City of London
Development & Compliance Services, Room 706
Property Standards Section
Direct: 519-854-0993
phastie@london.ca www.london.ca

THE CORPORATION OF THE CITY OF LONDON

ORDER

Issued Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, S.O.1992, c.23

ORDER NUMBER: PV 19-012594
DATE ISSUED: April 2, 2019
ISSUED TO: Distinctive Homes London Ltd
420 York St
LONDON ON N6B 1R1
MUNICIPAL ADDRESS: 88 Blackfriars St., London ON
LEGAL DESCRIPTION: PLAN 111 PT LOTS 19-20

BE ADVISED that on **March 12, 2019**, an inspection of the above-noted property revealed the property does not conform to the standards prescribed in The City of London Property Standards By-Law CP-16.

The particulars of the repairs to be made are set out in the "Schedule of Repairs to be Made", attached hereto, and forming part of this **ORDER**.

You are Hereby Ordered to carry out the repairs as set out in the "Schedule of Repairs to be Made" or the site is to be cleared of all buildings, structures, debris or refuse. This **ORDER** shall be complied with and the property brought into conformance with the standards prescribed in the Property Standards By-law on or before **August 2, 2019**.

Where it has been determined that the repairs or clearance as set out in this Order have not been carried out in accordance with this **ORDER** as confirmed or modified, in addition to any possible court action, The Corporation of the City of London may carry out the repairs or clearance at the owner's expense. The Corporation of the City of London shall have a lien on the land for the amount spent on the repairs or clearance and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*. The amount may be added to the tax roll of the property.

You are Hereby Advised that if you are not satisfied with the terms or conditions of this **ORDER**, **you may appeal** by sending a notice of appeal by registered mail to the Secretary of the Property Standards Committee, c/o Development & Compliance Services, City Hall, P.O. Box 5035, London, Ontario, N6A 4L9. **Appeal fee for property standards notice is \$150.00.**

TAKE NOTICE that the final day giving notice of appeal from this **ORDER** shall be **August 2, 2019**.

In the event that no appeal is received within the above prescribed period, the **ORDER** shall be deemed to be confirmed and shall be final and binding. You are expected to comply with the terms and conditions of this **ORDER** to avoid any possible enforcement actions being taken.

Where a permit is required to carry out a repair required to comply with this Order, it is the responsibility of the owner to obtain any such permit.

Failure to comply with this ORDER may result in enforcement action being taken.

DATED AT LONDON, ONTARIO, this 2nd day of April, 2019.


PAM HASTIE
PROPERTY STANDARDS OFFICER

"SCHEDULE OF REPAIRS TO BE MADE"

Municipal Address **88 Blackfriars St** File No. PV 19-012594

Date of Inspection March 12, 2019

Owner Distinctive Homes London Ltd
420 York St
LONDON ON N6B 1R1

1) **Non-conformance:** The interior finishes of all walls, ceilings and floors (including insulation) have been removed. The heating system no longer exists. All plumbing and drainage systems have been removed. Electrical system have been removed.

By-law Section: **4.8.2 – Dwelling – Use – Human Habitation**

Repair to be Made: A building permit must be obtained to repair the interior to return its condition to be suitable for human habitation; by way of installing new plumbing, heating system, insulation, enclosed sanitary facilities, interior finishes.

2) **Non-conformance:** Per the provided Engineers report from Strik Baldinelli Moniz (report # SBM-16-1599) dated August 19, 2016: the floor framing was identified to not be structurally sound. The floors were noted to be very spongy, rotted out and failing. The main floor framing was identified as not suitable for use and the unit should not be occupied.

By-law Section: **4.5.1 / 4.5.2 – Maintenance of Floors**

Repair to be Made: A building permit must be obtained to repair or replace the floor framing.

3) **Non-conformance:** Per the provided Engineers report from Strik Baldinelli Moniz (report # SBM-16-1599) dated August 19, 2016: the foundations have not been protected against numerous freeze-thaw cycles which the Engineer indicates that the foundations are no longer structurally sound and should not be used for any future buildings.

By-law Section: **4.2.1 / 4.2.2 – Maintenance of Foundations**

Repair to be Made: A building permit must be obtained to repair or replace the foundations.

4) **Non-conformance:** Per the provided Engineers report from DC Buck Engineering (project #646018) dated March 8, 2019: The rear portion of the building has no roof and there are multiple holes in the roof of the front portion of the building.

By-law Section: **4.4.1 – Roofs & Roof Structure**
2.8 (4) – Vacant Building on heritage property

Repair to be Made: Every roof and roof structure is to be maintained.
A Heritage property building the exterior is to be maintained to prevent moisture penetration and damage from the elements.
A) Repair the holes in the roof on the front portion of the building.
B) Obtain a building permit to reconstruct the roof over the rear section of the building. OR Obtain a building permit to remove the rear portion of the building that has been damaged from exposure to the elements.

"SCHEDULE OF REPAIRS TO BE MADE – PAGE 2"

Municipal Address **88 Blackfriars St** File No. PV 19-012594

Date of Inspection March 12, 2019

Owner Distinctive Homes London Ltd
420 York St
LONDON ON N6B 1R1

5) **Non-conformance:** The one storey vacant building, which is located on a Part V designated heritage property, has not been maintained in accordance with the requirements of this By-Law.

By-law Section: **2.8- Vacant Buildings On Designated Heritage Properties**

Repair to be Made: That the building be maintained in accordance with the following noted requirements.

A) 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:

(i) 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;

(ii) 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;

(iii) all boards shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.

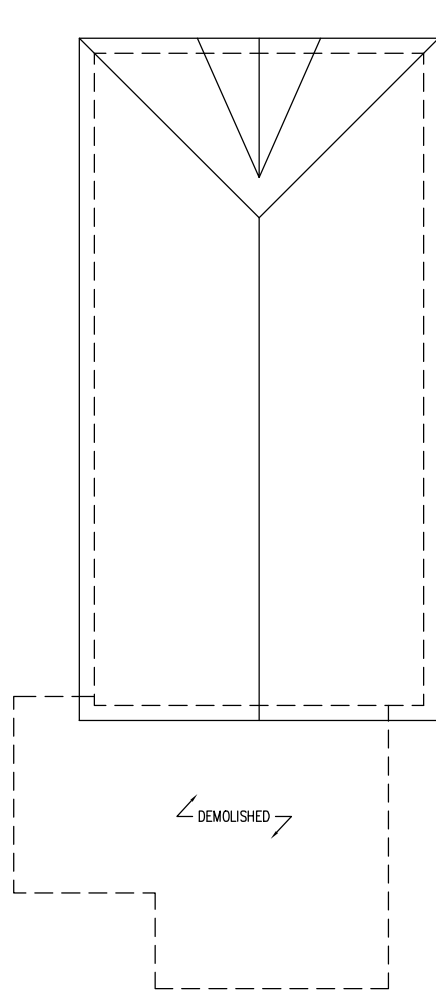
B) The exterior of the building shall be maintained to prevent moisture penetration and damage from the elements.

C) All appropriate utilities serving the building are connected so as to provide, maintain and monitor proper heating and ventilation to prevent damage caused to the building by fluctuating temperatures and humidity.

For properties with Heritage designation, or that fall within a designated Heritage area, Section 2.7 of By-law CP-16 will apply and a Heritage alteration permit may be required. Please contact a Heritage Planner at 519-661-4980 for more information.

No order made under section 15.2 of the Building Code Act in respect of a Part IV heritage property or a Part V heritage property shall state that the site is to be cleared of all buildings or structures and left in a graded and levelled condition. That part of an order in respect of a Part IV heritage property or a Part V heritage property that states that a site is to be cleared of all buildings or structures and left in a graded and levelled condition is of no force or effect.

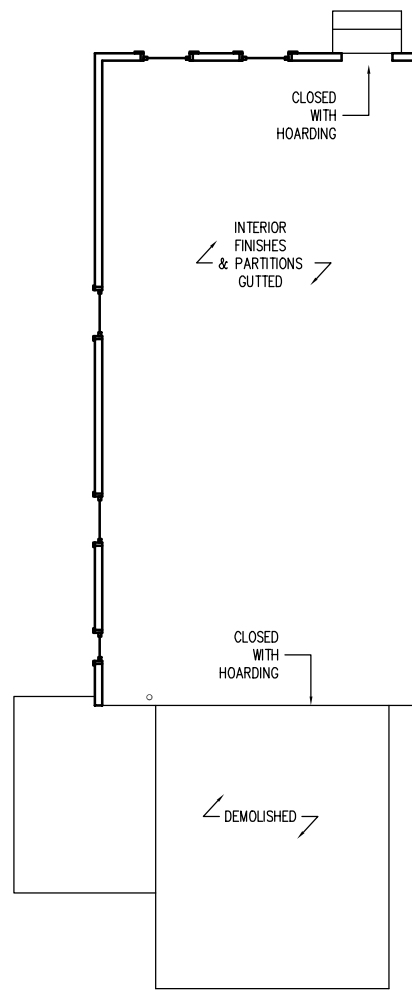
April 2, 2019
PH:sb



ROOF PLAN

SCALE: 3/32" = 1'-0"

FIRST FL BLDG AREA 663 SF



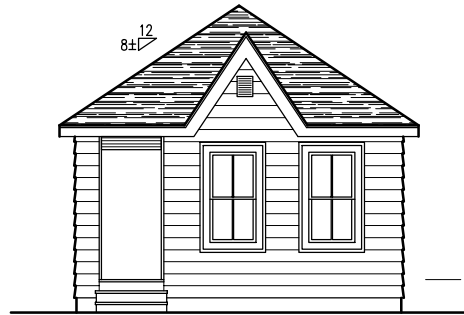
FIRST FLOOR

SCALE: 3/32" = 1'-0"



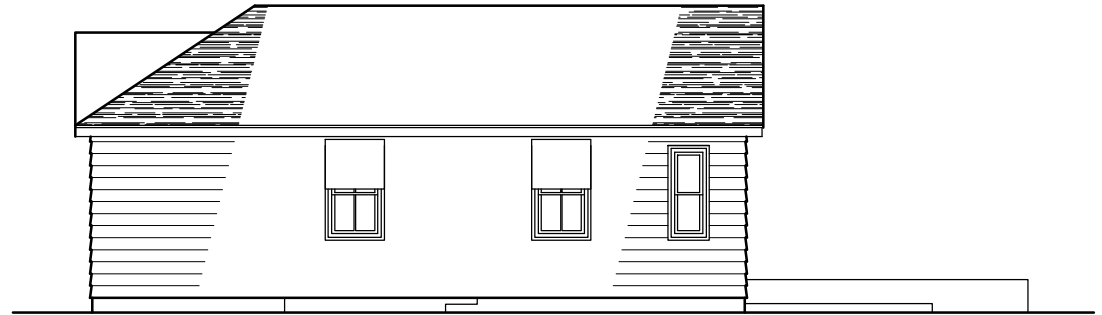
OCT 18, 2019

SCALE 3/32" = 1'-0"



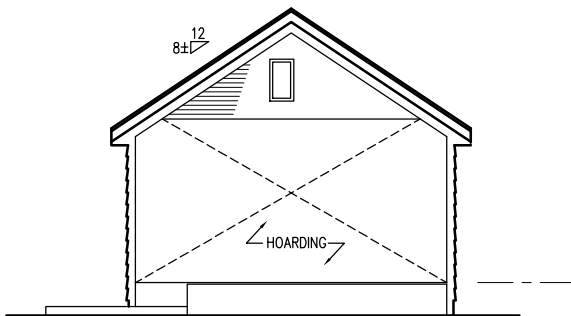
NORTH ELEVATION

SCALE: 3/32" = 1'-0"



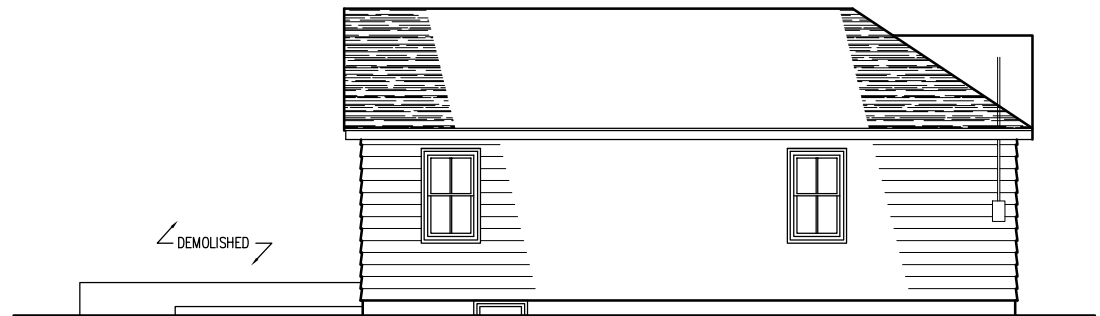
WEST ELEVATION

SCALE: 3/32" = 1'-0"



SOUTH ELEVATION

SCALE: 3/32" = 1'-0"



EAST ELEVATION

SCALE: 3/32" = 1'-0"

OCT 18, 2019

SCALE 3/32" = 1'-0"

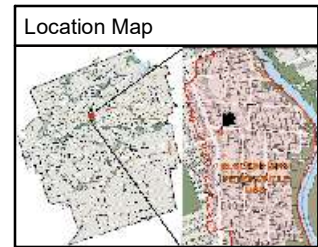
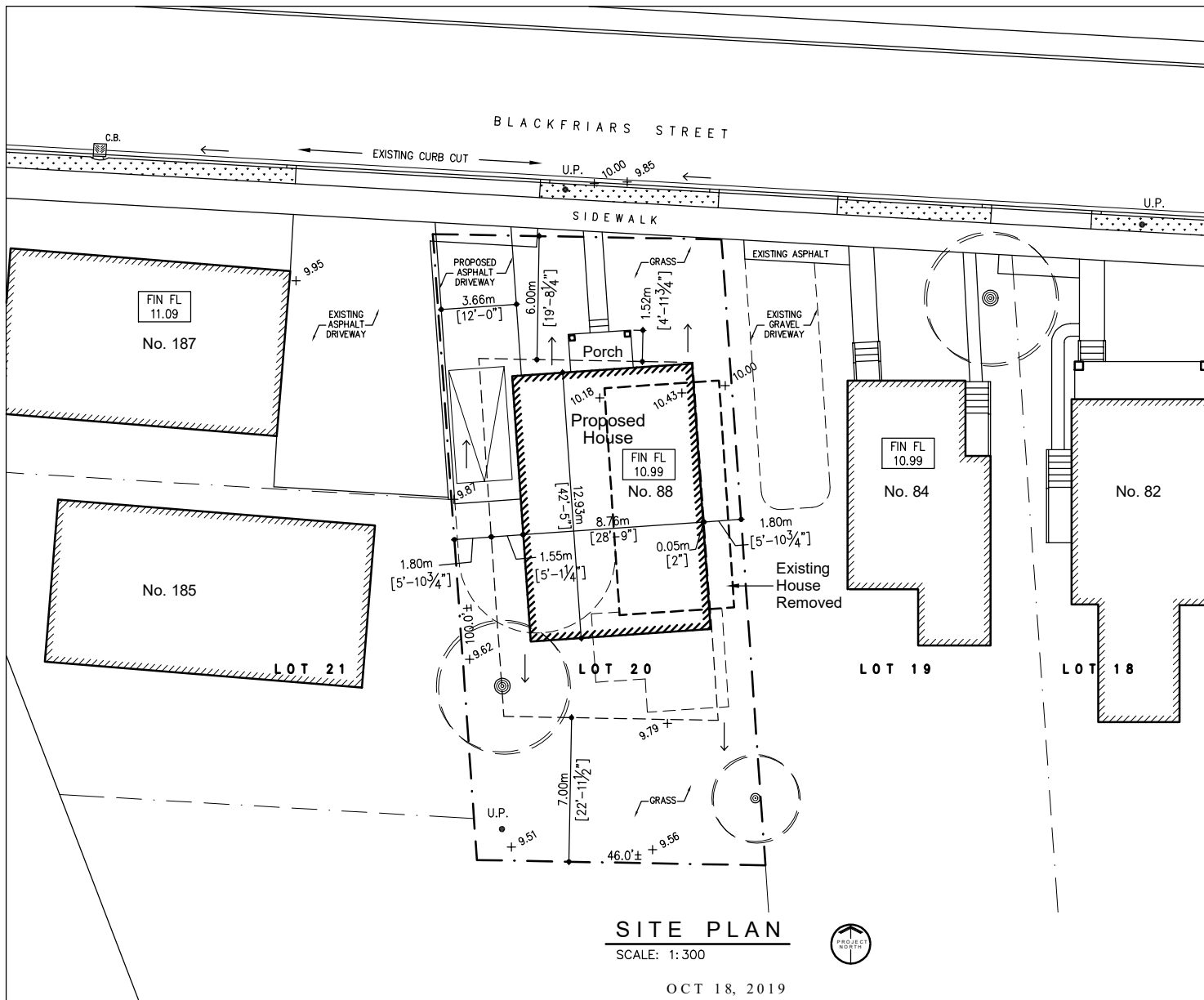


OCT 18, 2019

LONDON, ONTARIO

88 BLACKFRIARS ST.

FACADE STUDY



Legal Description
 PART OF LOTS 19 AND 20
 PLAN 111 (M) AS IN 784330 LONDON
 IN THE CITY OF LONDON

Site Data

ZONING: R2-2(19)

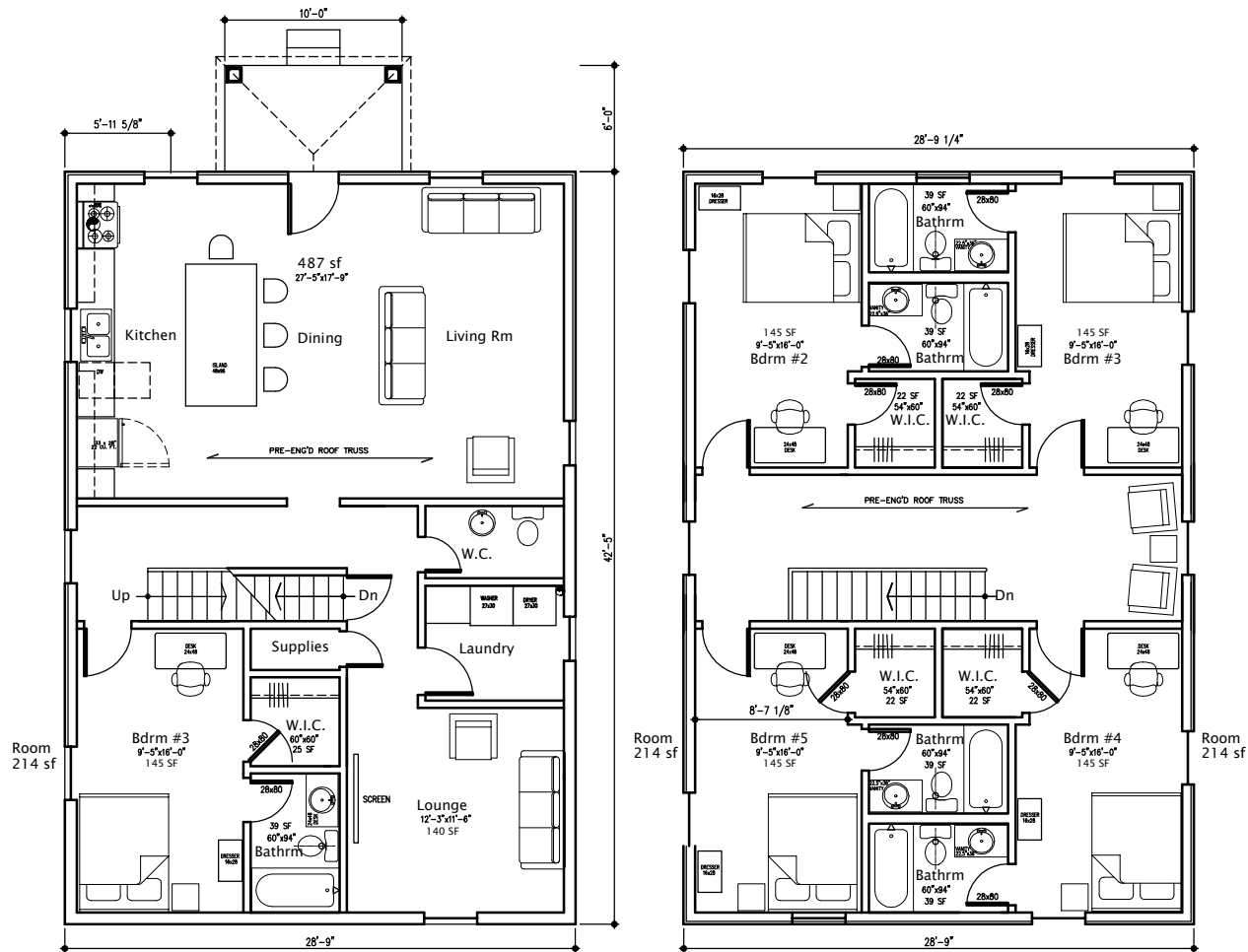
	PROPOSED	BY-LAW
LOT AREA	425.6m ²	360.0m ²
LOT FRONTAGE	14.0m	9.0m
MAX COVERAGE 45%	113.3m ²	191.5m ²
FRONT YARD (SECONDARY COLLECTOR)	---	6.0m
INTER SIDE YARD (2 STOREY)	---	1.8m
REAR YARD	---	7.0m
MIN LANDSCAPE 30%	265m ²	142.8m ²
PARKING SPACE	1 SP	2.7x5.5m

- Site Plan Legend**
- EXISTING ELEVATION
 - PROPOSED ELEVATION
 - PROPOSED DRAINAGE DIRECTION
 - PROPOSED SWALE
 - EXISTING DRAINAGE DIRECTION
 - CB - DENOTES CATCH BASIN
 - LP - DENOTES LAMP POLE
 - FH - FIRE HYDRANT
 - DS - DOWN SPOUT
 - JB - JUNCTION BOX
 - HP - HYDRO POLE

- Drawing List**
- A1 SITE PLAN
 - A2 FIRST + SECOND FL PLAN
 - A3 NORTH ELEVATION
 - A4 EAST ELEVATION
 - A5 NORTH ELEVATION
 - A6 EAST ELEVATION
 - A7 STREETSCAPE STUDY

SITE PLAN
 SCALE: 1:300

OCT 18, 2019



FIRST FLOOR

FIRST FL BLDG AREA 1220
 SECOND FL BLDG AREA 1220
 TOTAL 2440 sf

SECOND FLOOR

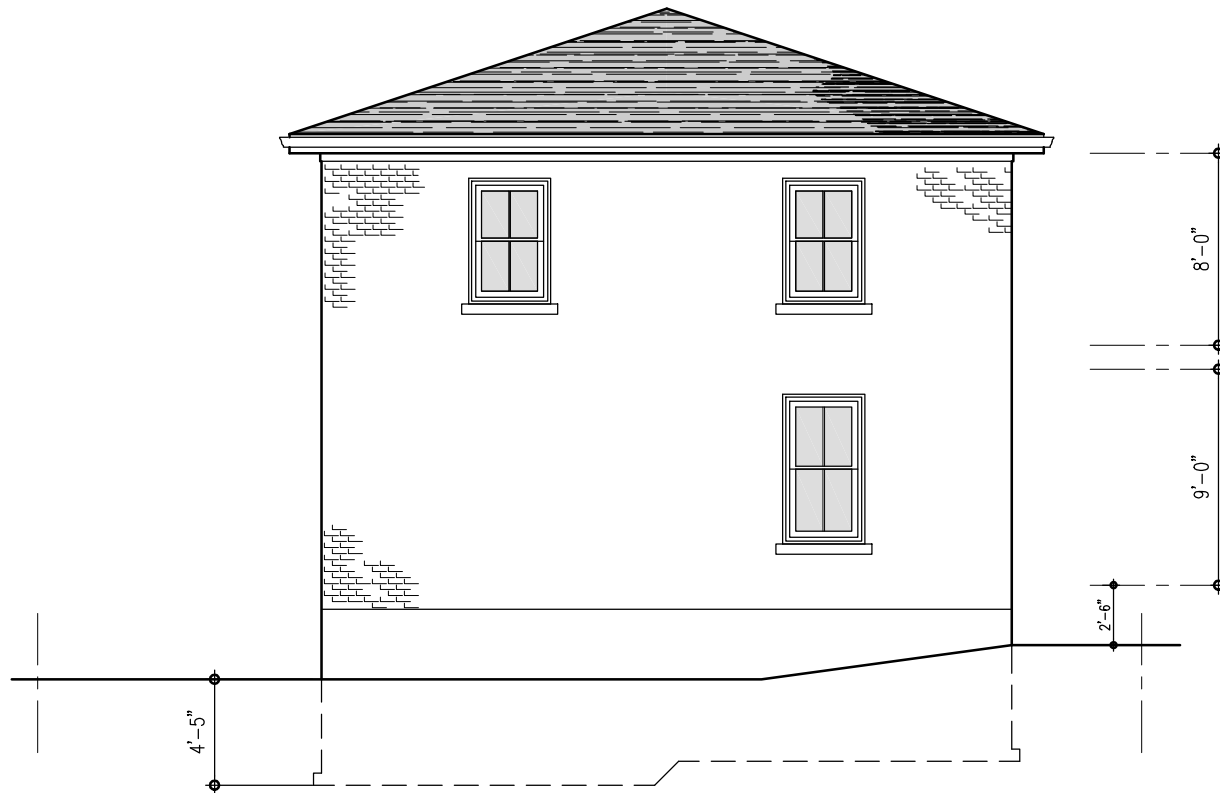


OCT 18, 2019

SCALE 3/32" = 1'-0"



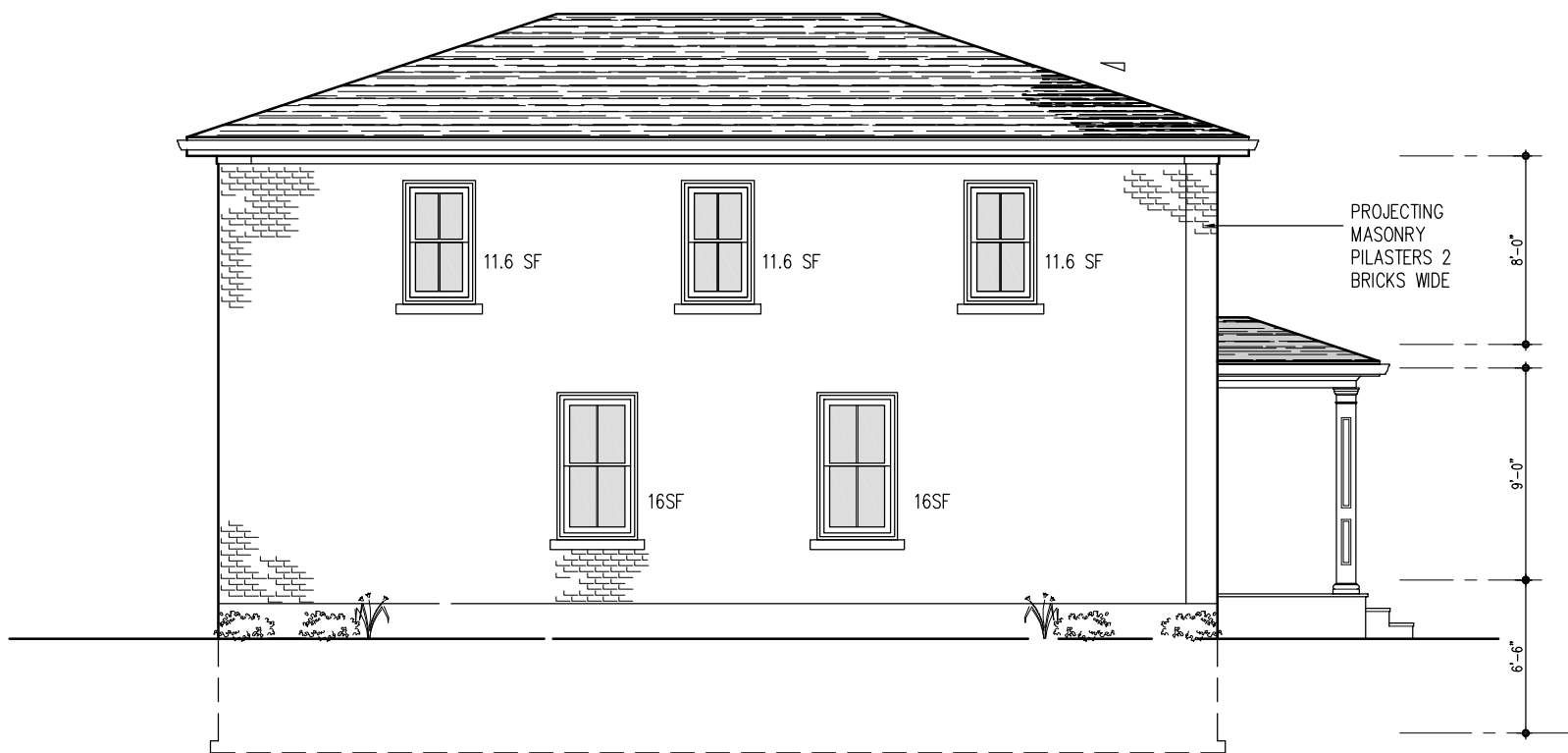




SOUTH ELEVATION

OCT 18, 2019

SCALE 1/8" = 1'-0"



WEST ELEVATION

EXPOSING BUILDING FACE	870 SF
LIMITING DISTANCE	5'-10"
MAX UNPRO OPEN'G	8% = 69.6 SF
OPEN'G PROVIDED	66.8 SF

OCT 18, 2019

SCALE 1/8" = 1'-0"



OCT 18, 2019

APPENDIX F: Ownership & Occupants

Ownership & Occupancy		
1876	Middlesex Land Registry Microfiche	From Ellen Bryan to Eliz. Drummond first entry in land registry documents of Duncan Campbell's Survey
1886	Middlesex Land Registry Microfiche	From Eliz. Drummond to James Blair (Trustee) mortgagor to mortgagee
1891	Middlesex Land Registry Microfiche	From James Blair to William Nicholls transfer of deed
1896	Foster's London Directory	Blackfriars Street does not appear in the directories found in previous years
1898	Vernon's London Directory	William May (tenant)
1900	Vernon's London Directory	William J Brown (tenant)
1901	Vernon's London Directory	Edward J Dean (tenant)
1909	Vernon's London Directory	J H Petfield (tenant)
1915	Vernon's London Directory	J H Petfield (tenant)
1916	Vernon's London Directory	J H Petfield (tenant)
1921	Census Canada	John Petfield (painter, 47) & Anna Petfield (54) (tenant)
1922	Vernon's London Directory	J H Petfield (tenant)
1931	Middlesex Land Registry Microfiche	Grant from Nicholls to John H & Annie Petfield, \$1800 consideration
1943	Middlesex Land Registry Microfiche	Deed from Petfield to C.W. Nicholls, H. Skinner
1962	Middlesex Land Registry Microfiche	Grant from Ernest O. Boug, Exor. of John H. Petfield to Thomas H Gerry.

NO. OF INSTRUMENT	INSTRUMENT	DATED	REGISTERED	GRANTOR	GRANTEE	QUANTITY	CONSIDERATION	REMARKS
79	Blanc III			Duncan Campbell Survey				
63	Deed	July 11, 1876	1876	Duncan Campbell	James Gordon Survey Book Page 11			July 19, 1878
64	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
65	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
66	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
67	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
68	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
69	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
70	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
71	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
72	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
73	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
74	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
75	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
76	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
77	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
78	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
79	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
80	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
81	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
82	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
83	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
84	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
85	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
86	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
87	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878
88	Exchange	July 14, 1876	1876	John Simpson	John Simpson			July 19, 1878

Middlesex Land Registry Microfiche, Lot 20, Starting 1876

BOOK 64

2
200 2111

NO.	DESCRIPTION	DATED	REGISTERED	GRANTOR	GRANTEE
7447	3 d m	25 April 1900	25 April 1900	William Holden	William Holden
7448	1 d m	1 May 1900	1 May 1900	William Holden	William Holden
8800	2 d m	10 Feb 1902	7 Feb 1902	Richard W. Nicholls	Richard W. Nicholls
10324	2 d m	25 July 1902	2 March 1902	Thomas W. Nicholls	Thomas W. Nicholls
10507	3 d m	15 May 1905	15 May 1905	Richard W. Nicholls	Richard W. Nicholls
10570	1 d m	3 July 1911	3 Oct 1911	Richard W. Nicholls	Richard W. Nicholls
10571	1 d m	3 July 1911	3 Oct 1911	Richard W. Nicholls	Richard W. Nicholls
19323	6 d m	6 Sept 1912	24 Oct 1912	Richard W. Nicholls	Richard W. Nicholls
19448	8 d m	8 Oct 1918	27 Nov 1918	London Corporation	William Holden
19449	8 d m	28 Oct 1918	27 Nov 1918	Thomas W. Nicholls	Richard W. Nicholls
19450	8 d m	8 Oct 1918	27 Nov 1918	Thomas W. Nicholls	Richard W. Nicholls
19451	8 d m	8 Oct 1918	27 Nov 1918	Thomas W. Nicholls	Richard W. Nicholls
19452	8 d m	8 Oct 1918	27 Nov 1918	Thomas W. Nicholls	Richard W. Nicholls
19453	8 d m	8 Oct 1918	27 Nov 1918	Thomas W. Nicholls	Richard W. Nicholls
22100	1 d m	2 Feb 1921	2 Feb 1921	James W. Nicholls	James W. Nicholls
22423	6 d m	6 July 1922	7 July 1922	James W. Nicholls	James W. Nicholls
20823	Grant	10 Sept 1931	15 Sept 1931	William Nicholls (Widow)	John H. Nicholls
21934	Grant	25 Oct 1935	6 Nov 1935	William Nicholls (Widow)	Richard V. Nicholls
	2 d m			Richard V. Nicholls	William Nicholls
31210	1 d m	15 Jan 1943	12 Feb 1943	Henry L. Nicholls	Henry L. Nicholls

Middlesex Land Registry Microfiche

ABSTRACT INDEX

Handwritten notes at top left:
 (1) 7 pgs (2) sec 8 of loc for pt - E. Bay 1st d of 7 1/2 ft - E. Alton...
 sec 8 Bay - E. Alton 1940; d of Blackfriars to the S 16 E 1/2 sec 8; Bay of sec 8
 and the 7 1/2 ft to the W on 7 Aug 1951 E. Bay of sec 8 from E. Bay of sec 8
 2nd sec 8 to W. Alton 1st d of Blackfriars to the S 16 E 1/2 sec 8 and E. Bay of sec 8
 7 1/2 ft.

DATE	DATE	DATE	ABSTRACT	ABSTRACT
14 Aug 1958	10 Sept 1958		Julia Warbeck	Joseph W. Bowser, Margaret E., Julia Warbeck
31 Aug 1958	30 Sept 1958		Joseph W. Bowser, & Margaret E., his wife	
5 June 1959	5 June 1959		Joseph W. Bowser, & Margaret E., his wife	Earl J. Ruby
5 June 1959	5 June 1959		Earl J. Ruby	Elizabeth A. I
.D. Cert. 28 Sept. 61 5 Oct. 61 Re Estate of Herbert V. Nicholls				
.D. Cert. 20 Oct 1962 17 Oct 1962 re Estate of John H. Petfield, dec.				
9 Nov 1962	22 Nov 1962		Ernest O. Doug, Exor. of John H. Petfield, dec.	Thomas H. Gerry
ert. of 14 Jul 1964 14 July 1964 Julia Warbeck, Plaintiff for Foreclosure				
Grant 9 Sept 1964 17 Sept 1964 Julia Warbeck, widow				
tge. 10 Sept 1964 17 Sept 1964 John V. Hooff, & Merelene, his wife				
Grant 20 May 65 4 June 65 John Victor Hooff and Merelene his wife				
S.D. Cert. 31 Jan 66 4 Feb. 66 Re Estate of Elizabeth Hathaway Beale Jane Hathaway - D				
S.D. Cert. 30 Mar 1966 4 Apr 1966 Re Estate of Albert Hathaway dec.				

Carried to next

Middlesex Land Registry Microfiche

INSTRUMENT #	INSTRUMENT	DATE OF INSTRUMENT	DATE OF REGISTRATION	GRANTOR	GRANTEE
1	Grant	31 July 1969	27 Aug 1969	Bruce L. Green and Patricia his wife	Jan Poneta
2	Mtgs	30 July 1969	07 Aug 1969	Jan Poneta	Canada Permanent Mortgage Corp
3	Mtgs	-	28 Aug 1969	Jan Poneta	Canada Permanent Mortgage Corp
4	Mtgs	4 Sept 1969	11 Sept 1969	Jan Poneta	Canada Permanent Mortgage Corp
5	Mtgs	16 March 71	16 March 1971	Jan Poneta	Niagara Bookery
6	Mtgs	24 July 72	1 Aug 72	Jan Poneta	Canada Permanent Mortgage Corp
7	D of M	11 Aug 1972	16 Aug 1972	Niagara Bookery Limited	Jan Poneta
8	D of M	24 Aug 72	29 Aug 72	Canada Permanent Mortgage Corp	Jan Poneta
9	Grant	25 June 1973	29 June 1973	Jan Poneta	Helen Bentley
10	Mtgs	2 Apr 1975	7 Apr 1975	Helen Bentley & Diane Wilson	Canada Permanent Mortgage Corp
11	D of M	31 May 1975	10 June 1975	Canada Permanent Mortgage Corporation	Helen Bentley
12	Grant	22 Aug 1978	25 Aug 1978	Helen Bentley & Diane Wilson	New-Kal Holdings Ltd
13	Mtgs	14 Aug 1978	25 Aug 1978	New-Kal Holdings Ltd	Canada Permanent Mortgage Corp
14	Mtgs	22 Aug 1978	25 Aug 1978	New-Kal Holdings Ltd	Canada Permanent Mortgage Corp
15	D of M	1 Sept 1978	1 Sept 1978	Canada Permanent Mortgage Corporation	Helen Bentley
16	D of M	29 Dec 1978	3 Jan 1979	Diane P. Wilson	New-Kal Holdings Ltd
17	Mtgs	26 Feb 1982	28 Feb 1982	New-Kal Holdings Ltd	Canada Permanent Mortgage Corp

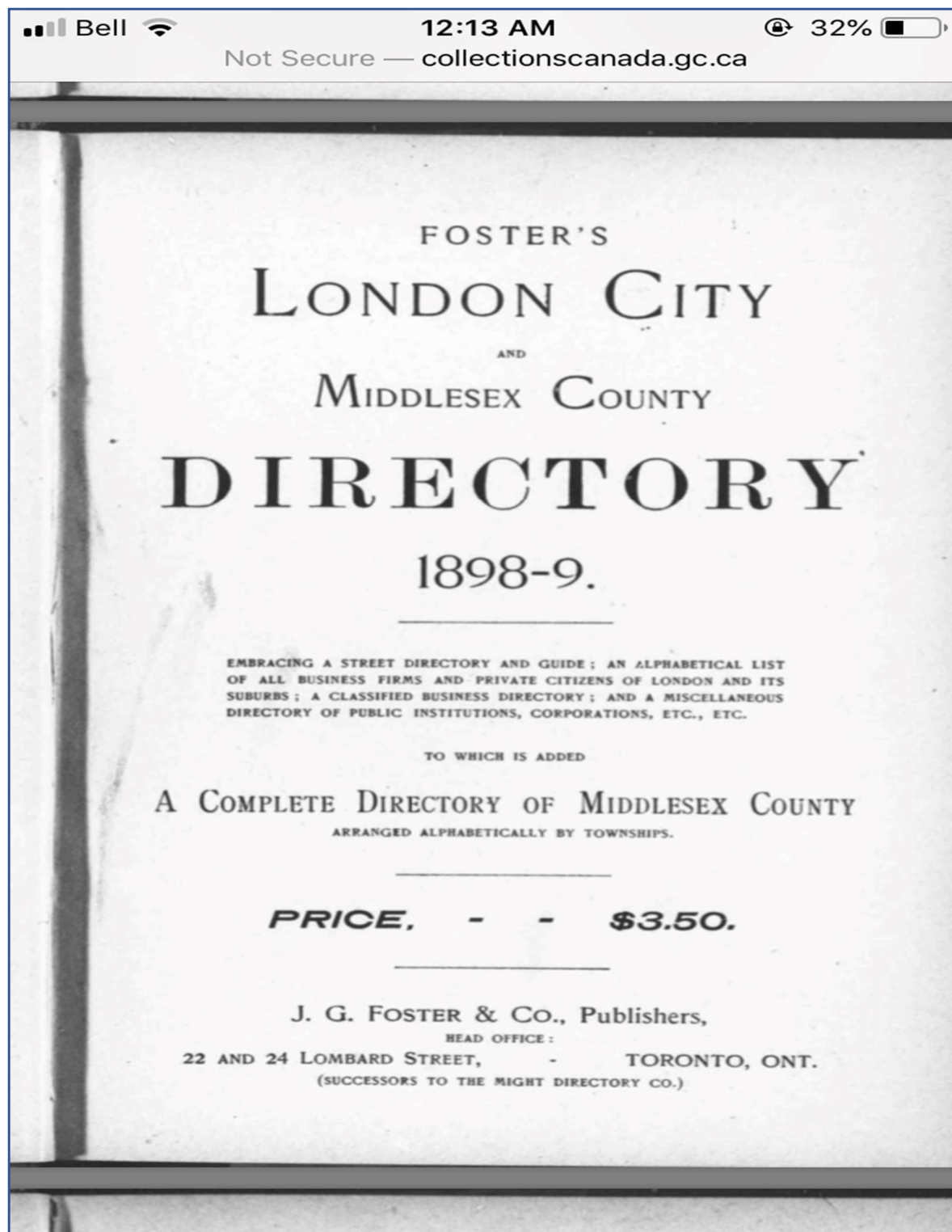
"Carried To Next Page"

Middlesex Land Registry Microfiche

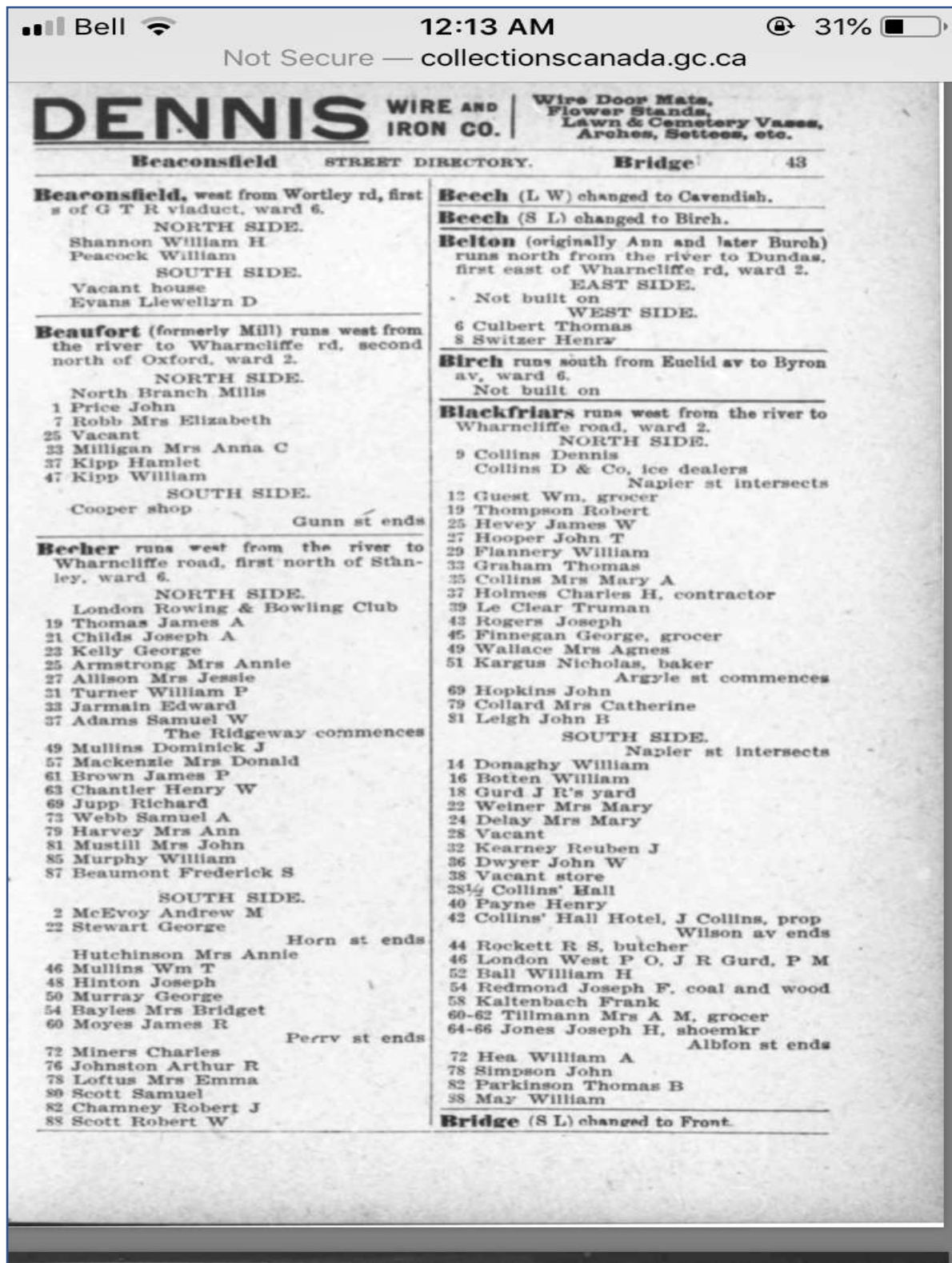
From previous page

REGISTRATION NUMBER	INSTRUMENT	DATE OF INSTRUMENT	DATE OF REGISTRATION	GRANTOR
161757	Mtge.	15 May 1971	17 May 1971	Florence A. Liley
162117	of M 52113	19 May 1971	3 June 1971	Arleen Cecilia Kinosh...
162446	Mtge.	-- -- --	16 June 1971	Florence A. Liley
136091	Grant	22 Aug 1975	17 Oct 1975	Middlesex Acceptance & Discount Co. Limited
	Discharged	749274	07/01/86	Asst. Dep. and
16026	Mtge.	1 Nov 1975	10 Nov 1975	Bank of Montreal
199013	of M 12914	01 Nov 1975	15 Dec 1975	Bank of Montreal Mortgage Corporation
522767 AUG 1 1980	Lease	11 Aug 1978	22 Aug 1978 DAY/MONTH/YEAR	The Corporation of the City of London
729591 ✓	Grant		02 05 86	Estate of Derry, Thomas H.
757164	Grant		09 02 87	Derry, Jennie Leona
764330 ✓	Grant		30 04 87	Swatuk Patricia Leone
764331 ✓	Mort		30 04 87	Mulligan Murray Lee

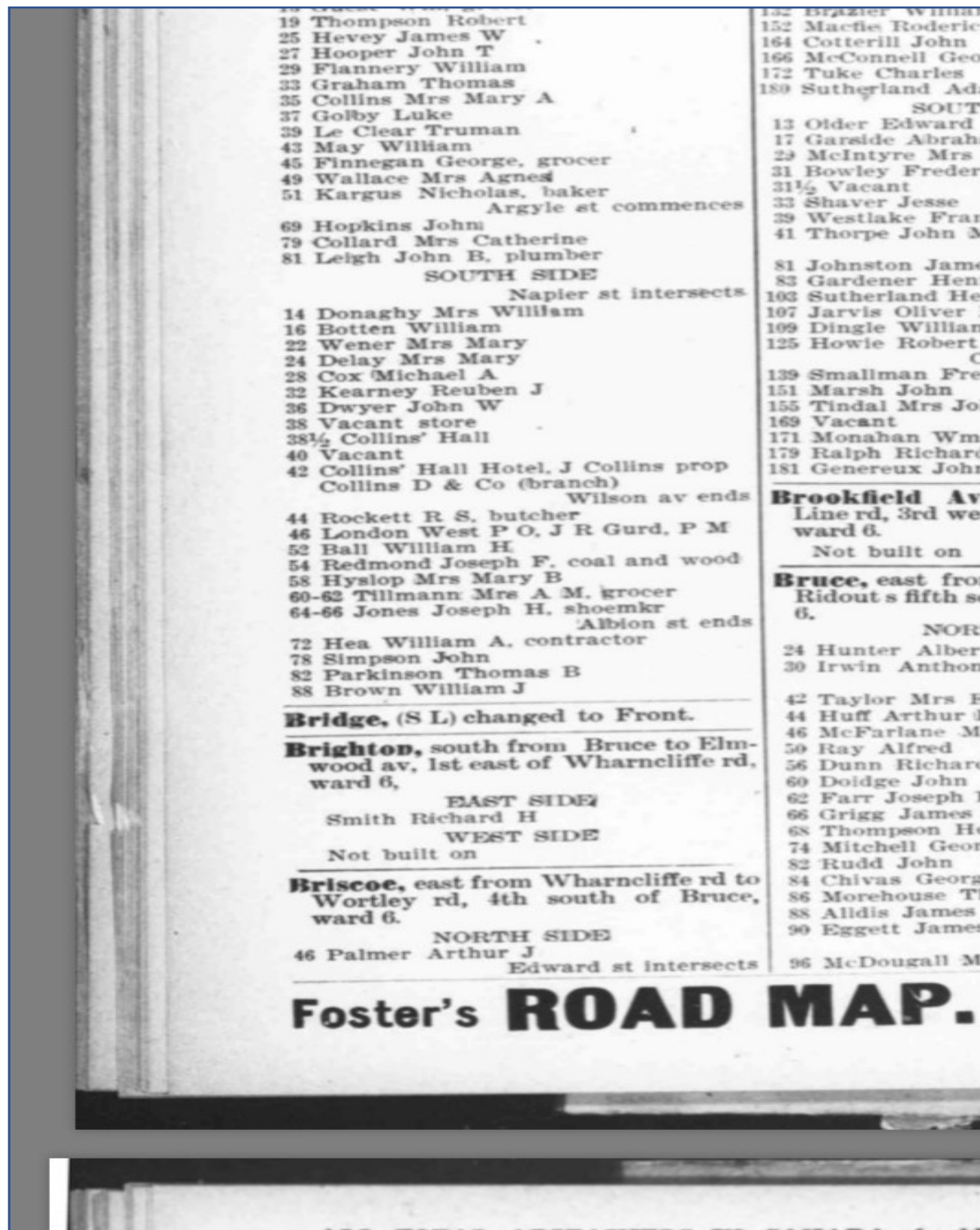
Middlesex Land Registry Microfiche



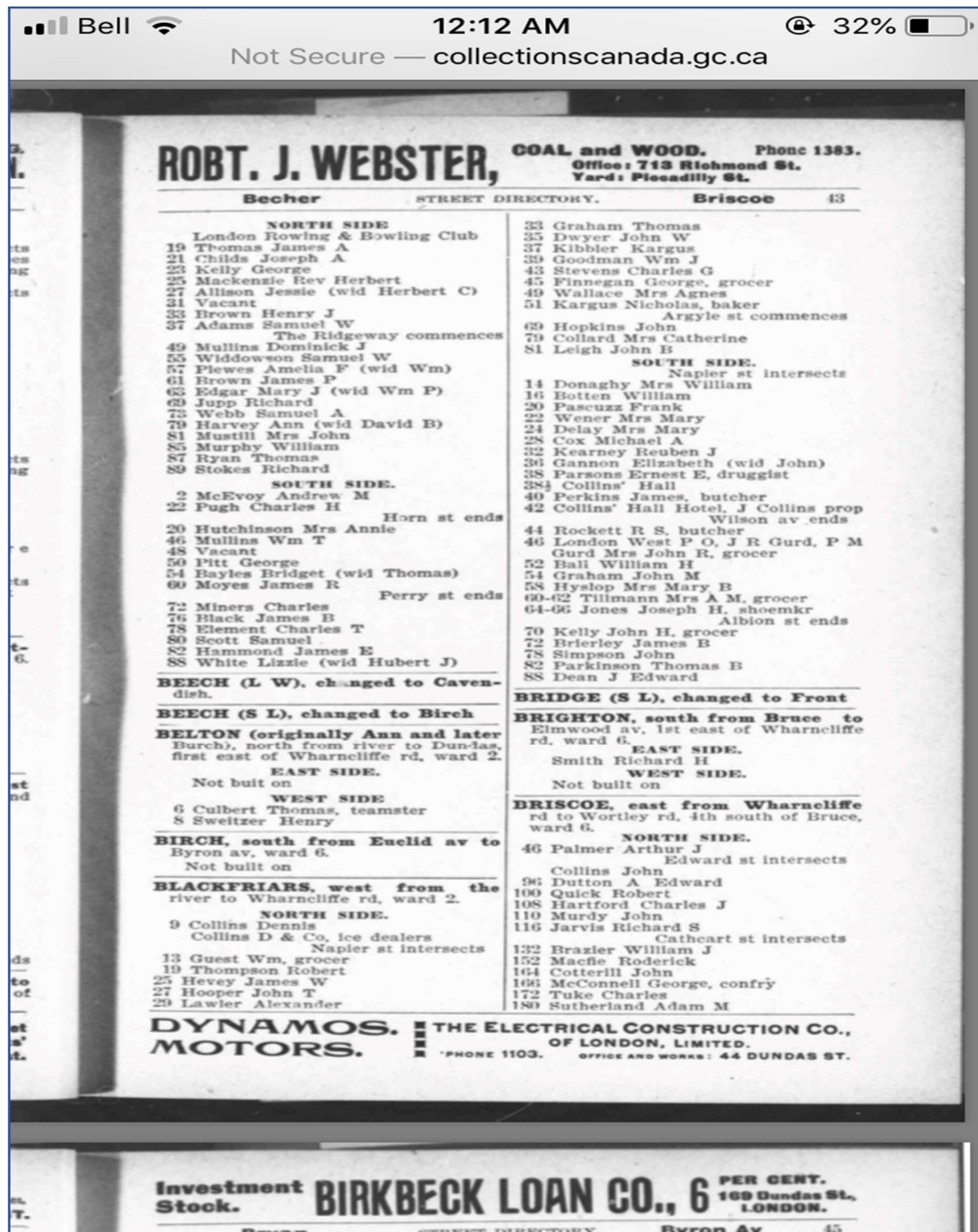
Foster's London City and Middlesex County Directory, 1898-9



Foster's London City and Middlesex County Directory, 1898-9



Vernon's City of London Directory, 1900
William J Brown



Vernon's City of London Directory, 1901
Edward J Dean

JAMES MCNIVEN
REAL ESTATE AGENT
Farmer and Live Stock Dealer
 1232 YORK STREET
 PHONE 4619

THE BUSINESSMAN & SALESMAN

LONDON, ("The Magazine of Business") CANADA

26 Bernard **VERNON'S DIRECTORY** Brighton

<p>BERNARD AV, from Richmond, 2 n Huron, London Tp 8 Lindsay Mrs C 20 Knight J H 28 Nicholson T W 38 Bavis John 40 Ferguson D 43 Hardingham F R New house</p> <hr/> <p>BIRCH ST, s from Euclid Not built on</p> <hr/> <p>BLACKFRIARS ST, n side, from river to Wharncliffe rd 9 Collins Mrs M F +Napier st crosses 13 Glenn J A, gro 19 McPherson Danl 23 Hevey Mrs A 25 Morden John 27 Garrett E J 29 LeClear Wm J 33 Wener J J 35 Collins Peter D 37 Smith Jacob 39 Griff Hy S 41 Vanstone Thos 43 Dear H H 45 Finnegan Geo, gro 49 Schreiber Richd 51 Gilmore D, bkr +Argyle st ends 69 Newton John 71 Pocock E A 79 Cottam Thos 81 Linnell Jos C</p> <hr/> <p>BLACKFRIARS ST, south side +Napier st crosses 14 Donaghv Wm 16 Crooks Jas 20 Drimmie R A 22 Newcombe Richd 24 Forbes Patk 28 Cox M A, contr</p>	<p>30 Kearney R J 32 Schipmann Jos H 36 McFadden Mrs M J 38-42 Collins Hall 38 Mills Wm E, fancy gds 40 Chin C, Indry 42 Vacant +Wilson av ends 44 Cawston Alfd J, btchr 48 Janes R W, gro Gurd John R London West P O 52 Carlton W 54 Graham John M 58 Dwyer J W 60-2 Tillmann A M, gro 64 Tarry John, shoemaker 66 Potter W T +Albion st ends 70 Dinsmore Wm J 72 Dear Wm H 78 Smeltzer John 82 Simpson Mrs J 88 Petfield J H</p> <hr/> <p>BOLTON ST (Strathcona Heights) from Harris to Dennis av, 3 n Hamilton rd Not built on</p> <hr/> <p>BORDEN ST (Argyle Park), from Vancouver to Edmonton, 2 e Dundas Not built on</p> <hr/> <p>BOULLIE ST, n from Oxford, e Quebec ws Park John es Poole A E es Hellier Hy ws Mould A</p>	<p>BRICK ST, n side, runs east and west crossing end Ridout s Steele John P McIntosh Chas</p> <hr/> <p>BRICK ST, south side Westland Mrs C Collyer C R Cowan A H McMurray Geo cement blocks Kay Wm Baker Arthur Baker Chas, nurseryman Denby Alfd Wilson Chas S Gauld Oliver Johnston A C</p> <hr/> <p>BRIDPORT ST, east from St George, between Cheapside and Victoria 140 McPherson John 140½ Karn C J W, phy 142 Ivey Richd G 195 Murray W G</p> <hr/> <p>BRIGHTON ST, east side, s from Bruce to Elmwood av, 1st e of Wharncliffe rd 2 Vacant 4 Willis T A 6 Steele H A 8 Clarke John 10 Hastings W F 12 Horner Frank M 14 Totten Jas M 16 Cooney Wm C</p> <hr/> <p>BRIGHTON ST, west side 1 Rath Henry 3 Trowse Robt 5 Arbuckle Wm C 7 Peacock C H</p>
--	--	--

THE GREAT WEST LIFE ASSURANCE COMPANY
 Protect your family and yourself in old age by taking an investment policy with us. We solicit comparison before you place your insurance. D. MACKENZIE SCOTT, manager, 213 Dominion Savings Building, London, Ont. Phone 5335.

Vernon's City of London Directory, 1916

JH Petfield

FORM 1. SIXTH CENSUS OF CANADA, 1921. DOMINION BUREAU OF STATISTICS—BUREAU FÉDÉRAL DE LA STATISTIQUE. SIXIÈME RECENSEMENT DU CANADA, 1921. "B"

City, town, village, township or parish. (Cité, ville, village, canton ou paroisse).

Enumerated by Recensé par: JH Petfield

District No. 191

Province Ontario

Page 11

No.	NAME of each person (Nom de chaque personne)	SEX (Sexe)	AGE (Age)	MARRIAGE (Mariage)	EDUCATION (Éducation)	OCCUPATION (Occupation)	BIRTH (Né)	ETHNICITY (Race)	RELIGION (Religion)	MARRIAGE (Mariage)	EDUCATION (Éducation)	OCCUPATION (Occupation)	BIRTH (Né)	ETHNICITY (Race)	RELIGION (Religion)	RESIDENCE (Résidence)																																																																																																			
																1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	Frank Gordon	M	35	Married	High School	Farmer	1886	English	Methodist	Married	High School	Farmer	1886	English	Methodist	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
2	Frank Gordon	M	35	Married	High School	Farmer	1886	English	Methodist	Married	High School	Farmer	1886	English	Methodist	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

Canada Census, 1921
JH Petfield

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 2325
Sunningdale Road East by Lafarge Canada Inc.
Public Participation Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planning, with the advice of the Heritage Planner, with respect to the demolition request for the existing dwelling on the heritage listed property at 2325 Sunningdale Road East, that:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the dwelling on this property, and;
- b) The property at 2325 Sunningdale Road East **BE REMOVED** from the Register of Cultural Heritage Resources.

Executive Summary

A demolition request was received for the heritage listed property at 2325 Sunningdale Road East. The subject property is listed on the City of London's Register of Cultural Heritage Resources. When a demolition request is received for a building or structure on a heritage listed property, a formal review process is triggered pursuant to the requirements of the *Ontario Heritage Act* and the Council Policy Manual. A Heritage Impact Assessment accompanied the demolition request for the property, which determined that property at 2325 Sunningdale Road East did not meet the criteria outlined in O.Reg. 9/06, Criteria for Determining Cultural Heritage Value or Interest, and therefore does not have significant cultural heritage value or interest.

The demolition of the dwelling on the subject property would not result in adverse impacts to cultural heritage value or interest.

Analysis

1.0 Background

1.1 Property Location

The property at 2325 Sunningdale Road East is located at the southwest corner of Sunningdale Road East and Clarke Road (Appendix A.) The property is located in the former London Township, annexed by the City of London in 1993.

1.2 Cultural Heritage Status

The property at 2325 Sunningdale Road East is a heritage listed property. The property is considered to be of potential cultural heritage value. The listing of the property on the Register of Cultural Heritage Resources came into force and effect on March 26, 2007.

1.3 Description

The building located at 2325 Sunningdale Road East is a single storey, buff brick residential structure with a gable roof that is estimated to have been built c.1863 (Appendix B. The main façade of the building faces north to Sunningdale Road East, with its main entry located within an enclosed vestibule addition that is centrally located on the façade. The vestibule addition appears to be of frame construction on a concrete foundation, and is clad with an angelstone exterior finish. The vestibule also includes a gable roof, with its gable end facing Sunningdale Road East and is clad in vinyl siding.

The original window openings on the main façade have been retained including the segmental arch brick voussoirs. However, the windows have been replaced. A gable dormer is centrally located on the main façade, also clad with vinyl siding. The front corners of the house have been rebuilt and re-clad with angelstone.

The east and west facades of the dwelling consist of buff brick exterior walls with a set of window openings located on the first and second storeys. The brick lintels and concrete sills are still visible on the west façade, along with portions of the original rubble stone foundation. One of the first floor windows has been filled in on the east façade. A brick chimney is located in between the sets of the windows on the east façade. A black tar/sealant has been used to cover the entire chimney, along with the second storey sills and perimeter of the window openings.

The rear (south) façade of the dwelling consists primarily of buff brick exterior walls, with a small first storey window. A single storey addition has also been constructed onto the rear of the building. The rear addition is clad with brick, however it has been painted white. Evidence of the original buff brick is present, and portions of the foundation indicate its material consists of rubble stone, suggesting that the rear wing is an early addition. This portion of the addition may have functioned as an early summer kitchen for the dwelling. A garage addition has also been constructed onto the rear of the dwelling. The east side of the addition is clad in vinyl siding.

The subject property is approximately 99 acres in size.

1.4 Property History

The precise date of construction for the dwelling located at 2325 Sunningdale Road East has not been clearly established. The Register of Cultural Heritage Resources includes an estimated date of construction of circa 1845. However, early land registry records indicate that Lot 5, Concession V was initially retained as a Crown reserve, and the 200 acre lot was granted to King's College in 1828. This is presumably in connection with the establishment of King's College (now the University of Toronto) one year prior in 1827. Historical research undertaken for the Heritage Impact Assessment (see Section 4.0) indicates that by the early 1860s King's College (also identified as University College) deeded the north half (100 acres) to William Stephens. The property was not registered in Stephens' name until 1884, however Stephens appears to have occupied the lot immediately.

By 1862 William Stephens is noted as the owner of the north part of Lot 5, Concession V on *Tremaine's Map of the County of Middlesex County* (1862) (Appendix A). In 1878 the property, along with a portion of the adjacent lot at Lot 6, Concession V is noted on the *Illustrated Historical Atlas of Middlesex County* as belonging to the "Heirs of Wm Stevens" (see Appendix A). Based on the analysis of the land registry records and *Tremaine's Map of the County of Middlesex County* (1862), it is likely that the dwelling was constructed c.1862.

In the early-20th century the property, land registry records and tax assessments indicate the property was acquired by various owners first by William Stone (c.1906), then Lafayette Quinn (1913), Walter B. Haskett (1918), James Lee (1921), and William Marcus Talbot (1925). In 1936, executors for William Marcus Talbot granted the property to Allan Marcus Talbot. Allan and his wife Bertha Talbot (nee Drennan) married in 1935 and lived on the property where they had five children. The property remained in the Talbot family until the 1960s when portions of the property began to be granted to various commercial enterprises identified as J.F. Marshall and Sons Ltd. (1967) and Standard Industries Ltd. (1979). Historic aerial photography indicates that by 1967 the property was being used for aggregate extraction (see Appendix A).

Today, the land for the property extending south of the dwelling continues to be used for aggregate extraction, the majority of which is used for the extraction of sand and gravel, known as the Talbot Pit (MHBC 4.0).

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.”

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.

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 & 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 changes to the *Ontario Heritage Act* arising from Bill 108 come into force and effect.

2.3 The London Plan

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

2.5 Register of Cultural Heritage Resources

Municipal Council may include properties on the Register of Cultural Heritage Resources that it “believes to be of cultural heritage value or interest.” These properties are not designated, but are considered to have potential cultural heritage value or interest.

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed properties. The subject property is included on the Register of Cultural Heritage Resources.

3.0 Demolition Request

Written notice of their intention to demolish the house located at 2325 Sunningdale Road East was submitted by a Land Manager for Lafarge Canada Inc. on November 25, 2019 (Appendix C).

Municipal Council must respond to a notice of intention to demolish a heritage listed property within 60 days, or the request is deemed consented. During this 60-day period, the London Advisory Committee on Heritage (LACH) is consulted and, pursuant to Council Policy, a public participation meeting is held at the Planning & Environment Committee (PEC).

The 60-day period for the demolition request for the property at 2325 Sunningdale Road East expires on January 24, 2019.

4.0 Cultural Heritage Evaluation

4.1 Criteria for Determining Cultural Heritage Value or Interest

The criteria of *Ontario Heritage Act* Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are:

1. Physical or design value:
 - i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method;
 - ii. Displays a high degree of craftsmanship or artistic merit; or,
 - iii. Demonstrates a high degree of technical or scientific achievement.
2. Historical or associative value:
 - i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
 - ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
 - iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. Contextual value:
 - i. Is important in defining, maintaining or supporting the character of an area;
 - ii. Is physically, functionally, visually or historically linked to its surroundings; or,
 - iii. Is a landmark.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the demolition request should be granted and the property removed from the *Inventory of Heritage Resources* (Register).

The evaluation of the property using the criteria of *Ontario Heritage Act* Regulation 9/06 can be found below.

4.2 Evaluation

An evaluation of the property at 2325 Sunningdale Road East was undertaken using the criteria outlined in O.Reg. 9/06 in the Heritage Impact Assessment (MHBC 6.0). The evaluation found that the property did not meet any of the criteria of O.Reg. 9/06.

The evaluation of the property determined that although described as “Georgian” on the Register of Cultural Heritage Resources, the property is not a rare, unique, representative, or early example of a style, type, expression, material, or construction method, and does not have design/physical value or historical/associative value.

Speaking to the contextual value, the HIA noted,

The existing house is shown in the 1877 map with rows of trees to the east of the property perhaps to facilitate a wind break. The house continues to remain in-situ and there are remnants of the treed windbreak. However, its original context as an agricultural property has been altered by the aggregate extraction activities on the property. Its original functionality has been, for the most part removed. The house is not important in defining, maintaining or supporting the character of the area as land use of the property has altered its original purpose. It is no longer physically, functionally, visually linked to its surrounding area. It is historically linked to the original land patterns and roadways in its orientation and position, however, not in itself significant or unique to any other agricultural landscape in Ontario. It is not a landmark.

Staff reviewed the Heritage Impact Assessment (MHBC 2019) and the evaluation of the property using the criteria of O.Reg. 9/06. Staff concur with the findings of the evaluation, that the property did not meet any of the criteria of O.Reg. 9/06. Staff also encourage the owner of the property to salvage the existing buff brick materials for re-use if feasible.

The documentation provided in the Heritage Impact Assessment (MHBC 2019) is sufficient documentation of the subject property at 2325 Sunningdale Road East. No further documentation is recommended.

4.3 Consultation

Pursuant to Council Policy for the demolition of heritage listed properties, notification of the demolition request was sent to 12 property owners within 120m of the subject property on December 17, 2019 as well as community groups including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League of London. Notice was also published in *The Londoner*.

5.0 Conclusion

The evaluation of the property at 2325 Sunningdale Road East found that the property did not meet the criteria of O.Reg. 9/06 and therefore does not merit designation under the *Ontario Heritage Act*. Municipal Council should consent to the demolition of the existing dwelling.

Prepared by:	Michael Greguol Heritage Planner
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Research
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, City Planning and City Planner

December 12, 2019
MG/

\\FILE2\users-z\pdp\Shared\policy\HERITAGE\Z:\REASONS.DES\Sunningdale Road East, 2325

Appendix A Property Location

Appendix B Images

Appendix C MHBC Planning, Urban Design & Landscape Architecture, Heritage Impact Assessment, 2325 Sunningdale Road East, London, Ontario (November 2019)

Sources

MHBC Planning, Heritage Impact Assessment Report, 2325 Sunningdale Road East, City of London, Ontario (November 2019).

Census. 1851, 1861.1871.

Tax Assessment Rolls. 1905-1930.

London Township: Families Past and Present, Volume II. 2001.

Land Registry. LRO-33. North Half of Lot 5, Concession V, former London Township.

Page, H.R. & Co. *Illustrated Historical Atlas of Middlesex County.* 1878

Ontario Heritage Act.

Ontario Regulation 9/06.

City of London. *The London Plan* (2016).

Appendix A – Property Location

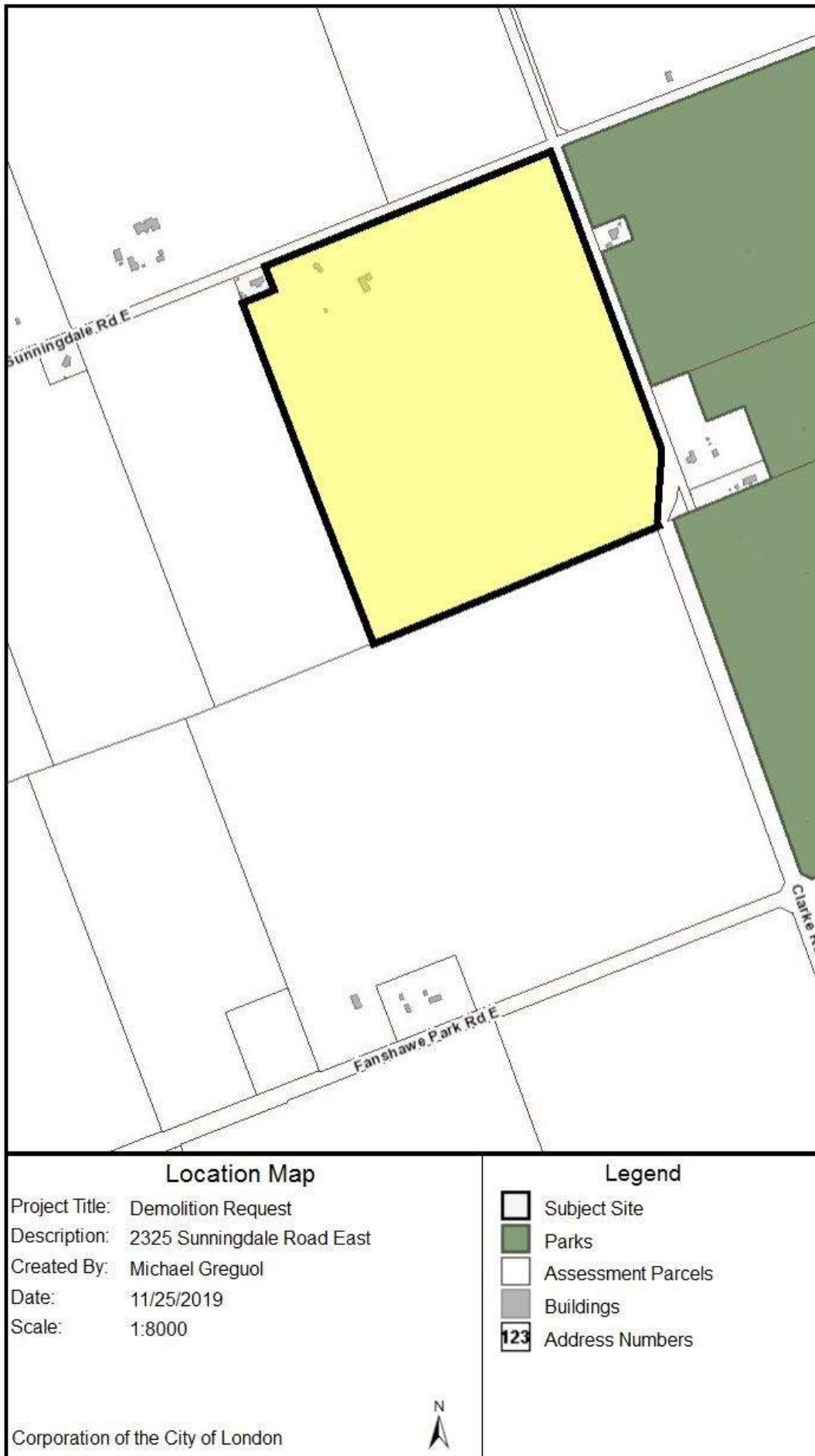


Figure 1: Location of the subject property at 2325 Sunningdale Road East. The dwelling on the property is located at the north side of the property.



Figure 2: Extract from the Tremaine's Map of the County of Middlesex (1862), showing the north half of Lot 5, Concession V in the former London Township (red square). Wm. Stevens is noted as the occupant.

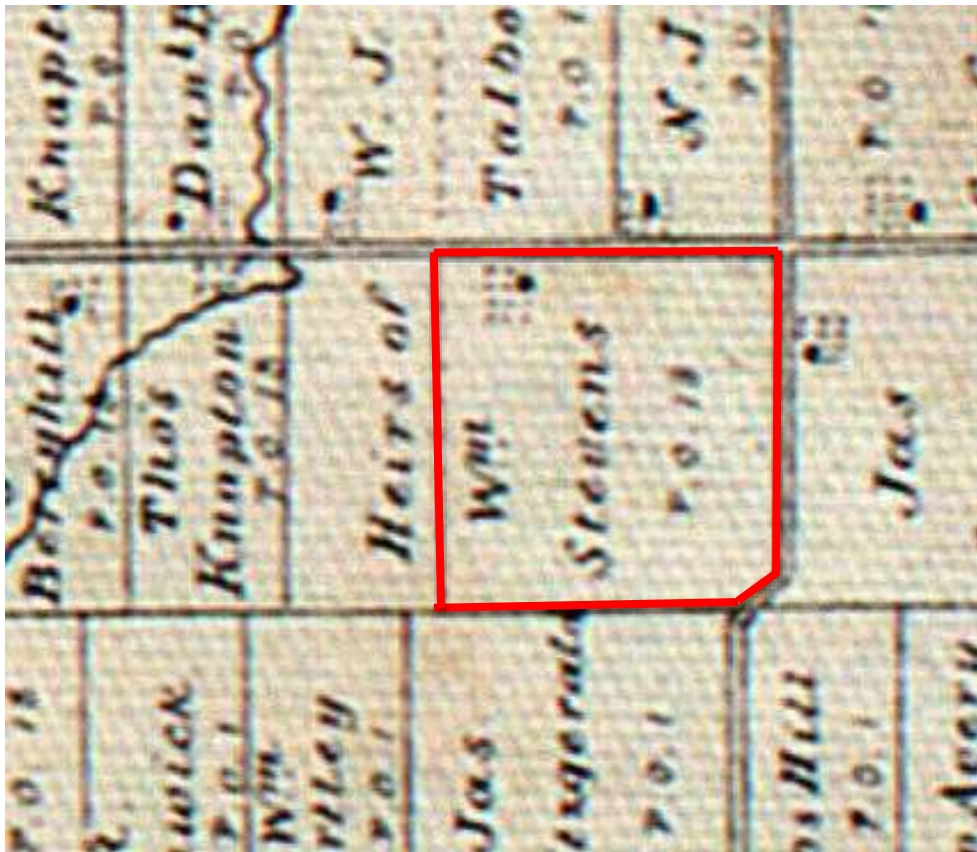


Figure 3: Extract from the Illustrated Historical Atlas of Middlesex County (1878), showing the north half of Lot 5, Concession V in the former London Township (red square). Note: the property as well as portions of the adjacent Lot 6, Concession V are noted as being owned by the "Heirs of Wm. Stevens". Note, a structure is depicted on the property within the approximate location of the existing dwelling.



Figure 4: Extract from a 1967 aerial photograph showing the land use of the beginnings of aggregate extraction on the property



Figure 5: Extract from a 1993 aerial photograph showing the land use on the property transitioning to its current aggregate extraction use



Figure 6: Aerial view showing current land use and aggregate extraction activity on the property.

Appendix B – Images



Image 1: Photograph of the dwelling at 2325 Sunningdale Road East, as shown in the 1993 City of London Inventory of Heritage Resources: Annexed Area.



Image 2: Main (north) facade of the dwelling at 2325 Sunningdale Road East.



Image 3: West facade of the dwelling at 2325 Sunningdale Road East, showing the main house, front entrance at left, and rear addition at right.



Image 4: Rear (south) facade of the dwelling at 2325 Sunningdale Road East showing main house and rear addition.



Image 5: Rear addition to the house at 2325 Sunningdale Road East. Note, a portion of the addition was likely used as an early summer kitchen, and a much large garage has also been added to the rear of the dwelling.



Image 6: View looking north showing the gravel laneway that provides access to the house from Sunningdale Road East



Image 7: Detail showing window on the main (north) facade. Note, several windows on the dwelling have been replaced with vinyl replacement windows.



Image 8: View showing front addition on the house. The date of the addition is unclear, however, the exterior is clad with angelstone and vinyl siding.



Image 9: View showing front northwest corner of the dwelling and access provided in front addition.



Image 10: Detail showing southeast corner of the dwelling. The north corners of the dwelling have been altered with concrete and angelstone cladding.



Image 11: View of the interior of the first floor. The stairs are located at the left of the photograph. The historic floor plan has been extensively altered on the interior of the dwelling.



Image 12: View showing interior of the west wall, showing the location of the fireplace. Note, a chimney is no longer present on the exterior west façade of the dwelling.



Image 13: Interior detail showing fireplace of the dwelling at 2325 Sunningdale Road East.



Image 14: Interior detail, showing the field stone foundation walls of the dwelling at 2325 Sunningdale Road East.

Appendix C – Heritage Impact Assessment

MHBC Planning, Urban Design, & Landscape Architecture, Heritage Impact Assessment, 2325 Sunningdale Road East, City of London, Ontario (November 2019) [attached separately].

HERITAGE IMPACT **ASSESSMENT** REPORT

2325 Sunningdale Road East,
City of London, Ontario

Date:

November 2019

Prepared for:

Lafarge Canada

Prepared by:

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Table of Contents

Project Personnel	3
Glossary of Abbreviations	3
Executive Summary	4
1.0 Introduction	5
1.1 Background Information	5
2.0 Methodology and approach	6
2.1 Methodology	6
2.2 Approach	6
2.2.1 Policy Framework	7
3.0 Identification of subject lands	9
3.1 Description of Subject Lands	9
4.0 Historical overview	11
5.0 Current review of building on subject lands	17
5.1 Exterior	18
5.2 Interior	19
5.3 Landscape features.....	19
5.4 Comment on heritage integrity	19
6.0 Evaluation under Ontario Regulation 9/06	20
6.1 Evaluation criteria.....	20
6.1.1 Physical/ Design Value.....	20
6.1.2 Historical/ Associative Value	21
6.1.3 Contextual Value	21
6.2 Evaluation of the Subject Lands	21
7.0 Description of proposed development	23
7.1 Description of development.....	23
8.0 Assessment of impacts of development	25
8.1 Classification of impacts	25

9.0	Consideration of development alternatives and mitigation measures	26
9.1	Alternative development approaches.....	26
9.2	Mitigation measures and monitoring.....	26
10.0	Conclusions and recommendations	27
11.0	Bibliography.....	28
Appendix A	Map of Subject Land.....	30
Appendix B	Excerpts from Aggregate Resources Act (ARA) Site Plans.....	31
Appendix C	Listing in the Inventory of Heritage Properties for the City of London.....	32
Appendix D	Photographic documentation	33

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Glossary of Abbreviations

HIA	<i>Heritage Impact Assessment</i>
MHBC	<i>MacNaughton Hermsen Britton Clarkson Planning Limited</i>
MTCS	<i>Ministry of Tourism Culture and Sport (now Ministry of Heritage, Sport, Tourism and Culture Industries)</i>
OHA	<i>Ontario Heritage Act</i>
OHTK	<i>Ontario Heritage Toolkit</i>
OLR	<i>Ontario Land Registry</i>
O-REG 9/06	<i>Ontario Regulation 9/06 for determining cultural heritage significance</i>
PPS 2014	<i>Provincial Policy Statement (2014)</i>
SOS	<i>Statement of Significance</i>

Acknowledgements

This report acknowledges that assistance provided by City Staff Planning Staff, University of Western Ontario and the City of London's Library.

Executive Summary

The subject lands, located at 2325 Sunningdale Road East, are progressing through phased development of an approved gravel pit operation. The site operations are licenced by the Province through the *Aggregate Resources Act (ARA)*. The site operations have progressed to the stage where the removal of the existing home is necessary, as indicated on the approved ARA Site Plans.

Since the existing home is listed on the City's Register of Cultural Heritage Resources (2019), the City of London's Official Plan (1989) policies require a Heritage Impact Assessment be prepared for the proposed ongoing development of the subject land located at 2325 Sunningdale Road East, London.

This Heritage Impact Assessment provides an overview of the site history, documentation of the physical attributes of the property through a photographic record, and an assessment of the potential cultural heritage value of the property. This report concludes that the subject lands do not meet the criteria of Ontario Regulation 9/06 and therefore, does not warrant designation under the *Ontario Heritage Act*.

As a result, this report concludes that there are no adverse impacts to cultural heritage as no significant cultural heritage value exists on the property. It is recommended that due to that fact, the City of London approve demolition of the building and deem this report as sufficient documentation of the building for the archival record. Materials from the building material (i.e. yellow brick) could be made available for salvage purposes should there be interest from the community.

It is also recommended that this report be included in the archival record for this property for future research purposes.

1.0 Introduction

1.1 Background Information

MHBC Planning, Urban Design and Landscape Architecture (“MHBC”) was retained in January 2019 by Lafarge Canada Inc. to undertake a Heritage Impact Assessment (HIA) for the property located at 2325 Sunningdale Road East, City of London, Ontario hereafter referred to as the ‘subject land’ (see **Appendix A**). The development proposal under evaluation includes the demolition of the existing building at 2325 Sunningdale Road East and continued development of the land as ‘Area 4’ of a gravel pit operation, as indicated on the approved *Aggregate Resources Act* Site Plans for the Talbot Pit (Licence No. 2081).

The existing building on the subject land is ‘listed’ (non-designated) on the City of London’s Register of Cultural Heritage Resources and receives some protection from demolition as indicated in the *OHA*. The subject land is not located within a Heritage Conservation District under Part V of the *OHA*. The building is identified as a Georgian Farmhouse constructed in 1845 approved to the Register on March 26, 2007.

The purpose of this HIA is to evaluate the potential cultural heritage value of the subject property and if significant cultural heritage is to be found, to determine the impacts of the proposed development upon the identified cultural heritage attributes of the property.

It is important to note that the existing Georgian farmhouse is proposed for removal in the current ARA Site Plans, which govern the operation and rehabilitation of the site. The principle of land use for aggregate extraction has already been established through previous approvals granted for the property.

2.0 Methodology and approach

2.1 Methodology

The methodology of this report is based on the Heritage Impact Assessment (HIA) guidelines that are provided by the Ontario Ministry of Culture, Tourism and Sport:

- Overview of site history and immediate surrounding area;
- Identification of the subject land;
- Current Conditions of the subject land;
- Written description and overview of heritage attributes of 2325 Sunningdale Road East after evaluation under Ontario Regulation 9/06;
- An outline of the proposed development;
- Assessment of impacts as per Info Sheet No.5 of the Ministry of Culture, Tourism and Sport;
- Alternative development approaches; and,
- Conclusions and Recommendations.

Supplementary to the above requirements, this Heritage Impact Assessment also includes the current Section 2.0 Methodology and Approach as recommended by ICOMOS (2011).

2.2 Approach

A site visit was conducted by MHBC Cultural Heritage Staff on April 9th, 2019 to complete photographic documentation of the current condition of 2325 Sunningdale Road East, City of London.

This Report reviews the following documents:

- The *Planning Act*
- The *Ontario Heritage Act* and the Ontario Heritage Toolkit
- City of London Official Plan
- City of London's Register of Cultural Heritage Resources (2019)
- Standards and Guidelines for the Conservation of Historic Places in Canada (Second Edition)
- Building Resilience: Practical Guidelines for the Sustainable Rehabilitation of Buildings in Canada (2016)

This report assesses the cultural heritage value of the property and the proposed development in terms of its compliance with these policies, guidelines and recommendations and assesses any impacts of the development on the cultural heritage attributes of the subject property, if any.

2.2.1 Policy Framework

The Planning Act and PPS 2014

The *Planning Act* makes a number of provisions respecting cultural heritage either directly in Section 2 of the Act or Section 3 respecting policy statements and provincial plans. In Section 2 *the Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of *The Planning Act* is to “encourage the co-operation and co-ordination among the various interests.” Regarding Cultural Heritage, Subsection 2(d) of the Act provides that:

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

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

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement, 2014* (PPS). The PPS is “intended to be read in its entirety and the relevant policy areas are to be applied in each situation”. This provides a weighting and balancing of issues within the planning process.

When addressing cultural heritage planning, the PPS provides the following:

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

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

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.*

The Ontario Heritage Act

The *Ontario Heritage Act*, R.S.O, 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. The building located at 2325 Sunningdale Road is listed under the *Ontario Heritage Act* (OHA) and therefore was guided by the criteria provided with *Regulation 9/06* of the OHA which outlines the criteria for determining cultural heritage value or interest. The regulation sets forth categories of criteria and several sub-criteria and will be utilized to evaluate the subject lands.

The Ontario Heritage Tool Kit

The impacts of a proposed development or change to a cultural heritage resource may occur over a short or long-term duration, and may occur during a pre-construction phase, construction phase or post-

construction phase. Impacts to a cultural heritage resource may also be site specific or widespread, and may have low, moderate or high levels of physical impact. According to the *Ontario Heritage Tool Kit*, the following constitutes adverse impacts which may result from a proposed development:

- Destruction;
- Alteration;
- Shadows;
- Isolation;
- Direct or indirect obstruction;
- A change in land use; and
- Land disturbances.

City of London Official Plan (1989)

The City of London Official Plan does not provide specific policies regarding evaluation criteria of properties of cultural heritage value or formal Terms of Reference regarding the preparation of Heritage Impact Assessments. The preparation of this report is therefore guided by the Ontario Ministry of Culture (now the Ministry of Tourism, Culture and Sport) *InfoSheet #5 Heritage Impact Assessments and Conservation Plans*, part of the 2006 *Heritage Resources in the Land Use Planning Process* document.

As per the guidance in the Ministry document, this report contains the following components:

- Historical research, site analysis and evaluation
- Identification of the significance and attributes of the cultural heritage resources
- Description of the proposed development or site alteration
- Measurement of development or site alteration impact
- Consideration of alternatives, mitigation and conservation methods
- Implementation and monitoring
- Summary statement and conservation recommendations

3.0 Identification of subject lands

3.1 Description of Subject Lands

The subject land is municipally addressed as 2325 Sunningdale Road, City of London (Concession V, Part Lot 5, Township of London). The subject lands contain a one-and-half storey, vernacular Georgian farmhouse. The subject lands are zoned EX as a resource extraction zone within the Fanshawe Planning District. The house is located in 'Area 4' of the *Aggregate Resources Act* (ARA) Site Plans for the Talbot Pit (Licence No. 2081). See **Appendix A** for a map of the subject lands.



Figure 1: Aerial view of subject land identified as a heritage property by the City of London (City of London E-Map, 2019)

There is an existing one and half storey brick house with a rectangular floor plan and open, steeply sloped, gabled roof. The house has an addition to the rear which appears to have a salt-box style roof. There is also a wood frame outbuilding to the rear of the immediate property.

A yard area is located around the house on the north, west and south side of the building with active aggregate extraction to the east.



Figure 2: Aerial view of existing house on subject land (Google Earth Pro, 2018)



Figure 3: View of front façade of 2325 Sunningdale Road East, London (Google Earth Pro, 2019)

4.0 Historical overview

The purpose of this section of the report is to provide a summary of the history of the subject lands.

First Nations

The City of London was originally inhabited by the Anishnaabeg, Haudenosaunee and Lenni-Lenape Nations. After Europeans arrived in the area, there were agreements made between the First Nations in the area and the European immigrants; one particular to the area was the London Township Treaty of 1796 (City of London, 2019).

Middlesex County and London Township

Middlesex County represents the central tract of the Erie and Huron Peninsula in Ontario. In the 17th century, French explorers travelled through unknown territory which later became Middlesex County, between Lake Erie and Lake Huron. The river, first known as *La Tranchée*, later became The Thames, renamed in the late 18th century by Governor Simcoe. During the winter season of 1792/1793, Governor Simcoe ordered parts of Middlesex County to be surveyed (Goodspeed, 1889).

Col. John Graves Simcoe was appointed to take charge of Upper Canada after fighting in the Revolutionary War. Among his first orders of business were defense of the territory and land surveying. In December 1791, he reviewed maps of *La Tranchée*, which was known as a large waterway at the time. Simcoe decided that it may serve as the potential location for his Capital. He gave orders to begin surveying the land in 1793. Upon visiting the land surrounding *La Tranchée*, (which was known in the late 18th and early 19th centuries as 'The Forks') on March 2, he found a suitable location for the capitol, and the land was surveyed in 1793 by Patrick McNiff (Campbell, 1921).

In 1788, Lord Dorchester divided the colony into Districts, which were renamed by Simcoe as Western, Home, Midland, and Eastern. In 1799 the province was further divided into nine districts, Western, London, Gore, Niagara, Home, Midland, Newcastle, Johnston, and Eastern. These nine districts were further subdivided into counties, or "circles", as they were first known. The counties were subdivided again into townships (Campbell, 1921).

City of London, Ontario

The City of London was settled due to the proximity to the 'Forks' of the Thames. The location made it convenient to trade with nearby Native populations. Thomas Talbot, another prominent early settler, was granted an officer's 5,000 acres and became the land agent of London (Campbell, 1921). The subject lands were located outside of the City of London boundaries at the time of the 1819 Map including the City of London (see **Figure 4**).

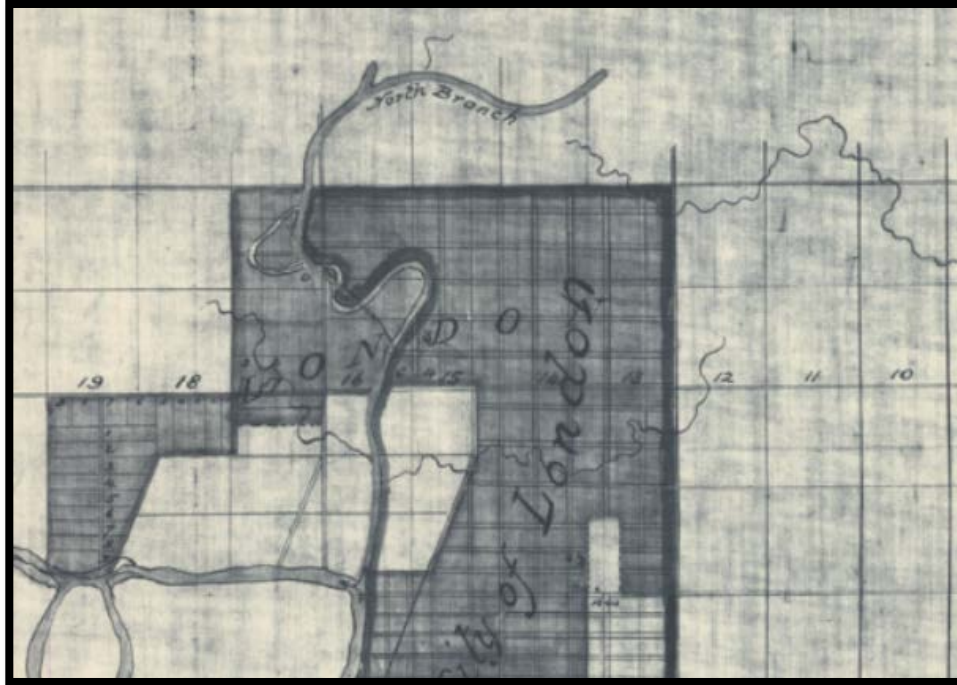


Figure 4: Copy of Part of the Township of London, Copied from Mr. Burwell's 31st May 1819 Plan (Courtesy of Western University)
(note: subject lands are located to north of map)

The subject land was to the north of the original plan of the Township of London of 1819. It was not until 1838 that the land was no longer part of the Crown Lands within the Township of London.

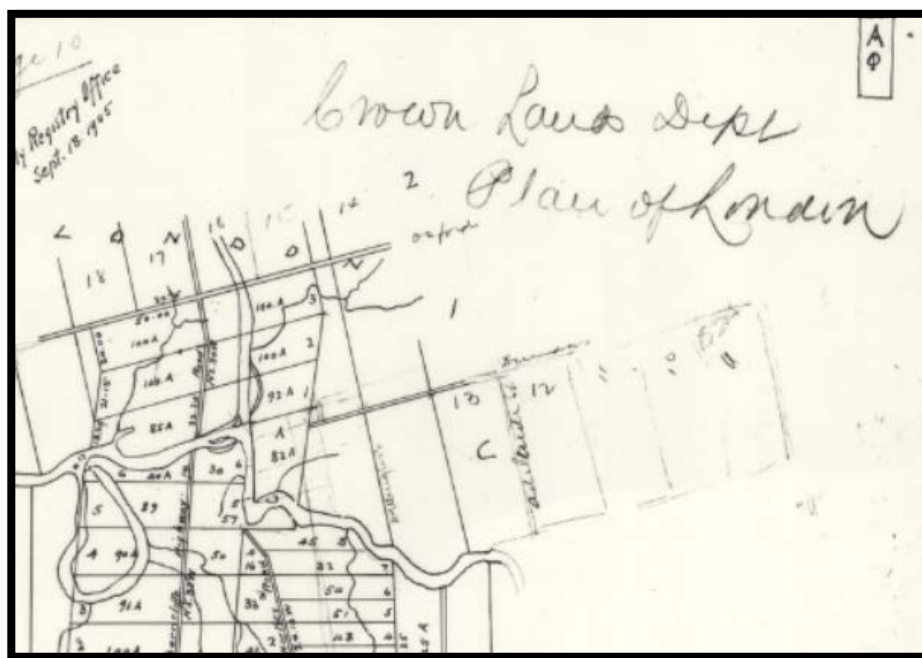


Figure 5: Map of Crown Lands, Department of Planning of London (original 1824, revised 1905) (Courtesy of Western University)
(note: subject lands are located to north of map)

A survey of London was carried out, which contained 240 acres. The river was located at the south and west boundaries, and extended to the east as far as Wellington Street, bounded to the north by North Street (now Queen’s Avenue) (Campbell, 1921).

Primitive streets were laid out in what is now Downtown London in the first half of the 19th century. They were unpaved, lacking sewers and ditches (Campbell, 1921). A large swamp on the east side of Richmond Street (near Dundas), was also present.

By the 1850s the population more than doubled, approximately 5,000 of which were skilled working-class men. By this time, London was growing and self-sufficient (Campbell, 1921). In 1854 the Town of London was incorporated into a city and separated from Middlesex County (Godspeed, 1889). At the edge of the City, lay the rural development of the Township of London, which would have included the subject land. This leads to a closer examination of the development of the subject lands.

2325 Sunningdale Road East, London

In 1863, University College granted 100 acres (northern half of Lot 5) to William Stephens (LRO); this transaction was not registered until February 27, 1884. In the abstract index 1 up to 1866; Concession 5 (Middlesex County (33), London, Book 4) King’s College (University College) is listed as owning 200 acres of Lot 5, Concession 5 in January of 1866. It would be presumed that William Stephens made an agreement in 1863 to own 100 acres of this land as seen below, although not registered until 21 years later. Dating the architecture of the house and the time that the house was owned by the Stephens family, it is likely that the house was constructed and lived in by the Stephens family.

Abstract No.	Grantor	Grant Date	Grantee	Acres	Notes
10816	University College	Nov. 17-1863	William Stephens	100	North half
10817	Reed	Feb. 9-1884	Elizabeth Stevens and Thomas H. Stephens		North half & other land

The subject land located at Concession V, Lot 5 and Lot 6, a total of 150 acres, in the 1877 Map of the County of Middlesex, Ontario notes that it is owned by the “heirs of William Stevens”. William Stevens was born in 1833 in England and in the 1871 Canadian Census was living in Middlesex East, London Township in Division 1. He is listed as being a Carpenter and the head of the household. His spouse was Margaret Otty. William Stevens owned other lots within the Township and it appears that he resided on Concession 6, Lot 15 (50 acres), and the subject land was intended for his sons. One of his sons, James Stevens owned Concession V, Lot 4 (100 acres) and was listed as a farmer in 1871 and showing to have owned Concession V, Lot 4 in 1877. John Stevens, however, William’s other son, is listed as a labourer but not an owner of land. The land [was] deeded in 1884 from Elizabeth Stevens et al. to H. H. Stephens (LRO).

In the early 20th century, the property was owned by the Stone Family. The head of the household, William Stone, was listed as a painter in the 1911 census. In 1913, the property was sold to Lafayette Quinn, who only five years later sold to Walter B. Haskett. Three years later, Walter B. Haskett sold the land to James Lee. In 1925, the land was sold to William Marcus Talbot. In 1936, the land was granted from Eva May Parkinson and Dustin Talbot, executors of William Marcus Talbot, to Allan Marcus Talbot.



Figure 6: 1877 Atlas of the Middlesex County; red box outlines subject lands and dotted line represents Sunningdale Road East (Courtesy of McGill University).

The property has since included aggregate extraction operations beginning in the latter half of the 20th century, and the majority of the land is used for the extraction of sand and gravel, known as the Lafarge Talbot Pit. **Figure 9**, provides an overall context as to the surrounding land use, in particular its transition from agricultural to rural industrial use.

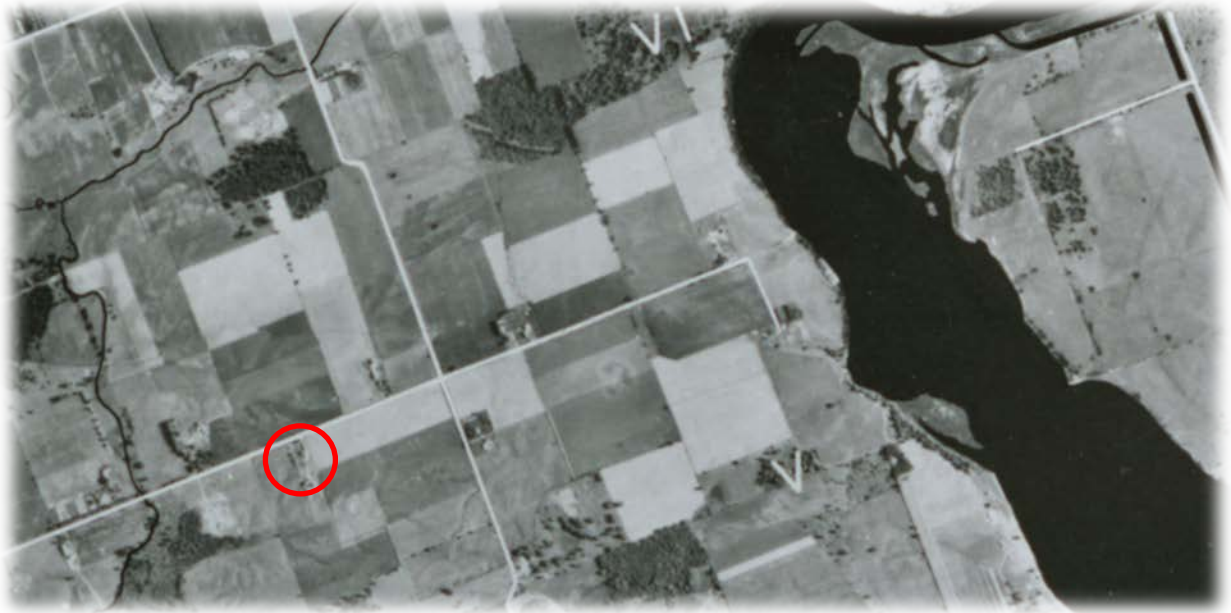


Figure 7 & 8: (Above) 1954 aerial photograph of the subject lands prior to aggregate extraction (Courtesy of the University of Toronto); (Below) 2004 aerial photograph of the subject lands post aggregate extraction (Google Earth Pro, 2019); red circles indicates location of the subject lands.



Figure 9: Aerial of subject land and surrounding area; Red arrow indicates building on subject land (Source: Google Earth Pro, 2019)

5.0 Current review of building on subject lands

This Section of the report will review the current conditions of the existing building to evaluate the heritage integrity of the building.

Although *Ontario Regulation 9/06* does not consider the structural integrity of the building, the Ministry of Culture Tourism and Sport advises on *Integrity* and *Physical Condition* of *properties* in part of Section 4, *Municipal Criteria* of the *Heritage Property Evaluation* document of the *Ontario Heritage Toolkit*.

In the matter of integrity the Guide notes that: (underline for emphasis),

A cultural heritage property does not need to be in original condition. Few survive without alterations on the long journey between their date of origin and today. Integrity is a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property.

For example, a building that is identified as being important because it is the work of a local architect, but has been irreversibly altered without consideration for design, may not be worthy of long-term protection for its physical quality. The surviving features no longer represent the design; the integrity has been lost. If this same building had a prominent owner, or if a celebrated event took place there, it may hold cultural heritage value or interest for these reasons, but not for its association with the architect.

Cultural heritage value or interest may be intertwined with location or an association with another structure or environment. If these have been removed, the integrity of the property may be seriously diminished. Similarly, removal of historically significant materials, or extensive reworking of the original craftsmanship, would warrant an assessment of the integrity.

There can be value or interest found in the evolution of a cultural heritage property. Much can be learned about social, economic, technological and other trends over time. The challenge is being able to differentiate between alterations that are part of an historic evolution, and those that are expedient and offer no informational value.

Ministry guidelines from the *Ontario Heritage Took Kit Heritage Evaluation* resource document note that:

Individual properties being considered for protection under section 29 must undergo a more rigorous evaluation than is required for listing. The evaluation criteria set out in Regulation 9/06 essentially form a test against which properties must be assessed. The better the characteristics of the property when the criteria are applied to it, the greater the property's cultural heritage value or interest, and the stronger the argument for its long-term protection.

This evaluation of the current condition considers the matter of heritage integrity as outlined by the Ministry of Culture, Tourism and Sport.

The photographic documentation of the current conditions of the building is included in **Appendix D** of this report.

5.1 Exterior

North (Front) Elevation

The front elevation of the building has a symmetrical composition. The original window openings remain, as well as the window voussoirs and stone lintels. The windows, however, have been replaced with vinyl, double hung windows. There is a front portico enclosure with stone with a concrete foundation sill and includes a cubed glass window opening centred in on the front façade of the enclosed portico. The pediment has been covered with vinyl siding.

There is a gable dormer placed centred on the roof which has been covered in siding. The open gable has box end eaves. The window has been replaced with a double-hung window. A black sealant has been used both along the adjoining portico and along the boundary of the shed dormer window.

Angel stone infill has been used on both bottom corners of the front façade that was used to enclose the portico; a concrete block has also been placed at these corners.

The roof is open gabled with box end eaves. There is a chimney on the east elevation which also appears to have been covered in a black sealant. The roof is composed of asphalt shingles and original soffit and fascia has been replaced.

West Elevation

The west elevation is composed of four (4) windows; the window openings including voussoirs are original and it appears at least one of the windows are original. There is an original foundation window indicated by the voussoir; the window has been boarded up with wood. The original rubble stone foundation is apparent on this elevation as well as the wrap around stone infill on the western corner of the façade. This façade shows the open gabled roof line and box end eaves and covered/ replaced soffit and fascia.

There are signs of efflorescence on this façade, in particular slightly to the right of the centre of the façade as well as under the sills of both windows on the first level. This has resulted in cracking in parts of the façade.

The rear addition includes two windows with voussoirs and stone lintels and a doorway. The window openings appear to be original, however, the windows have been replaced a single pane within wood frames. The west elevation of the rear addition has been painted with white paint concealing the original yellow brick.

South Elevation

To the rear of the building is a rectangular addition; the addition adjoins immediately following a window opening. The window opening, including voussoir and stone lintel, is original, however, the window is a double-hung vinyl replacement. A portion of the façade has been painted white. The rear façade of the addition has been painted white, it is apparent, however, that it was composed of yellow brick. The rubble stone foundation is also apparent below the white paint. The roof of this rear wing is slanted, mimicking a salt-box cottage. It is most likely that this rear addition was used as a summer kitchen.

East Elevation

The west elevation is composed of the rear wing elevation of the main house. This façade of the rear wing includes a garage door entrance which recedes further back before adjoining to the main house. It is likely that the extension for the garage portion was a later addition. This niche includes a small two pane window with a stone sill. This façade has been covered with siding.

The east elevation of the main home consists of three (3) windows which are the original windows openings including voussoirs and stone sills. The first level window has been replaced with a vinyl double-hung window. The upper two windows appear to be original 4 x 3, double-hung wood framed windows. Both upper windows have been sealed with a black sealant along the window opening and in and around the sill.

There is an original foundation window opening with voussoir along this façade which has been boarded. There is a chimney shaft along this façade that is also covered in a black sealant.

The overall use of waterproof sealing throughout the exterior of the building and the signs of efflorescence on the eastern elevation indicate signs of water damage.

5.2 Interior

The interior arrangement of the house has been largely altered throughout the years. Only a few features continue to exist; those being the fireplace opening, the rubble stone foundation and the remaining original windows (also exterior feature) on the western and eastern elevations.

5.3 Landscape features

There is a mature White Cedar to the west of the front façade and a mature maple to the rear of the house. These appear to original plantings associated with the house, however, are not particularly a supportive or defining feature.

There are no field areas remaining, which would link to the agricultural history of the area.

5.4 Comment on heritage integrity

The building has undergone significant exterior and interior alterations, some of which are irreversible. There is water damage in several locations on the exterior which subsequently could have severe effects on the interior. Lafarge staff indicated during the site visit that several repairs have been made over the years to address water penetration and structural issues. The heritage integrity of the building is limited to the original window openings including voussoirs and the remaining original windows.

6.0 Evaluation under Ontario Regulation 9/06

6.1 Evaluation criteria

The subject lands have been evaluated as per *Ontario Regulation 9/06* pursuant to the *Ontario Heritage Act* in order to determine cultural heritage value or interest where,

A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

- 1. The property has design value or physical value because it,*
 - 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. The property has historical value or associative value because it,*
 - i. has direct associations with a theme, event, belief, person, 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. The property has contextual value because it,*
 - 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.*

6.1.1 Physical/ Design Value

The house is described as a Georgian farmhouse in the Register, however the alterations to the house, in particular the irreversible covering of a large portion of the main façade, has removed its ability to be an exceptional representative of this type of architecture. There are 102 properties on the Register of Cultural Heritage Resources listed as being of a Georgian architectural style; 51 of which are described as “Georgian”. There is one (1) designated Georgian building under Part IV of the OHA and two (2) designated under Part V of the OHA.



Figures 10 & 11: (Left) Example of other Georgian examples on the Register, street view of 357 Southdale Road East, London (Source: Google Earth Pro, 2019); Photograph of “Georgian” house on the subject lands (Source: MHBC, 2019)

The property does not have physical/ design value as it is not rare, unique or clearly representative of a style, type, expression, or construction method. It does not display a high degree of technical or scientific achievement.

6.1.2 Historical/ Associative Value

The house is not directly associated with a theme, event, belief, person, activity, organization or institution that is significant to the community, or yield, or has potential to yield information that contributes to the understanding of a community or culture that is significant. It does not demonstrate or reflect the work or ideas of an architect, artist, building, designer or theorist who is significant to a community; the builder/ architect is unknown.

6.1.3 Contextual Value

The existing house is shown in the 1877 map with rows of trees to the east of the property perhaps to facilitate a wind break. The house continues to remain in-situ and there are remnants of the treed windbreak. However, its original context as an agricultural property has been altered by the aggregate extraction activities on the property. Its original functionality has been, for the most part removed. The house is not important in defining, maintaining or supporting the character of the area as land use of the property has altered its original purpose. It is no longer physically, functionally, visually linked to its surrounding area. It is historically linked to the original land patterns and roadways in its orientation and position, however, not in itself significant or unique to any other agricultural landscape in Ontario. It is not a landmark.

6.2 Evaluation of the Subject Lands

Ontario Regulation 9/06		2325 Sunningdale Road East
1. Design/Physical Value		
i.	Rare, unique, representative or early example of a style, type, expression, material or construction method	<input type="checkbox"/>
ii.	Displays high degree of craftsmanship or artistic merit	<input type="checkbox"/>
iii.	Demonstrates high degree of technical or scientific achievement	<input type="checkbox"/>

2. Historical/associative value		
i.	Direct associations with a theme, event, belief, person, activity, organization, institution that is significant	<input type="checkbox"/>
ii.	Yields, or has potential to yield information that contributes to an understanding of a community or culture	<input type="checkbox"/>
iii.	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.	<input type="checkbox"/>
3. Contextual value		
i.	Important in defining, maintaining or supporting the character of an area	<input type="checkbox"/>
ii.	Physically, functionally, visually, or historically linked to its surroundings	<input type="checkbox"/>
iii.	Is a landmark	<input type="checkbox"/>

7.0 Description of proposed development

7.1 Description of development

The proposed development includes the continued development of the existing Talbot Pit to include extraction of aggregate resources from the subject land. The planned development proposes to remove all remaining buildings and structures located on the subject lands including the existing 'listed' house on the property to facilitate the development of 'Area 4' of the Talbot Pit; this would be completed in Phase C of the development plan. The continued development of the gravel pit will result in extraction moving northwards into this area. See **Appendix B** for excerpts from the larger version of the site plan.

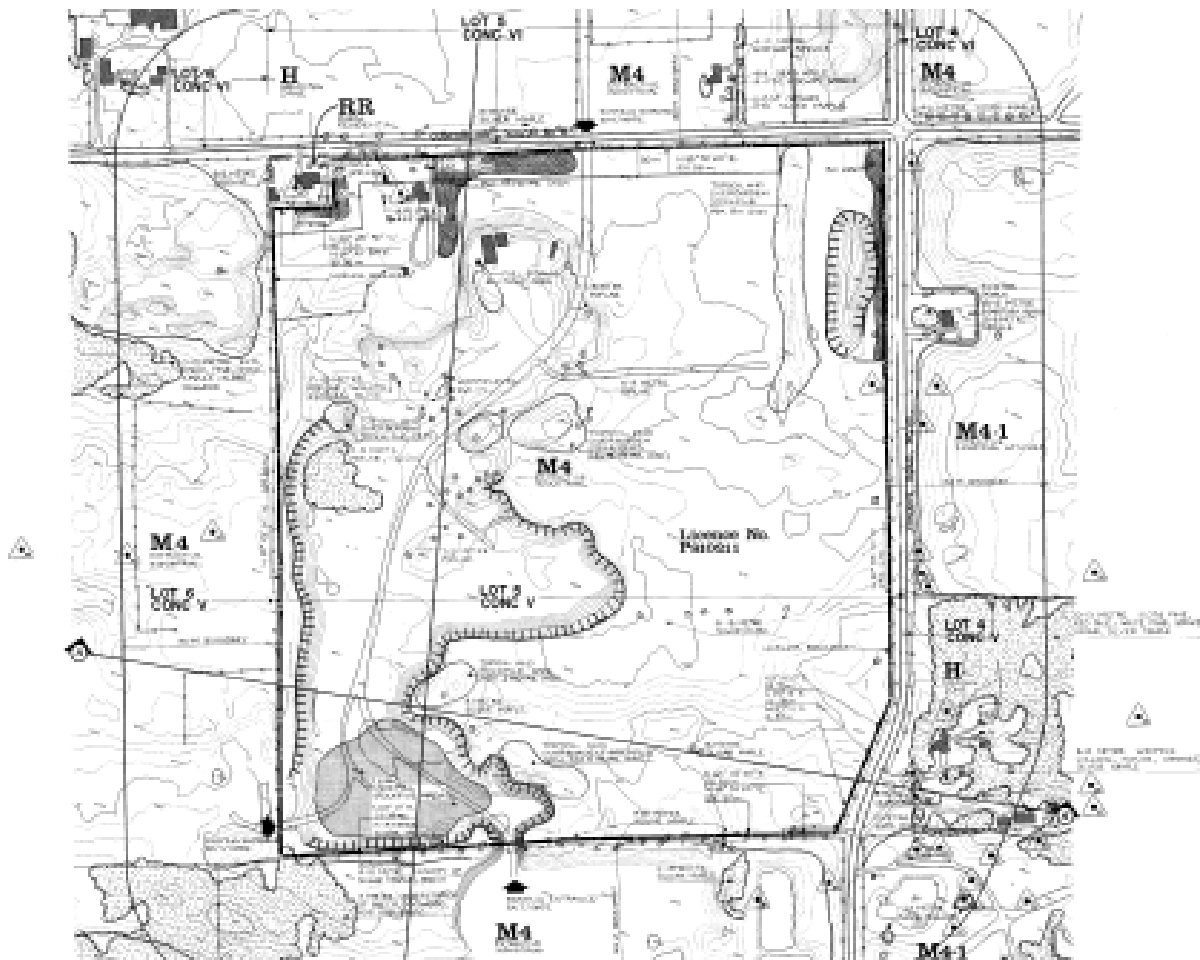


Figure 8: ARA approved site plan for proposed extension of Talbot Pit (Source: Harrington and Hoyle Ltd., March 1993)

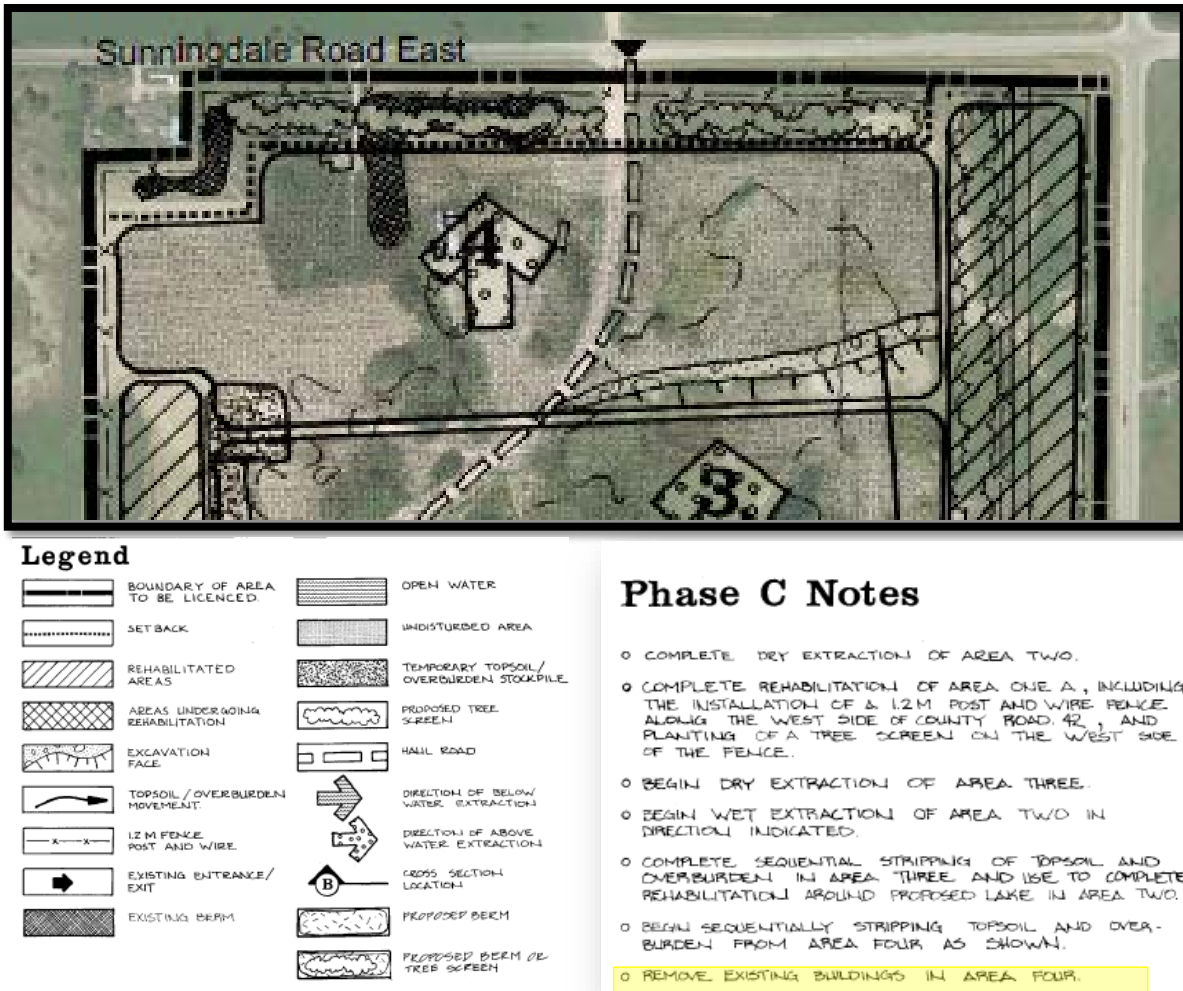


Figure 9: Notes for Phase C of the redevelopment for the extension of the Talbot Pit; the last note reflects the pre-approved demolition/ removal of the existing house on-site. (Source: Harrington and Hoyle Ltd., 1993 & MHBC, 2019)

8.0 Assessment of impacts of development

The following sub-section of this report will provide an analysis of impacts which are anticipated as a result of the proposed continued development of the subject lands as they relate to the identified cultural heritage resources. This will include a description of the classification of the impact as beneficial, neutral, or adverse.

8.1 Classification of impacts

Based on the Ontario Heritage Tool Kit, there are three classifications of impacts that the effects of a proposed development may have on an identified cultural heritage resource: beneficial, neutral or adverse. Beneficial impacts may include retaining a resource of cultural heritage value, protecting it from loss or removal, restoring/repairing heritage attributes, or making sympathetic additions or alterations that allow for the continued long-term use of a heritage resource. Neutral effects have neither a markedly positive or negative impact on a cultural heritage resource. Adverse effects may include the loss or removal of a cultural heritage resource, unsympathetic alterations or additions which remove or obstruct heritage attributes. The isolation of a cultural heritage resource from its setting or context, or addition of other elements which are unsympathetic to the character or heritage attributes of a cultural heritage resource are also considered adverse impacts. These adverse impacts may require strategies to mitigate their impact on cultural heritage resources.

This report concludes that there are no impacts to cultural heritage as according to the evaluation under the prescribed Ontario Regulation 9/06, there is no significant cultural heritage value associated with the property.

9.0 Consideration of development alternatives and mitigation measures

9.1 Alternative development approaches

Heritage Impact Assessments routinely consider alternative development options as a form of mitigation related to potential impacts to cultural heritage resources. Alternatives can include 'do nothing', proceed with proposed development, or proceed with an alternate form of development.

As outlined earlier in this report, there are no significant cultural heritage resources located on the subject lands. Given these conclusions, alternative development approaches were not examined as there would be no benefit to doing so.

9.2 Mitigation measures and monitoring

Based on the findings of the report, mitigation measures and monitoring are not required. It is recommended that this report be considered as sufficient documentation of the subject lands for archival purposes.

10.0 Conclusions and recommendations

Lafarge Canada Inc. operates the existing Talbot Pit located on the subject lands (2325 Sunningdale Road East), and plans to move to the next approved stage of extraction in the near future. The next stage involves removal of the remaining existing buildings on the subject lands. The City of London Official Plan policies require a Heritage Impact Assessment for the continued approved aggregate resource development of the subject land, since the dwelling is listed on the City of London's Register of Cultural Heritage Resources.

This Heritage Impact Assessment provides an overview of the site history, documentation of the physical attributes of the property through a photographic record, and an assessment of the potential cultural heritage value of the property.

This report concludes that the subject lands do not meet the criteria of Ontario Regulation 9/06 and therefore, does not warrant continued protection under the *Ontario Heritage Act*.

As a result, this report concludes that there are no adverse impacts to cultural heritage as no significant cultural heritage value exists on the property. It is recommended that the City of London consent to the demolition of the building and deem this report as sufficient documentation of the building for the archival record. Materials from the building material (i.e yellow brick) could be made available for salvage purposes should there be interest from the community.

It is also recommended that this report be included in the archival record for this property for future research purposes.

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MAPS

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Appendix **A** Map of Subject Land



**Figure:
Aerial Location**

Legend

 Subject Lands

Date: May, 2019

Scale: 1:7,500

File: 9526HU

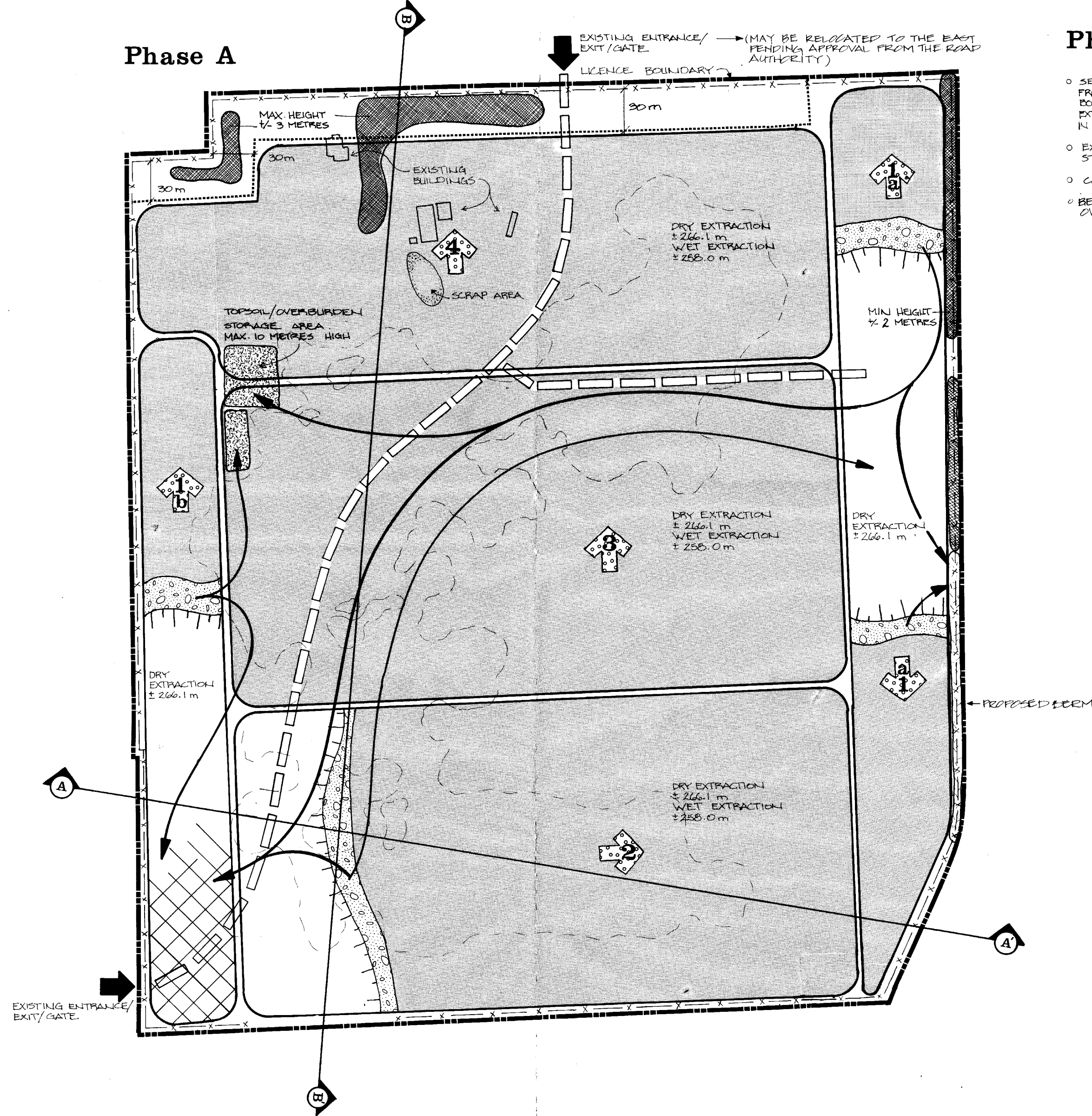
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Appendix **B** Excerpts from Aggregate Resources Act (ARA) Site Plans

Phase A



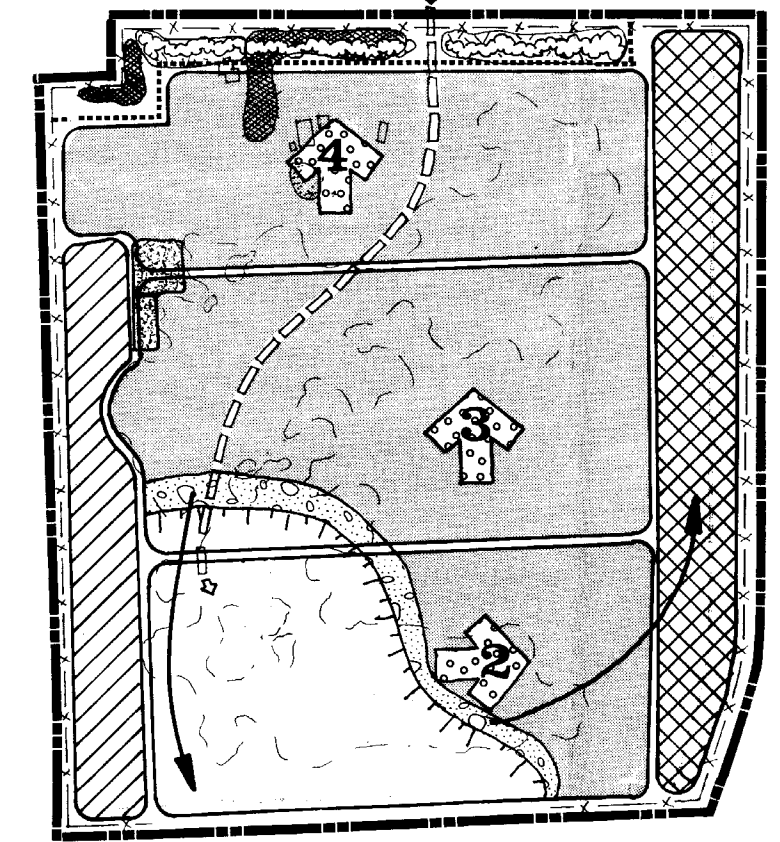
Phase A Notes

- 0 SEQUENTIALLY STRIP TOPSOIL AND OVERBURDEN FROM BERMS AND REMAINING UNDISTURBED SECTIONS OF BOTH PARTS OF AREA ONE AND USE TO REHABILITATE THE EXTRACTED AREAS OF AREA ONE (A), AS INDICATED OR IN BERMS ON THE EAST SIDE OF PHASE 1A.
- 0 EXCESS OVERBURDEN AND TOPSOIL IS TO BE STOCKPILED SEPARATELY AS INDICATED.
- 0 CONTINUE DRY EXTRACTION IN BOTH PARTS OF AREA 1.
- 0 BEGIN SEQUENTIALLY STRIPPING TOPSOIL AND OVERBURDEN FROM AREA TWO.

Phase B Notes

- 0 INSTALL BERM AND/OR TREE SCREEN ON NORTH BOUNDARY AS SHOWN AND RELOCATE HYDROTRENCS IN AREA 1(A) USE TOPSOIL STOCKPILED IN BERMS IN EAST PART OF 1(A) TO BEGIN REHABILITATION OF AREA 1(A).
- 0 COMPLETE DRY EXTRACTION IN BOTH PARTS OF AREA 1.
- 0 BEGIN DRY EXTRACTION OF AREA TWO.
- 0 COMPLETE REHABILITATION IN AREA 1(B) AND REINSTALL A 1.2M POST AND WIRE FENCE ALONG THE COMMON WESTERN BOUNDARY.
- 0 COMPLETE SEQUENTIAL STRIPPING OF TOPSOIL AND OVERBURDEN FROM AREA TWO AND USE TO COMPLETE REHABILITATION IN AREA 1(A).
- 0 BEGIN SEQUENTIALLY STRIPPING TOPSOIL AND OVERBURDEN FROM AREA THREE AS SHOWN.
- 0 AS EXTRACTION OF AREA TWO PROGRESSES EASTWARD THE FENCE ON THE SOUTH COMMON BOUNDARY WILL BE PROGRESSIVELY REPLACED.

Phase B

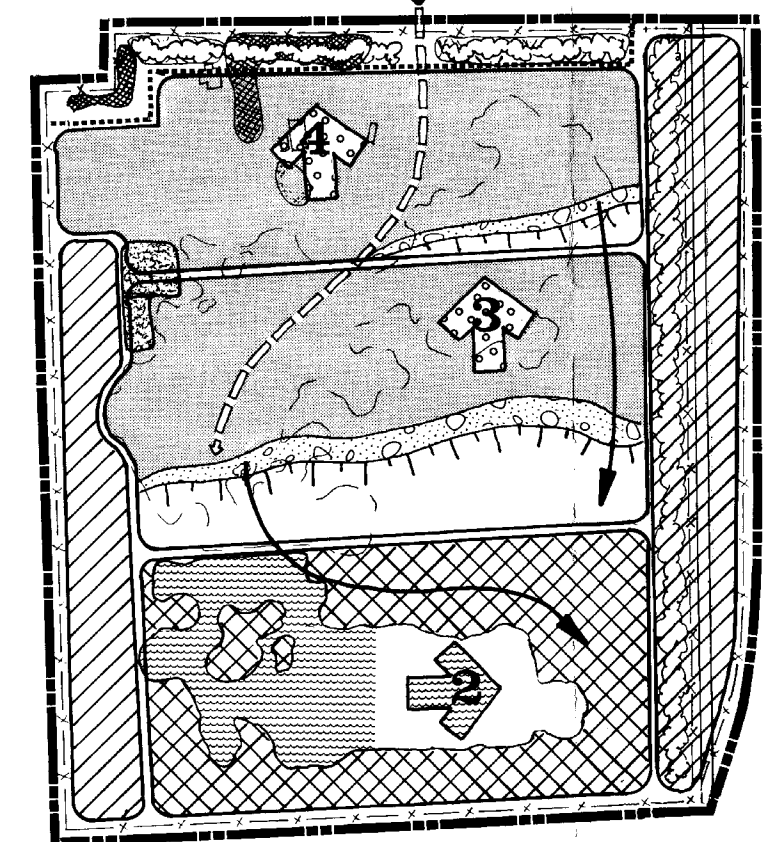


N.T.S.

Phase C Notes

- 0 COMPLETE DRY EXTRACTION OF AREA TWO.
- 0 COMPLETE REHABILITATION OF AREA ONE A, INCLUDING THE INSTALLATION OF A 1.2M POST AND WIRE FENCE ALONG THE WEST SIDE OF COUNTY ROAD 42, AND PLANTING OF A TREE SCREEN ON THE WEST SIDE OF THE FENCE.
- 0 BEGIN DRY EXTRACTION OF AREA THREE.
- 0 BEGIN WET EXTRACTION OF AREA TWO IN DIRECTION INDICATED.
- 0 COMPLETE SEQUENTIAL STRIPPING OF TOPSOIL AND OVERBURDEN IN AREA THREE AND USE TO COMPLETE REHABILITATION AROUND PROPOSED LAKE IN AREA TWO.
- 0 BEGIN SEQUENTIALLY STRIPPING TOPSOIL AND OVERBURDEN FROM AREA FOUR AS SHOWN.
- 0 REMOVE EXISTING BUILDINGS IN AREA FOUR.

Phase C



N.T.S.

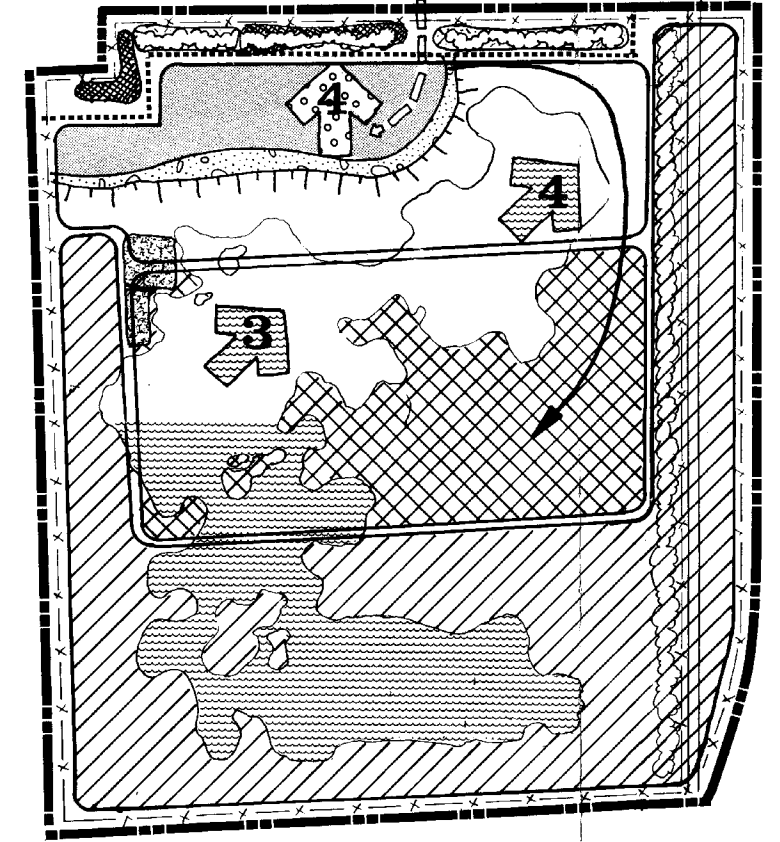
Phase E (not shown)

- 0 COMPLETE REHABILITATION OF AREA THREE.
- 0 COMPLETE DRY EXTRACTION OF AREA FOUR.
- 0 COMPLETE WET EXTRACTION OF AREA FOUR.
- 0 REMOVE ALL BUILDINGS, EQUIPMENT, AND SCRAP.
- 0 COMPLETE REHABILITATION OF AREA FOUR (INCLUDING THE HALL ROAD) USING STOCKPILED TOPSOIL AND OVERBURDEN.

Phase D Notes

- 0 COMPLETE WET EXTRACTION OF AREA TWO.
- 0 COMPLETE DRY EXTRACTION OF AREA THREE.
- 0 BEGIN WET EXTRACTION OF AREA THREE.
- 0 CONTINUE REHABILITATION THROUGH AREA THREE USING TOPSOIL AND OVERBURDEN STRIPPED FROM AREA FOUR.

Phase D



N.T.S.

Notes cont'd

16 CLEAN INJECT FILL THAT MEETS THE DEFINITION OF REGULATION 347 OF THE ENVIRONMENTAL PROTECTION ACT MAY BE IMPACTED INTO THE PROPERTY FOR REHABILITATION PURPOSES.

Legend

	BOUNDARY OF AREA TO BE LICENSED		OPEN WATER
	SETBACK		UNDISTURBED AREA
	REHABILITATED AREAS		TEMPORARY TOPSOIL/OVERBURDEN STOCKPILE
	AREAS UNDERGOING REHABILITATION		PROPOSED TREE SCREEN
	EXCAVATION FACE		HALL ROAD
	TOPSOIL/OVERBURDEN MOVEMENT		DIRECTION OF BELOW WATER EXTRACTION
	1.2M FENCE POST AND WIRE		DIRECTION OF ABOVE WATER EXTRACTION
	EXISTING ENTRANCE/EXIT		CROSS SECTION LOCATION
	EXISTING BERM		PROPOSED BERM
			PROPOSED BERM OR TREE SCREEN

Notes

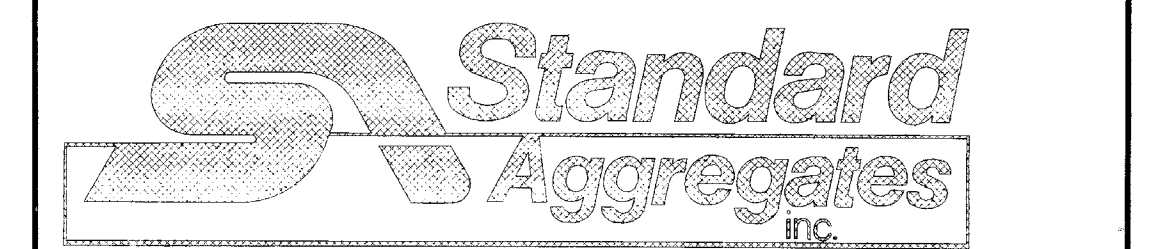
- THIS PLAN DEPICTS A SCHEMATIC OPERATIONS SEQUENCE FOR THESE PROPERTIES BASED UPON THE BEST INFORMATION AVAILABLE AT THE TIME OF PREPARATION. PHASES SHOWN ARE SCHEMATIC AND MAY VARY WITH DEMAND OR TO MEET PROTECTIVE OPERATIONS PHASES DO NOT REPRESENT ANY SPECIFIC OR EQUAL TIME PERIOD.
- THE ENTIRE LICENSED BOUNDARY IS PRESENTLY FENCED WITH A 1.2M POST AND WIRE FENCE.
- ALL GATES WILL BE PROPERLY MAINTAINED AND WILL BE LOCKED WHEN THE PIT IS NOT IN OPERATION.
- TOPSOIL/OVERBURDEN SHALL BE STORED & STOCKPILED SEPARATELY IN STOCKPILES AND LOCATED 4M-5M FROM ANY LICENSE BOUNDARY, BERMS AND STOCKPILES OF TOPSOIL SHALL BE GRADED TO STABLE SLOPES AND SEEDED TO PREVENT EROSION AND MINIMIZE DUST. THIS WILL INCLUDE ANY TOPSOIL OR OVERBURDEN STORED AS A BERM WITHIN SETBACK AREAS.
- BERMS SHALL CREATE AN EFFECTIVE VISUAL BARRIER TO A MIN. OF 2.1 M ABOVE EXISTING GRADE AND SIDE SLOPES SHALL NOT EXCEED 2:1. REFER TO BERM CROSS SECTION ON P. 3.
- SURFACE WATER ON SITE HAS AN ELEVATION OF 264.25 M. EXTRACTION SHALL EXTEND BELOW THE WATER TABLE TO A MAXIMUM DEPTH OF 2.286.0 M.
- EXTRACTION OF AGGREGATES IS BY FRONT END LOADERS AND PORTABLE CRANALINE. THERE WILL BE NO PERMANENT PROCESSING EQUIPMENT ON SITE. PORTABLE PROCESSING EQUIPMENT WILL BE USED ON SITE AND MAY CONSIST OF A PORTABLE CRUSHER, SCREENS AND STACKERS. TEMPORARY STOCKPILES OF MATERIALS WILL OCCUR DIRECTLY ADJACENT TO THE EXTRACTION FACE AND WILL BE LOCATED A MINIMUM OF 30M FROM ANY LICENSE BOUNDARY. MAXIMUM HEIGHT OF STOCKPILES IS 15M.
- FUEL STORAGE SHALL BE IN ABOVE GROUND CONTAINERS AND SHALL MEET THE REQUIREMENTS OF THE GASOLINE HANDLING ACT, S80 AND THE GASOLINE HANDLING CODE AND REGULATIONS 1993. AS REPOSED ISOS. REFUELLING SHALL BE WITHIN CONTAINMENT PAD AND ANY SPILLS SHALL BE REMOVED AND DISPOSED OF AT ALL APPROPRIATE FACILITY.
- NO PUMPING, DEWATERING, WASHING OF AGGREGATE OR OFFSITE DISCHARGE OF WATER WILL OCCUR.
- DURING THE REHABILITATION OF AREA 1A, THE REALIGNMENT OF COUNTY ROAD 42 WILL OCCUR. ONCE THE NEW ROAD IS COMPLETED, A 1.2 M POST AND WIRE FENCE WILL BE PLACED ON THE WEST SIDE OF THE ROAD ALONG WITH A TREE SCREEN.
- AS EXTRACTION MOVED NORTHWARD, THE BUILDINGS EXISTING IN AREAS 3 AND 4 WILL BE REMOVED AND DISPOSED OF OFFSITE.
- TREE SCREENS AS SHOWN ON P. 3 & 5, WILL BE INSTALLED DURING PHASES INDICATED. ALL SEEDLING STOCK WILL BE A MINIMUM OF 4 YEARS OLD. TREES WILL BE MAINTAINED IN A HEALTHY VIGOROUS GROWING CONDITION UNTIL REHABILITATION IS COMPLETE.
- SCRAP WILL BE STORED ON SITE AS SHOWN AND DISPOSED OF OFFSITE AT REGULAR INTERVALS.
- SETBACKS - BOUNDARY AGREEMENT TO ELIMINATE 15M SETBACKS ON WEST & SOUTH BOUNDARIES.
 - 30M SETBACK ALONG NORTH BOUNDARY
 - REDUCTION OF 30M SETBACK ALONG EAST BOUNDARY TO REGULATE REALIGNMENT OF COUNTY ROAD 42
- IF NO EXTRACTION OF AGGREGATE SHALL OCCUR WITHIN THE OLD ALIGNMENT OF COUNTY ROAD 42, UNTIL SUCH TIME AS THE LICENSEE PROVIDES THE MINIMUM OF NATURAL RESOURCES WITH COPIES OF ALL THE NECESSARY AGREEMENTS FROM THE COUNTY OF MIDDLESEX, THE CITY OF LONDON, TORONTO AND ANY OTHER APPLICABLE AGENCIES HAVING AN INTEREST IN THE MATTER.

4	APPROVED PERMITS AND COMMENTS				
3	BY COMMENTS				
2	BY COMMENTS				
1	BY COMMENTS				
0	BY COMMENTS				

Harrington and Hoyle Ltd.
LANDSCAPE ARCHITECTS

91 Anderson Avenue, Unit #2
Markham, Ontario, L6E 1A5
Telephone: (416) 294-8282
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Office in Markham and Waterloo

TALBOT PIT
PART OF LOT 5, CONCESSION 5, TOWNSHIP OF LONDON, MIDDLESEX COUNTY



46 McIntosh Drive
Markham, Ontario L3R 8C7
416 475-6110

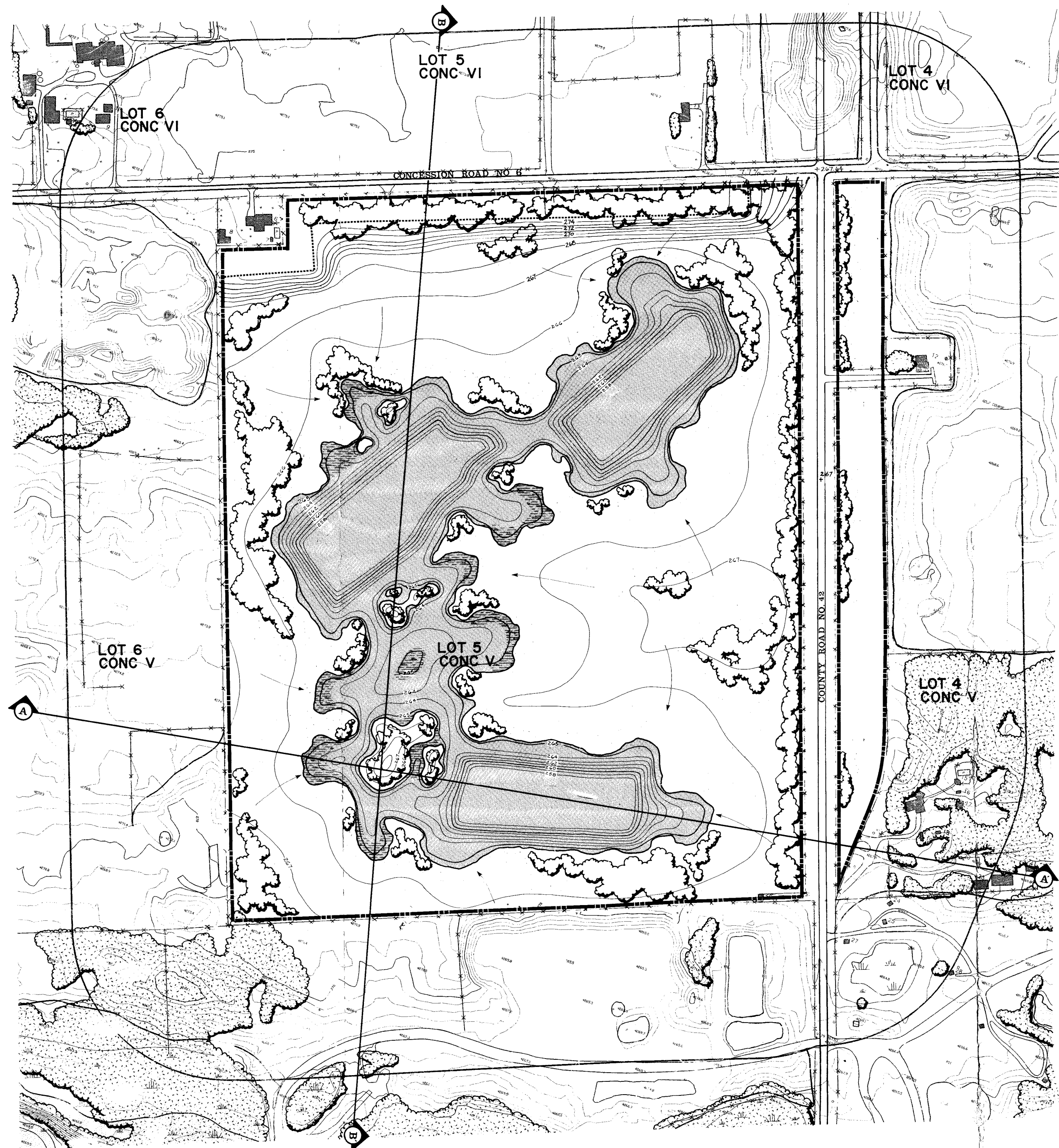
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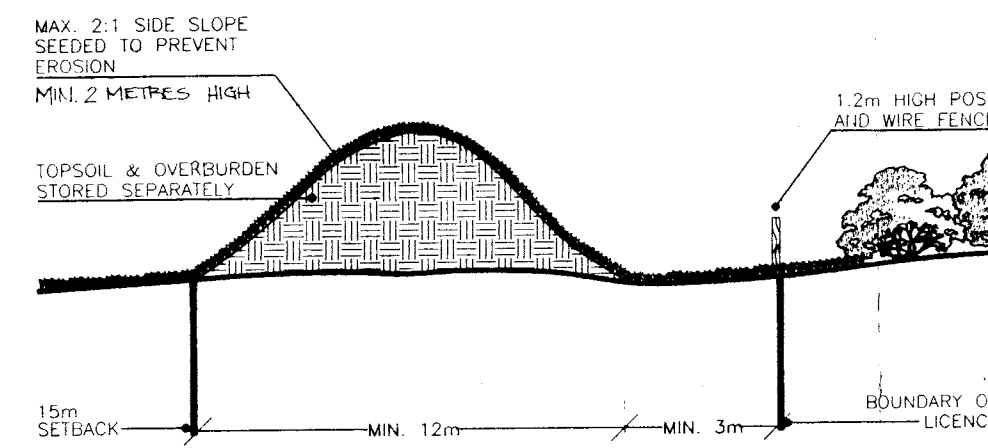
DRAWING STATUS: FINAL

DRAWN BY: F.H.O./R.P. CHECKED BY: G.D.H./M.M. ISSUE DATE: MARCH 20, 1995 PROJECT NO.: 91-47

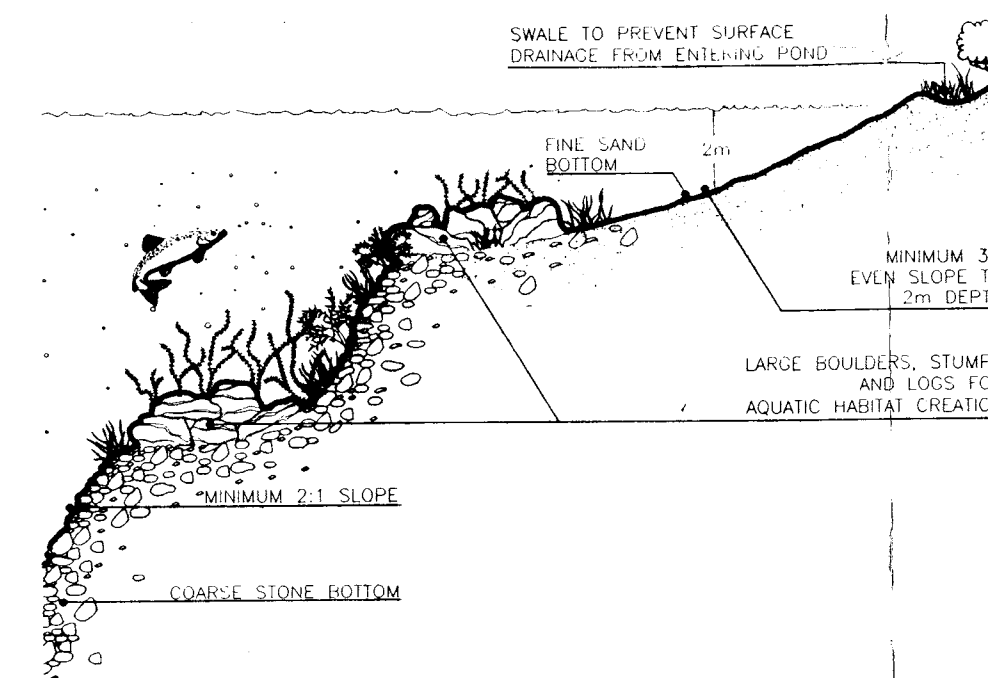
DRAWING TITLE: OPERATIONAL PLAN DRAWING NO.: 2 of 3



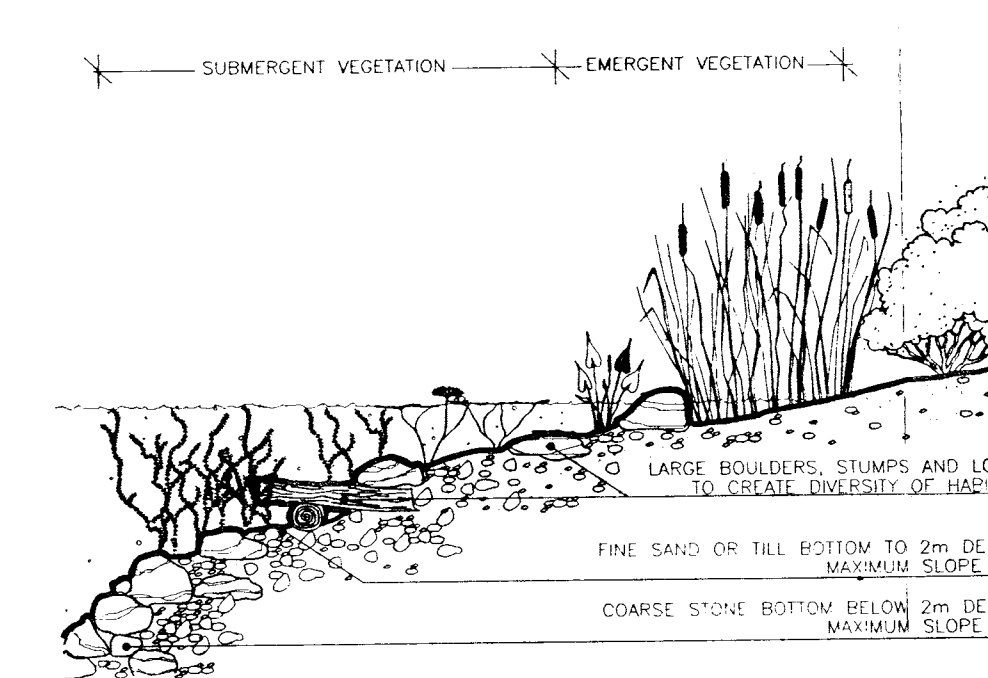
TYPICAL BERM/STOCKPILE SECTION N.T.S.



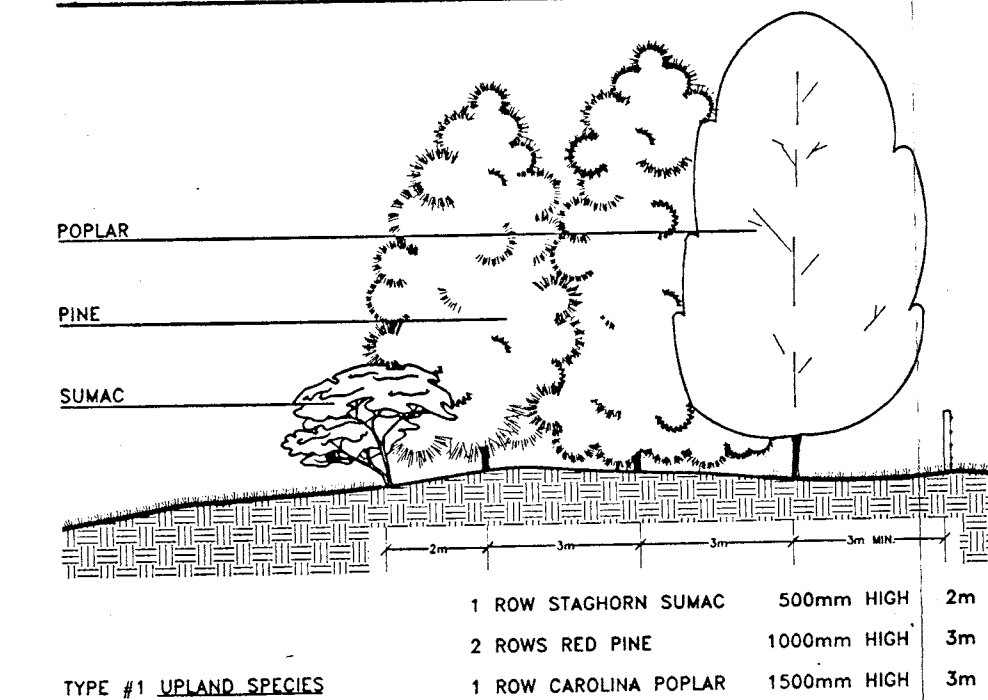
TYPICAL SHORELINE SECTION



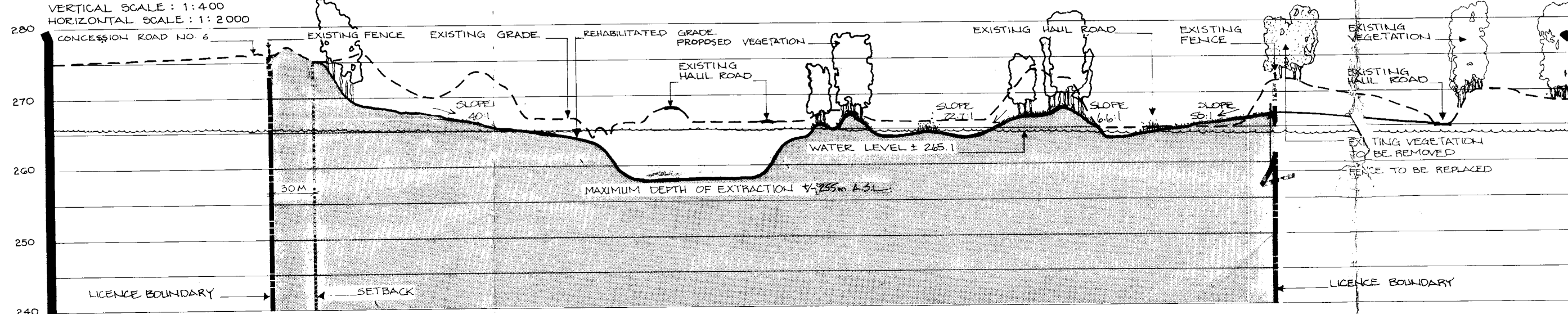
TYPICAL SHORELINE SECTION WITH WEEDS



TREE SCREEN N.T.S.



SECTION BB' LOOKING EAST



Legend

- 12m POST AND WIRE FENCE
- BOUNDARY OF AREA TO BE LICENCED
- SETBACK
- EXISTING BUILDING
- 150m BOUNDARY
- SECTION LOCATION
- WEEDBED
- POND
- PROPOSED CONTOUR (1m INTERVAL)
- EXISTING CONTOUR (1m INTERVAL)
- PROPOSED VEGETATION
- EXISTING VEGETATION
- DIRECTION OF DRAINAGE

Notes

- 1 REFER TO SHEET #1 FOR ADDITIONAL SECTIONS. REFER TO SHEET #2 AND SHEET #3 FOR PROGRESSIVE REHABILITATION AND NOTES.
- 2 REHABILITATION OF THE PROPERTY INCLUDES THE CREATION OF A LAKE, AND NATURALIZED RECREATIONAL LAND.
- 3 TOTAL RECTANGLE TO BE REHABILITATED IS 40.42 HA WHICH INCLUDES:
 - 11.84 HA LAKE
 - 28.58 HA LAND
- 4 REHABILITATION OF SLOPES SHALL BE BY BACKFILLING USING TILL OVERBURDEN AND TOPSOIL FROM THE SITE. NO FILL WILL BE ACCEPTED FROM OFFSITE AT THIS PROPERTY. OVERBURDEN ON SIDE SLOPES SHALL BE A MINIMUM OF 500mm THICK AND TOPSOIL SHALL BE A MINIMUM OF 200mm THICK. SIDE SLOPES SHALL BE SEEDED WITH THE FOLLOWING AT A RATE OF 125 kg/ha:
 - 10% BUCKWHEAT
 - 20% ALFALFA
 - 15% WHITE CLOVER
 - 25% PERENNIAL RYE
 - 20% CROWN VETCH
 - 10% TALL FESCUE
- 5 REHABILITATION OF THE LAKE SHALL INCLUDE SHALLOW AREAS FOR SWIMMING AND WILD GROWTH, AND DEEP CELLS TO CREATE COLD WATER HABITAT AREAS. UNDERWATER HABITAT ENHANCEMENT WILL USE LOGS, STUMPS, AND OVERSIZE AND WASTE ROCK (SEE SHORELINE HABITAT DETAIL ON SHEET #3). THE LAKE WILL BE SEEDED WITH SUBMERGED AND EMERGENT VEGETATION IN SHALLOW AREAS TO ENHANCE WATER FOWL HABITAT.
- 6 THE FOLLOWING VEGETATION WILL BE PLANTED:
 - WOODY VEGETATION: PLANTED IN CLUSTERS AS SHOWN SHALL INCLUDE WHITE PINE, AUSTRALIAN PINE, WHITE CEDAR AND LARCH - 3 YEAR OLD SEEDLINGS; BALSAM POPULAR, BLACK ASH, SILVER MAPLE, WILLOW AND BLACK CHERRY - 80mm CALIBER & 1.5m HIGH; DOGWOOD, SAKAKI AND ALDER - 3 YEAR OLD PLANTS.
 - WEEDBEDS / EMERGENT VEGETATION: PLANTED AS ROOTSTOCK IN PLUGS 1m O.C. BROADLEAF CATTAIL, SWEET FLAG AND NORTHERN ARROWHEAD.
 - SUBMERGENT VEGETATION: PLANTED AS ROOTSTOCK IN PLUGS 3m O.C. NORTHERN WATERLILY, COONTAIL AND BLUNTLEAF FRODOWEED.
- 7 ALL BUILDINGS, EQUIPMENT AND MACHINERY WILL BE REMOVED UPON COMPLETION OF EXTRACTION.
- 8 REFER TO SHEET #2 FOR PROGRESSIVE REHABILITATION ILLUSTRATIONS AND NOTES.
- 9 SECTION LINES ARE LOCATED ON DRAWINGS:
 - 1. EXISTING FEATURES
 - 2. OPERATIONAL PLAN
 - 3. PROGRESSIVE REHABILITATION
- 10 MAXIMUM DEPTH OF EXTRACTION IS 4.25 METRES A.S.L.
- 11 UNDERWATER REHABILITATION WILL BE IN ACCORDANCE WITH THE TYPICAL SECTIONS SHOWN ON THIS PAGE. THE TYPICAL SHORELINE SECTION WITH WEEDBEDS WILL BE CONSTRUCTED IN AREAS MARKED AS WEED BEDS ON THE FINAL REHABILITATION PLAN.
- 12 UPON COMPLETION OF FINAL REHABILITATION, THERE WILL BE NO BUILDING WITHIN THE LICENCED BOUNDARY.
- 13 UPON COMPLETION OF FINAL REHABILITATION, ALL SURFACE DRAINAGE SHALL BE DIRECTED TOWARDS THE LAKE.
- 14 UPON COMPLETION OF FINAL REHABILITATION, THE LICENCED AREA THAT CONTAINS THE NEW ROAD ALLOWANCE WILL BELONG TO THE COUNTY OF MIDDLESEX. THE LANDS EAST OF THE NEW ROAD ALLOWANCE, INCLUDING THE FORMER ROAD ALLOWANCE, WILL REMAIN THE LICENCED PROPERTY OF STANBROOK AGGREGATES AS SHOWN.

1	DATE	REVISION	BY	CHKD

Pre Licence Review

Revisions To Licence

Harrington and Hoye Ltd.
LANDSCAPE ARCHITECTS

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PROJECT NAME
TALBOT PIT
PART OF LOT 5, CONCESSION 5, TOWNSHIP OF LONDON
MIDDLESEX COUNTY



45 McIntosh Dr.,
Markham, Ontario L3R 8C7
(416) 475-6110

SCALE 1:8000

0 25 50 100 150 (METRIC)

DRAWING STATUS: FINAL

DRAWN BY: F.H.O./R.P. CHECKED BY: G.D.H./M.M. ISSUE DATE: MARCH 20, 1993 PROJECT NO.: 91-47

DRAWING TITLE: **PROGRESSIVE REHABILITATION AND FINAL REHABILITATION PLANS**

DRAWING NO.: **3 of 3**

ASSOCIATION OF LANDSCAPE ARCHITECTS OF ONTARIO MEMBER KENNETH J. HOYE

Appendix C Listing in the Inventory of Heritage Properties for the City of London

Heritage Building Inventory

1	A	B	C	D	E	F	G	H
	MUNNUM	STREET NAME	PRIORITY	YEAR BUILT	BUILDING NAME	ARCHITECTURAL STYLE	DESIG	COMMENTS
2238	65	STANLEY ST	2	c1870		ECLECTIC		
2239	66	STANLEY ST	1	c1880	HEWITT MICHELE LEE	ONTARIO COTTAGE		
2240	75	STANLEY ST	3	c1878		ITALIANATE		
2241	80	STANLEY ST	2	1887	RUSSEL PROPERTY	ECLECTIC		DOUBLE HOUSE WITH #82
2242	85	STANLEY ST	2	1895	LOZON REGINALD J.	ONTARIO COTTAGE		
2243	90	STANLEY ST	2	c1870		ONTARIO COTTAGE		
2244	98	STANLEY ST	2	c1899		GOthic REVIVAL INFLUENCE		
2245	100	STANLEY ST	1	1896		QUEEN ANNE		
2246	40	SUMNER RD	3	1914	PLEASANT HILL FARM	EDWARDIAN	Y	LSP310949
2247	348	SUNNINGDALE RD E	1	1860		ONTARIO COTTAGE		
2248	660	SUNNINGDALE RD E	2	1925				3 RED TILE BARNS
2249	1896	SUNNINGDALE RD E	2	1895		LPLAN FARMHOUSE		
2250	2100	SUNNINGDALE RD E	2	1880		VERNACULAR		
2251	2325	SUNNINGDALE RD E	2	1845		GEORGIAN FARMHOUSE		
2252	1035	SUNNINGDALE RD W	2	1850		GEORGIAN FARMHOUSE		
2253	1744	SUNNINGDALE RD W	1	c1870		FARMHOUSE		
2254	1950	SUNNINGDALE RD W	1	1865	LYNCH FARMS	GOthic REVIVAL		
2255	1965	SUNNINGDALE RD W	3	c1875		ONTARIO FARMHOUSE		
2256	126	SYDENHAM ST	2	1871		ONTARIO COTTAGE	Y	LSP3167285
2257	131	SYDENHAM ST	3	1893		SHP COTTAGE		
2258	133	SYDENHAM ST	2	1902		QUEEN ANNE		
2259	148	SYDENHAM ST	3	c1868		ONTARIO COTTAGE	Y	LSP311151
2260	154	SYDENHAM ST	2	1909		QUEEN ANNE		
2261	160	SYDENHAM ST	2	1880	VICTORIA CARTER	ITALIANATE		
2262	175	SYDENHAM ST	2	c1875	STEWARDSON PROPERTY	ITALIANATE		
2263	181	SYDENHAM ST	3	1870		ONTARIO COTTAGE		
2264	188	SYDENHAM ST	3	1868		COTTAGE		
2265	191	SYDENHAM ST	2	1885	LACEY PROPERTY	ONTARIO COTTAGE		
2266	205	SYDENHAM ST	3	c1910		VERNACULAR		
2267	259	SYDENHAM ST	2	c1910		QUEEN ANNE REVIVAL	Y	LSP3333305
2268	260	SYDENHAM ST	1	1930		COLONIAL REVIVAL	Y	LSP311252
2269	270	SYDENHAM ST	1	c1845		COLONIAL REVIVAL	Y	LSP3333305
2270	0	TALBOT ST	1	1889	RAIL UNDERPASS	INDUSTRIAL		
2271	272	TALBOT ST	3	p1881		ITALIANATE		
2272	304	TALBOT ST	2	1924		VERNACULAR		
2273	331	TALBOT ST	1	c1855	HOTEL BRUNSWICK	GEORGIAN		
2274	345	TALBOT ST	2	c1886		ITALIANATE		
2275	347	TALBOT ST	2	c1886		ITALIANATE		
2276	349	TALBOT ST	2	c1886		ITALIANATE		
2277	350	TALBOT ST	1	1890	ANN MCCOLL'S KITCHEN	ROMANESQUE REVIVAL	Y	LSP2961304
2278	351	TALBOT ST	2	c1886		ITALIANATE		
2279	357	TALBOT ST	1	c1865		VERNACULAR		
2280	359	TALBOT ST	3	c1925	MARKET FURNITURE	RED BRICK COMM		
2281	398	TALBOT ST	1	c1927	BANK OF MONTREAL	NEO-CLASSICAL		
2282	479	TALBOT ST	1	c1870	CAMDEN TERRACE	ITALIANATE		
2283	481	TALBOT ST	1	c1870	CAMDEN TERRACE	ITALIANATE		
2284	483	TALBOT ST	1	c1870	CAMDEN TERRACE	ITALIANATE		
2285	487	TALBOT ST	1	c1870	CAMDEN TERRACE	ITALIANATE		
2286	489	TALBOT ST	1	1870	CAMDEN TERRACE	ITALIANATE		
2287	505	TALBOT ST	1	c1880		ITALIANATE INFLUENCE		
2288	507	TALBOT ST	2	c1884		GOthic REVIVAL		
2289	511	TALBOT ST	2	c1884		VERNACULAR		

Appendix **D** Photographic documentation

**Appendix D: Photographic Documentation of 2325 Sunningdale Road East, London, Ontario by MHBC Staff,
April 9, 2019**

North (Front) Elevation





Shed dormer covered with siding. Original window replaced.

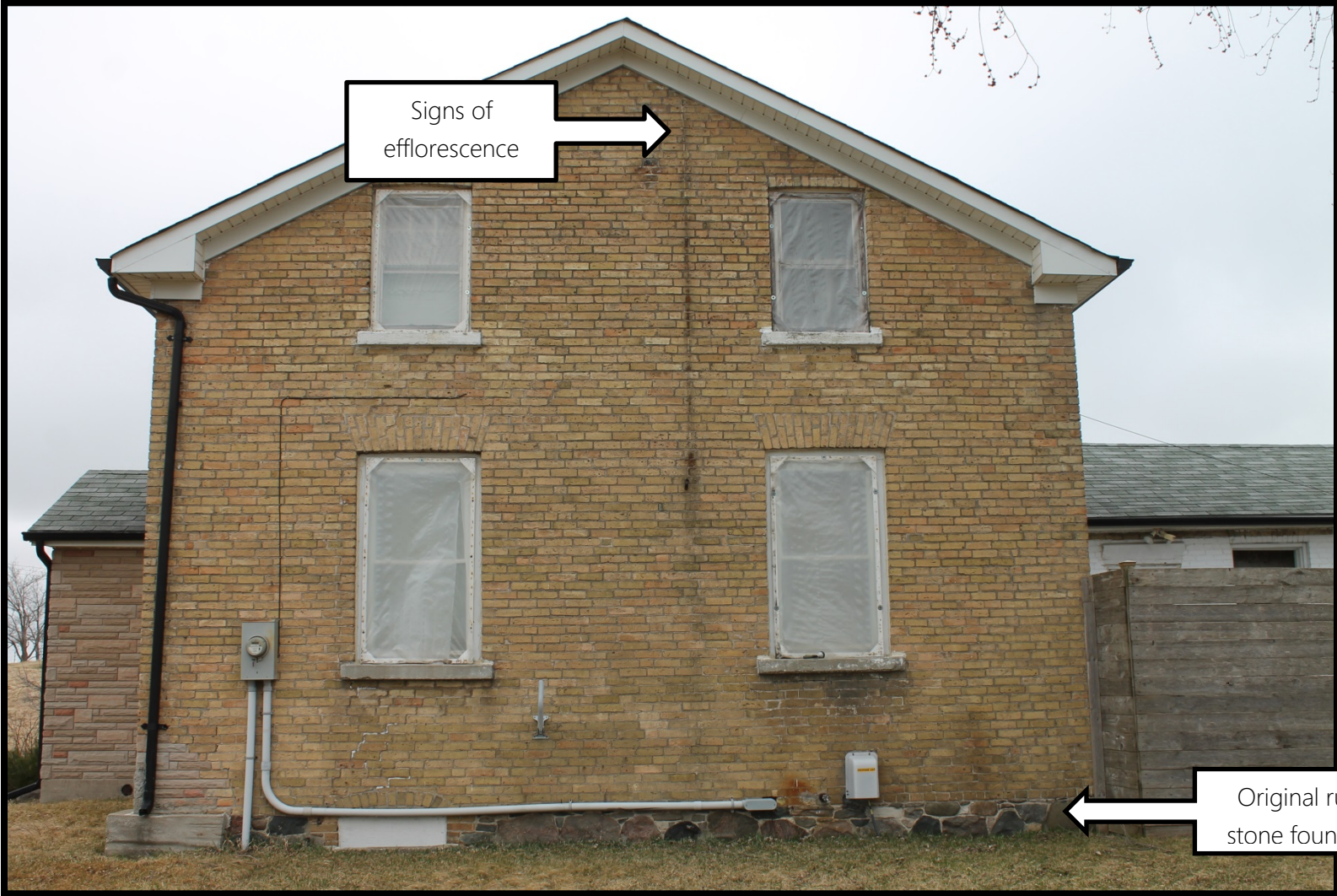


Later stone infill on western corner of the front facade



Later stone infill on eastern corner of the front facade

West Elevation



Signs of efflorescence



Original rubble stone foundation







Wood frame outbuilding



Brick infill in window opening; window boarded up

South Elevation





Original rubble
stone foundation

Painting of
original façade

East Elevation





Interior Features



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: 2594722 Ontario Inc.
1830 Wharncliffe Road South

Public Participation Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services with respect to the application of 2594722 Ontario Inc. relating to the property located at 1830 Wharncliffe Road South, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting January 14, 2020 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 Restricted Service Commercial (h-17*RSC1/RSC4) Zone, **TO** a Holding Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ASA3(_)) Zone;

Executive Summary

Summary of Request

The requested amendment would permit an increased range of commercial uses for the subject lands.

Purpose and the Effect of Recommended Action

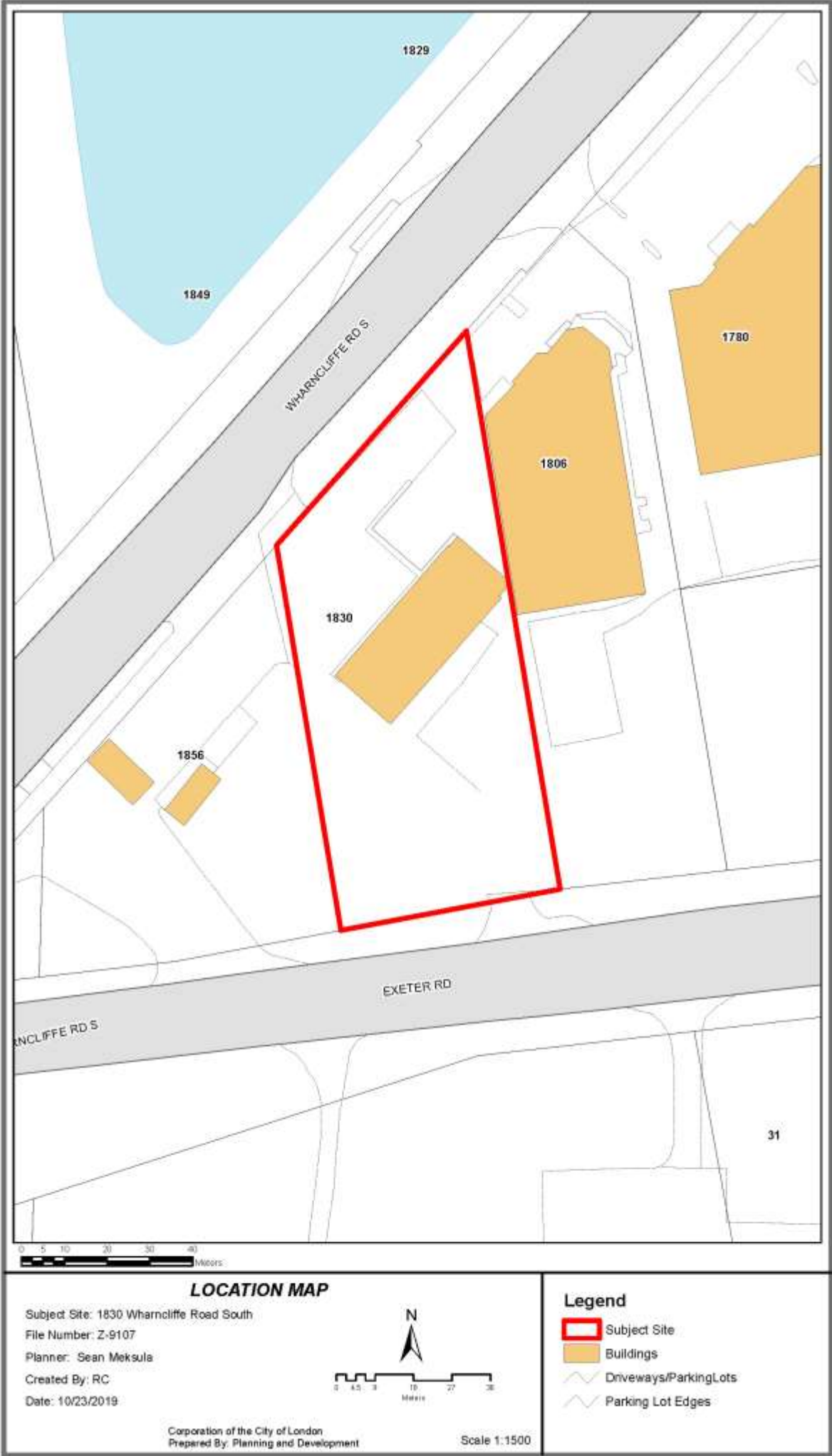
The purpose and effect of this zoning change is to facilitate the adaptive reuse of the existing building while expanding the range of commercial uses permitted for the subject lands.

Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS 2014.
2. The recommended amendment is in conformity with the in-force policies of The London Plan, including but not limited to, the Shopping Area Place type policies.
3. The recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to, the Wonderland Road Community Enterprise Corridor.
4. The recommended amendment is in conformity with the in-force policies of the Southwest Area Secondary Plan, including but not limited to, the Wonderland Road Community Enterprise Corridor.
5. The recommended amendment provides additional uses that are appropriate and compatible with the surrounding area and provides an increased opportunity to effectively utilize the proposed multi-use building on the rear portion of the subject lands.
6. The existing building, proposed buildings and on-site parking are capable of supporting the requested commercial uses without resulting in any negative impacts on the abutting lands.

1.0 Site at a Glance

1.1 Location Map



1.2 Property Description

The subject site is part of a long commercial corridor which spans the north and south sides of Wharncliffe Road South (north of Exeter Road) with other commercial uses abutting the property and a mix of residential/commercial/industrial land, both developed and undeveloped with a portion being farmed to the south of the site fronting the Exeter Road corridor. The subject site is located approximately 195 metres west of the Wonderland Road South and Wharncliffe Road South intersection.

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

- Official Plan Designation – Wonderland Road Community Enterprise Corridor
- The London Plan Place Type – Shopping Area
- Existing Zoning – Holding Restricted Service Commercial (h-17*RSC1/RSC4) Zone

1.4 Site Characteristics

- Current Land Use – Existing commercial plaza
- Frontage - Wharncliffe Road South – 67.1 metres (220.14 feet)
- Frontage – Exeter Road – 52 metres (170.6 feet)
- Depth – 131.9 metres (422.7feet)
- Area – 5,805m² (62484.5square feet)
- Shape – Rectangular

1.5 Surrounding Land Uses

- North – Commercial
- East – Commercial
- South – Residential/Commercial/Industrial
- West – Commercial

2.0 Description of Proposal

2.1 Development Proposal

The recommended amendment would result in an increased range of permitted commercial uses for the subject lands and facilitate future development on the rear portion of the site.



Figure 1: Site Concept Plan

3.0 Relevant Background

3.1 Planning History

The subject site is currently occupied by a restaurant, automobile sales and service, craft studio, and one vacant unit. The applicant is proposing development of two commercial pads fronting Exeter Road and a new vehicular access will be provided by a single driveway via Exeter Road and adaptively reusing and expanding the existing building. A total of 57 parking spaces are to be provided on the subject lands. The subject site has not been the subject of a recent *Planning Act* application.

3.2 Requested Amendment

The requested amendment would permit an increased range of commercial uses on the subject site. The amendment will require a change to the Zoning By-law Z.-1 from a Holding Restricted Service Commercial (h-17*RSC1/RSC4) Zone to a Holding Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ASA3(_)) Zone to permit the existing commercial uses as well as the following uses: animal hospitals; brewing on premises establishment; clinics; convenience service establishments; convenience stores; day care centres; dry cleaning and laundry plants; duplicating shops; financial institutions; grocery stores; laboratories; medical/dental, professional and service offices; personal service establishments; pharmacies; printing establishments; repair and rental establishments; restaurants; retail stores; service and repair establishments; studios; supermarkets; and video rental establishments on the subject lands.

The recommended Special Provisions would permit additional uses for the Associated Shopping Area Commercial (ASA2) Zone as follows: automobile rental establishments; automobile sales and service establishments; automobile supply stores; bake shops; hardware stores; home and auto supply stores; home improvement and furnishing stores; eat in, fast food and take out restaurants. Additional permitted uses for the Associated Shopping Area Commercial (ASA3) Zone include support offices, on the subject lands.

3.3 Community Engagement (see more detail in Appendix B)

On September 4, 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 September 5, 2019.

3.4 Policy Context (see more detail in Appendix C)

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. 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.

The PPS also directs planning authorities to promote economic development and competitiveness by 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. Compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities is encouraged to help facilitate the goals of the PPS (1.3 Employment, 1.1.2, 1.3.1). The PPS 2014 also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs while directing settlement areas [1.1.3 Settlement Areas] to be the main focus of growth and development and their vitality and regeneration shall be promoted.

The long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness (1.7.1).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report and include many of the Shopping Area 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 subject site is within the Shopping Area Place Type which permits broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses. Mixed-use buildings will be encouraged. Where a Shopping Area Place Type abuts a Neighbourhoods Place Type the City Design policies of this Plan will be applied to ensure that a positive interface is created between commercial and residential uses (Permitted Uses 877_)

New developments should be designed to implement transit-oriented design principles. Buildings within the Shopping Area Place Type will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of this Plan. Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. Total aggregate office uses will not exceed 2,000m² within a Shopping Area Place Type (878_).

The Shopping Area Place Type ensures that planning and development applications will conform to the City Design policies of this Plan. To allow for the future redevelopment of large commercial blocks, a grid of driveways that extend through the site, spaced appropriately across the width of the property, should be established through the site plan process. These driveways will be designed to include sidewalks and trees.

Large commercial blocks should be developed such that smaller-scale commercial uses are constructed on pads at the front of the lot to create, to the greatest extent possible, a pedestrian-oriented street wall. These buildings should be constructed with their front entrances oriented toward the primary street. Large commercial blocks should be designed to incorporate wide, tree-lined sidewalks that will allow pedestrians clear, safe, direct and comfortable access through parking lots, from the street to the main entrance of commercial buildings that are located at the rear of the lot. These sidewalks also allow for motorists to walk safely and comfortably from their parked cars to commercial buildings (*879).

1989 Official Plan

The subject site is designated Wonderland Road Community Enterprise Corridor and applies to those lands fronting on Wonderland Road South between Southdale Road West and Hamlyn Street. The centrepiece of the Wonderland Boulevard Neighbourhood as described in the Southwest Area Secondary Plan is Wonderland Road South, which is the primary north-south arterial corridor into the City from Highways 401 and 402.

This designation is intended to provide for a broad range and mix of uses including commercial, office, residential and institutional uses. The policies of the Secondary Plan will describe the intensity and mix of these land uses. The intent is to ultimately develop a mixed-use corridor characterized by a high density built form to support transit service and active transportation modes. A road pattern and potential road pattern that will facilitate the future redevelopment of the area will be established. In the short term, it is recognized that retail uses will be the predominant activity along the corridor. The

Wonderland Road Community Enterprise Corridor will establish the identity of the broader Southwest Secondary Planning Area, and accommodate a range and mix of land uses to meet service, employment, residential and community activity needs. Development in the Corridor will provide an enhanced pedestrian environment, and be at the greatest densities and intensity in the Southwest Area Secondary Plan area (4.8.2. Function).

Uses considered to be appropriate within the Wonderland Road Community Enterprise Corridor, a broad range of commercial, residential, office and institutional uses are permitted subject to the policies of the Southwest Area Secondary Plan. Mixed use developments will be particularly encouraged to develop in this area (4.8.3. Permitted Uses).

Southwest Area Secondary Plan (SWAP):

Beginning in 2009, the City initiated a comprehensive area planning process for the lands generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road and the Urban Growth Boundary. The result of that comprehensive planning exercise is the Southwest Area Secondary Plan (SWAP). The SWAP is intended to guide the long-term management and approval of growth in one of the City's last and largest reserves of greenfield land. The Southwest Area Secondary Plan was adopted by Council as Official Plan Amendment 541 in November of 2012 and received final approval from the Ontario Municipal Board on April 29, 2014. The Secondary Plan is now in full force and effect.

The subject lands are situated within the Wonderland Boulevard Neighbourhood and designated "Wonderland Road Community Enterprise Corridor" within the Southwest Area Secondary Plan. The extent of the Wonderland Road Community Enterprise Corridor (WRCEC) was a major point of contention through both the City-initiated planning process and subsequent OMB hearings. Initially, commercially designated lands along the Wonderland Road South corridor were proposed to comprise just the lands fronting Wonderland Road between Southdale Road West to just South of Bradley Avenue. It was intended that up to 120,000m² of commercial GFA would be permitted, including 90,000m² of existing commercial development or approved/under construction north of Bradley Avenue. Essentially, SWAP initially contemplated the addition of 30,000m² of new commercial space along Wonderland Road. This was supported by an independent Retail Market Demand Analysis completed by Kircher Research Associates Ltd. in May of 2012.

Through subsequent discussions, Council adopted the Wonderland Road Community Enterprise Corridor and extended the lands available for commercial development further south, from Bradley Avenue to Hamlyn Street. The total gross floor area of commercial space, excluding the lands north of Bradley, was also increased from a maximum of 30,000m² to 100,000m².

The "Commercial Cap":

As noted above, the Wonderland Road Community Enterprise Corridor specifies limits on the intensity of Commercial Development allowed within the corridor, without distributing a proportion of that GFA to specific properties. Section 20.5.6.1 v) a) provides, "*Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 square metres gross floor area. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012.*"

The principle behind the inclusion of a cap on commercial development is to prevent the over-supply of commercial uses in new suburban areas which have potential to undermine the planned function of existing commercial areas. The 2012 Retail Demand Analysis completed by Kircher Associates Ltd. cited difficulties encountered by Westmount Mall after the development of "big-box" commercial uses south of Southdale Road, in suggesting that planning for future retail space in the Southwest Area should be

careful to take into account actual market demand in order to prevent overbuilding and ensure that existing public infrastructure is used efficiently.

Allocation of Commercial Space:

As noted above, the policies of the Wonderland Road Community Enterprise Corridor designation allow for a maximum of 100,000m² of commercial GFA within the Wonderland Road Community Enterprise Corridor. However, this policy is broadly applied across the corridor and does not allocate that GFA to specific properties. The allocation of commercial space is intended to be regulated through the City's Zoning By-law based on market existing zoning permissions are from Zoning By-law amendment applications received for commercial development permissions.

A planning application by Southside Group was accepted in January 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 18,700m² of commercial floor area on the subject site beyond the 100,000m² maximum established in the Southwest Area Secondary Plan (SWAP) for portions of the WRCEC designation south of Bradley Avenue. On 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. In June 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. In December 2018 a decision was issued by the LPAT 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. The Zoning By-law amendment was approved by LPAT on September 30, 2019 implementing the proposed ASA1/ASA3/ASA4/ASA5/ASA8 zoning for the lands and thereby permitting an additional 18,700m² of commercial floor area on the subject site beyond the 100,000m² maximum established in the Southwest Area.

Figure 2: Existing commercial lands within the WRCEC

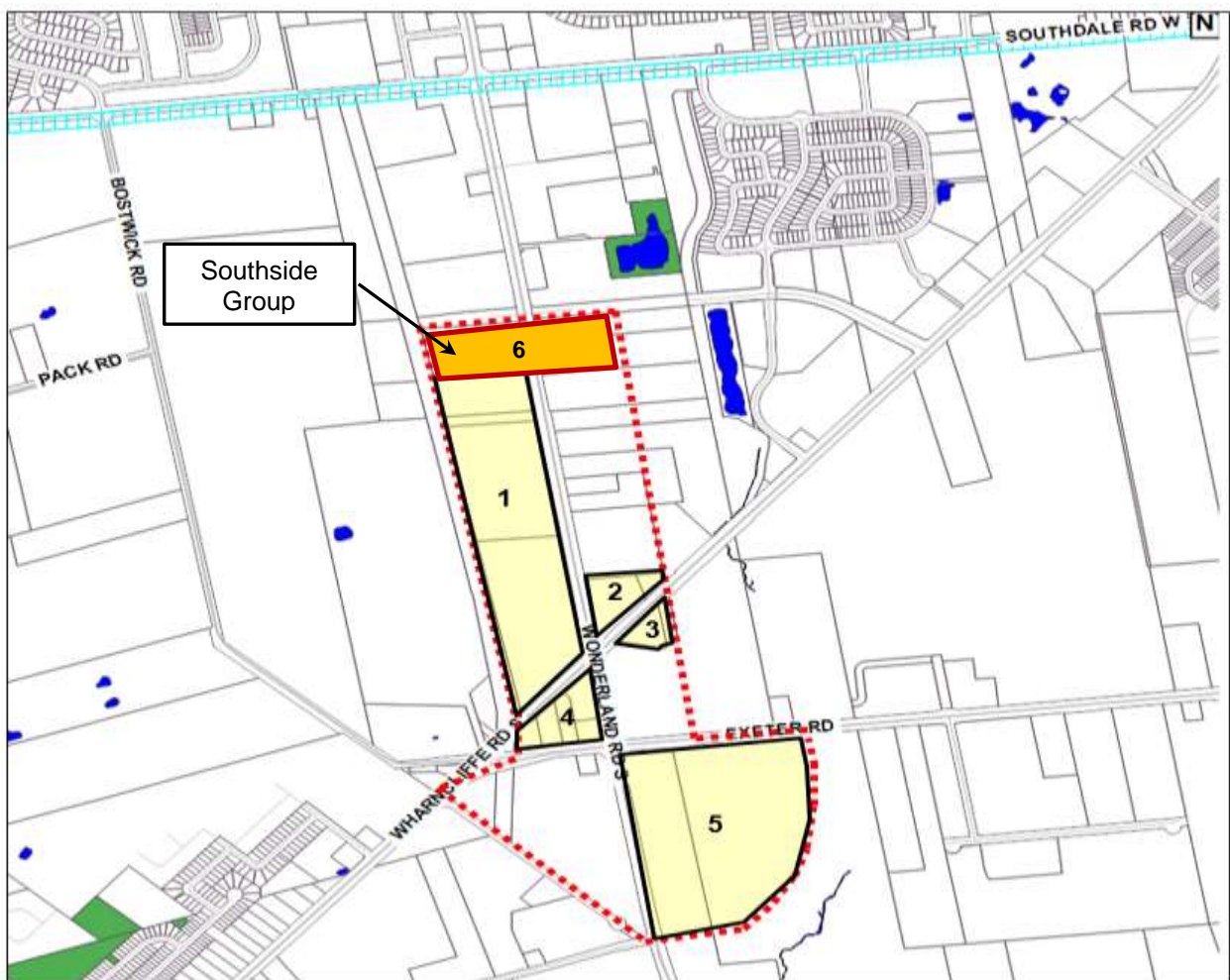


Figure 3: Breakdown of existing zoned commercial GFA in WRCEC

Wonderland Road Community Enterprise Corridor – Commercially Zoned Lands				
Lands	Zoning	Combined Lot Area	Status	Total Potential Commercial GFA (m ²)
1) 3313 – 3405 Wonderland Road South & 1789 Wharncliffe Road South	h-5*h-154*h-155* ASA3/ASA5/ASA6/ ASA8(12)	20.355Ha (203,550m ²)	In force and effect - Approved by OMB in April 2014	61,065 (based on 30% lot coverage)
2) 1705 & 1659 Wharncliffe Road South	h-17*RSC1/RSC4	22,386m ² (2.24ha)	In force and effect – predates SWAP	6,715 (based on 30% lot coverage)
3) 1672, 1680 & 1710 Wharncliffe Road South	h-17*RSC5 & HS4	11,360m ² (1.14ha)	In force and effect – predates SWAP	3,408 (based on 30% lot coverage)
4) 1780, 1806, 1830 & 1856 Wharncliffe Road South	h-17*RSC1/RSC4	27,811m ² (2.78ha)	In force and effect – predates SWAP	8,343 (based on 30% lot coverage)
5) 51 & 99 Exeter Road	h-17•h-18•h-(184)•h-(185)•h-(186)•h-(187)•h-(188)•ASA8(14))	27.59ha (275,900m ²)	Approved by Municipal Council on October 14, 2014 – subsequently appealed to OMB	20,470 (Based on max. GFA regulation)
6) 3234, 3263, & 3274 Wonderland Road South	ASA8(17)	7.38ha (18.24ac)	Approved by LPAT on September 30, 2019	18,700 Total commercial floor area (maximum) for all lands zoned ASA8(17)
TOTAL:				118,700m²

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 - Use

Provincial Policy Statement, 2014 (PPS)

The PPS requires municipalities to accommodate an appropriate range and mix of uses and promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs (1.1.1b, 1.3.1a). It also requires municipalities to provide 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 (1.3.1b)

The recommended amendment is in keeping with the PPS 2014 as it provides additional uses on the subject site that contribute to an appropriate range and mix of employment uses helping meet long-term needs. The amendment increases the site's ability to provide a diversified economic base, and remain suitable for employment uses taking into account the needs of existing and future businesses and provides a range of compatible employment uses helping support a liveable and resilient community while supporting the long-term economic prosperity by promoting community investment-readiness.

The London Plan

The London Plan designates the site as a Shopping Area Place Type which permits a range of retail, service, office, entertainment, recreational, educational, institutional, and

residential uses may be permitted within the Shopping Area Place Type. Mixed-use buildings will also be encouraged (Permitted Uses 877_). The conceptual development of additional commercial pads and adaptively reusing and expanding the existing building is consistent with the Shopping Area Place Type policies. The additional uses are in keeping with the permitted uses of the Shopping Area Place Type.

1989 Official Plan

The subject site is located within a Wonderland Road Community Enterprise Corridor (WRCEC) which is most commonly implemented through an Associated Shopping Area Commercial (ASA) zone.

The recommended Holding Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ASA3(_)) Zones provide a range animal hospitals; brewing on premises establishment; clinics; convenience service establishments; convenience stores; day care centres; dry cleaning and laundry plants; duplicating shops; financial institutions; grocery stores; laboratories; medical/dental, professional and service offices; personal service establishments; pharmacies; printing establishments; repair and rental establishments; restaurants; retail stores; service and repair establishments; studios; supermarkets; and video rental establishments. The Special Provisions would permit additional uses for the Associated Shopping Area commercial (ASA2) Zone as follows: include automobile rental establishments; automobile sales and service establishments; automobile supply stores; bake shops; hardware stores; home and auto supply stores; home improvement and furnishing stores; eat in, fast food and take out restaurants. Additional permitted uses for the Associated Shopping Area Commercial (ASA3) Zone include support offices. Within the Wonderland Road Community Enterprise Corridor, a broad range of commercial, residential, office and institutional uses are permitted subject to the policies of the Southwest Area Secondary Plan. Mixed use developments will be particularly encouraged to develop in this area. (4.8.3. Permitted Uses). These uses are intended to facilitate the grouping of service commercial uses into an integrated form with similar functional characteristics in conformity to the policies of the 1989 Official Plan.

Planning Impact Analysis

A Planning Impact Analysis is used to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses (4.5.1). Section 4.5.2. establishes proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change. Throughout the review of the submitted application, all criteria were evaluated however, as the building and site layout are existing, the most applicable criteria are as follows:

- i) the policies contained in the Section relating to the requested designation;
The Official Plan Designation of the subject lands is Wonderland Road Community Enterprise Corridor which is not being amended as part of this application.
- ii) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;
The proposed new buildings on the subject lands are commercial uses which are similar to existing commercial uses on the abutting lands. No new impacts are anticipated as a result of the proposed commercial uses.
- iii) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;
The subject site is rectangular in shape and is of adequate size to support the proposed commercial uses, as demonstrated on the site plan in Figure 1 of this report. The site is of adequate size to accommodate the future buildings and on-site parking for the proposed uses without resulting in any negative impacts on the abutting lands.

v) the potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties;

The subject lands have dual frontage on to Wharncliffe Road South and Exeter Road, both an arterial roads as identified on Schedule C – Transportation Corridors, which sustains high traffic volumes. Since this is already a high volume road there will not be increased impacts of additional traffic, pedestrian and vehicular safety, or on surrounding properties than already exists. The proposed uses will maintain the existing traffic on Wharncliffe Road South and Exeter Road by the proposed change.

vii) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;

The site is currently accessed off of Wharncliffe Road South and Exeter Road. No new accesses to the site are proposed and no impacts to traffic, pedestrian and vehicle safety, and surrounding properties are anticipated. Any required refinement to the site access and parking area will be determined at the Site Plan Approval stage.

xii) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;

Staff are satisfied the proposed commercial uses are in conformity with the 1989 Official Plan and meets the general intent of the Zoning By-law. The Site Plan Control By-law will be implemented at the Site Plan Approval stage although no inconsistencies have been identified as part of the review of this Zoning By-law amendment.

Development Services staff are satisfied the requested amendment is in conformity with the Form criteria of Section 4.3.6.4. as well as the relevant Planning Impact Analysis criteria of Section 4.5. As such, the requested amendment is in conformity with the 1989 Official Plan.

Southwest Area Secondary Plan

Permitted Uses Section 20.5.6.1 ii) in the Southwest Area Secondary Plan permits a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses may be permitted within the Wonderland Road Community Enterprise Corridor. 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)).

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 commercial uses 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, Wharncliffe Road South or Wonderland Road South may benefit from the draw of people to the proposed additional commercial uses.

4.2 Issue and Consideration # 2 – Intensity

Provincial Policy Statement, 2014 (PPS)

The PPS promotes cost-effective development patterns and standards to minimize land consumption and servicing costs and encourages densities and a mix of land uses which will efficiently use the existing land and resources (1.1.1e, 1.1.3.2.a(1)).

The additional uses are of similar or less intensity than the existing range of permitted uses on the site and abutting uses resulting in no new additional impacts on the

surrounding land uses. The new uses, in combination with the existing permitted uses, are in keeping with the goals of the PPS as they will continue to efficiently use the existing site and resources available.

The London Plan

The Shopping Area Place Type in The London Plan requires that development not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of the Plan. Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility (878_). The site is being redeveloped with a one storey (Building B) addition to the existing building at the front of the property and two future one storey (Buildings C & D) at the rear of the lands fronting Exeter Road, thereby maintaining the character of the area. This is consistent with the height requirement of The London Plan, and the subsequent Site Plan approval will ensure that the height proposed is consistent with the proposed zoning.

The existing multi-unit (Building A) is 61m² in size and the lot is of sufficient size and configuration to accommodate this redevelopment and future additional uses and buildings. The Shopping Area Place Type limits individual buildings to no more than 2,000m² of office space. The requested Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ASA3(_)) Zones include regulations to ensure that the intensity of future development on this site is appropriate.

1989 Official Plan

The Official Plan ensures that lands shall be of a suitable depth and size to accommodate the permitted uses and shall be on lands separated from existing or planned residential development by physical barriers, intervening land uses or buffer and setback provisions that are sufficient to offset potential nuisance impacts.

As mentioned, the recommended amendment will facilitate the establishment of the new uses in the existing and future buildings and include restrictions that ensure that the appropriate development standards are maintained. The depth and size of the existing lot has proven capable of accommodating the existing future uses and provides sufficient buffering between the existing built forms and abutting commercial uses. Since the new uses are considered as similar as or less intense than the abutting uses no new impacts are anticipated.

Similar to The London Plan, the 1989 Official Plan limits the scale of office buildings to 2000m² in size to help maintain a neighbourhood scale of development (4.4.2.6.7. Office Buildings). As previously mentioned the recommended ASA3 zone mirrors the policy of the Official Plan restricting office buildings to 2000m² ensuring this policy is met.

Southwest Area Secondary Plan

The 100,000m² commercial GFA cap required by SWAP was inclusive of existing commercial GFA. Therefore, those sites that previously possessed commercial GFA permissions through zoning were able to retain those GFA permissions after the adoption of SWAP. The subject site is recognized as having previous zoning permission (see Figure 3) to permit a maximum 1,745.5m² potential commercial Gross Floor Area (GFA), based on a 30% lot coverage. The proposed development of two commercial pads and adaptively reusing and expanding the existing building for a range of commercial uses is recognized by the policies of SWAP.

4.3 Issue and Consideration # 3 - Form

Provincial Policy Statement, 2014 (PPS)

The PPS encourages a compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities (1.3.1c). The

recommended amendment will provide additional employment uses within the existing building and expand the range of use in the future buildings thereby ensuring a compact, mixed-use development is maintained as well as contributing to, and supporting, a livable and resilient community.

The London Plan

The London Plan provides a new vision for how Shopping should develop and how those forms of development should address the street, provide for transit-oriented design and integrate themselves with the public realm. The intent of these form policies is to facilitate pedestrian, cycling and transit-supportive design 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 (Form 879_2,4,5,7,8).

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 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, Sites should be designed such that these street-oriented pads serve to screen any large fields of parking from the street (*Policy 879_3. and 4.). Site plan approval is required for the redevelopment of the site, it is reasonable to allow for a modest expansion to the range of permitted uses within the existing and proposed buildings to add to the vitality of the site.

1989 Official Plan

The existing and future form of development is consistent with the 1989 Official Plan and existing Southwest Area Secondary Plan provides context in regards to how these forms of development should occur. Section 20.5.6.1 vi) Built form may be of a low to mid-rise height, however minimum height and setbacks may be established in the Zoning By-law to ensure that development will result in a strong, street-related built edge and achieve other design objectives for this area. In particular, development will be encouraged in a “main street” format where buildings are oriented to a public street. Permitted uses are encouraged in mixed use developments or buildings. Development shall be designed to be pedestrian and transit friendly from the outset.

In particular, 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 often 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 Urban Design policies of Section 20.5.3.9 of this Plan shall apply. The existing and proposed form of development is still considered appropriate and in keeping with certain Wonderland Road Community Enterprise Corridor (WRCEC) development. 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)). The existing form and future development is still considered appropriate as it provides limited access along the arterial road, and maintains a low, single storey form of development in keeping with the intent of the SWAP that helps to ensure it is compatible within its surrounding context.

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

5.0 Conclusion

The requested amendment to add an Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ASA3(_)) Zone to permit additional commercial uses to the subject site is considered appropriate as the recommended zoning is consistent with the PPS 2014 and conforms to the City of London 1989 Official Plan and future London Plan. The recommended zone provides additional uses that are appropriate and compatible with the surrounding area and provides an increased opportunity to effectively utilize the proposed new building. The future buildings and on-site parking are capable of supporting the requested uses without resulting in any negative impacts on the abutting lands.

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

December 16, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2019 Applications 9002 to\9107Z - 1830 Wharncliffe Rd S (SM)\PEC Report and Decision\PEC-Report-9107Z_1830 Wharncliffe Rd S.docx

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1830
Wharncliffe Road South.

WHEREAS 2594722 Ontario Inc. has applied to rezone an area of land located at 1830 Wharncliffe Road South, 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 1830 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. (A111), from a Holding Restricted Service Commercial (h-17*RSC1/RSC4) Zone, to a Holding Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ASA3(_)) Zone.
- 2) Section Number 24.2 of the Associated Shopping Area Commercial ASA2 Zone is amended by adding the following Special Provision:
 -) ASA2() 1830 Wharncliffe Road South
 - a) Additional Permitted Uses:
 - i) Automobile rental establishments;
 - ii) Automobile sales and service establishments;
 - iii) Automobile supply stores;
 - iv) Bake shops; hardware stores;
 - v) Home and auto supply stores;
 - vi) Home improvement and furnishing stores;
 - vii) Eat in, fast food and take out restaurants
- 3) Section Number 24.2 of the Associated Shopping Area Commercial ASA3 Zone is amended by adding the following Special Provision:
 -) ASA3() 1830 Wharncliffe Road South
 - a) Additional Permitted Uses:
 - i) Support offices;

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.

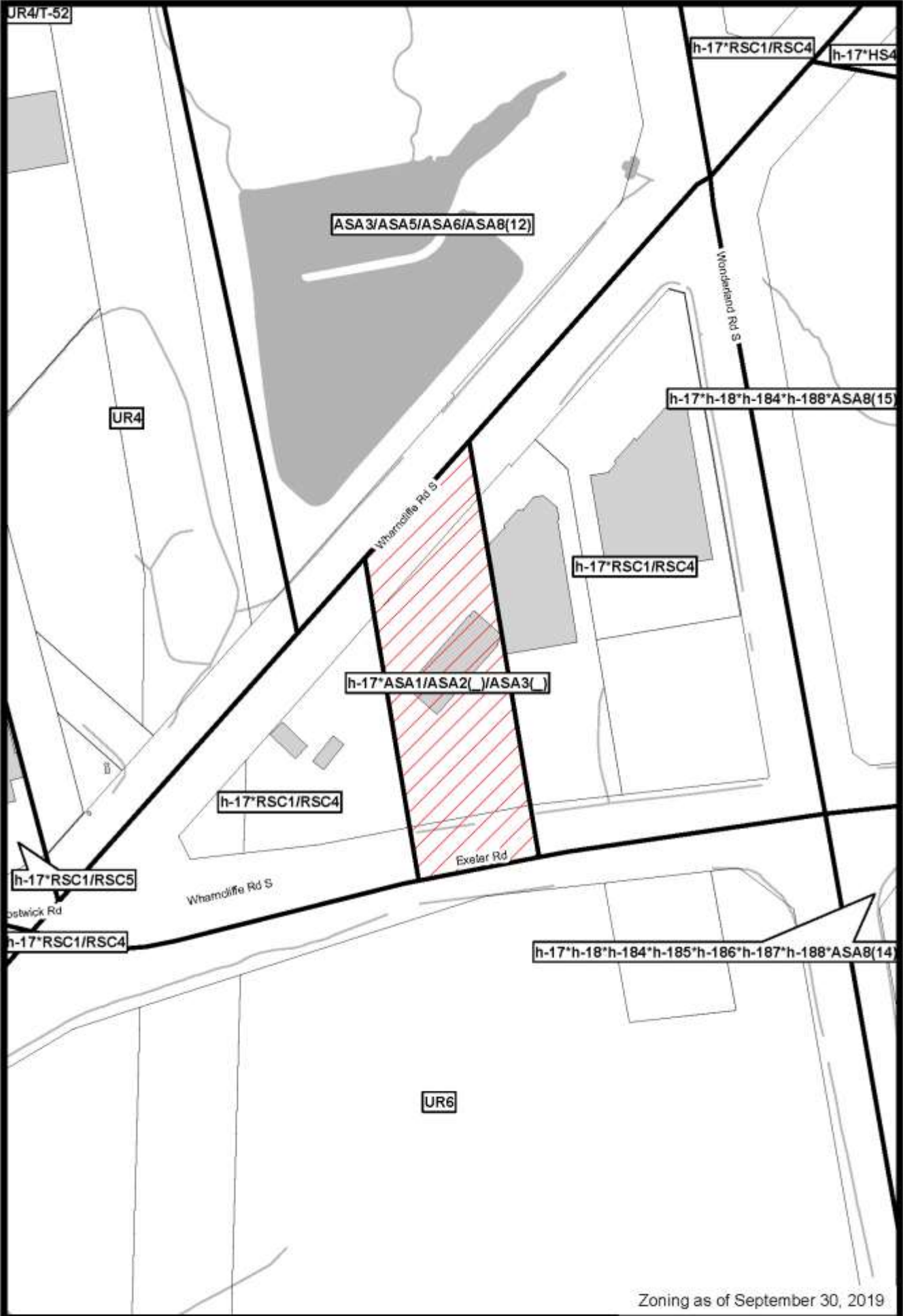
PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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




File Number: Z-9107
Planner: SM
Date Prepared: 2019/10/23
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On September 4, 2019, Notice of Application was sent to 10 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 5, 2019. A “Planning Application” sign was also posted on the site.

Nature of Liaison: The purpose and effect of this zoning change is to permit an increased range of uses on the subject site. Possible change to Zoning By-law Z.-1 FROM a Holding Restricted Service Commercial (h-17*RSC1/RSC4) Zone, TO a Holding Associated Shopping Area Commercial Special Provision (h-17*ASA1/ASA2(_)/ ASA3(_)) Zone to permit additional commercial uses on the subject site and the proposed buildings.

Responses: 0 inquiries were received.

Agency/Departmental Comments

UTRCA – November 27, 2019

The UTRCA has no objections to this application.

London Hydro – September 16, 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.

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:

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

Provincial Policy Statement

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a, b, c,

1.1.2

1.1.3 Settlement Areas

1.3 Employment

1.3.1

1.7 Long-Term Economic Prosperity

1.7.1

1989 Official Plan/Southwest Area Secondary Plan

4.2.1. Planning Objectives

20.5.3.9 Urban Design

20.5.6.1 ii) Permitted Uses

20.5.6.1 iv) Compatibility Between Land Uses

20.5.6.1 v) Intensity

20.5.6.1 vi) Built form

London Plan

Shopping Area

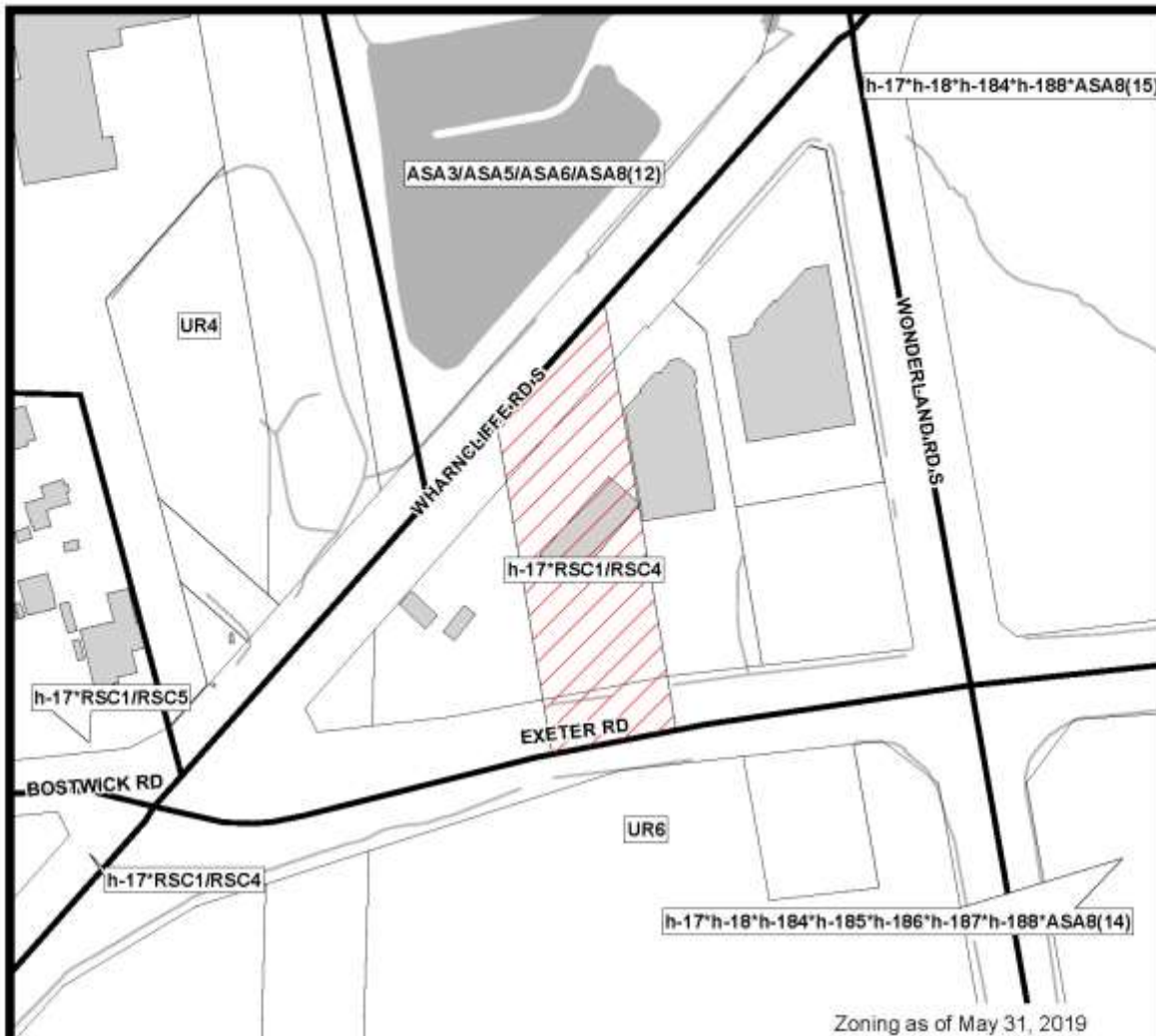
Use – 877_

Intensity – 878_

Form - 879_

Appendix D – Relevant Background

Additional Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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**



FILE NO:

Z-9107

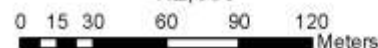
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MAP PREPARED:

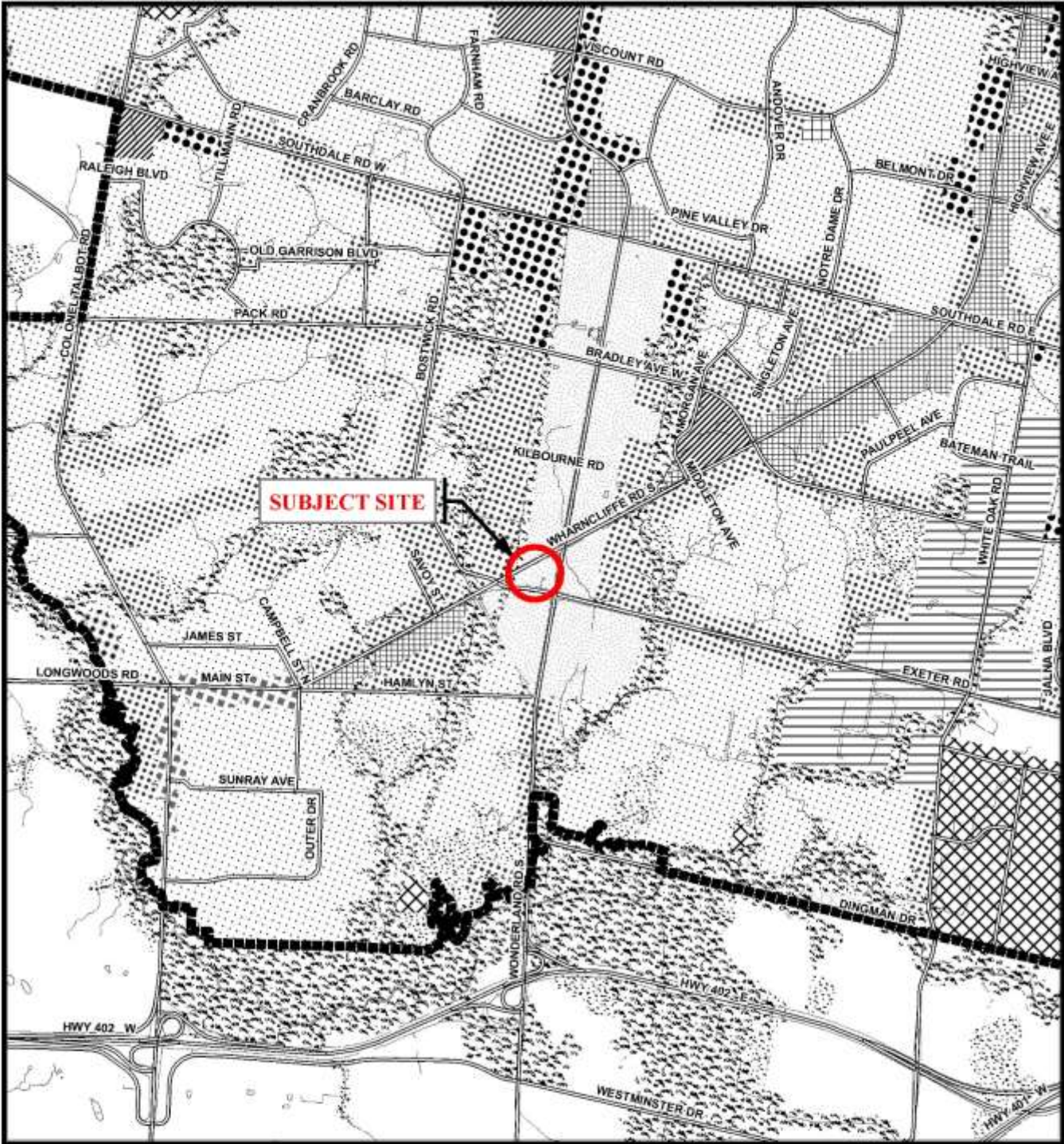
2019/10/23

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

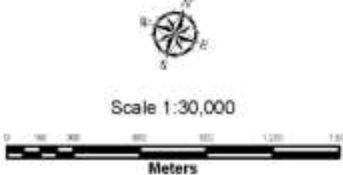


Legend

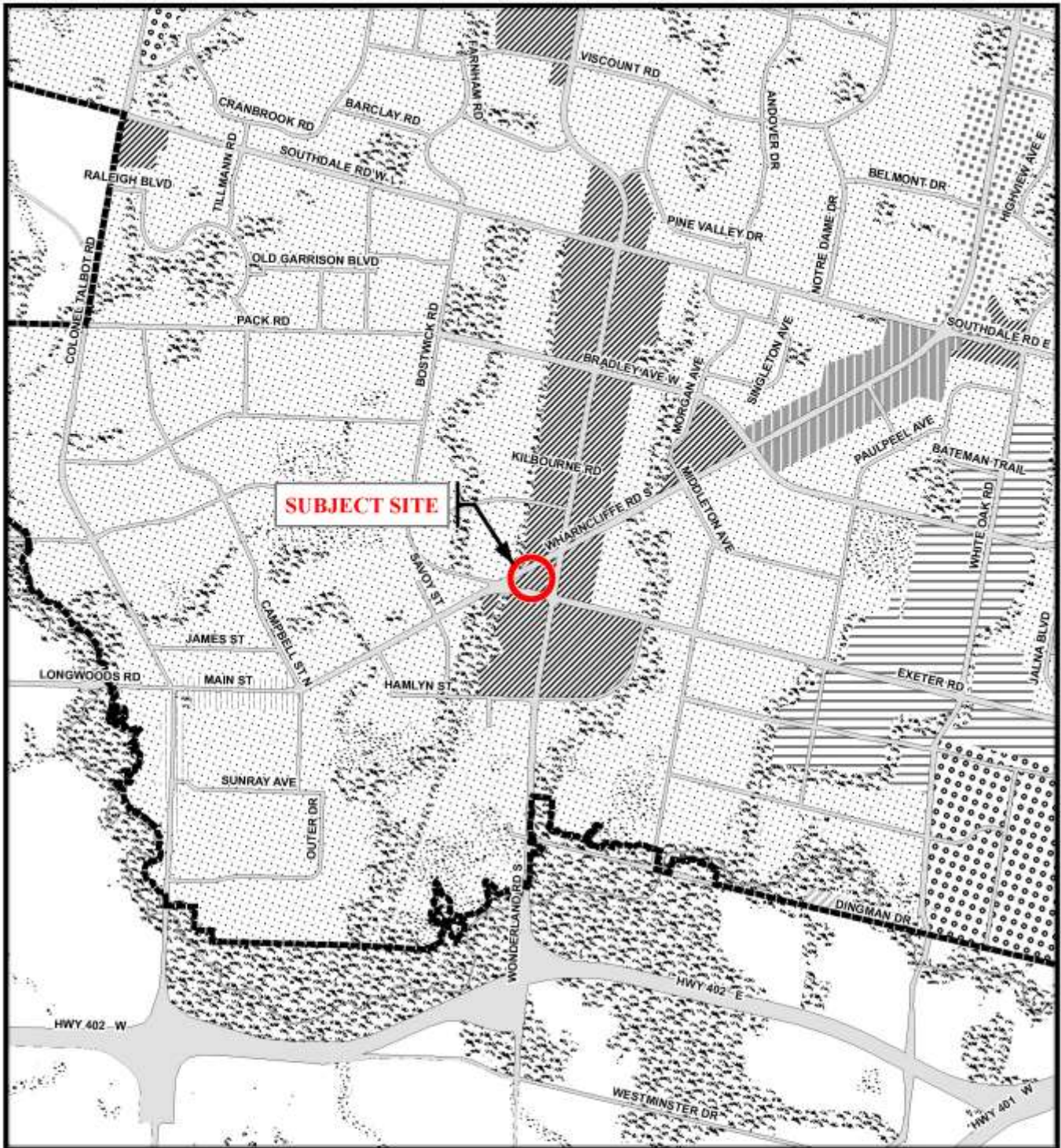
- | | |
|--|-----------------------------------|
| Downtown | Office Business Park |
| Enterprise | General Industrial |
| Enclosed Regional Commercial Node | Light Industrial |
| New Format Regional Commercial Node | Regional Facility |
| Community Commercial Node | Community Facility |
| Neighbourhood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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9107
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2019/11/27



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

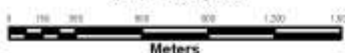
Planning Services /
 Development Services

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



File Number: Z-9107

Planner: SM

Technician: RC

Date: November 27, 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: Dalmar Motors Volkswagen
1297 Wharnccliffe Road South

Public Participation Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Dalmar Motors Volkswagen relating to the property located at 1297 Wharnccliffe Road South, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone **TO** Restricted Service Commercial Special Provision (RSC1(__)/RSC2/RSC3/RSC4/RSC5) Zone;

IT BEING NOTED THAT Site Plan matters identified during the public process include: use of decorative pavers for new vehicle display areas abutting the street; landscape buffers between parking areas and abutting residential development; noise; site access; lighting; and stormwater servicing.

Executive Summary

Summary of Request

The requested amendment will change the nature of the intended land use from office to restricted service commercial and will permit the proposed automobile sales and service establishment use. The Restricted Service Commercial zones regulate a range of moderate intensity commercial uses which require significant amounts of land for outdoor storage or interior building space.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment is to permit an automobile sales and service establishment. Special provisions would permit reduced front and exterior side yard depths of 5.5 metres and 2 metres, respectively, and a 1.2 metre setback from the daylight triangle. Additional special provisions would prohibit parking between the building façade and the street and require parking to be located a minimum of 6 metres from Bradley Avenue West. The recommended amendment will also remove existing holding provisions.

Rationale of Recommended Action

1. The recommended amendment is consistent with the policies of the Provincial Policy Statement, 2014;
2. The recommended amendment is in conformity with the in-force and effect policies of The London Plan, including but not limited to the Commercial Industrial Place Type;
3. The recommended amendment is in conformity with the in-force and effect policies of the 1989 Official Plan, including but not limited to the Auto-oriented Commercial Corridor designation;
4. The recommended amendment in conformity with the in-force and effect policies of the Southwest Area Secondary Plan.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located in the Bostwick Planning District on the west side of Wharncliffe Road South. Surrounding land uses include low rise residential to the west, an automobile sales and service establishment (under construction) north, undeveloped land to the south, and undeveloped land to the south. The subject lands are irregularly shaped and currently undeveloped.



Figure 1: Subject Site (view from Bradley Avenue West)

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

- Southwest Area Secondary Plan – Commercial
- Official Plan Designation – Auto-Oriented Commercial Corridor
- The London Plan Place Type – Commercial Industrial Place Type
- Existing Zoning – Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone

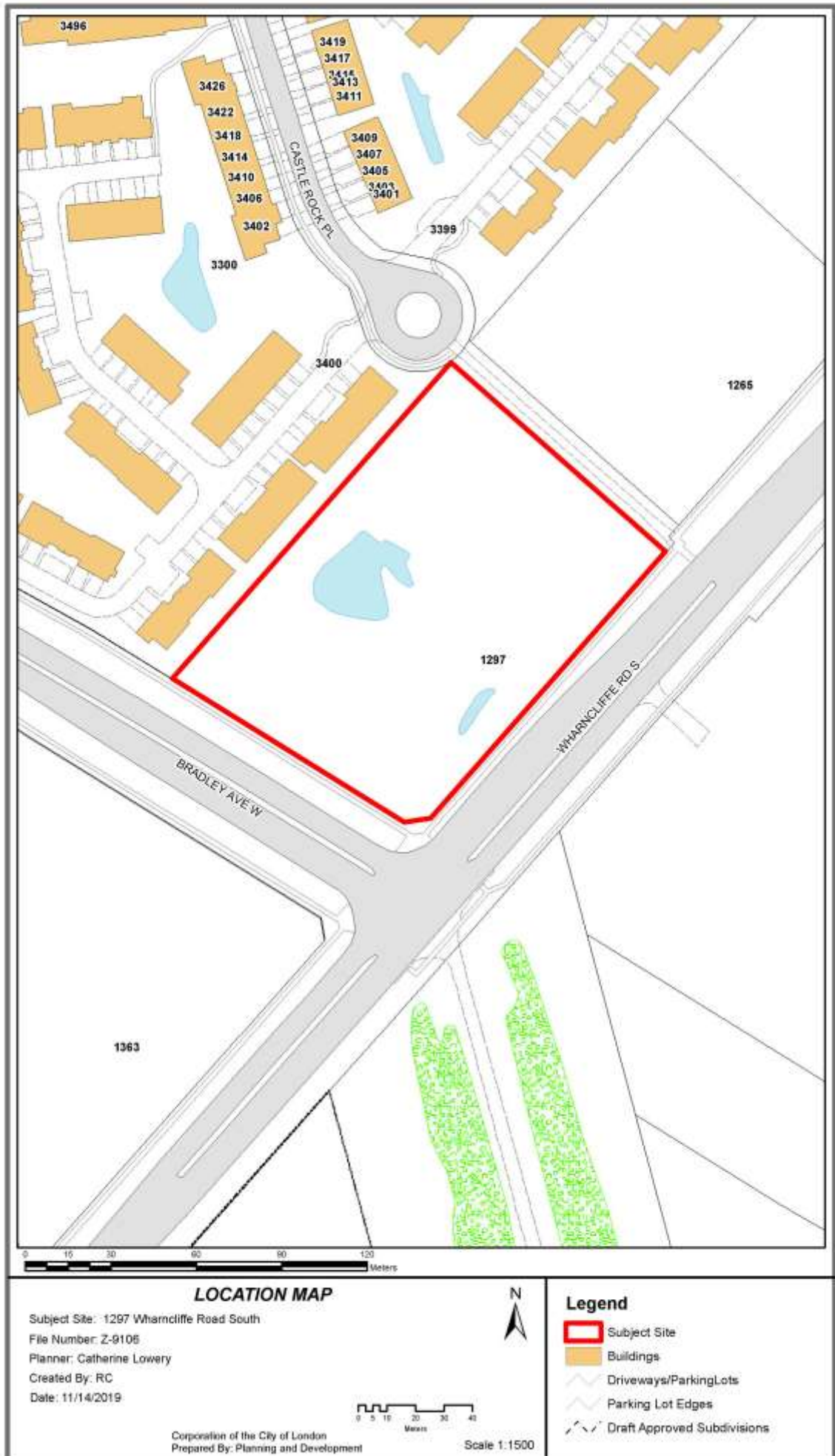
1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 95 metres (312 feet)
- Depth – 125 metres (410 feet)
- Area – 13,890 square metres (149,166 square feet))
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Automobile Sales and Service Establishments (Under Construction)
- East – Undeveloped
- South – Undeveloped
- West – Low Rise Residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The applicant has requested to rezone the subject lands to permit a proposed automobile sales and service establishment, as depicted on the site concept plan and conceptual rendering in Figures 2 and 3.

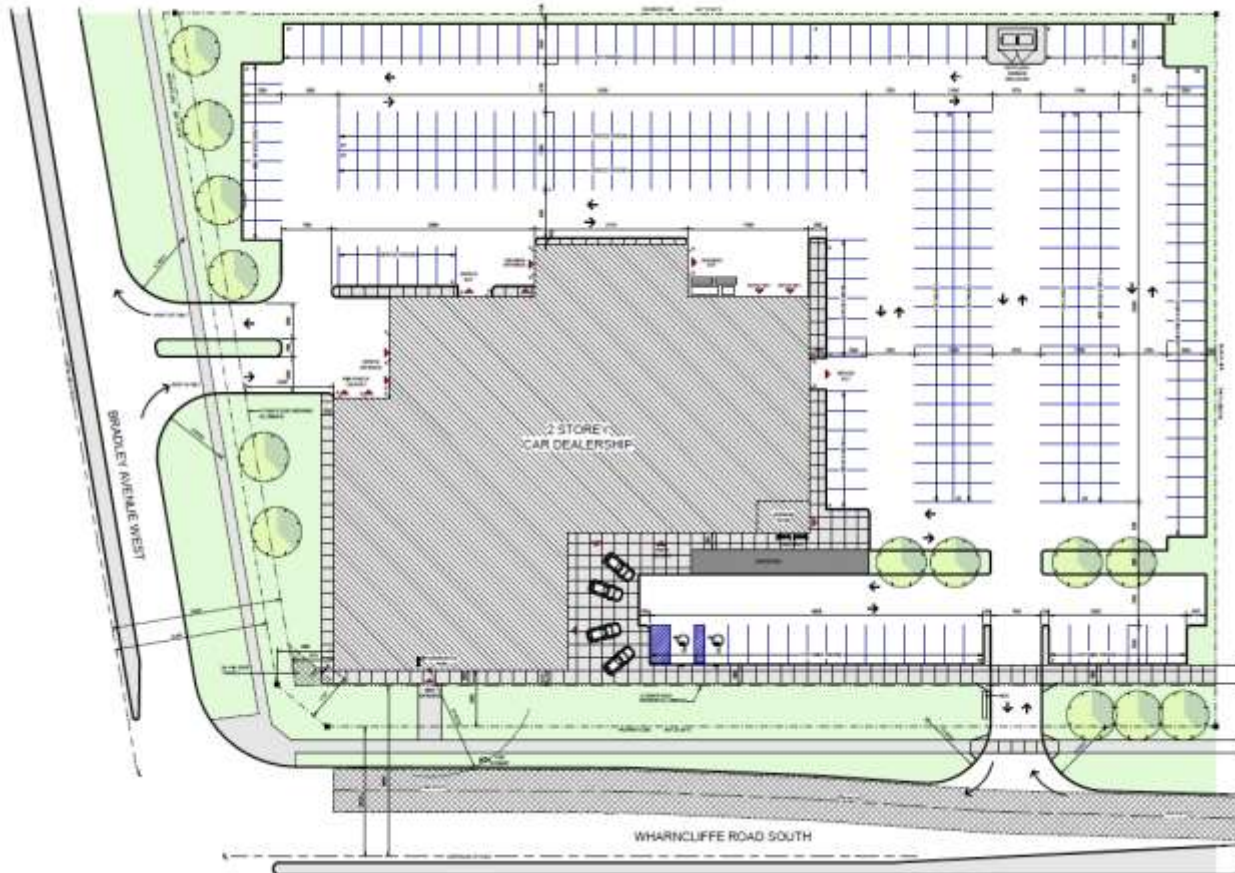


Figure 2: Site Concept Plan



Figure 3: Conceptual Rendering (view from corner of Wharncliffe Road South and Bradley Avenue West)

3.0 Relevant Background

3.1 Planning History

The Bostwick East Area Plan was initiated by the City of London and Sifton Properties Ltd. in 2003 as a developer-led community plan for the easterly portion of the Bostwick area bounded by Southdale Road West, Wharncliffe Road South and Wonderland Road South. The Bostwick East Area Plan resulted in City Council adopting Official Plan

Amendment (OPA) No. 358 in June 2005 for a portion of the area. Remaining lands in the Area Plan area, including the subject lands, were deferred by Council pending resolution of a number of issues including collector road connections, woodlot designations, and park and school locations. An amendment to the Official Plan (OPA No. 380) for the balance of the lands was passed by City Council on February 27, 2006, and approved with modifications by the Ontario Municipal Board on December 11, 2007. This amendment had the effect of re-designating the subject lands to Office Area.

The subject lands were later subject to a Plan of Subdivision and Zoning By-law Amendment (39T-05509/Z-6915) and were rezoned to the current Holding Office (h-h-11-h-63-h-95-h-100-h-104-h-138*OF7) Zone. At that time, the City had recently undertaken the 5-year Official Plan review, of which the commercial land use designations were a major focus and resulted in a new hierarchy of commercial designations. Through this review, the subject lands were re-designated to the current Auto-Oriented Commercial Corridor designation, however as the new policies and designations were not in full force and effect, the Office Area designation was relied on for the review of the Plan of Subdivision and Zoning By-law Amendment applications. It should also be noted that since that time, the Southwest Area Secondary Plan was initiated and is now in-force and effect which designated the lands Commercial, consistent with the designation applied through the 5-year Official Plan review.

3.2 Requested Amendment

The applicant is requesting to rezone the subject lands to a Restricted Service Commercial Special Provision (RSC1(__)/RSC2/RSC3/RSC4/RSC5) Zone to permit the proposed automobile sales and service establishment. Special provisions would permit reduced front yard depth of 5.5 metres, whereas 8 metres is required, a reduced exterior side yard depth of 2 metres, whereas 8 metres is required, and a 1.2 metre setback from the daylight triangle. The requested amendment would also remove existing holding provisions.

3.3 Community Engagement (see more detail in Appendix B)

Staff received one (1) written response from a neighbouring property owner, which will be addressed later in this report. The primary concerns were related to lighting, noise, installation of traffic lights at the intersection of Wharncliffe Road South and Bradley Avenue West, and traffic speeds along Wharncliffe Road South.

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.

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 Commercial Industrial Place Type of The London Plan at the intersection of a Civic Boulevard and an Urban Thoroughfare, in accordance with *Map 1 and *Map 3. The Commercial Industrial Place Type is where commercial uses will be directed that do not fit well within commercial and mixed-use place types due to the planning impacts they may generate (1112_).

1989 Official Plan

The subject site is designated Auto-Oriented Commercial Corridor in the 1989 Official Plan in accordance with Schedule 'A'. Areas designated Auto-Oriented Commercial Corridor provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within Commercial Nodes or Main Street Commercial Corridors because of their building form, site area, access or exposure requirements. Generally, permitted uses cater to vehicular traffic and single purpose shopping trips. Depending on the nature of the use, customers are drawn from passing traffic or a wide-ranging market area (4.4.2). The site is also subject to Policy 10.1.3cxix), which establishes specific policies for lands included in the Bostwick East Area Plan area.

The 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_ and *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.

The subject site is designated Commercial in the North Longwoods Neighbourhood of SWAP. Some areas of SWAP are subject to existing Area Plans, including the Bostwick East Area Plan. If a conflict arises between the SWAP policies and existing Area Plan policies, the Area Plan policies of the Official Plan shall prevail (20.5.1.5). This policy applies specifically to Section 10.1.3 cxix) of the 1989 Official Plan.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use

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, employment (including commercial), 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, 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 (1.1.3.2).

The proposed automobile sales and service establishment contributes to a mix of land uses and facilitates development of a vacant, underutilized site within a settlement area. No new infrastructure or public service facilities are required to support the redevelopment. As such, the recommended amendment is consistent with the Provincial Policy Statement, 2014.

The London Plan

The subject lands are within the Commercial Industrial Place Type of The London Plan. The Commercial Industrial Place Type is located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes (1112_). Commercial uses that do not fit well within the commercial and mixed-use place types, due to the planning impacts that they may generate, are directed to the Commercial Industrial Place Type. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be

located within this place type. These commercial uses tend to have a quasi-industrial character, whereby they may be designed with large outdoor storage areas, impound areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods. They may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial or mixed-use context (1118_).

An automobile sales and service establishment is considered a commercial use that generally does not fit well within the commercial or mixed-use place types. These establishments typically require large amounts of parking to display new and used vehicles, as well as parking for customers and vehicles being serviced on site. Automobile sales and service establishments typically experience regular truck traffic through the delivery of vehicles and may also generate other impacts such as noise. As such, staff is satisfied the proposed use is in conformity with The London Plan.

1989 Official Plan

The subject lands are designated Auto-Oriented Commercial Corridor in the 1989 Official Plan and are subject to Chapter 10 Specific Policy 10cxix). Areas designated Auto-Oriented Commercial Corridor are primarily intended for commercial uses that cater to the commercial needs of the traveling public. Uses considered to be appropriate include automotive uses and services, therefore the proposed use is in conformity with the 1989 Official Plan (4.4.2.4).

Policy 10.1.3cxix), establishes specific policies for lands included in the Bostwick East Area Plan area. These policies relate largely to the technical review of site access for properties fronting on Wharncliffe Road South, servicing, and traffic capacity/management on Southdale Road West. It should be noted that since this policy was adopted, Southdale Road West has been widened to provide additional capacity.

Southwest Area Secondary Plan

The subject lands are designated Commercial in the North Longwoods Neighbourhood of SWAP. No Neighbourhood-specific policies apply to the Commercial designations within this Neighbourhood (20.5.11.i)), therefore the permitted uses of The London Plan and the 1989 Official Plan is relied on to determine the range of permitted uses. As such, the proposed use is in conformity with SWAP.

4.2 Issue and Consideration # 2: Intensity & Form

The London Plan

The intensity policies for all industrial place types apply a maximum permitted height of two storeys in the Commercial Industrial Place Type (1124_3). Form policies require sites to be large enough to accommodate on-site truck movements for loading, unless it is deemed appropriate to utilize streets where there are no viable alternatives (1125_7). The requested amendment will facilitate the development of a two-storey building, which is in conformity with the maximum intensity permitted by The London Plan. Further, the subject site is large enough to accommodate on-site loading and truck movements, and the detailed design would be formalized at the Site Plan Approval stage.

1989 Official Plan

Several form policies exist to guide new development in the Auto-Oriented Commercial Corridor designation. Minimum lot frontage, depth, and area requirements ensure sites are of a suitable size to accommodate appropriate setbacks, parking, and landscaping (4.4.2.6.1). Development shall have a low-rise form and appropriate rear yard setbacks, buffer strips, privacy screening, and other measures to buffer new development from adjacent residential areas are to be applied through the Zoning By-law and site plan control process (4.4.2.6.4 and 4.4.2.6.5). Further, access points to arterial roads are to be limited to the minimum number required for the commercial use to function and common parking areas and driveways are encouraged. In areas with a large amount of

vacant commercial land, consideration may also be given to the creation of a service road to provide access for future development (4.4.2.6.2). Urban design policies also exist in the Auto-Oriented Commercial Corridor designation which encourage a high standard of building design, including massing, siting, and exterior access (4.4.2.8).

The proposed two-storey building takes on a low-rise form and is sited close to the intersection of two arterial roads, located as far as possible from the low rise residential development to the rear. The site is large enough to support appropriate setbacks, parking, fencing, and landscaping, all of which will be formalized at the Site Plan Approval stage. A City-owned pedestrian walkway exists to the northeast to connect Wharncliffe Road South and Castle Rock Place, separating the subject site from the adjacent commercial properties currently under construction. As such, a shared access or service road is not feasible without bisecting this walkway.

Southwest Area Secondary Plan

In the North Longwoods Neighbourhood, it is expected that redevelopment and new development will reflect the existing character of the neighbourhood, provide a walkable environment with a pedestrian scale, and the built form will be primarily street-oriented on all public rights-of-way (20.5.11.ii)). Buildings on corner lots at the intersections of arterial and collector roads shall be sited and massed toward the intersection (20.5.3.9.iii)c)). Rear and side building elevations of all buildings on corner lots shall be designed to take advantage of their extra visibility (20.5.3.9.iii)d)). Urban design policies in SWAP direct off-street parking to be designed to reduce the visual impact to the adjoining streetscape and users of the site. This goal is to be achieved by locating parking to the side or rear of the building and by permitting little to no parking in front of the building (20.5.3.9iii)g)).

The proposed building height is generally consistent with existing building heights along Wharncliffe Road South, as well as the approved automobile sales and service establishments currently under construction. The building has been positioned and massed towards the corner of Bradley Avenue West and Wharncliffe Road South with the principle entrance on Wharncliffe Road South. Staff recommends additional special provisions to prohibit parking between the building façade and the street and to ensure that no part of any parking area is located closer than 6 metres from Bradley Street West. These regulations will prevent parking to be located in front of the building along both street frontages, as well as beyond the main building façade along Bradley Avenue West. The intent of these regulations is not to prohibit a new vehicle display between the building and Wharncliffe Road South, but rather to prevent a large asphalted parking area. However, staff encourage the use of decorative pavers within this area should it be used for the display of new vehicles.

4.3 Issue and Consideration # 3: Zoning

4.3.1 Removal of Holding Provisions

The site is currently subject to the following holding provisions which the applicant has requested be removed:

h: 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 Bylaw; (Z.-1-122078) (Z.-1-142245)

h-11: 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.

Permitted Interim Uses: Existing uses. (O.M.B. File #R 910387 - Appeal #3004 May 19, 1994)(Z.-1-92066)

h-63: 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. (Z.-1-061467)

Both the h and h-11 holding provisions relate to the execution of a development agreement, which would occur through a future Site Plan application, at which time access location and design would also be reviewed and formalized. It should be noted that there is an existing reserve along the Bradley Avenue West which must be removed through the Site Plan process to enable access on this frontage, if appropriate. A noise assessment report to satisfy the requirements of the h-63 holding provision would also be required at Site Plan. Any recommendations for noise attenuation and mitigation measures would be required to be implemented on site and captured in the development agreement, if necessary.

h-95: 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. Permitted Interim Uses: Existing Uses (Z.-1-081711)

The urban design concepts established through the amendment process are consistent with policy and positively received by staff and the Urban Design Peer Review Panel. Refinement of the building design, including approval of elevation drawings, would occur at a future Site Plan stage. Execution of the development agreement to implement these urban design concepts, as had been intended by the h-95 holding provision, would also occur at that time. As well, additional special provisions to regulate the location of off-street parking will ensure the urban design concepts established through the Zoning amendment process are implemented at Site Plan.

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 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 (Z.-1-081786) (Z.-1-122078)

h-104: 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. (Z.-1-091860)

The matters outlined in the h-100 and h-104 holding provisions will be addressed at a future Site Plan stage as part of standard practice and review.

h-138: To ensure that commercial development in draft plan 39T05509 does not exceed a maximum interim floor area threshold of 12,868 m², 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. Permitted Interim Uses: Permitted uses up to a maximum total floor area of 12,868 m² on the commercial & office lands in draft plan 39T05509. (Z.-1-112024)

Two other commercial blocks exist within 39T-05509 and are municipally addressed as 1229 and 1265 Wharnccliffe Road South. Both blocks are to be developed with automobile sales and service establishments with gross floor areas of 1,615 square metres and 2,483.64 square metres, respectively, in accordance with the approved Site Plans. The proposed building on the subject site has a gross floor area of approximately

4,005 square metres. This would result in a total gross floor area for all three sites of approximately 8,103.64 square metres, which is within the maximum interim floor area of 12,868 square metres currently permitted by the h-138 holding provision. As the development of this site will result in full build-out of the commercial lands in 39T-05509, staff has no concerns with the removal of this holding provision.

4.3.2 Special Provisions

Through the circulation of this application, Transportation staff commented that road widening dedications along Wharncliffe Road South and Bradley Avenue West would be required at Site Plan to an ultimate road allowance of 24 metres from centreline. Dedication of a 6x6 metre daylight triangle taken from the new property lines post-dedication, would also be required. While the dedications are conveyed at Site Plan, regard must be given at the rezoning stage to ensure the proposed development will comply with minimum setback requirements post-dedication. Accordingly, a front yard depth of 5.5 metres along Bradley Avenue West, an exterior side yard depth of 2 metres from Wharncliffe Road South, and a 1.2 metre setback to the daylight triangle have been requested.

As the proposed setbacks facilitate a street-oriented design at the corner of Bradley Avenue West and Wharncliffe Road South, staff has no concerns with the requested reductions. Further, the reduced setbacks would result in the building being positioned further away from the low rise residential development to the rear and alternatively, closer the intersection of two arterial roads. As the 6x6 metre daylight triangle will ensure visibility is maintained at the intersection, staff has no concerns with the requested 1.2 metre setback.

To ensure parking is not located in front of the building, special provisions are recommended to prohibit parking between the building façade and the street and to ensure no part of any parking area, excluding a driveway access, is located closer than 6 metres from Bradley Street West. The intent of these special provisions is not to prohibit the use of these areas as new car display, but rather to prevent large amounts of off-street parking from dominating the streetscape. It should be noted that these additional special provisions will also ensure the urban design concepts established through the Zoning By-law Amendment process are implemented at Site Plan, as required by the h-95 holding provision.

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, 2014, and is in conformity with the in-force and effect policies of The London Plan, including but not limited to the Commercial Industrial Place Type, the 1989 Official Plan, and the Southwest Area Secondary Plan. The recommended amendment will facilitate the development of an underutilized parcel of land with a use and built-form that is consistent with that of neighbouring properties.

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

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
(2020)

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1297
Wharnccliffe Road South.

WHEREAS Dalmar Motors Volkswagen has applied to rezone an area of
land located at 1297 Wharnccliffe Road South, 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 1297 Wharnccliffe Road South, as shown on the attached map
comprising part of Key Map No. A111, from a Holding Office (h*h-11*h-63*h-95*h-
100*h-104*h-138*OF7) Zone to a Restricted Service Commercial Special Provision
(RSC1(__)/RSC2/RSC3/RSC4/RSC5) Zone.
- 2) Section Number 28.4a) of the Restricted Service Commercial (RSC1) Zone is
amended by adding the following Special Provision:
 -) RSC1() 1297 Wharnccliffe Road South
 - a) Regulations
 - i) Front Yard Depth 5.5 metres (18 feet)
(Minimum)
 - ii) Exterior Side Yard 2 metres (6.5 feet)
Depth
(Minimum)
 - iii) Setback from 1.2 metres (3.9 feet)
Daylight Triangle
(Minimum)
 - iv) No parking spaces, excluding a maximum of two (2)
accessible parking spaces, shall be permitted
between the building façade and the street
 - v) No part of any parking area, other than a driveway,
shall be located closer than 6 metres from Bradley
Avenue West

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.

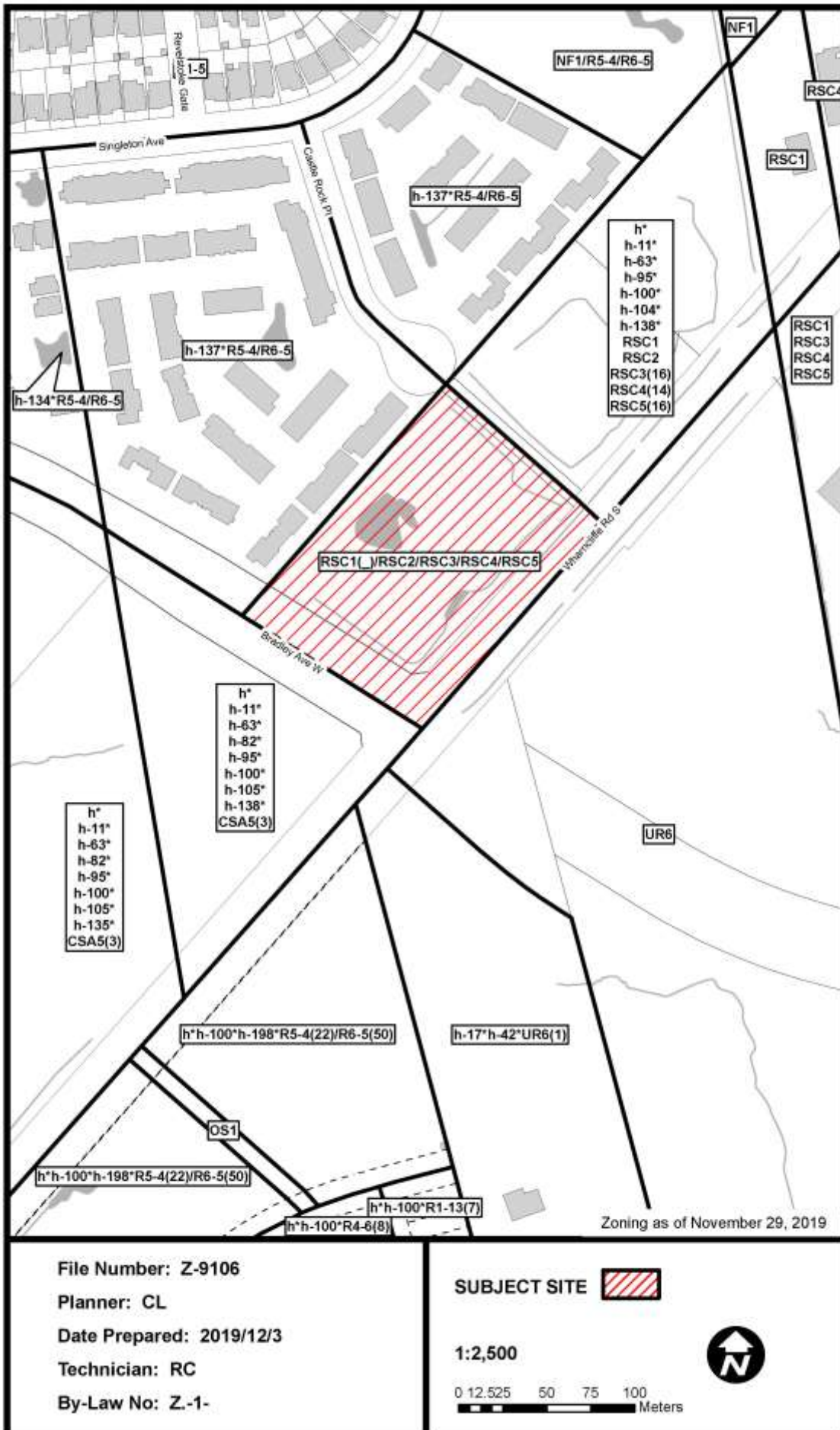
PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On September 4, 2019, a Notice of Application was sent to 178 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 5, 2019.

On November 20, 2019, a Revised Notice of Application was sent to 178 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 21, 2019.

On December 12, 2019, a Revised Notice of Planning Application and Notice of Public Meeting was sent to 178 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 11, 2019.

One (1) reply was received

Nature of Liaison: The purpose and effect of this zoning change is to permit an automobile sales and service establishment. Possible change to Zoning By-law Z.-1 **FROM** a Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone **TO** a Restricted Service Commercial Special Provision (RSC1(_)/RSC2/RSC3/RSC4/RSC5) Zone to permit a range of commercial uses, including the proposed automobile sales and service establishment. Special provisions would permit a reduced front yard depth of 5.5 metres, whereas 8 metres is required; a reduced exterior side yard depth of 2 metres, whereas 8 metres is required; and a 1.2 metre setback from the daylight triangle.

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

Concern for:

Parking Adjacent to Residential:

Concern that lighting from the rear parking lot will spill onto adjacent residential properties.

Noise:

Concern regarding noise from the service bays and car wash.

Traffic:

Concerns regarding timing of traffic light installation and the number of near collisions at this intersection. Also concerns regarding traffic speeds along Wharncliffe Road South.

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

Telephone	Written
	Rob Hamilton 3400 Castle Rock Place Suite 24 London, ON N6L 0E4

From:

Sent: Saturday, September 7, 2019 7:46 PM

To: Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Lowery, Catherine <clowery@london.ca>

Subject: [EXTERNAL] File#Z-9106/1297 Wharncliffe Road South /

Dear Ms Lowery and Mr Paul Van Meerbergen, I'm writing both of you in reference to an application for a zoning by laws amendment made by Dalmar Motors Volkswagen. I'm a board member of the Rembrandt townhouses phase 2/3 and have some concerns to be answered regarding the above said application.

1. Back parking lot located adjacent to the border fencing
 - concern about the lighting and how it will affect our back facing building and decks.
 - Will there be provisions made so that the positioning of these lights DO NOT beam down on our property?
2. Noise
 - Not to have excessive noise from the service bays and car wash facilities.
3. Traffic Lights
 - when will these be installed?
 - we have witnessed many near collisions at this intersection of Wharnclyff and Bradley.
 - also traffic along Wharnclyff has attracted many drivers who think that it the autobahn with speeds on excessive of 90-100 km per hour.

I will be adding the above application request on our next board meeting agenda for further feedback and will forward these to both of your attention.

Best regards

Rob Hamilton
Director- MSCC #896

Agency/Departmental Comments

September 17, 2019: London Hydro

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required.

Note: Transformation lead times are minimum 16 weeks.

Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

October 4, 2019: Transportation

- Road widening dedication of 24.0m from centre line required on Wharnclyffe Road South
- Road widening dedication of 24.0m from centre line required on Bradley Avenue
- The applicant will need to lift the 1 ft reserve along Bradley Avenue to allow for a restricted right in/ right out access
- The applicant is required to extend the existing median on Wharnclyffe Road South approximately 25.0m northerly in accordance with the City's Access Management Guidelines to restrict the access to right in right out
- Detailed comments regarding external works, and access location and design will be made through the site plan process.

October 4, 2019: Sewers Engineering

- The sanitary sewer available for the subject lands (Commercial Block 85 in Westbury Subdivision 33M-641) is the 200mm sanitary sewer in Block 89 that goes westerly through the bulb of Castle Rock Place, and to Singleton Avenue.
- A sanitary inspection maintenance hole will be required and is to be located wholly on private lands and as close to the said outlet as possible, all to City Standards and to the satisfaction of the City Engineer.

October 4, 2019: Stormwater Engineering

1. The subject lands are located in the Dingman Creek Subwatershed subject to the ongoing Dingman Creek EA. The City is currently finalizing phases 3 and 4 of the Dingman Creek Municipal Class Environmental Assessment (EA) by Aquafor Beech (City's Dingman Creek EA Consultant) that may include but not be limited to, quantity/quality control, erosion, water balance, stream morphology, etc. and therefore, to be able to advance this development the Owner shall be required to provide a comprehensive Water Balance analysis which shall include water balance recommendation to be implemented (e.g. LID solutions, etc.).
2. As per attached as-constructed 25131, the site at Q=67.0l/s is tributary to the 675mm storm sewer crossing the existing municipal easement via the existing MH R11.
3. Considering the number of surface level parking spaces indicated in the application, the owner shall be required to have a consulting Professional Engineer addressing water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 70% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, LID filtration or infiltration solutions, etc.
4. To manage stormwater runoff quantity and quality, the applicant's consulting engineer may also consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design. This would include directing a portion of stormwater runoff to landscaped areas before catchbasins.
5. Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation.
6. The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It may include water balance.
7. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
8. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
9. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
10. Additional SWM related comments will be provided upon future review of this site.

October 23, 2019: Urban Design Peer Review Panel Memo – Applicant's Response

Comment:
The Panelists support the revised layout of the site to provide the building massing near the intersection with parking to the rear and side of the building.
Applicant Response:
Noted
Comment:
The Panelists support the high proportion of glazing near the intersection and the provision of main entrances to the building facing the street.
Applicant Response:
Noted
Comment:
The Panelists encourage the applicant to consider refinement of the blank wall elevation facing Wharncliffe Road, either through the introduction of increased openings along this façade, greater façade articulation, an art feature and/or the incorporation of landscaping near the base of the building to soften the blank wall.

Applicant Response:
Agree, and will look to get some fenestration, more articulation of building envelope materials, low landscaping and/or wall graphic inserted to this location of the building.
Comment:
The Panelists support the provision of bicycle parking and encourages the applicant to consider relocating the bike parking nearer to the front of the building and main building entrance.
Applicant Response:
Owner not convinced that this improves their operations or be a practical location for bicycles but will pilot a bicycle rack at this location to see if it gets any use.
Comment:
The Panelists encouraged the applicant to provide tree plantings along the perimeter of the parking area (including along the interior lot lines) to buffer from adjacent properties.
Applicant Response:
Will consider.

December 3, 2019: Urban Design Comments

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 Urban Design Peer Review Panel (UDPRP), and City staff.

The applicant is commended for incorporating the following into the design; Providing a building with a 2-storey volume located close to the intersection of Bradley Avenue and Wharncliffe Road S.; Providing for an active street edge at the intersection by orienting the building to the adjacent streets with the primary entrance facing Wharncliffe Road S and large amounts of clear glazing along both street frontages ; providing for a display forecourt between the building and the street; and, Incorporating all parking in the rear and side yards, behind the street facing façades of the building; All of which is in keeping with the vision of the current Official Plan, The London Plan, and the Southwest Area Secondary Plan.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

1.1.1, 1.1.3.1, 1.1.3.2

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

112_, 1118_, 1119_, 1124_

The 1989 Official Plan

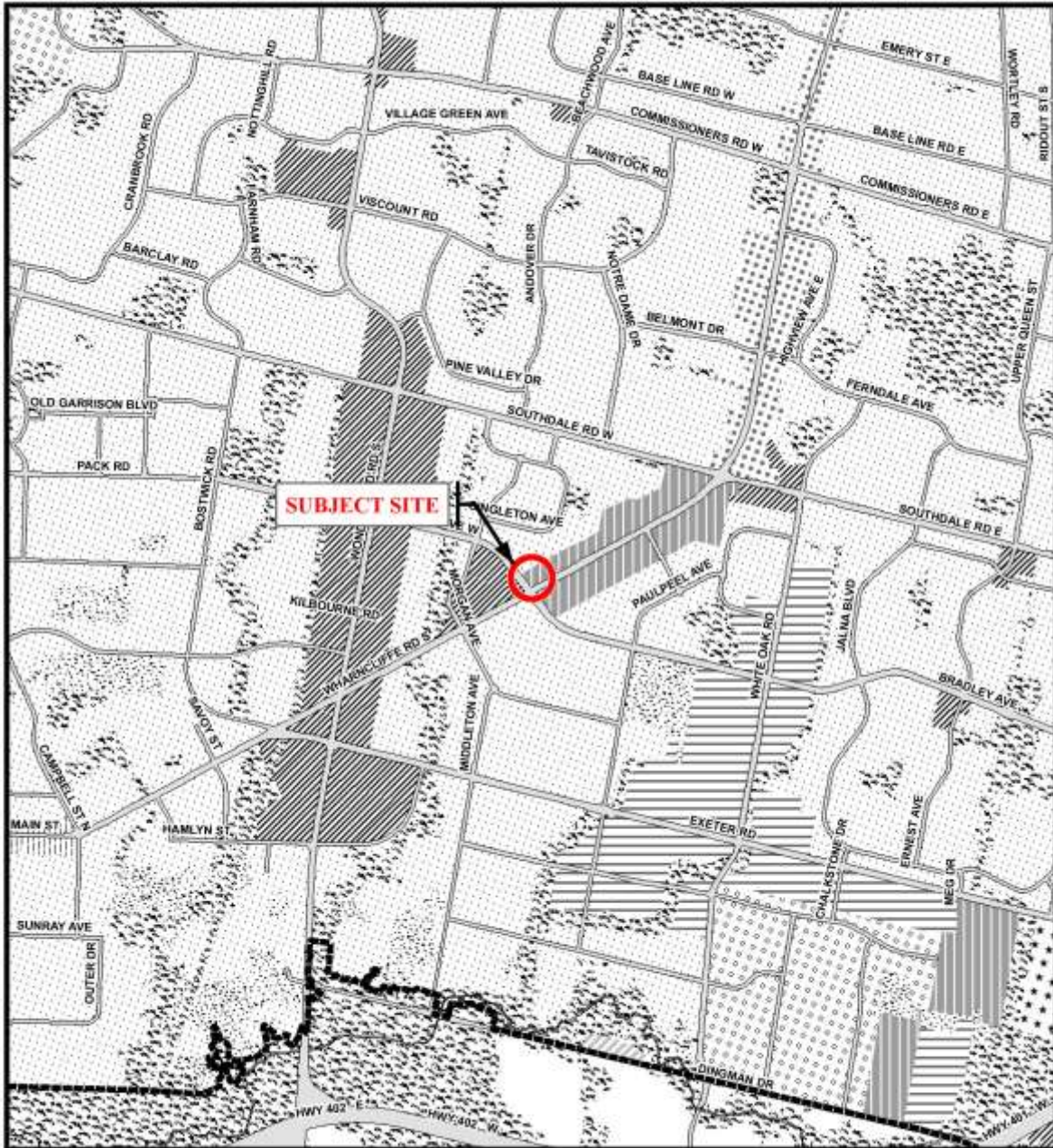
4.4.2, 4.4.2.4, 4.4.2.6, 4.4.2.6.1, 4.4.2.6.2, 4.4.2.6.3, 4.4.2.6.4, 4.4.2.6.5, 4.4.2.6.8, 4.4.2.8, 10.1.3cxix)

The Southwest Area Secondary Plan

20.5.1.5, 20.5.11.i), 20.5.11.ii), 20.5.3.9

Appendix D – Relevant Background

Additional Maps



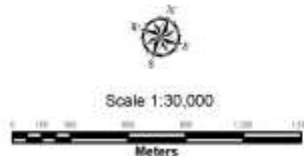
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 | |

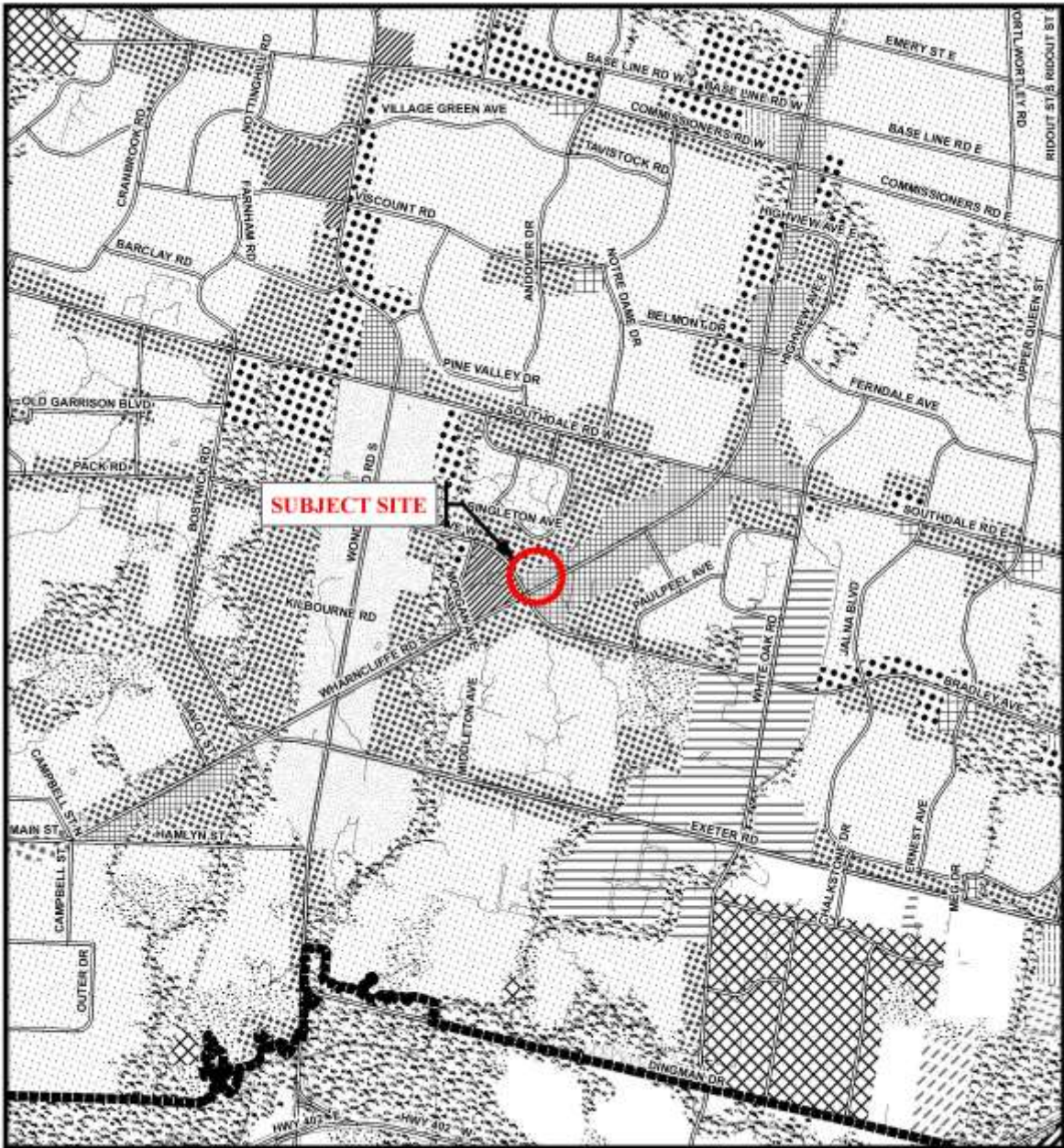
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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



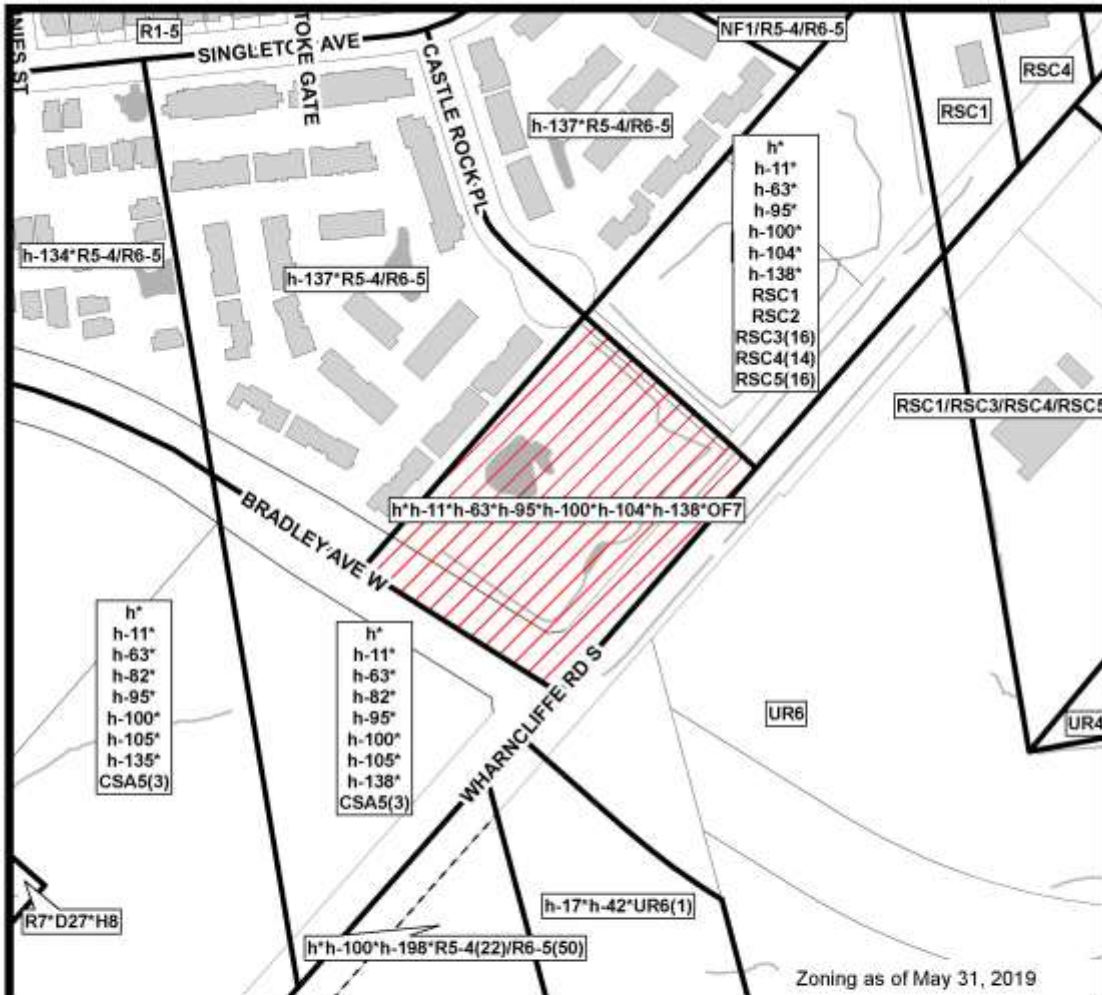
File Number: Z-9106
Planner: CL
Technician: RC
Date: December 3, 2019



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

<p>CITY OF LONDON Department of Planning and Development</p> <p>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: Z-9106</p>
		<p>PLANNER: CL</p>
		<p>TECHNICIAN: RC</p>
		<p>DATE: 2019/12/3</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\conso\00\excerpts\mxd_templates\scheduleA_NEW_b5w_8x14.mxd



Zoning as of May 31, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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**



FILE NO:
Z-9106 RC

MAP PREPARED:
2019/12/3 RC

1:3,000

0 15 30 60 90 120
Meters

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

Additional Reports

39T-05509/Z-6915: May 6, 2009 – Report to Planning Committee: request for a Plan of Subdivision and Zoning By-law Amendment for 1311 Wharnccliffe Road South

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: LIUNA 1059 Training Fund Management Inc.
635 Wilton Grove Road

Public Participation Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of LIUNA 1059 Training Fund Management Inc. relating to the property located at 635 Wilton Grove Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council Meeting January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Light Industrial (LI1) Zone, **TO** a Light Industrial Special Provision (LI4(_)) Zone.

Executive Summary

Summary of Request

The requested action is to rezone the subject property to permit a limited range of uses within the existing building which are intended to serve the needs of the surrounding industrial area.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment is to permit a broader range of non-industrial uses that are identified as secondary permitted uses, within the existing building, which cater to the needs of the local industrial area, and add a business office with accessory meeting rooms to the requested zone.

Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS, 2014;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Light Industrial Place Type;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Light Industrial designation; and
4. The recommended amendment conforms to the Southwest Area Secondary Plan.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject property is located in the northeast corner of the intersection of Wilton Grove Road and Roxburgh Road. The site is currently occupied by an existing building previously utilized for the purpose of offices, warehousing, and various commercial uses by existing tenants. It being noted that portions of the existing building have been vacant for an extended period of time.

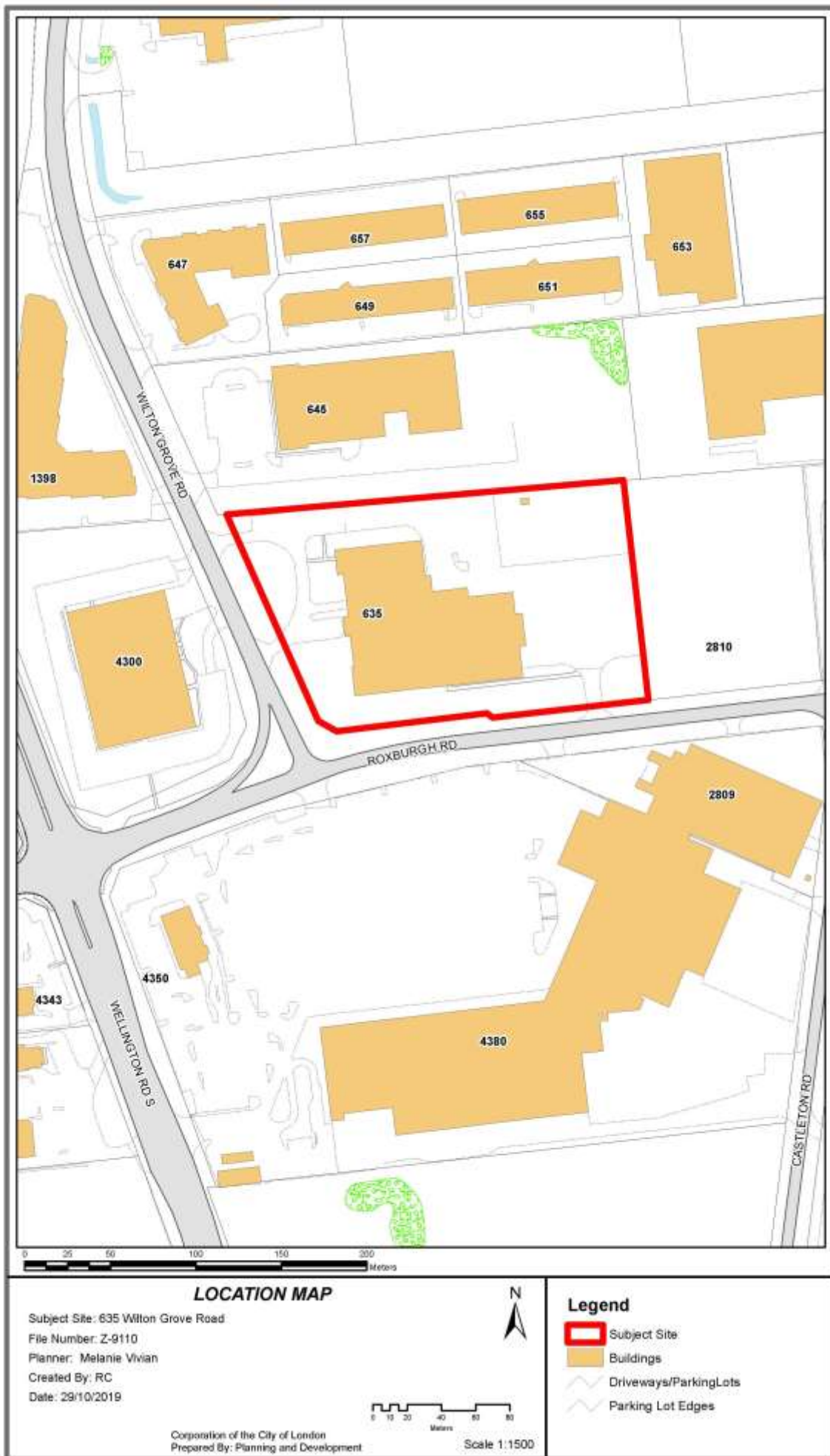


Figure 1: Subject Site (Corner of Wilton Grove Road and Roxburgh Road)



Figure 2: Subject site (view off of Wilton Grove Road)

1.2 LOCATION MAP



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

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

1.4 Site Characteristics

- Current Land Use – Existing industrial building
- Frontage – 132.94 metres (436.15 feet)
- Depth – 233.03 metres (764.53 feet)
- Area – 2.80 hectares (6.94 acres)
- Shape – Irregular

1.5 Surrounding Land Uses

- North – Light Industrial Uses
- East – Vacant Parcel/Light Industrial Uses
- South – Commercial Plaza
- West – Commercial

2.0 Description of Proposal

2.1 Development Proposal

The applicant is requesting to rezone the property at 635 Wilton Grove Road to allow the LIUNA 1059 Training Fund Management Inc. to operate on the subject lands within the existing building. The applicant is proposing to rezone the subject property to add the use of a medical/dental and support office. Other uses permitted within the Light Industrial (LI4) Zone, through the requested rezoning, include restricted automotive uses, clinics, convenience service establishments, convenience stores, day care centres, financial institutions, personal service establishments and restaurants. The intent of the uses permitted by the requested Light Industrial (LI4) Zone is to serve the surrounding light industrial community and their employees. The applicant is also requesting special provisions to add the use of a business office and meeting rooms, accessory to the business office use, by way of a special provision to the requested zone. No external changes are proposed.

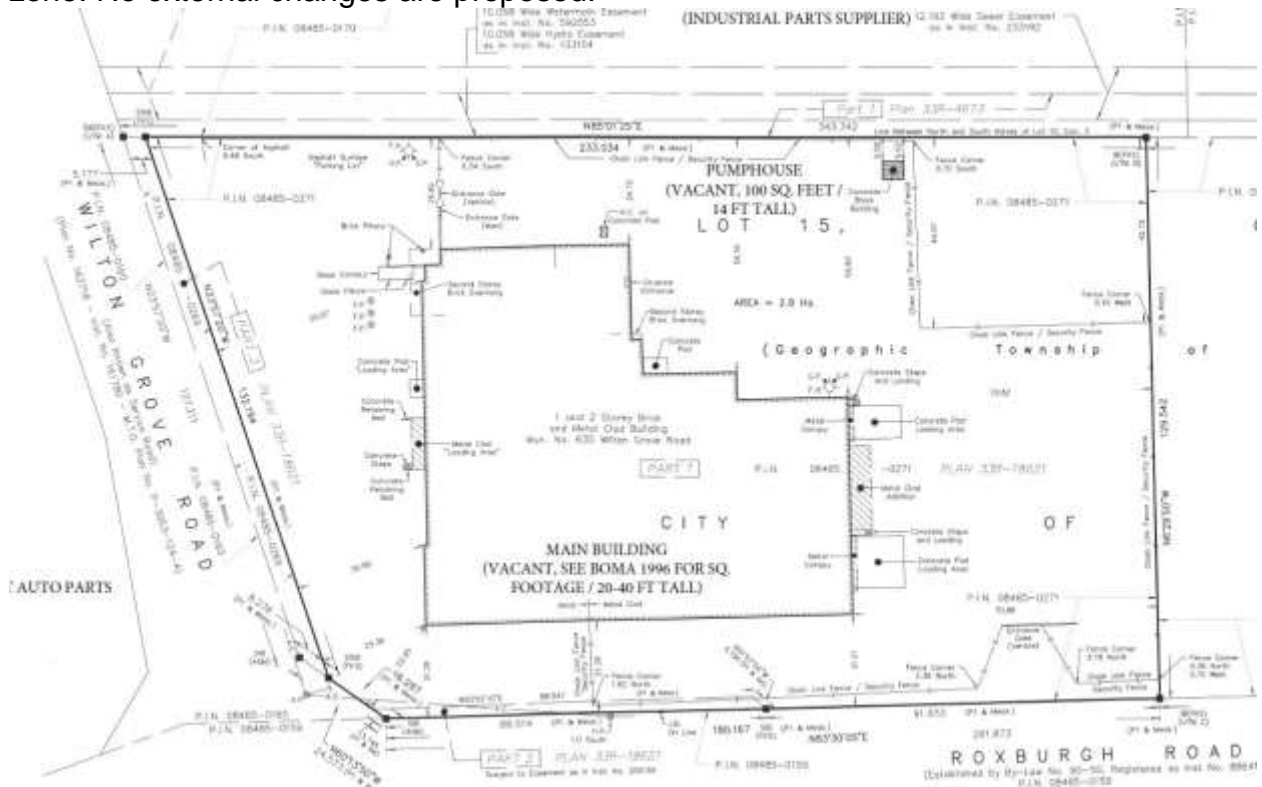


Figure 3: Site concept plan, existing conditions.

3.0 Relevant Background

3.1 Planning History

In 2004, a Minor Variance Application (A.029/04) was granted conditionally to permit the location of loading docks in the front yard, whereas loading docks are permitted in the rear and side yards under Twp. By-law 2000. The associated conditions included obtaining a building permit prior to the commencement of construction and that there be no storage of transport trucks or trailers in the front yard.

An Application for Consent (B.013/13) was approved in 2013 for the severance of approximately 13,254 square metres from 635 Wilton Grove Road for future light industrial uses and to retain approximately 50,767 square metres for existing light industrial uses. A Certificate of Consent was issued on July 4, 2013 which resulted in the creation of the abutting property, 2810 Roxburgh Road.

3.2 Requested Amendment

The applicant is requesting to rezone 635 Wilton Grove Road from a Light Industrial (LI1) Zone to a Light Industrial Special Provision (LI4(_)) Zone to add a medical/dental office and support office uses. Special provisions are requested to add a business office as a permitted use and meeting rooms, accessory to the business office use. The requested amendment would facilitate the LIUNA 1059 Training Fund Management Inc. to operate within the existing building.

3.3 Community Engagement (see more detail in Appendix B)

Staff received two written responses from members of the public; one seeking further clarification and the other supporting the subject application, addressed in Appendix "B" of this report.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest relating to land use planning and development. All decisions affecting land use planning matters shall be "consistent with" the policies of the PPS.

Section 1.3 of the PPS, *Employment*, encourages planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs (1.3.1.a)). Furthermore, Section 1.1 of the PPS, *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* encourages planning authorities to promote cost-effective development patterns and standards to minimize land consumption and servicing costs (1.1.1.e)).

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 property is located in the Light Industrial Place Type of The London Plan, in accordance with *Map 1, with frontage along a Civic Boulevard, in accordance with *Map 3. The intent of the Light Industrial Place Type is to allow for industries generating minimal planning impacts as it is appropriate to separate these uses from heavier

industrial uses in order to avoid land use conflicts, and to allow for positive industrial environments (1110_). The vision of the Light Industrial Place Type is to attract and establish facilities and industrial-related centres that create a competitive industrial advantage and support the growth of industrial sectors (1113_7). Within all Industrial Place Types, industrial uses are encouraged to utilize land efficiently with high building coverage ratios and high employment densities, wherever possible (1124_1).

1989 Official Plan

The subject property is designated Light Industrial in the (1989) Official Plan, in accordance with Schedule A. The objectives of the Light Industrial designation is to provide for the development, and use of lands, for a range of activities which are likely to have minimal impacts on surrounding uses (7.1.3.i)). The designation is intended for industries which have a limited impact on the surrounding environment and are frequently small in scale (7.3.). The Light Industrial designation identifies uses permitted by site-specific zoning which includes the use of medical/dental offices subject to a Planning Impact Analysis, as identified in Section 7.8.

Section 7.8 of the (1989) Official Plan outlines criteria for a Planning Impact Analysis to evaluate applications for an Official Plan amendment and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use and identify ways of reducing any adverse impacts on surrounding uses (7.8.1.). Throughout the review of the submitted application, all criteria were evaluated however, as the building and site layout are existing, the most applicable criteria are as follows:

(a) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses

The requested uses proposed to be added through the amendment, including a medical/dental office, support office, business office and meeting rooms accessory to the business office use, at the subject property are compatible with the existing light industrial uses surrounding the subject property. As no development is proposed no impacts to present and future land uses in the area are expected to occur.

(f) For non-industrial uses within industrial designations the potential of the proposed uses to deter future industrial development

The recommended medical/dental and support office are uses permitted as-of-right by the Light Industrial (LI4) Zone, which permits a range of secondary uses within the industrial designation. The requested special provision to add the additional uses of a business office and meeting rooms accessory to the business office use, are uses of similar nature to the as-of-right permitted uses.

Southwest Area Secondary Plan

The subject site is located within the Southwest Area Secondary Plan, specifically within the Brockley Industrial Neighbourhood. The function and purpose of the Brockley Industrial Neighbourhood is to promote opportunities for a limited range of compatible industrial land uses that support the City's long-term industrial strategy and promote the development of employment lands (20.5.14.i)). Located within the west portion of the Brockley Industrial Neighbourhood, the intent of this location is to accommodate a broad range of light industrial uses but discourages light industrial uses that emit noise, dust or odour (20.5.14.i)).

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Permitted Uses

Provincial Policy Statement, 2014 (PPS)

The PPS states that planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs (1.3.1.a)). The PPS further states that planning authorities shall promote economic development and competitiveness by 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 (1.3.1.b)). Furthermore, the PPS identifies that planning authorities shall promote land use patterns within *settlement areas* which shall be based on densities and a mix of land uses which 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 (1.1.3.2.a).2.). As the requested amendment would broaden the range of permitted uses on the subject property, facilitate the adaptive reuse of a building that has experienced extended vacancies, and in effect, diversify the existing industrial area, the proposed uses provide for an efficient range of uses. As the requested amendment is proposed to be within the existing industrial building, infrastructure and public service facilities would not be expanded.

The London Plan

The subject property is located within the Light Industrial Place Type where the overall vision of the Place Type is to promote a broad industrial land base in the City through the provision of a wide choice of locations, lot sizes, services, and street and rail access in order to accommodate a wide range of target industrial sectors and industrial uses (1113_3). The Light Industrial Place Type permits a broad range of industrial uses which are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions such as noise, odour, particulates and vibration (1115_1). The permitted uses in the Light Industrial Place Type further identify accessory office uses of any scale to be permitted as well as service trades and contractor shops, which may also be permitted (1115_4 and 1115_8).

The permitted uses, as-of-right, within the requested Light Industrial (LI4) Zone include uses such as clinics; medical/dental offices; personal service establishments; convenience stores; day care centres; restaurants; support offices; warehouse establishments; bakeries; paper and allied products industries excluding pulp and paper and asphalt roofing industries; service trade; and custom workshops, among others. The requested added uses of a business office, and meeting rooms accessory to the business office use, are uses that are complementary to the as-of-right uses permitted by the LI4 zone and are keeping with the intent of the Light Industrial Place Type. As such, the proposed uses on site are not anticipated to have significant impacts and would complement the existing light industrial uses within the surrounding area.

1989 Official Plan

The subject property is designated Light Industrial in the (1989) Official Plan which permits uses that are located within enclosed buildings, and unlikely to cause adverse effects with respect to air, odour, water pollution, or excessive noise levels (7.3.1.). Uses permitted within the Light Industrial designation include uses which are likely to have minimal adverse effect on surrounding uses in terms of noise, smoke, odour or visual appearance (7.3.3.). Notwithstanding the above, the Light Industrial designation also contemplates office uses as a permitted use, subject to policy 7.5.3., ancillary to any of the main permitted uses. Policy 7.5.3. identifies area and site design criteria which contemplate, buffering, traffic, compatibility and limited access. As the subject site contains an existing building with no proposed exterior works, office uses within the existing building are considered to be appropriate at this location. Furthermore, office

development which is not ancillary and incidental to a main permitted use is restricted to a small scale within the Light Industrial designation (7.3.6.). The (1989) Official Plan identifies office development of less than 2,000 square metres of gross floor area to normally be considered as “small scale” (5.2.4.). As the total amount of existing leasable office space within the existing building is 1,763.6 square metres, the existing and recommended uses are small in scale and compatible with surrounding land uses.

The subject property is located within an existing, established industrial area where the renovation and rehabilitation of older industrial buildings for new industrial uses, which are compatible with surrounding land uses, are encouraged (7.9.2.). In this scenario, the existing building had not been operating to its full capabilities with a large amount of leasable space underutilized. The added uses to the subject property will allow for the rehabilitation of an existing building to be fully utilized with uses compatible and complementary to the surrounding area.

Southwest Area Secondary Plan

The subject site is located within the Southwest Area Secondary Plan, specifically within the Brockley Industrial Neighbourhood. As the subject site is located east of Wellington Road, light industrial uses located within enclosed buildings, require no outdoor storage and are unlikely to cause adverse effects with respect to matters such as air, odour, water pollution, dust, excessive vibration and noise levels may be permitted (20.5.14.1.i)). The Brockley Industrial Neighbourhood also identifies office uses, ancillary to any of the permitted uses, are also permitted (20.5.14.1.i)). Based on the identified permitted uses, the added uses to the subject property are keeping within the intent of the Southwest Area Secondary Plan.

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 in force policies of The London Plan and the (1989) Official Plan. The recommended amendment will allow the LIUNA 1059 Training Fund Management Inc. to operate out of an existing industrial building, in a desired location, effectively providing services to more trades within the City of London. The added uses allows for a broader range of uses on the lands that are considered compatible with the surrounding land uses.

Prepared by:	Melanie Vivian, Planner I, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

December 16, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

Y:\Shared\ADMIN\1-PEC Reports\2020 PEC Reports\1-January 6

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20 _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 635
Wilton Grove Road.

WHEREAS LIUNA 1059 Training Fund Management Inc. has applied to
rezone an area of land located at 635 Wilton Grove 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 635 Wilton Grove Road, as shown on the attached map comprising
part of Key Map No. A112, from a Light Industrial (LI1) Zone to a Light Industrial
Special Provision (LI4(_)) Zone.
- 2) Section Number 40.4 of the Light Industrial (LI4) Zone is amended by adding the
following Special Provision:
 -) LI4 () 635 Wilton Grove Road
 - a) Additional Permitted Use[s]
 - i) Office, business
 - ii) Meeting rooms, accessory to the business office

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.

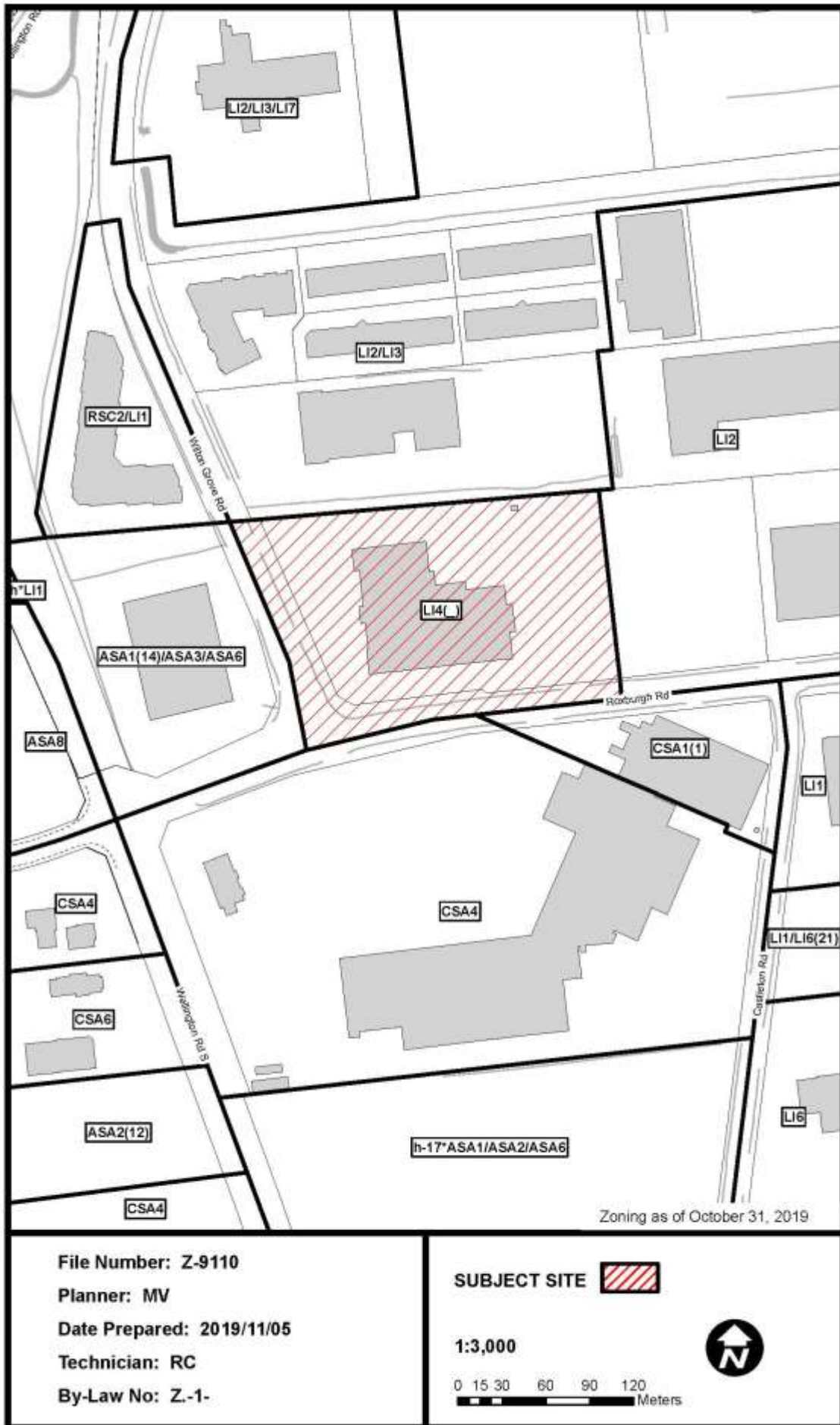
PASSED in Open Council on January 14, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On September 18, 2019, Notice of Application was sent to 15 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 19, 2019. A “Planning Application” sign was also posted on the site.

Two (2) replies were received with one seeking clarification and one in support of the application.

Nature of Liaison: Zoning Amendment to allow a range of non-industrial uses that cater to the needs of the local industrial area, to permit a business office use and meeting rooms accessory to the business office use.

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

Concern for:

Question regarding the intended use of the lands as to whether the applicant was building offices or proposing a training centre. The member of the public was provided with further information regarding the proposal and had no further questions.

Letter of support received from the neighbouring property stating the proposed uses were appropriate for the area.

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

Written
Atinar Atinar
Brian Gibson

From: atinar atinar [REDACTED]
Sent: Friday, September 20, 2019 1:18 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] 635 Wilton Grove Road Zoning Bylaw Amendment File Z 9110

Good Afternoon Melanie Vivian

We own the 3.2 Acre property, 2810 Roxburgh Road, that abuts the 635 Wilton Grove Road to the east.

We are encouraged that Liuna 1059 Training are planning to locate in this location.

We are in support of the application. Based on information provided. we agree that the proposed uses are appropriate to the area given its proximity to Wellington Road and to the nearby existing commercial, retail and industrial uses.

We request to be advised of meetings or any additional submissions.

With thanks

J Manocha
Atinar Properties Limited

From: Brian Gibson [REDACTED]
Sent: Tuesday, September 24, 2019 3:24 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment File: Z-9110

Hi Melanie,

I have a brief question about Zoning By-Law Amendment File: Z-9110 proposed by LIUNA 1059 Training Fund Management Inc. I am curious as to what the intended use of the lands are. Are they building offices as noted in the special provision of the Zoning Amendment? Are they proposing a Training Centre? Or both?

Thanks!

Cheers,

Brian Gibson

Agency/Departmental Comments

September 24, 2019 – London Hydro Engineering

The site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate these changes. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. London Hydro has no objection to the proposal of a possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

October 10, 2019 – Upper Thames River Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these 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

Dingman Creek Stormwater Servicing Class Environmental Assessment (EA)

The subject lands are 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. In order to capture those areas within the watershed which may be impacted by revised floodline information (which is still being refined by the UTRCA), a Dingman Subwatershed Screening Area Map has been developed to help guide planning decisions as an interim measure until the EA has been completed.

DRINKING WATER SOURCE PROTECTION

Clean Water Act

The subject lands have been reviewed to determine whether or not they fall 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 not** 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: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

COMMENTS & RECOMMENDATION

The subject lands are located within the Dingman Subwatershed Screening Area. The UTRCA has no objections to the rezoning application, however we remind the applicant that should any additional development (building, structures, grading, etc.) be proposed on these lands, a Section 28 permit application will be required. Please contact the UTRCA prior to undertaking any future works.

October 18, 2019 – Engineering

Below are the only comments received for the re-zoning. It is our understanding that no exterior changes are proposed.

September 24, 2019 – Transportation

Please find below Transportation comments regarding the Zoning Application for 635 Wilton Grove Road, Z-9110:

- Road widening dedication of 18.0m from the centreline required along Wilton Grove Road
- Road widening dedication of 13.0m from the centreline required along Roxburgh Road
- 6.0m x 6.0m daylight triangle required

Through further correspondence with Transportation Engineering, it has been determined that the road widening dedication along Wilton Grove Road, Roxburgh Road and the day light triangle, have been transferred to the City.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

1.1.1.e) Healthy, liveable and safe communities are sustained by promoting cost-effective development patterns and standards to minimize land consumption and servicing costs

1.1.3.2.a) 2. Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which 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

1.3.1.a) Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs

1.3.1.b) Planning authorities shall promote economic development and competitiveness by 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

The London Plan

Light Industrial Place Type

1110_ The Light Industrial Place Type is where industries generating more minimal planning impacts will be permitted. It is appropriate to separate these uses from heavier industrial users, to avoid land use conflicts and to allow for positive industrial environments. It may also be necessary to separate some uses within the Light Industrial Place Type from sensitive land uses on adjacent lands

How will we realize our vision?

We will realize our vision for the Industrial Place Types by implementing the following in all the planning we do and the public works we undertake:

1113_3 Promote a broad industrial land base in the City of London through the provision of a wide choice of locations, lot sizes, services, and street and rail access in order to accommodate a wide range of target industrial sectors and industrial uses

1113_7 Attract and establish facilities and industrial-related centres of excellence that create a competitive industrial advantage for London and support the growth of industrial sectors

Permitted Uses in the Light Industrial place Type

1115_1 A broad range of industrial uses that are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions such as noise, odour, particulates and vibration, may be permitted.

1115_4 Small-scale service office uses may be permitted

1115_8 Service trades and contractors shops may be permitted

Intensity policies for all Industrial Place Types

1124_1 Industrial uses will be encouraged to utilize land efficiently. High building coverage ratios and high employment densities will be sought wherever possible

1989 Official Plan

Scale of Development

5.2.4. For the purpose of this Plan, office development of less than 2,000 square metres (21,529 sq. ft.) gross floor area will normally be considered “small scale”, and office development between 2,000 square metres (21,529 sq. ft.) and 5,000 square metres (53,921 sq. ft.) gross floor area will normally be considered “medium scale”.

Light Industrial Objectives

7.1.3.i) Provide for the development and use of industrial lands for a range of activities which are likely to have a minimal impact on surrounding uses.

Light Industrial

7.3 This designation is intended for industries which have a limited impact on the surrounding environment and which are frequently small in scale. Such industries can normally be located in closer proximity to other land uses without significant conflicts if appropriate site planning techniques are utilized. Uses permitted in the Light Industrial designation will be required to meet higher development and operating standards when located near residential areas and major entryways to the City. Certain non-industrial uses may also be permitted, provided that they are complementary to, and supportive of, the surrounding industrial area.

Main Permitted Uses

7.3.1. Main permitted uses in the Light Industrial category include: industrial uses that involve assembling, fabricating, manufacturing, processing and/or repair activities; are located within enclosed buildings; require only a limited amount of outdoor storage; and are unlikely to cause adverse effects with respect to air, odour or water pollution, or excessive noise levels. Other types of permitted uses include research and communication facilities; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; service trades; and contractor's shops that do not involve open storage; and, residential and other source recycling facilities subject to the provisions of Section 17.5. Office uses and retail outlets subject to policy 7.5.3. which are ancillary to any of the above uses are also allowed. Zoning on individual sites may not allow for the full range of permitted uses

Operation Criteria

7.3.3. Permitted uses in the Light Industrial designation shall include those uses which are likely to have a minimal adverse effect on surrounding uses in terms of noise, smoke, odour or visual appearance, and which can be located in relatively close proximity to other land uses and entryways into the City.

Scale of Development

7.3.6. The Zoning By-law may specify maximum building heights and site coverages so that the scale of new industrial development will have a minimal impact on any non-industrial uses in the surrounding area. Office development which is not ancillary and incidental to a main permitted use, as listed in Section 7.3.1. or 7.3.2. of this Plan, will be restricted to a small scale Light Industrial designation.

Location

Area and Site Design Criteria

7.5.3. Buffering

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

Traffic

- ii) Industrial traffic should be directed away from, and not through, residential areas

Compatibility

- iii) Separation, buffering, and landscaping may be required to provide visual compatibility among adjacent land uses

Limited Access

- iv) The number of access points from Transitional Industrial sites to arterial or primary collector roads should be limited to minimize disruption to traffic flows

Planning Impact Analysis

Purpose

7.8.1. Planning Impact Analysis will be used to evaluate applications for an Official Plan amendment and/or zone change, to determine the appropriateness of a proposed change in land use and to identify ways of reducing any adverse impacts on surrounding uses. Planning Impact Analysis is intended to document the majority of criteria reviewed by municipal staff through the application review process to assess an application for change. Depending on the situation, other criteria may be considered.

Scope of Planning Impact Analysis

7.8.2. Planning Impact Analysis will be undertaken by municipal staff and will provide for participation by the public in accordance with the provisions for Official Plan amendments and/or zone change applications as described in Section 19.12. of this Plan. Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change.

i) Where an Official Plan amendment and/or zone change application is for a general change in land use and does not relate to a specific development proposal, or where site specific information on the future development of the site is not required, all or some of the following criteria may be considered:

- (a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses;
- (b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to provide adequate services for industrial development;
- (c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use;
- (d) the location of any proposal for industrial development where there is good access to arterial roads and/or rail lines;
- (e) impacts of the proposed change on the transportation system, including transit; and
- (f) For non-industrial uses within industrial designations the potential of the proposed uses to deter future industrial development; and, (OPA 578) (g)

Secondary uses which may be considered as sensitive land uses are not to be located within 300m of an area designated General Industrial and are located on either a primary collector or arterial road.

Preservation of Older Industrial Buildings

7.9.2. In established industrial areas the renovation and rehabilitation of older industrial buildings for new industrial uses which are compatible with surrounding land uses shall be encouraged. Council may consider amendments to the Zoning By-law on a site specific basis to allow for developments which improve the efficiency and character of the industrial building and area, but which would not otherwise be permitted.

Southwest Area Secondary Plan

Brockley Industrial Neighbourhood

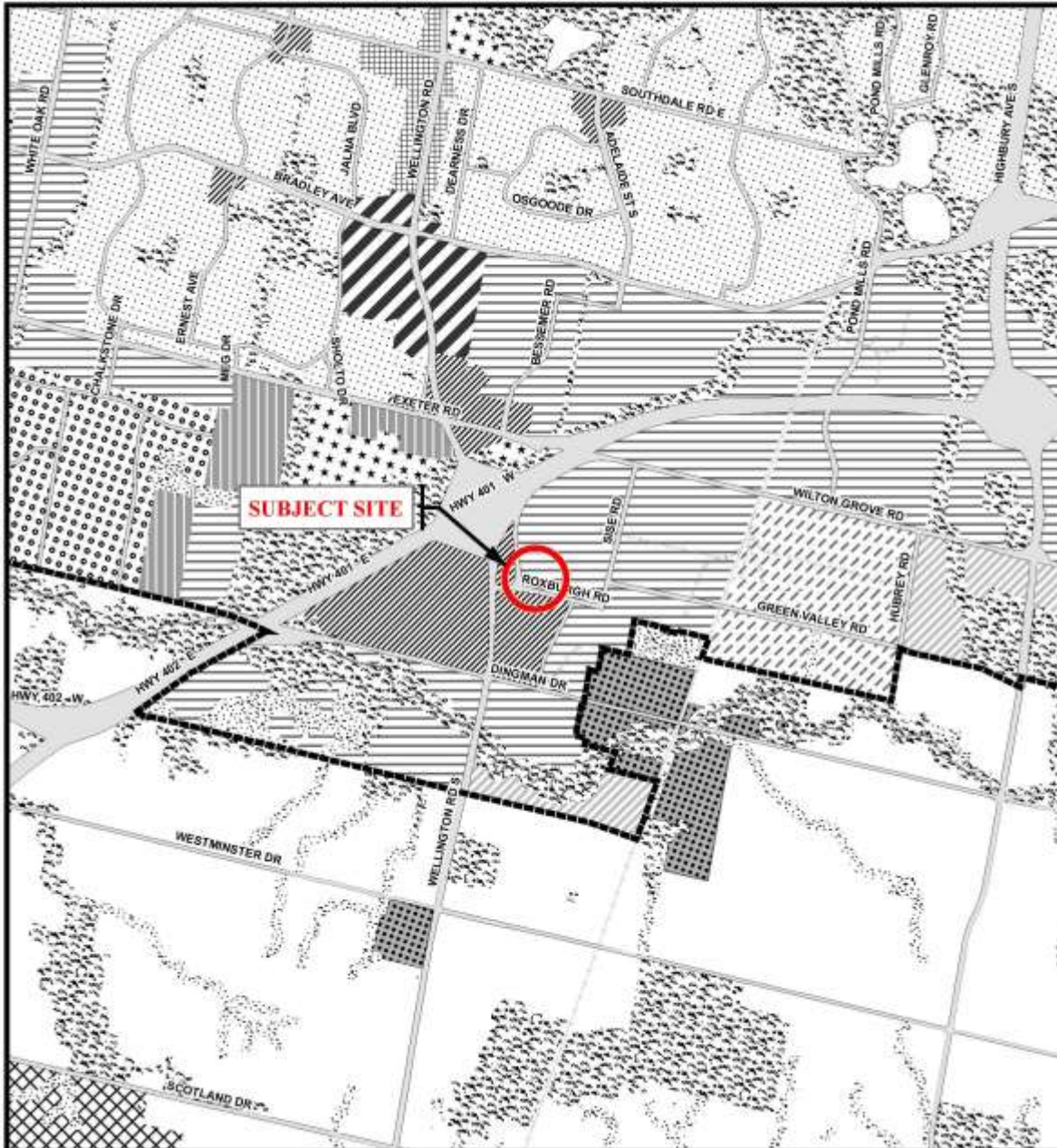
20.5.14.i) It is intended that the Brockley Industrial Neighbourhood will promote opportunities for a limited range of compatible industrial land uses that support the City's long-term industrial strategy, promote the development of employment lands, and capitalize on the importance of the proximity of Highway 401 and the Canadian National Railway. The Brockley Industrial Area is to accommodate a range of light industrial uses that have a high standard of site design that take advantage of the areas in proximity to Highway 401. The west portion of the Brockley Industrial Area is to accommodate a broad a range of light industrial uses. Light industrial uses that emit noise, dust or odour are discouraged. The east portion of the Brockley Industrial Neighbourhood is directly adjacent to the residential development in the Brockley Rural Settlement Neighbourhood. To minimize the impacts of the expansion of existing, or development of new industrial uses on the Brockley Rural Settlement Neighbourhood, specific land use, mitigation and design policies apply in this area. The Brockley Industrial Neighbourhood will accommodate a reduced range of light industrial uses with a focus on logistics type of industrial uses that involve the movement and transfer of goods. Secondary uses permitted in the Light Industrial land use designation are encouraged.

Permitted Uses

20.5.14.1.i) On lands west of Wellington Road, the primary permitted uses in the "Light Industrial" designation of the Official Plan will be permitted. Existing Industrial uses are recognized as permitted uses within the Industrial designation of this Secondary Plan and may be recognized as permitted uses in the Zoning By-law. Proposals for the expansion of Industrial uses that are not permitted in the Light Industrial designation shall require an amendment to the Official Plan to redesignate the lands on Schedule A to a General Industrial designation. Such applications will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the policies of Section 7.6 – Planning Impact Analysis, of the Official Plan. On lands east of Wellington Road, light industrial uses that are located within enclosed buildings, require no outdoor storage; and are unlikely to cause adverse effects with respect to such matters as air, odour or water pollution, dust, or excessive vibration and noise levels may be permitted. These include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and contractor's shops that do not involve open storage. Office uses and retail outlets subject to policy 7.5.3 of the Official Plan, which are ancillary to any of the above uses, are also permitted. All uses adding, emitting, or discharging a contaminant into the natural environment must obtain a Certificate of Approval from the Ministry of the Environment as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.

Appendix D – Relevant Background

Additional Maps



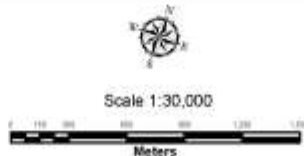
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 | |

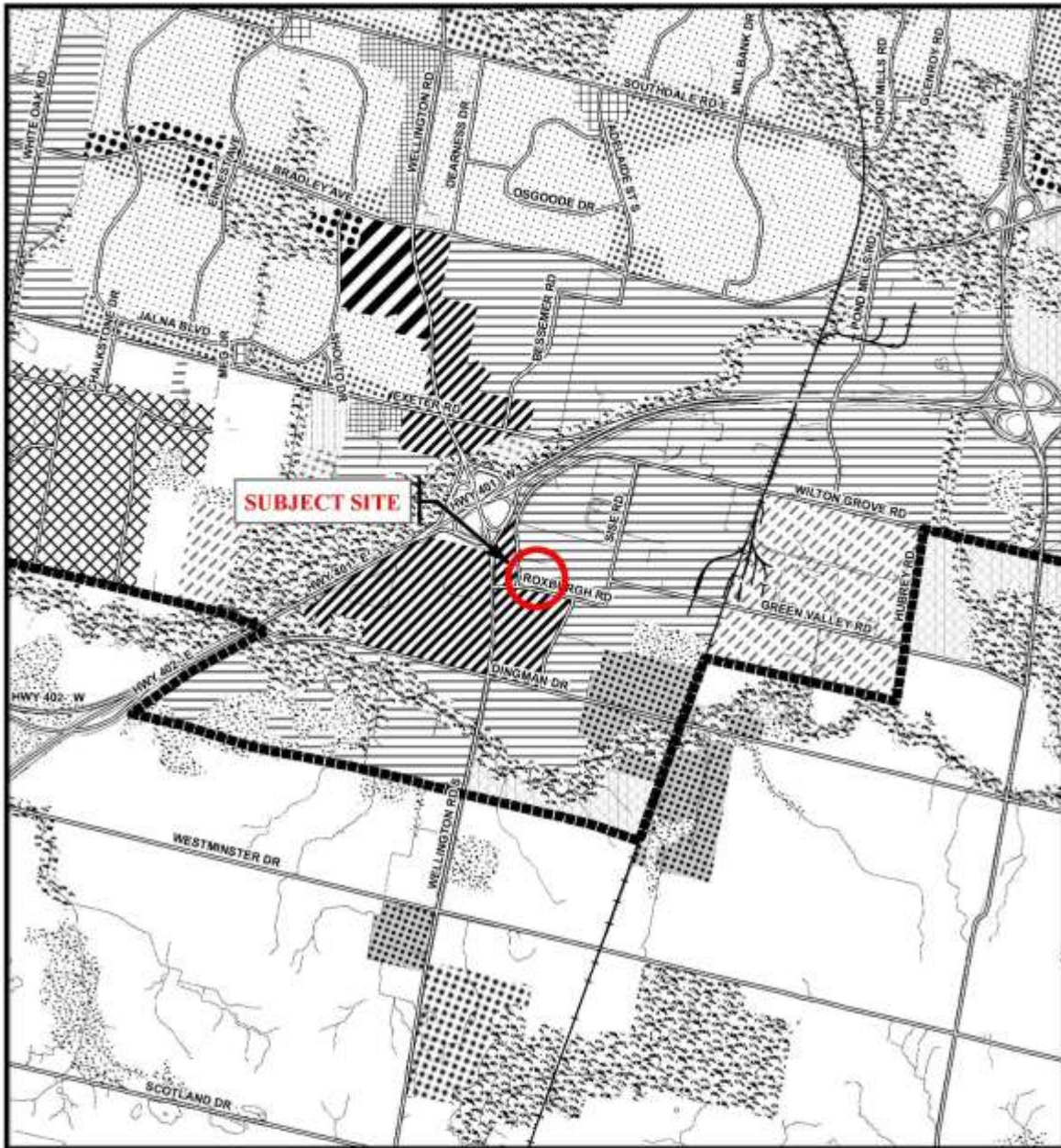
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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: Z-9110
Planner: MV
Technician: RC
Date: November 5, 2019



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

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



FILE NUMBER: Z-9110
 PLANNER: MV
 TECHNICIAN: RC
 DATE: 2019/11/05

PROJECT LOCATION: c:\planning\projects\ip_officialplan\work\corso100\extracts\mxd_templates\scheduleA_NEW_b&w_ba14.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|--|
| <p>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</p> <p>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</p> <p>OR - OFFICE/RESIDENTIAL
 OC - OFFICE CONVERSION
 RO - RESTRICTED OFFICE
 OF - OFFICE</p> | <p>RF - REGIONAL FACILITY
 CF - COMMUNITY FACILITY
 NF - NEIGHBOURHOOD FACILITY
 HER - HERITAGE
 DC - DAY CARE</p> <p>OS - OPEN SPACE
 CR - COMMERCIAL RECREATION
 ER - ENVIRONMENTAL REVIEW</p> <p>OB - OFFICE BUSINESS PARK
 LI - LIGHT INDUSTRIAL
 GI - GENERAL INDUSTRIAL
 HI - HEAVY INDUSTRIAL
 EX - RESOURCE EXTRACTIVE
 UR - URBAN RESERVE</p> <p>AG - AGRICULTURAL
 AGC - AGRICULTURAL COMMERCIAL
 RRC - RURAL SETTLEMENT COMMERCIAL
 TGS - TEMPORARY GARDEN SUITE
 RT - RAIL TRANSPORTATION</p> <p>"H" - HOLDING SYMBOL
 "D" - DENSITY SYMBOL
 "H" - HEIGHT SYMBOL
 "B" - BONUS SYMBOL
 "T" - TEMPORARY USE SYMBOL</p> |
|---|--|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9110

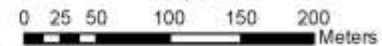
MV

MAP PREPARED:

2019/11/05

RC

1:4,000



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

Additional Reports

A.029/04 – Report to Committee of Adjustment: granted conditionally to permit the location of loading docks in the front yard.

B.013/13 – Report to the Consent Authority: Certificate of Consent issued July 4, 2013 for the severance of 13,254 square metres for the purpose of future industrial development and to retain 50,767 square metres for the purpose of existing light industrial uses.

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: Colin McClure (Norquay Developments)
Lots 50, 51 and 61 & Lots 62 through 89, inclusive, Registered
Plan 33M-768 (formerly 810 Westdel Bourne)
Zoning By-law Amendment

Public Participation Meeting on: January 6, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Colin McClure (Norquay Developments), relating to lands described as Lots 50, 51 and 61 & Lots 62 through 89, inclusive, Registered Plan No. 33M-768 (formerly 810 Westdel Bourne), the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Residential R1 (R1-4) Zone **TO** a Residential R1 Special Provision (R1-4()) Zone, and **FROM** a Residential R1 (R1-8) Zone **TO** a Residential R1 Special Provision (R1-8()) Zone.

Executive Summary

Summary of Request

The request is to change the zoning on Lots 50, 51 and 61 from a Residential R1 (R1-4) Zone to a Residential R1 Special Provision (R1-4()) Zone, and to change the zoning on Lots 62 to 89, inclusive from a Residential R1 (R1-8) Zone to a Residential R1 Special Provision (R1-8()) Zone with special provisions to permit a lot coverage (maximum) of 45%, and interior side yard depth (minimum) of 1.2 metres (3.9 feet) except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet).

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to allow single detached dwellings with increased lot coverage and decreased side yard setbacks on selected lots.

Rationale of Recommended Action

1. The recommended zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs.
2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.

3. The recommended zoning amendment conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation.
4. The recommended special zone provisions are appropriate and compatible with character of existing and planned low density residential development in the surrounding neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site consists of vacant lots within a registered plan of subdivision (Lots 50 and 51, Lot 61, and Lots 62 through 89, inclusive of Registered Plan 33M-768). This subdivision is known as Eagle Ridge - Phase 2, consisting of the future extension of Kains Road through to Oxford Street West, and the extension of Linkway Boulevard, west of Westdel Bourne. The lots which are the subject of this application have frontage on Kains Road and Gatenby Street.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Zoning:
 - Residential R1 (R1-4) - Lots 50, 51 and 61
 - Residential R1 (R1-8) - Lots 62 – 89, inclusive

1.3 Site Characteristics

	Current Land Use	Frontages	Depths	Area (approx.)
Lots 50, 51 and 61	Vacant	15 m to 19 m	28 m to 30 m	470 sq. m.
Lots 62 - 89	Vacant	18 m to 23 m	33 m to 42 m	620 sq. m.

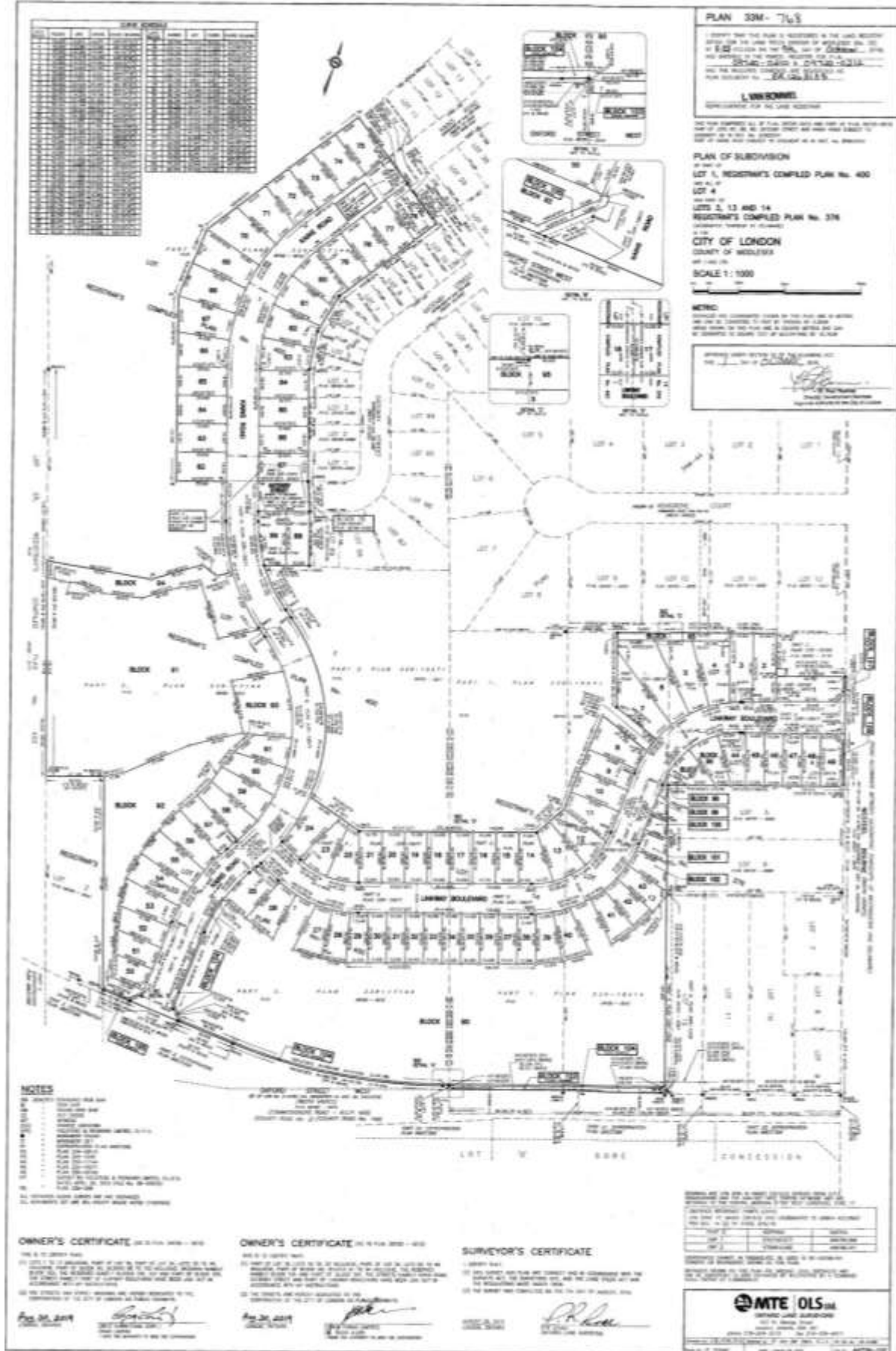
1.4 Surrounding Land Uses

- North – future residential and open space lands
- East – existing single detached homes and future residential development
- South – agriculture and rural residential
- West – rural residential, future residential development, and open space

1.5 Location Map



1.6 Registered Plan No. 33M-768

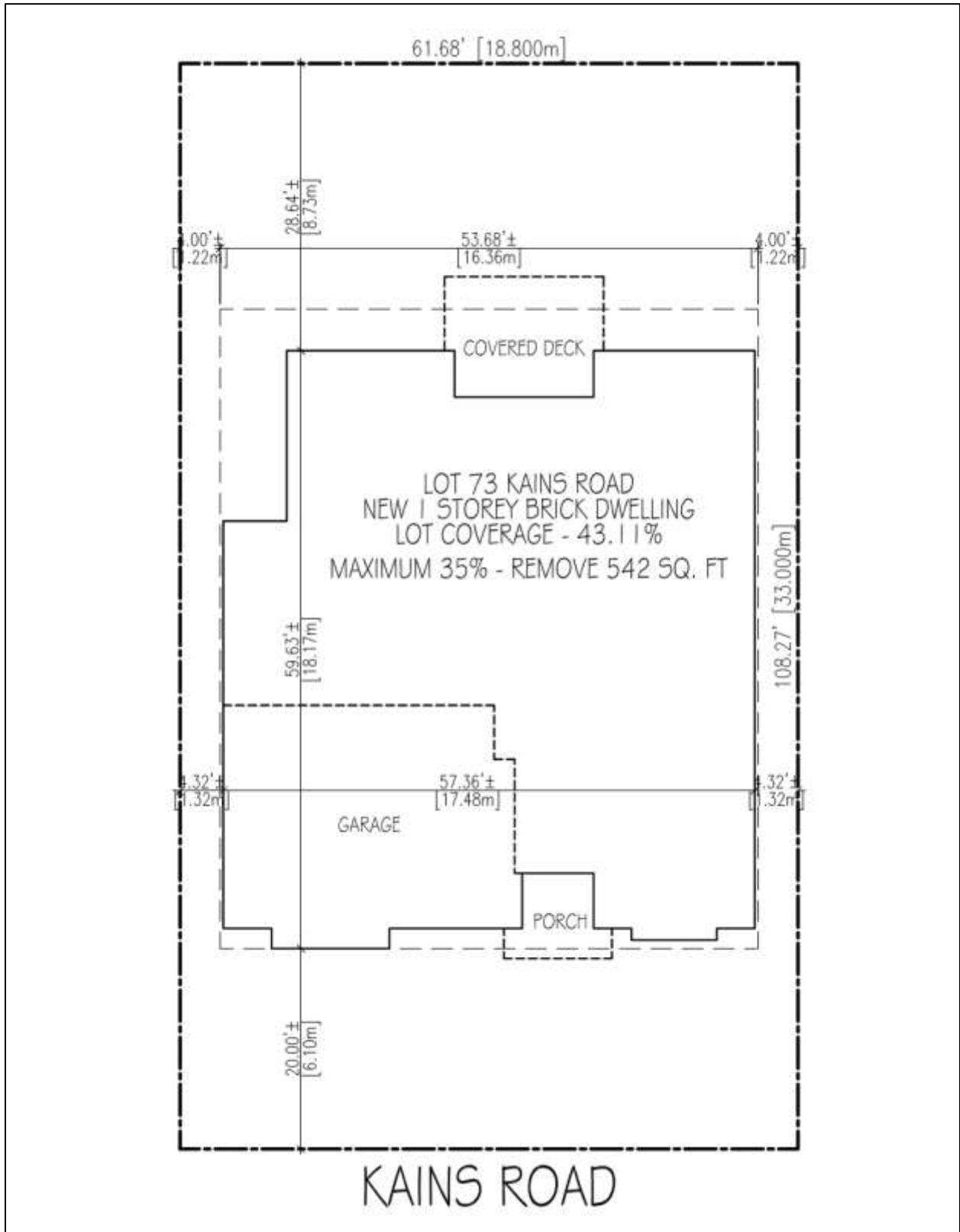


2.0 Description of Proposal

2.1 Development Proposal

The proposal will facilitate current market demand for the construction of 1-storey, single detached dwellings as permitted by the zoning with a slightly larger building coverage and reduced side yards on select lots within the subdivision.

2.2 Sample Building Plan - Lot 73



3.0 Relevant Background

3.1 Planning History

On September 6, 2017, the Approval Authority for the City of London issued draft-approval for the Eagle Ridge – Phase 2 draft plan of subdivision comprising an area of approximately 13 hectares located north of Oxford Street West, west of Westdel Bourne. Phase 2 will provide for the extension of Kains Road through to Oxford Street West, as well as a connection to Gatenby Street. The draft-approved plan consisted of 89 single detached dwelling lots, 1 medium density residential block, 2 open space blocks, 3 park blocks, and 7 part blocks for future development. Final approval was granted by the Approval Authority on October 1, 2019 and the plan was subsequently registered as Plan 33M-768. Zoning for the various lots and blocks within the subdivision plan was approved by Municipal Council on July 25, 2017.

The Residential R1 (R1-4) Zone permits single detached dwellings on lots with a minimum lot frontage of 12 metres and minimum lot area of 360 square metres. This zone was applied to the single detached lots fronting portions of Linkway Boulevard and the west side of Kains Road, south of the park and open space blocks, and a stormwater management facility; and includes the subject Lots 50, 51 and 61. The Residential R1 (R1-8) Zone permits single detached dwellings on lots with a minimum lot frontage of 15 metres and minimum lot area of 600 square metres. This zone was applied to the single detached lots fronting Kains Road north of Gatenby Street, and two lots fronting the south side of Gatenby Street (Lots 62 – 89, inclusive).

3.2 Requested Amendment

Amendment to the Zoning By-law to change the zoning on Lots 50, 51 and 61 from a Residential R1 (R1-4) Zone to a Residential R1 Special Provision (R1-4()) Zone, and to change the zoning on Lots 62 to 89, inclusive from a Residential R1 (R1-8) Zone to a Residential R1 Special Provision (R1-8()) Zone with special provisions to permit a lot coverage (maximum) of 45%, and interior side yard depth (minimum) of 1.2 metres (3.9 feet) except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet).

3.3 Community Engagement (see more detail in Appendix B)

Comments/concerns received from the community are summarized as follows:

- Is this permission to construct larger homes on the same size lots?
- Will it affect the current side yard restriction, or just permit construction of a deeper home?

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014 (PPS)

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 policies regarding the importance of promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents, and minimizing land consumption and servicing costs (Sections 1.1 and 1.4). There are various policies for promoting healthy, livable and safe communities, including the goal of improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society (Section 1.1.1 (f)). To meet housing requirements of current and future residents, the housing policies also provide direction to Planning Authorities to permit and facilitate: 1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements (Section 1.4.3(b)).

The policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and 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 (Section 1.5.1).

The London Plan

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

The subject lands are located within the Neighbourhoods Place Type as shown on Map 1 – Place Types* in The London Plan, and have frontage on a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, and small-scale community facilities. The application has been reviewed with the applicable policies of the Our Strategy, 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'.

(1989) Official Plan

These lots are designated as Low Density Residential on Schedule A – Land Use Map permitting single detached, semi-detached, and duplex dwellings as the primary permitted uses. An excerpt from Land Use Schedule 'A' is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Use

The range of permitted uses does not change from what the current zoning permits. The recommended zoning will continue to permit single detached dwellings. Such residential uses are appropriate and compatible with existing and planned development in the surrounding area, are consistent with the Provincial Policy Statement, and conform with the in-force policies of The London Plan and the (1989) Official Plan.

4.2 Intensity

The requested special provisions for increased lot coverage and reduced interior side yard setback regulations will allow construction of one-storey homes with more floor area to meet the needs of home builders and purchasers. For lots 50, 51 and 61 within the R1-4 Zone, a 45% coverage represents a buildable area of approximately 212 square metres on a typical lot having an area of 470 square metres. For Lots 62 - 89 within the R1-8 Zone, a buildable area of 279 square metres could be achieved on a typical lot having an area of 620 square metres. The first phase of the Eagle Ridge subdivision is fully built out and consists of large homes on similarly sized lots to those in Phase 2. Development Services staff have no concerns regarding lot-intensification or potential impacts on the character of the neighbourhood, or the ability of lots to provide adequate rear yard amenity space. The applicant's conceptual lot plans indicate the proposed new 1-storey dwellings will be able to meet or exceed minimum front and rear yard depths, and minimum landscaped open space requirements of the Zoning By-law. There were also no concerns from a grading or servicing perspective. Updated stormwater area plans and revised calculation sheets have been provided and have been accepted by the City. Potential impacts on existing and future stormwater management, drainage and storm sewer infrastructure have been reviewed and no issues are anticipated. The recommended zoning amendments provide for an efficient use of land and infrastructure, and are considered appropriate.

4.3 Form

The Thames Valley Parkway multi-use trail will be constructed as part of this subdivision development, and eventually will provide a link between Oxford Street West to a point where the trail currently terminates at Westdel Bourne and Kains Road. A section of the trail passes through a park block located immediately adjacent Lots 50 through 51. During the detailed subdivision design, adjustments were made to the size and configuration of Lots 50, 51 and 61 in order to accommodate the park block, and alignment and grading for the TVP trail. As a result, these lots are somewhat constrained by their size and configuration; therefore, the proposed increase in lot coverage is considered appropriate recognizing the presence of abutting open space lands. The northerly link of the trail alignment will be completed as part of a future phase of the Eagle Ridge subdivision.

Lots 62 – 89, inclusive front on to Kains Road and Gatenby Street and are located in the northerly part of the subdivision. The applicant indicated their builders expressed a strong desire for slightly larger lot coverage to accommodate the demand for larger one-storey homes. Making further adjustments to the lots in terms of increasing their width and depth would not be practical at this point as the alignment of Kains Road is now fixed and installation of trunk sewer services has been completed. Based on our review, staff are satisfied that the increased lot coverage and reduced side yard depths are appropriate and will maintain a building form and scale that is in keeping with character of homes in the neighbourhood.

4.4 Public Comments

- Is this permission to construct larger homes on the same size lots?
- Will it affect the current side yard restriction, or just permit construction of a deeper home?

The requested increase in lot coverage allows for increased buildable area on the same size lot, as illustrated by the applicant's sample building plans. For example, the plan for Lot 73 shows a building footprint for a new 1-storey, brick dwelling with two car garage on a lot with 18.8 metres of frontage and lot depth of 33 metres having a lot coverage of 43% and minimum 1.3 metre side yards. The request affects the current side yard restriction of lots within the R1-8 Zone where the side yard setback regulation increases with building height (ie. minimum 1.2 metres side yard, plus 0.6 metres for each storey above the first storey). The requested special provision is to apply the standard 1.2 metres interior side yard setback regardless of height, consistent with the R1-4 zone regulations. Typically, these one floor homes have a higher profile and are designed with more ceiling height and a steeper pitched roof, which often gives the perception of 1.5 to 2-storey structure from the street.

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to The London Plan and the (1989) Official Plan. The recommended special provision Zones are considered appropriate and compatible with the character of existing and planned low density residential development in the surrounding neighbourhood.

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
 Lou Pompili, Manager, Development Planning
 Ted Koza, Manager, Development Engineering

December 16, 2019
 GK/PY/LM/lm

Y:\Shared\ADMIN1- PEC Reports\2020 PEC Reports\1 -Jan 6\810 Westdel Bourne Z-9123 PEC Report LM.docx

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.

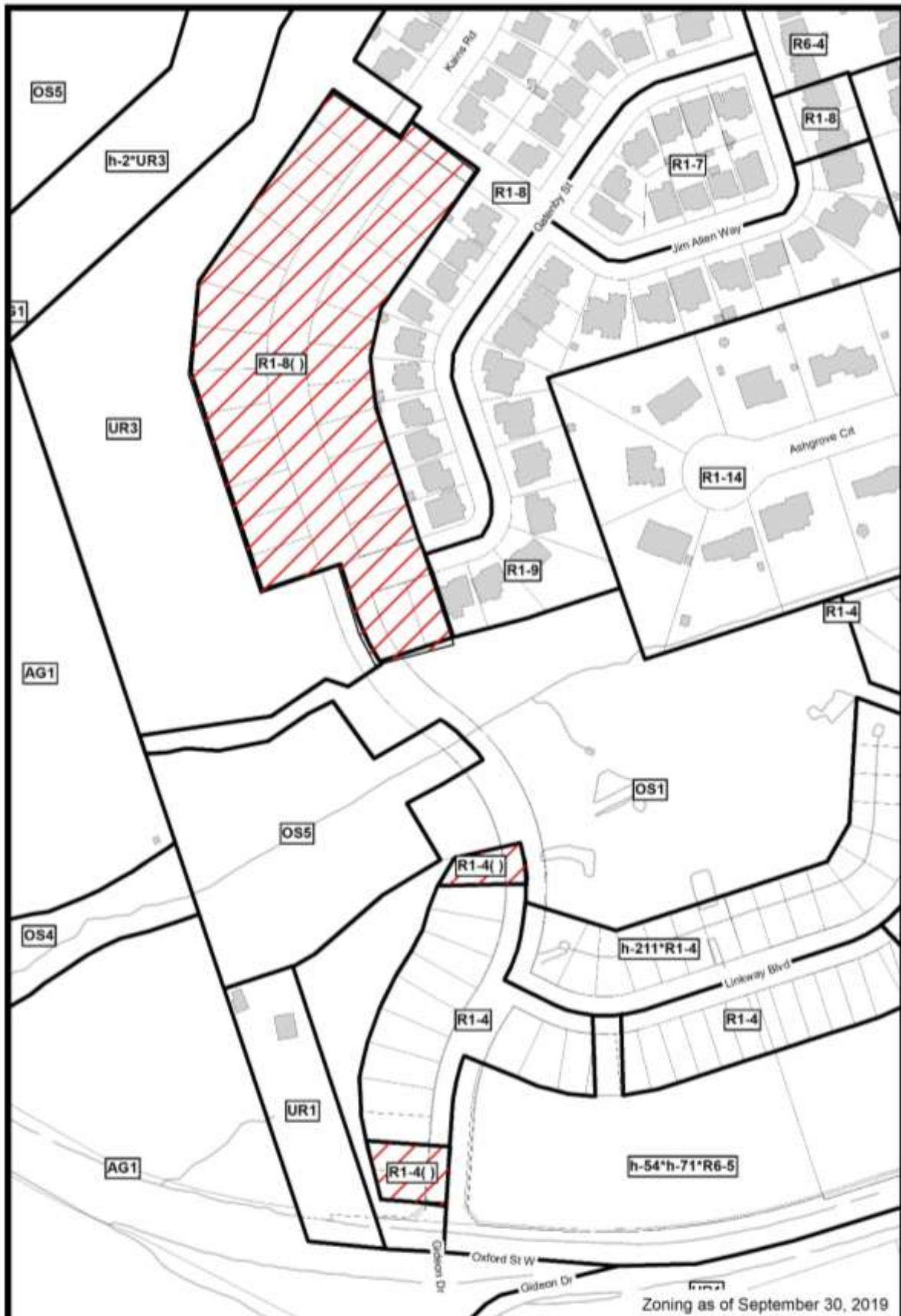
PASSED in Open Council on January 14, 2020

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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




File Number: Z-9123
Planner: LM
Date Prepared: 2019/10/31
Technician: DM
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



Geobase

Appendix B – Public Engagement

Community Engagement

Public liaison: On October 11, 2019, Notice of Application was sent to 188 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 24, 2019. Notice of Application was posted on the City of London’s website.

Responses: 1 reply received

Nature of Liaison: To allow single detached dwellings with increased lot coverage and decreased side yard setbacks on select lots. Possible amendment to Zoning By-law Z.-1 to change the zoning on Lots 50, 51 and 61 from a Residential R1 (R1-4) Zone to a Residential R1-4 Special Provision (R1-4()) Zone, and to change the zoning on Lots 62 to 89 from a Residential R1 (R1-8) Zone to a Residential R1-8 Special Provision (R1-8()); together with special provisions to permit a lot coverage (maximum) of 45%, and interior side yard depth (minimum) of 1.2 metres (3.9 feet); except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet).

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

- Is this permission to construct larger homes on the same size lots?
- Will it affect the current side yard restriction, or just permit construction of a deeper home?

Response to Notice of Application and Publication in “The Londoner”

Telephone	Written
	Greg Woodworth – 2445 Gatenby Street

Agency/Departmental Comments:

1. Upper Thames River Conservation Authority (UTRCA) – November 6, 2019

The lots which are the subject of this application are located outside of the regulated area and therefore, the UTRCA has no concerns or permit requirements for Lots 50-51, Lot 61 and Lots 62-89.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

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

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

The PPS contains policies regarding the importance of promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents, and minimizing land consumption and servicing costs (Sections 1.1 and 1.4). There are several policies directed at promoting healthy, livable and safe communities, including the goal of improving accessibility for persons with disabilities and older persons by

identifying, preventing and removing land use barriers which restrict their full participation in society (Section 1.1.1 (f)). To meet housing requirements of current and future residents, the housing policies also provide direction to Planning Authorities to permit and facilitate: 1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements (Section 1.4.3(b)).

The recommended zoning amendment applies to specific lots within a previously approved plan of subdivision. Development of these lots for larger, one-level single detached dwellings will make efficient use of land, services and municipal infrastructure. The recommended zoning will allow for a wider range of single detached homes, and enable home builders to respond to purchaser preferences suitable to a growing population of older persons, promotes aging-in-place, and accessibility for persons with disabilities.

The policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and 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 (Section 1.5.1). The mix of uses in this subdivision includes passive recreation, parks and open spaces, and a multi-use trail (Thames Valley Parkway) promoting active transportation and community connectivity. Several of the subject lots as part of this application are directly adjacent the public open space and trail system.

The 2014 PPS was considered in its entirety during the approval process for the draft plan of subdivision. Based on our review, Development Services staff are satisfied that the recommended Zoning By-law Amendment remains consistent with the Provincial Policy Statement.

The London Plan

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

Our Strategy

Key Direction #5 – 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.

7. Build quality public spaces and pedestrian environments that support walking.

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.

2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.

These strategic directions are generally reflected in the the approved subdivision plan for Eagle Ridge Phase 2. The subdivision provides a mix of low density single detached dwellings, as well as a block for medium density cluster housing and townhousing. The recommended special zone provisions for selected single detached dwelling lots

further refines these directions for building strong, healthy, attractive and complete neighbourhoods.

City Building and Design Policies

*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.*

253_ Site layout should be designed to minimize and mitigate impacts on adjacent properties.

The subdivision plan does provide for a diversity of lot sizes in compliance with the minimum standards for lot area and frontage in the Zoning By-law. Lots 50, 51 and 61 are currently zoned R1-4 with a minimum lot frontage of 12 metres and minimum lot area of 360 square metres, and Lots 62-89 are zoned R1-8 with a minimum lot frontage of 15 metres and minimum lot area of 600 square metres. Lots 50, 51 and 61 have frontages ranging from 15 to 19 metres and have on average 470 square metres lot area. Lots 62-89 have frontages ranging from 18 to 23 metres and the average lot area is approximately 620 square metres. The subject lots are well above the minimum lot size requirements of the zoning. The applicant's stated intent is to construct homes that are generally consistent with the size and architectural design of existing homes in the neighbourhood (Eagle Ridge Subdivision - Phase 1).

Place Type Policies

The subject lots are located within the Neighbourhoods Place Type, and have frontage on a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, and small-scale community facilities.

916_3. 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.*

935_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.*

The proposed special zone provisions for increased maximum lot coverage and reduced minimum interior side yard setbacks maintains appropriate levels of intensity within the neighbourhood context, and are in keeping with the Place Types policies noted above.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578_ 6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:*

- a. Traffic and access management.*
- b. Noise.*
- c. Parking on streets or adjacent properties.*
- d. Emissions generated by the use such as odour, dust, or other airborne emissions.*
- e. Lighting.*
- f. Garbage generated by the use.*
- g. Loss of privacy.*
- h. Shadowing.*
- i. Visual impact.*

- j. Loss of views.*
 - k. Loss of trees and canopy cover.*
 - l. Impact on cultural heritage resources.*
 - m. Impact on natural heritage features and areas.*
 - n. Impact on natural resources.*
- The above list is not exhaustive.*

- Kains Road is classified as a Neighbourhood Connector. The proposed development is not expected to contribute significantly to traffic volumes.
- Parking will be required as per the Zoning By-law standard (minimum 2 spaces per dwelling lot).
- The proposed development is not expected to generate excessive noise and emissions.
- There are no concerns with respect to lighting, garbage or loss of privacy impacts.
- Shadowing is not expected to impact nearby properties.
- Natural view corridors in the form window streets to open spaces have been preserved through the plan of subdivision.
- Natural heritage features have been preserved and protected through a previously accepted Environmental Impact Study. There are no concerns for cultural heritage or natural resources.

1578_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:*

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*
- c. Neighbourhood character.*
- d. Streetscape character.*
- e. Street wall.*
- f. Height.*
- g. Density.*
- h. Massing.*
- i. Placement of building.*
- j. Setback and step-back.*
- k. Proposed architectural attributes such as windows, doors, and rooflines.*
- l. Relationship to cultural heritage resources on the site and adjacent to it.*
- m. Landscaping and trees.*
- n. Coordination of access points and connections.*

The proposed increased to 45% maximum lot coverage is not considered overly-intense for the lots given their average lot size and area to accommodate sufficient landscaped open space. The minimum front, exterior side, and rear yard setback regulations do not change, while an adjustment has been made to the interior side yard regulation under the R1-8 Zone to facilitate 1-storey dwellings with slightly larger building footprints, and with at least a one or two car garage. Building massing, height, architectural design for the homes to be developed in Phase 2 are considered appropriate, and the recommended amendments maintain compatibility and fit within the context of existing and future development. Therefore, based on Staff's review of The London Plan policies, this proposal is found to be in keeping and in conformity with the Key Directions, City Building and Design, Place Type, and Our Tools policies.

(1989) Official Plan

These lots are designated as Low Density Residential on Schedule A – Land Use Map permitting single detached, semi-detached, and duplex dwellings as the primary permitted uses. The recommended zoning amendments conform with the Official Plan

permitted use and density policies, and implements objectives for supporting 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 (Section 3.1.1.(ii)).

Requested Special Provisions

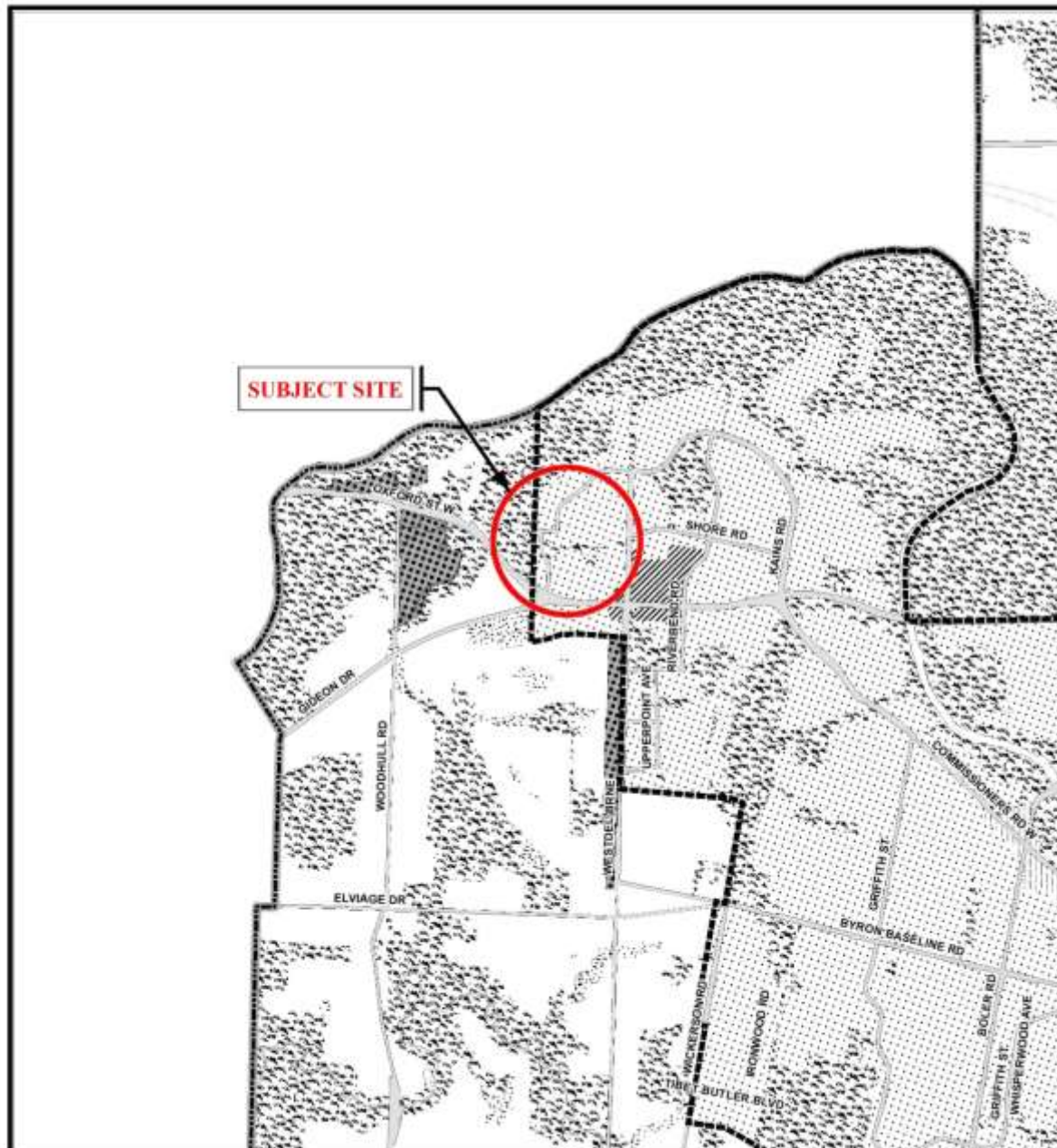
	Current Zoning Regulations		Requested Special Provisions
	Lots 50, 51 & 61 Residential R1 (R1-4)	Lots 62 – 89 Residential R1 (R1-8)	
Lot Coverage (maximum)	40%	35%	45%
Interior Side Yard Depth (minimum)	1.2 metres (3.9 feet); except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet)	1.2 metres (3.9 feet) plus, for any portion of the side yard adjacent to a part of the building exceeding one storey in height, 0.6 metre (2.0 feet) for each storey or part thereof above one storey; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet)	1.2 metres (3.9 feet); except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet)

A portion of the Thames Valley Parkway trail passes through a park block located immediately adjacent Lots 50 through 51. Through the detailed subdivision design, adjustments were made to the size and configuration of Lots 50, 51 and 61 in order to accommodate the park block, and alignment and grading for the trail. As a result, these lots are somewhat constrained by their size and configuration; therefore, the proposed increase in lot coverage is considered appropriate recognizing the presence of abutting open space lands. Lots 62 – 89, inclusive have frontage on Kains Road and Gatenby Street and are located in the northerly part of the subdivision. The applicant indicated a growing need by their builders for slightly larger lot coverage to accommodate the demand for larger one storey homes. Adjusting the width and depth of these lots would not be practical as the alignment for Kains Road is fixed and installation of trunk sewer services has been completed.

The special provisions to increase lot coverage and reduced interior side yard setbacks will allow construction of one-storey homes with more floor area to meet the needs of home builders and purchasers, while maintaining compatibility with future adjacent development. The applicant's conceptual lot plans indicate the proposed new 1-storey dwellings will be able to meet or exceed minimum front and rear yard, and minimum landscaped open space requirements of the Zoning By-law. There were no concerns from a grading or servicing perspective. Updated stormwater area plans and revised calculation sheets have been provided and have been accepted by the City. Potential impacts on existing and future stormwater management, drainage and storm sewer infrastructure have been reviewed and no issues are anticipated. The proposed zoning amendment provides for an efficient use of land and infrastructure, and is considered appropriate.

Appendix D – Relevant Background

The London Plan Map Excerpt



Legend

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

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

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

CITY OF LONDON
 Planning Services /
 Development Services

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



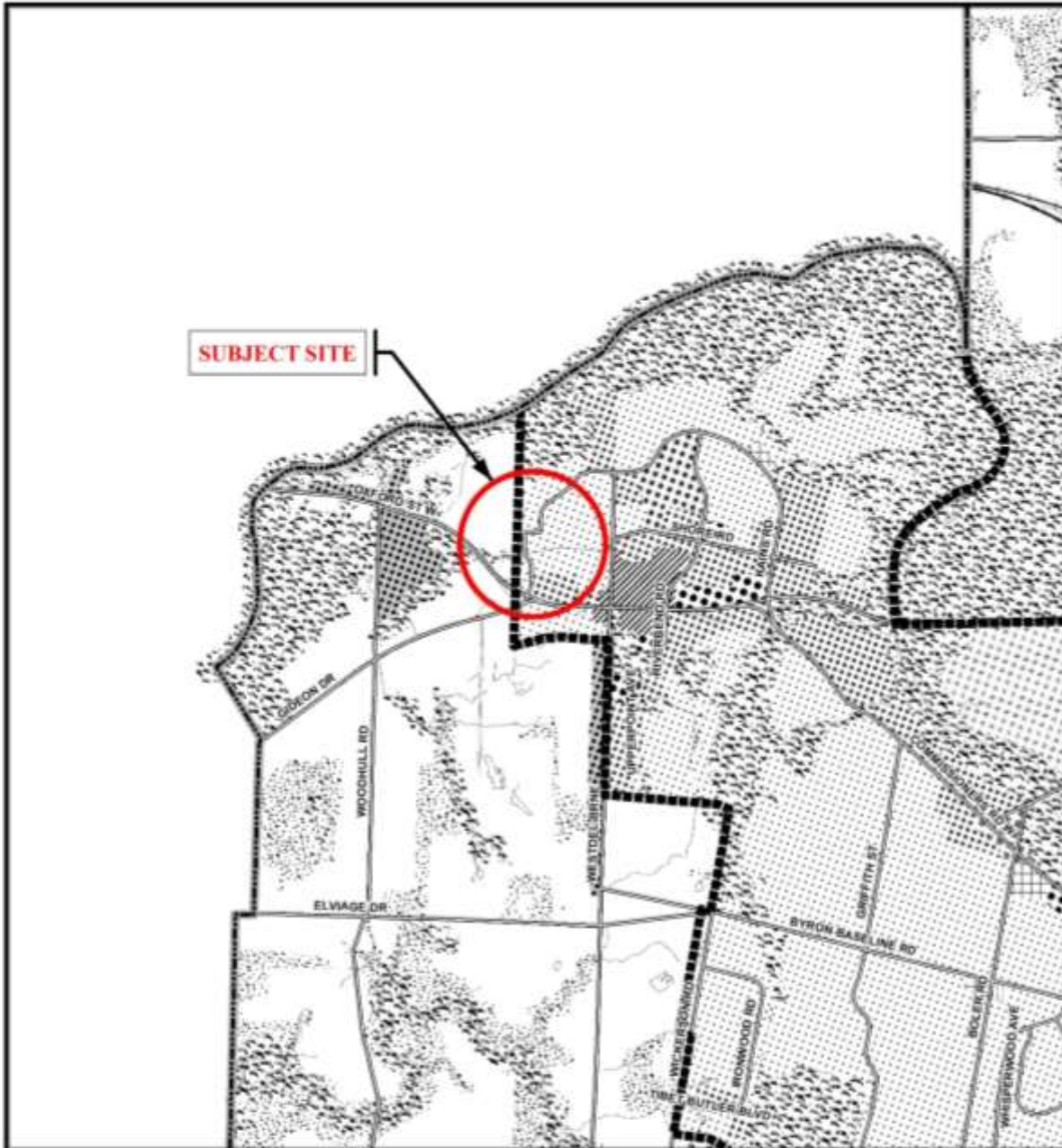
File Number: Z-9123

Planner: LM

Technician: DM

Date: October 31, 2019

Official Plan Map Excerpt



Legend

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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



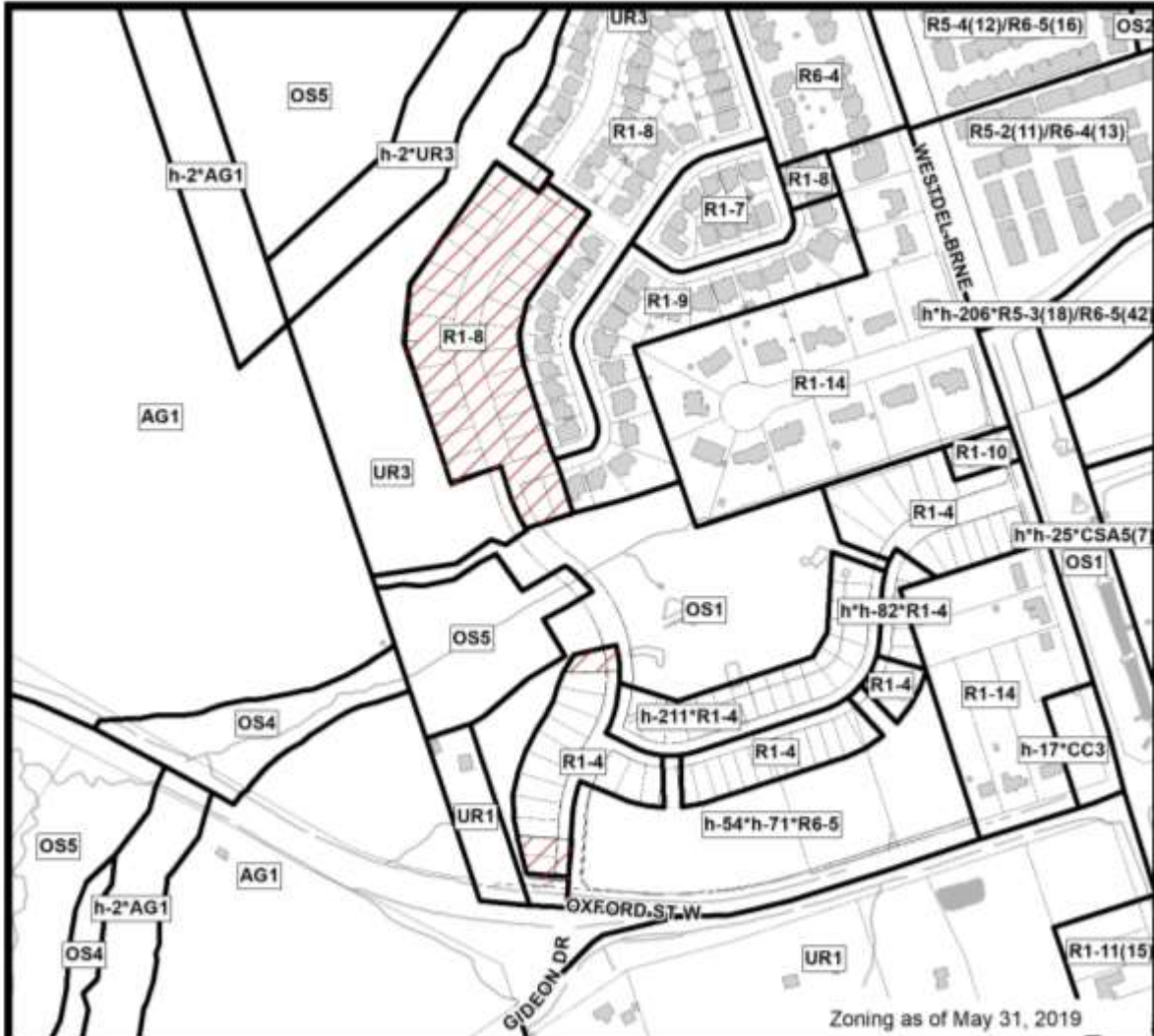
FILE NUMBER: Z-9123

PLANNER: LM

TECHNICIAN: DM

DATE: 2019/10/31

Zoning By-law Map Excerpt



Zoning as of May 31, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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**



FILE NO:

Z-9108

CL

MAP PREPARED:

2019/10/29

RC

1:5,000

0 30 60 120 180 240
 Meters

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

Additional Reports

July 17, 2017 – Planning and Environment Committee – Application by Developro Land Services on behalf of West Kains Land Corp. and Liahn Farms Limited, regarding Eagle Ridge Subdivision - Phase 2, for approval of Draft Plan of Subdivision and Zoning By-law Amendments for lands located at 810, 1055 and 1079 Westdel Bourne, and 1959 and 1997 Oxford Street West (Agenda Item #17).

Report to Planning and Environment Committee

**To: Chair and Members
Planning & Environment Committee**
**From: John M. Fleming
Managing Director, Planning and City Planner**
**Subject: The Corporation of the City of London
Hamilton Road Corridor Planning Study**
Public Participation Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Official Plan and Zoning By-law amendment application of the Corporation of the City of London relating to the properties located near the Hamilton Road Corridor, generally between Bathurst Street and Highbury Avenue, as identified in Appendix "A":

- (a) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Chapter 10 of the Official Plan (1989) **TO ADD** a Specific Area Policy for the lands along the Hamilton Road Corridor as identified in Appendix "B";
- (b) The proposed by-law attached hereto as "Appendix "C" **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan (The London Plan, 2016) at such time as Map 1 and Map 7 are in full force and effect, **TO ADD** a Specific Policy to the Neighbourhood Place Type and to Map 7 – Specific Policy Areas.
- (c) The proposed by-laws attached hereto as Appendix "D" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in parts (a) and (b), to amend the existing zoning of the properties identified in Appendix "D" which includes a variety of zones, **TO** the zoning as identified in Appendix "D" to allow for an expanded range of permitted uses, an increase in permitted height, to make it easier to combine lots to create larger parcels, and to require certain design elements to ensure fit.
- (d) The proposed by-law attached hereto as Appendix "E" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in parts (a) and (b), to amend the existing Parking Standard Area of the properties identified in Appendix "E" which includes properties in Parking Standard Area 2 and Parking Standard Area 3, **TO** Parking Standard Area 1, as identified in Appendix "E".
- (e) The proposed by-law attached hereto as Appendix "F" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law Z-1 to **ADD** a definition for "façade openings", as identified in Appendix "F".

Executive Summary

Summary of Request

The recommended amendments are intended to implement recommendations from the Hamilton Road Community Improvement Plan (CIP) by amending the Zoning By-law for properties fronting Hamilton Road to reduce parking requirements, modify the range of permitted uses, and make it easier to combine lots to create larger parcels. Provisions have also been added to the Zoning By-law to ensure that, with more permissive as-of-right zoning, new buildings constructed include certain design elements to ensure fit and

to encourage the development of certain portions of Hamilton Road as a main street. An increase in permitted height is also requested, as well as urban design provisions to address ground floor glazing, stepbacks, and transition to low-rise neighbourhoods.

Amendments are also requested to add Specific Policies to The London Plan and the 1989 Official Plan to implement these changes.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to reduce parking requirements, to expand the range of permitted uses, to streamline processes, to eliminate and reduce the need for variances and zoning by-law amendments when trying to fill existing vacant spaces, and to make it easier to consolidate lots to allow the lot depth needed to redevelop underutilized and vacant land. An increase in permitted height has also been recommended in order to allow for the development of buildings up to 4 storeys with commercial uses at-grade. Provisions have also been added to require a building stepback above 3 storeys to ensure new buildings fit with their context, and a requirement for openings (windows and entrances) on the ground floor in certain locations to encourage the continued development of portions of Hamilton Road as a commercial main street.

Amendments are also requested to add specific policies to The London Plan and the 1989 Official Plan to implement these changes by making it possible for certain properties to the rear of properties fronting Hamilton Road to join with properties fronting Hamilton Road, allowing for the creation of larger development sites fronting onto Hamilton Road without amending the Official Plan and/or Zoning By-law.

Rationale for Recommended Action

The recommended action is intended to encourage the continued revitalization of the Hamilton Road Corridor, making it easier for property owners to use existing buildings or redevelop properties. The recommended action implements several recommendations from the Hamilton Road CIP, and addresses many of the challenges property owners have identified that make it difficult to use their properties. Certain urban design requirements have also been added to ensure that future development fits with its context and supports the development of portions of Hamilton Road as a main street.

Analysis

2.0 Background

2.1 Planning History

At its meeting of March 27, 2018, Municipal Council adopted a CIP for the Hamilton Road area following extensive community consultation to guide redevelopment and improvements. City Planning began the Hamilton Road Corridor Planning Study in Spring, 2019 in an effort to implement the following four actions from the CIP:

- Reduce and/or remove parking requirements;
- Reduce how far buildings need to be set back from property lines;
- Allow for an expanded range of land uses; and
- Make it easier to consolidate properties into larger parcels.

The recommendations from the Hamilton Road Corridor Planning Study seek to implement these actions through the recommended Official Plan and Zoning By-law Amendments.

2.2 Study Area

The study area for the Hamilton Road Corridor Planning Study was concentrated along Hamilton Road, generally from Bathurst Street to Highbury Avenue, and considered the properties that are generally north and south of the Hamilton Road for opportunities for potential future lot consolidations. A map of the area that is subject to the recommended Official Plan and Zoning By-law amendments can be found in Appendix A.

The lands along the Hamilton Road Corridor have generally developed as 1, 2 and 3 storey buildings, many of which are house-form buildings which have evolved over time to commercial uses. Certain light industrial uses exist near Bathurst Street, with the vast majority of the corridor having been developed as commercial or residential uses, including a concentration of purpose-built commercial or mixed-use buildings creating a commercial main street between Rectory Street and Egerton Street. Along much of the Hamilton Road Corridor buildings have been constructed parallel to Hamilton Road with minimal front yard setbacks; however, large portions of the corridor also have buildings constructed in a “sawtooth” pattern, with buildings addressing the street obliquely.

Properties north and south of the Hamilton Road Corridor are generally single-detached dwellings.

2.3 Community Engagement

City Planning Staff held two community information meetings, informal “office hours” for individuals to discuss the study with Staff, attended BIA meetings, and went door-to-door to businesses along the Hamilton Road Corridor to discuss the study. A “Get Involved” website has also been used to allow individuals to submit feedback electronically. Over 50 people were identified as interested parties for this study.

The first community information meeting was held on the evening of May 1, 2019 at the London Public Library – Crouch Branch, 550 Hamilton Road. This meeting was attended by approximately 65 people. The purpose of this meeting was to introduce the Hamilton Road Corridor Planning Study to the community, provide information on timelines and process, existing conditions in the area, and the topics that would be considered in the study. This meeting consisted of a presentation by Staff followed by a question and answer period. After the question and answer period, meeting attendees could participate in breakout tables led by Staff or review panels seeking input on the study in an open house format. While participants were generally supportive of CIP action items being implemented through this Study, the following comments were expressed:

- Many participants favoured reducing building setbacks, however some expressed a preference for greater setbacks with wider right-of-ways to allow space for programming in front of stores.
- Participants expressed a desire to see more businesses move into the Hamilton Road Corridor, with preferred uses including artisanal uses, retail uses, banks, restaurants, coffee shops, salons, barber shops, pubs, and grocery stores. The desire for a community centre was also identified. One participant spoke of his desire to relocate a machine shop to the Hamilton Road Corridor.
- Participants were generally supportive of the idea of making it easier to consolidate properties into larger parcels.
- While participants were generally supportive of the idea to reduce parking requirements to make it easier for new businesses and new development to move into the Hamilton Road Corridor, there was a concern about where cars travelling to the area would park. Participants expressed a desire for a new municipal parking lot(s) in the area. Participants generally also expressed a preference for parking to be located to the rear of buildings rather than in front of buildings.

The second Community Information Meeting was held on November 13, 2019 at the BMO Centre, 295 Rectory Street. This meeting was attended by approximately 25 people. At this meeting, Staff presented the draft Official Plan and Zoning By-law Amendments and explained what could be allowed based on these amendments. This meeting provided an opportunity for individuals to learn about the study and the draft amendments and to provide feedback. This meeting consisted of a presentation by Staff followed by a question and answer period. After the question and answer period, meeting attendees could participate in breakout tables led by Staff or review panels seeking input on the study in an open house format. While participants were generally supportive of the proposed amendments, the following comments were expressed:

- Participants expressed that the proposed amendments would help to keep Hamilton Road vibrant and active.
- The expanded range of uses was generally found by participants to be desirable, including the expanded range of residential uses.
- While participants were generally supportive of allowing buildings up to 4 storeys to be constructed as-of-right, some participants expressed a desire to allow for buildings taller than 4 storeys in certain locations.
- The addition of combined zoning to the properties to the rear of properties fronting Hamilton Road that would allow these properties to be developed with properties fronting Hamilton Road was generally identified by participants as being desirable. Participants also suggested certain other properties that were not included in the draft amendments where this combination zoning could also be applied.

Planning Staff also held “office hours” at the London Public Library – Crouch Branch on May 9, May 21, June 20, and June 22, 2019. These “office hours” provided an informal opportunity for individuals to learn about the study and provide feedback. Approximately 20 people visited during these “office hours”.

Planning Staff went door-to-door along the Hamilton Road Corridor to engage with business owners about the study on October 9 and 10, 2019. This provided business owners with an opportunity to ask questions about the study and share their opinions and experiences.

Meetings were also held with members of the Hamilton Road Corridor BIA on February 20, 2019, September 5, 2019, and November 26, 2019 to discuss the study. At these meetings business owners identified many of the challenges associated with operating businesses and reusing vacant buildings and parcels of land on Hamilton Road. This feedback helped to inform the recommended Official Plan and Zoning By-law amendments.

A Get Involved website (www.getinvolved.london.ca/hamiltonroad) also provided an opportunity for people to learn more about the study and provide feedback.

2.4 Policy Context (see more detail in Appendix H) *Provincial Policy Statement, 2014*

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located in a settlement area, as identified by the PPS. The PPS identifies that settlement areas shall be the focus of growth and development, however this intensification is not intended to be uniform (Policy 1.1.3.1, 1.1.3.2). The PPS also identifies that municipalities should support long-term economic prosperity by promoting opportunities for economic development and community investment-readiness and by maintaining and enhancing the vitality and viability of downtowns and main streets (Policy 1.7.1). Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

All decisions by Council affecting land use planning matters are required to be consistent with the PPS.

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modification. The majority of The London Plan is in-force and effect, and the remainder of the Plan continues to be under appeal at the Local Planning Appeals Tribunal.

The properties fronting Hamilton Road in the Study Area are generally in the Urban Corridor Place Type, with the exception of the properties between Egerton Street and Rectory Street which are in the Main Street Place Type. The properties located to the rear of the properties fronting the Hamilton Road Corridor are generally in the Neighbourhoods Place Type.

Properties in the Urban Corridor Place Type are intended to develop into vibrant, mixed-use, mid-rise communities (Policy 828). The London Plan includes policies that encourage lot consolidation to create viable development parcels, by allowing the depth of the Urban Corridor Place Type to be subject to interpretation for the purposes of creating a viable development site (Policy 833). The London Plan identifies that lot depths between 50 and 150 metres along these Urban Corridors may be appropriate, subject to other policies in The London Plan (Policy 834).

The Main Street Place Type envisions both the creation of new Main Streets and the regeneration of historic Main Streets throughout the City (Policy 905). The Main Street Place Type allows for appropriate forms of intensification at suitable locations to support the sustainability of Main Streets (Policy 907). The Main Street Place Type permits a broad range of residential, retail, service, and office uses (Policy 908).

The properties to the rear of properties fronting onto Hamilton Road are in the Neighbourhoods Place Type located on a Neighbourhood Street. The range of primary permitted uses include single-detached dwellings, semi-detached dwellings, duplexes, converted dwellings, townhouses, secondary suites, home occupations and group homes. Based on the policies in The London Plan, certain properties that are designated in the Neighbourhoods Place Type to the rear of the properties fronting Hamilton Road may instead be interpreted as being part of the Urban Corridor Place Type in order to create viable development parcels for those properties in the Urban Corridor Place Type fronting on Hamilton Road.

City of London 1989 Official Plan

The City of London 1989 Official Plan implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The majority of the Hamilton Road Corridor is designated Main Street Commercial Corridor, however certain portions are designated Neighbourhood Commercial Node, Light Industrial or Low Density Residential.

Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. Uses are encouraged that provide for and enhance the pedestrian nature of the Main Street Commercial Corridor (Policy 4.4.1.2). Main Street Commercial Corridors are intended to provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors with one or more of a broad range of permitted uses at a scale which is compatible with adjacent development (Policy 4.4.1.1). The range of permitted uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices;

small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings (Policy 4.4.1.4).

Neighbourhood Commercial Nodes are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. Uses are intended to be convenience-oriented and unlikely to draw customers beyond the local area (Policy 4.3.8.1).

Light Industrial designations are intended to be developed as industrial uses with a range of activities that are likely to have a minimal impact on surrounding uses. One of the objectives of the Light Industrial designation is to guide the development of older industrial areas in close proximity to residential neighbourhoods for industries which can meet appropriate operation, design and scale criteria (Policy 7.1.3).

Low Density Residential designations are primarily developed with low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Residential intensification may be permitted in certain locations subject to certain criteria. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted (Policy 3.2).

City of London Zoning By-law Z.-1

The properties fronting Hamilton Road from Bathurst Street to Highbury Avenue are primarily zoned Arterial Commercial (AC) Zone, which generally permits a mixture of small scale retail, office, personal service, and automotive uses. Certain other properties have Community Facility (CF) and Neighbourhood Facility (NF) zoning, which generally permit institutional-type uses such as schools or places of worship. Certain properties also have Residential zoning, allowing a variety of dwelling types and intensities depending on the specific Residential zoning that applies to a given property. Select properties near the intersection of Bathurst Street and Hamilton Road have Light Industrial (LI) zoning, allowing for a range of light industrial uses. Properties zoned Automobile Service Station (SS), permitting automotive uses, Convenience Commercial (CC), permitting commercial uses, Highway Service Commercial (HS), permitting commercial and service uses, and Open Space (OS), permitting parks and other open space uses, also exist along the corridor.

The properties fronting Hamilton Road between Bathurst Street and Highbury Avenue are generally in Parking Standard Area 2 in the Zoning By-law, with certain properties in Parking Standard Area 3.

Properties to the rear of the properties fronting Hamilton Road are generally zoned Residential R2 (R2-2) Zone, which permits low density residential development in the form of single-detached dwellings, semi-detached dwellings, duplex dwellings, and two unit converted dwellings. The majority of these properties are in Parking Standard Area 2, with certain properties in Parking Standard Area 3.

3.0 Key Issues and Considerations

The following provides an overview of the challenges to redevelopment along the Hamilton Road Corridor and how permissions on properties would change based on the recommended Official Plan and Zoning By-law Amendments to address these challenges:

3.1 Issue and Consideration # 1: Reducing and/or removing parking requirements

Existing Provisions:

The Zoning By-law divides the City of London into three Parking Standard Areas.

Parking Standard Area 3 requires the greatest quantity of parking for each type of use, while Parking Standard Area 1 requires the least amount of parking for each type of use. Most of the Hamilton Road Corridor is currently in Parking Standard Area 2, with certain properties in Parking Standard Area 3.

Property owners in the area have identified challenges with the requirements of Parking Standard Area 2, being unable to accommodate the required parking on the existing properties. This has proven particularly difficult when reusing an existing building, as many of these existing buildings have limited or no parking on the lot and do not have the space to accommodate new parking. This requires owners to get a minor variance or Zoning By-law Amendment to reduce the required parking to allow for a use, which is otherwise permitted by the Zoning By-law, to occupy the building. This is a significant disincentive to the reuse of many of these vacant properties.

Recommended Changes:

The recommended amendments would change the Hamilton Road Corridor from an area that is generally in Parking Standard Area 2, with limited sections in Parking Standard Area 3, to a Parking Standard Area 1. Parking Standard Area 1 includes a provision that does not require new parking spaces for existing square footage in buildings, making it easier to tenant vacant buildings. This reduction in required parking will give property owners more flexibility in how they are able to use their properties, and encourages the reuse of vacant buildings.

Hamilton Road is well-served by public transit, with service from routes 3 and 5. There is also on-street parking on Hamilton Road and on adjacent streets. These factors help to justify the proposed reduction in parking along the Hamilton Road Corridor.

Provincial Policy Statement, 2014

The PPS identifies that settlement areas should have densities and a land use mix that support active transportation and are transit supportive (Policy 1.1.3.2). It also encourages maintaining and enhancing the vitality and viability of downtowns and main streets (Policy 1.7.1).

The recommended reduction in required parking from Parking Standard Area 2 and Parking Standard Area 3 to a Parking Standard Area 1 is consistent with the PPS, as this provision would make it easier for property owners to make use of vacant properties, enhancing the vitality and viability of the Hamilton Road main street, and also encourages intensification that supports active transit and is transit supportive.

1989 Official Plan

Much of the Hamilton Road Corridor is in the Main Street Commercial Corridors designation in the 1989 Official Plan. The Main Street Commercial Corridors designation encourages the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors (Policy 4.4.1.1). The recommended reduction in required parking conforms to the 1989 Official Plan as it helps to implement this objective by making it easier for property owners to use vacant properties.

The London Plan

The London Plan identifies that lower parking requirements may be appropriate in areas of the city that have high access to transit (Policy 271*). The Hamilton Road Corridor conforms to this as it is well-served by transit.

The London Plan also encourages regeneration to stimulate the repurposing of existing building stock, where the previous use of such buildings is no longer viable (Policy 153). The recommended reduction in parking helps to achieve this objective.

3.2 Issue and Consideration # 2: Allowing for an expanded range of land uses

Existing Provisions:

The existing zoning permissions along the Hamilton Road Corridor vary, however most properties are within the Arterial Commercial (AC) Zone. AC Zoning generally permits a wide range and mix of small scale retail, office, personal service, and automotive uses. While this zoning supports many of the uses that have been identified as desirable through consultation and investigation along the Hamilton Road Corridor, there are certain additional uses, such as low-rise apartment buildings, which are not permitted by the AC Zone and would be desirable along the Hamilton Road corridor.

Recommended Changes:

The recommended Zoning By-law Amendment would change the zoning along the Hamilton Road Corridor to Business District Commercial (BDC) zoning. BDC zoning generally permits a similar range of uses as are permitted in the AC Zone, however also allows uses such as apartment buildings, commercial parking structures/lots, converted dwellings, day cares, grocery stores, animal clinics, convenience stores, post offices, and antique stores.

The recommended zoning changes would make the permitted uses generally consistent along the Hamilton Road Corridor, with a slight modification to require commercial uses at grade for the portion of the buildings fronting Hamilton Road for the section between Rectory Street and Egerton Street, recognizing this as the commercial main street for the area. An urban design provision has also been added to the recommended Zoning By-law amendment for properties along this section of the Hamilton Road Corridor that requires a minimum 60% façade openings (i.e. windows and entrances) along the Hamilton Road frontage of new buildings in order to encourage the continued development of this area as a pedestrian-oriented, retail main street.

Provincial Policy Statement, 2014

The PPS encourages promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (Policy 1.1 a)). It also identifies that Settlement Areas should have a density and mix of land uses that make efficient use of land and resources, and support opportunities for intensification and redevelopment where these opportunities can be accommodated (Policy 1.1.3). Promoting opportunities for economic development and community investment-readiness is also encouraged (Policy 1.7.1).

Allowing a wider range of uses along the Hamilton Road Corridor helps to implement these directions by making it easier to use properties fronting Hamilton Road. The reuse of vacant properties along Hamilton Road encourages efficient development and land use patterns as these lands are serviced and are located in the Primary Transit Area, and also helps perpetuate the sense of place along the Hamilton Road Corridor (Policy 1.7.1).

The PPS also encourages maintaining and enhancing the vitality and viability of downtowns and main streets (Policy 1.7.1). The section of Hamilton Road from Rectory Street to Egerton Street is identified as a main street will help to foster the continued viability of this section as a main street.

1989 Official Plan

Much of the Hamilton Road Corridor is in the Main Street Commercial Corridor designation in the 1989 Official Plan. The Main Street Commercial Corridor designation encourages the redevelopment of vacant, underutilized, or dilapidated properties within Main Street Commercial Corridors for a broad range of permitted uses (Policy 4.4.1.1). Expanding the range of permitted uses through the recommended Zoning By-law Amendment conforms to the policy direction in the 1989 Official Plan.

Certain properties along Hamilton Road are not in the Main Street Commercial Corridor designation, but the adoption of a Chapter 10 Specific Area Policy is recommended for these properties to bring the policies into alignment with the policies in The London Plan, which would be supportive of the expanded range of uses and intensities contemplated by the BDC zone. This Chapter 10 Specific Area Policy would also apply to certain properties that are generally north and south of Hamilton Road, if they are joined with properties fronting Hamilton Road, to allow for larger development sites.

The London Plan

Properties fronting Hamilton Road in the Hamilton Road Corridor are in the Urban Corridor Place Type, with the exception of properties generally between Rectory Street and Egerton Street which are in the Main Street Place Type.

The Urban Corridor Place Type allows for a range of residential, retail, service, office, cultural, recreational and institutional uses (Policy 837*). The permitted uses in the recommended BDC Zone conform to this range of permitted uses.

The Main Street Place Type allows for a broad range of residential, retail, service and office uses and encourages retail and service uses to be located at grade (908). The range of permitted uses in the recommended BDC Zone conforms to this range of permitted uses. The requirement for commercial at grade for the properties generally between Rectory Street and Egerton Street also conforms to the Main Street Place Type policies in The London Plan.

Properties to the rear of properties that front Hamilton Road that are in the Urban Corridor Place Type are able to be interpreted as being part of this Place Type, and as such could allow for the expanded range of uses that would be permitted by the recommended BDC Zone without an amendment to The London Plan. Properties to the rear of properties that front Hamilton Road located in the Main Street Place Type would not be permitted to allow for the expanded range of uses that would be permitted by the Main Street Place Type, therefore a Specific Policy is recommended to be added to The London Plan based on the unique characteristics of these properties including their adjacency to properties fronting Hamilton Road.

3.3 Issue and Consideration # 3: Make it easier to consolidate properties into larger lots

Existing Provisions:

Many of the lots along Hamilton Road are shallow, allowing limited space for expansions of existing buildings, additional on-site parking provision, or redevelopment along the Hamilton Road Corridor. If a property owner along Hamilton Road were to acquire the property to the rear in order to create a larger lot to add additional parking, expand their building, or redevelop their property, they would often be required to make amendments to the Official Plan and Zoning By-law as the properties to the rear are generally designates and zoned to allow for low-density residential uses.

Recommended Changes:

The recommended amendments would add provisions that would make it easier for the properties to the rear of properties fronting Hamilton Road to be consolidated with the properties fronting Hamilton Road. The existing zoning permissions that apply to the properties to the rear of Hamilton Road would remain, however a combination zone would be added so that the Business District Commercial Special Provision Zone that applies to the properties along Hamilton Road could also apply to these properties but these permissions could only be realized if these properties were joined with a property fronting Hamilton Road. This makes it so if the owner of a property fronting Hamilton Road purchased properties to the rear to expand the existing building, add additional parking, or redevelop the site, they would not be required to undergo a Zoning By-law Amendment to allow for the use of a larger lot.

An Official Plan Amendment is required to the 1989 Official Plan to amend Chapter 10 to add a Specific Area Policy to certain properties located to the rear of properties fronting Hamilton Road, in order to allow for zoning permission to be added to these properties so that they can be developed as part of a larger site with properties fronting Hamilton Road. This amendment is required as these properties are in the Low Density Residential designation which would not allow for the range of uses that would be permitted by the proposed BDC Zone if these properties were combined and developed as part of a larger site with properties fronting Hamilton Road.

An Official Plan Amendment is also required to The London Plan to add a Specific Policy to certain properties located behind properties fronting Hamilton Road, generally between Rectory Street and Egerton Street. These properties are in the Neighbourhoods Place Type, while the properties fronting Hamilton Road between Rectory Street and Egerton Street are in the Main Street Place Type. This amendment is required in order to allow these properties in the Neighbourhoods Place Type to be consolidated and developed with the properties fronting Hamilton Road, as the uses that would be permitted by the proposed BDC Zone if these properties were developed with the properties fronting Hamilton Road would not be permitted by the Neighbourhood Place Type. The properties to the rear of properties fronting Hamilton Road west of Rectory Street and east of Egerton Street would not require an amendment to The London Plan, because the properties fronting Hamilton Road in these locations are part of the Urban Corridor Place Type, which allows for greater flexibility in interpreting the designation of the properties to the rear of these sites.

It is also recommended that a minimum of 1 metre of landscaped open space be provided from any lot lines abutting a Residential Zone for properties in Areas 3 and 4. This is intended to provide a transition to the other properties in the low-rise residential neighbourhood to the north and south of Hamilton Road.

Provincial Policy Statement, 2014

The PPS encourages allowing for opportunities for intensification and redevelopment where they can be accommodated (1.1.3). The Hamilton Road Corridor presents a desirable location for intensification, however many of the lots are shallow which makes intensification challenging. Allowing opportunities for lot consolidation in a way that is sensitive to the surrounding context conforms to the policy direction in the PPS.

1989 Official Plan

Most of the properties along the Hamilton Road Corridor are in the Main Street Commercial Corridor designation the 1989 Official Plan. Allowing opportunities for lot consolidation helps to implement the policy direction that encourages the redevelopment of vacant, underutilized, or dilapidated properties within Main Street Commercial Corridors (Policy 4.4.1.1). Many of these lots are shallow so present limited opportunities for redevelopment.

The properties to the rear of these lots are designated Low Density Residential in the 1989 Official Plan. Low Density Residential designations do not allow the permissions of the recommended BDC Zone. An amendment to Chapter 10 of the 1989 Official Plan is recommended to add a Specific Area Policy that would allow certain properties in the Low Density Residential designation to allow the BDC permissions if they were developed with a property fronting Hamilton Road. This amendment meets the tests of the Planning Impact Analysis, and the provisions that require the BDC Zone to only be realized if the lot is joined with a property fronting Hamilton Road will ensure the continued stability of the surrounding Low Density Residential neighbourhood.

The London Plan

Much of the Hamilton Road Corridor, with the exception of the lands generally located between Rectory Street and Egerton Street, are within the Urban Corridor Place Type. The Urban Corridor Place Type allows for the interpretation of the place type boundary to allow for the consolidation of lots to create a viable development parcel (Policy 834).

The recommended Zoning By-law Amendment that would allow for the BDC Zone to be applied to the properties to the rear of Hamilton Road if developed with the properties fronting Hamilton Road is consistent with the London Plan.

The section of Hamilton Road generally from Rectory Street to Egerton Street is in the Main Street Place Type. The London Plan does not allow properties behind properties in the Main Street Place Type to have the same interpretation of Place Type boundaries that can be applied to Urban Corridor Place Types. As such, a Specific Policy is recommended to allow for the properties to the rear of the Main Street Place Type properties on Hamilton Road to be developed with the properties fronting Hamilton Road. This is recommended based on the unique relationship of these properties to the Hamilton Road Corridor, and the provisions that require the BDC Zone to only be realized if the lot is joined with a property fronting Hamilton Road protects the stability of the surrounding Neighbourhood.

3.4 Issue and Consideration # 4: Supporting intensification

Existing Provisions:

While the existing zoning permissions along the Hamilton Road Corridor are varied, most properties are in the Arterial Commercial Zone, and would allow heights up to 10 metres (2 or 3 storeys), with certain locations allowing heights up to 12 metres (3 or 4 storeys).

Recommended Changes:

The recommended Zoning By-law Amendment would increase the permitted height for all properties along the Hamilton Road Corridor to 13 metres. Allowing a height of 13 metres along the Hamilton Road Corridor would allow for the development of 4 storey buildings as-of-right along the entire Hamilton Road Corridor. A height permission of 13 meters would allow for a 4 storey building to be constructed with a ground floor that has enough height to accommodate commercial uses. Commercial uses generally require more height than residential uses. This recommended height allowance would make it easier for people to use their properties along the Hamilton Road Corridor, and would encourage the construction of additional residential units along the corridor.

A 3 metre setback above the 3rd storey is recommended for any new 4 storey building to help ensure new development fits with the existing context and to develop a consistent streetwall height along Hamilton Road.

Certain sites may be able to accommodate additional intensification beyond 4 storeys. This report does not recommend allowing as-of-right heights beyond 4 storeys, as this additional intensification would benefit from an additional review on a site-by-site basis to assess compatibility and fit with the surrounding context. Requiring proposals to develop buildings taller than 4 storeys to go through Zoning By-law Amendment applications also allows an opportunity for the community to provide feedback in the review of these proposals for higher levels of intensification.

Provincial Policy Statement, 2014

The PPS encourages intensification and redevelopment, where it can be accommodated. This helps to make efficient use of land and resources (Policy 1.1.3). The Hamilton Road Corridor presents a desirable location for intensification, as such the recommended Zoning By-law Amendment provisions that would allow for the development for 4-storey buildings as-of-right helps to implement this objective.

1989 Official Plan

The Main Street Commercial Corridor designation generally allows heights that are compatible with the surrounding land uses (Policy 4.4.1.7). The existing context along Hamilton Road is generally low-rise, as such heights up to 4 storeys are compatible with this context.

The Specific Area Policy that is recommended for properties that are not in the Main Street Place Type would allow for the development of buildings up to 4 storeys in height.

The London Plan

The range of permitted heights in The London Plan for the Urban Corridor Place Type is 2 to 6 storeys, with up to 8 storeys permitted through bonusing. In the Main Street Place Type, the range of permitted heights is 2 to 4 storeys, with up to 6 storeys permitted through bonusing. The recommended height of 4 storeys conforms to this range of permitted heights for both the Urban Corridor Place Type and the Main Street Place Type. Taller buildings may also be appropriate, however would require a site specific Zoning By-law Amendment to ensure fit with the surrounding context.

4.0 Other Reviews Underway

The recommended Official Plan and Zoning By-law Amendments resulting from the Hamilton Road Corridor Planning Study, help to implement several of the directions in the CIP. There are also other parallel initiatives that are occurring that are intended to make it easier for property owners to use their properties along the Hamilton Road Corridor, and add additional clarity about the existing context.

4.1 Archaeology

Much of the Hamilton Road CIP Area, generally bounded by Adelaide Street, the Thames River, Highbury Avenue, and the CN Rail line, and extending west along Hamilton Road to Bathurst Street, has been identified as having archaeological potential by the *Archaeological Management Plan* (2017). If a property is identified as having archaeological potential, archaeological assessments are a required submission material for any planning or development applications.

A consultant archaeologist, ASI, has been hired and is currently undertaking a Stage 1 Archaeological Assessment in the Hamilton Road CIP Area. This archaeological assessment is scheduled to be completed in Spring, 2020. Completing a Stage 1 Archaeological Assessment will provide a more detailed overview of where archaeological resources may be located in the area, and will identify which properties will require further archaeological assessment (e.g. Stage 2) as part of any future planning or development application, and which properties will not require these studies. This is in an effort to focus the requirement for further archaeological assessment in areas which demonstrate high potential for the recovery of archaeological resources.

4.2 Cultural Heritage Assessment Report

At its meeting of August 28, 2019, Municipal Council adopted "Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London" as a guideline document which identifies potential heritage conservation districts. The Hamilton Road area, generally bounded by Adelaide Street North, the CN railway tracks, Highbury Avenue North, and the Thames River, has been identified as a potential Heritage Conservation District. Evaluation of the Hamilton Road area as a potential Heritage Conservation District is outside of the scope of the Hamilton Road Corridor Planning Study.

A heritage consultant, ASI, has been hired to undertake a Cultural Heritage Assessment Report (CHAR) of the Hamilton Road Corridor to identify recognized (e.g. heritage listed and designated properties) and potential cultural heritage resources in the area. This Cultural Heritage Assessment Report is scheduled to be completed in Spring, 2020.

4.3 Review of the Hamilton Road Required Road Allowance

One of the directions from the Hamilton Road CIP was to reduce how far buildings need to be setback from property lines, in order to help facilitate development along the Hamilton Road Corridor, particularly from Rectory Street to Egerton Street. The existing Arterial Commercial zoning that applies to most of the properties along the Hamilton Road Corridor has very limited front yard setback requirements, with most of the Arterial

Commercial Zone variations having a minimum front yard setback of 0 metres. This would continue to be the minimum required front yard setback with the proposed BDC Zone. As such, there is limited opportunity to reduce the required front yard setbacks to make it easier for landowners to develop their properties, as it is already 0 metres in most cases.

When property owners redevelop properties they are often required to dedicate land to the municipality for future road allowances. The future road allowance requirements for the Hamilton Road Corridor that are outlined in The London Plan, the 1989 Official Plan, and the Zoning By-law are being reviewed to see if reductions can be made to the current dedication requirements which could make it easier for property owners to use their properties on Hamilton Road by requiring less land be dedicated for future road allowance purposes.

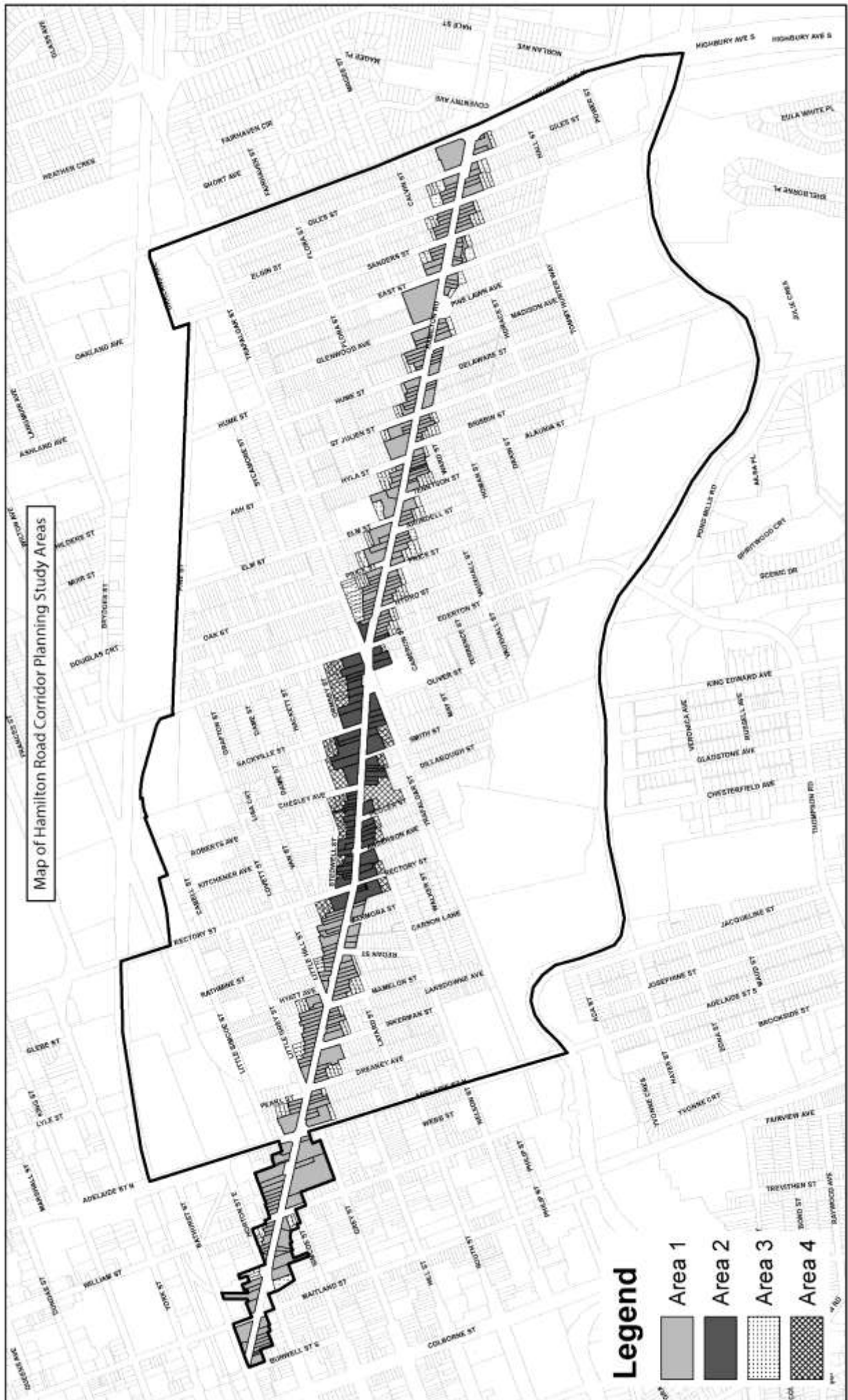
5.0 Conclusion

The recommended amendments to The London Plan, the 1989 Official Plan, and the Zoning By-law, are intended to implement many of the actions of the Hamilton Road Area CIP to encourage the continued revitalization of the Hamilton Road Corridor. These recommended amendments are consistent with the PPS, and, with the recommended Official Plan Amendments, would conform to the 1989 Official Plan and The London Plan. The recommended amendments would allow for a reduction in required parking, an expanded range of permitted uses, an increase in permitted height, and would make it easier to consolidate properties. The recommended amendments also include special provisions to ensure new development fits with the surrounding context and to encourage the continued development of the portion of Hamilton Road from Rectory Street to Egerton Street as a commercial main street. These actions collectively would make it easier for property owners along the Hamilton Road Corridor to use vacant properties and would encourage intensification and the continued revitalization of the Hamilton Road Corridor.

Prepared by:	Michelle Knieriem, MCIP, RPP Planner II, City Planning
Submitted by:	Britt O'Hagan, MCIP, RPP Manager, City Building and Design
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

December 16, 2019

Appendix A – Study Area Map



Appendix B – Amendment to the 1989 Official Plan

Bill No. (number to be inserted by Clerk's Office)
(2020)

By-law No. C.P.-1284-

A by-law to amend the Official Plan for the City of London, 1989 relating to an area of land located along the Hamilton Road Corridor, and lands north and south of the Hamilton Road Corridor.

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 January 14, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add a policy to Chapter 10 of the Official Plan for the City of London to allow select properties in the Low Density Residential, Neighbourhood Commercial Node, and Light Industrial designations to be developed for uses permitted in the Main Street Commercial Corridor designation, provided the development fronts Hamilton Road.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1-31, 60-76, 181-201, 218-282, 330-342, 608-642, 722, 798-940, 809-945 Hamilton Road, 10 Elm Street, 580 Grey Street, 453 Bathurst Street, 245, 265 Maitland Street, 152 Pine Lawn Avenue, 123 East Street, 162 Adelaide Street North, 150-156, 165 Dreaney Avenue, 689-695 Little Grey Street, 1-5 Pearl Street, 126-128 Inkerman Street, 128-138, 149 Mamelon Street, 11-15 Hyatt Avenue, 747-753 Little Hill Street, 31 Redan Street, 184-190 Egerton Street, 54-60, 63-65 Hydro Street, 1023-1057 Trafalgar Street, 130-138, 145, 167-173, 164-174 Price Street, 134-142, 145 Arundell Street, 19-21 Elm Street, 44-50, 53 Tennyson Street, 15-23 Hyla Street, 158-166, 167 Brisbin Street, 157-159, 180-182, 191-193 St. Julien Street, 6-8, 15 Hume Street, 156 Madison Avenue, 150, 151 Pine Lawn Avenue, 110, 119 East Street, 108-112, 117, 140, 157-159 Sanders Street, 78-82, 95, 136, 139-143 Elgin Street, 92, 101-109, 129-137 Giles Street, 111-113, 90-92 Rectory Street, 845-871 Stedwell Street, 73-81 Chesley Avenue, 86 Anderson Avenue, 22, 36, 37 Pegler Street, 119-121 Smith Street, 63-69 Sackville Street, 898-914 Trafalgar Street, 961-983 Ormsby Street, 197, and 217-227 Egerton Street in the City of London.

C. BASIS OF THE AMENDMENT

This recommended amendment is consistent with the Provincial Policy Statement, 2014. This amendment will facilitate the continued revitalization of the Hamilton Road Corridor so that properties to the rear of properties fronting Hamilton Road can be developed with properties fronting Hamilton Road if these lots are consolidated. It also allows flexibility for properties fronting Hamilton Road in the Low Density Residential designation the ability to be used for commercial purposes, as over time this area has developed as a primarily commercial corridor.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 cxxv) of the Official Plan for the City of London is amended by adding the following:

1-31, 60-76, 181-201, 218-282, 330-342, 608-642, 722, 798-940, 809-945 Hamilton Road, 10 Elm Street, 580 Grey Street, 453 Bathurst Street, 245, 265 Maitland Street, 152 Pine Lawn Avenue, 123 East Street, 162 Adelaide Street North, 150-156, 165 Dreaney Avenue, 689-695 Little Grey Street, 1-5 Pearl Street, 126-128 Inkerman Street, 128-138,

149 Mamelon Street, 11-15 Hyatt Avenue, 747-753 Little Hill Street, 31 Redan Street, 184-190 Egerton Street, 54-60, 63-65 Hydro Street, 1023-1057 Trafalgar Street, 130-138, 145, 167-173, 164-174 Price Street, 134-142, 145 Arundell Street, 19-21 Elm Street, 44-50, 53 Tennyson Street, 15-23 Hyla Street, 158-166, 167 Brisbin Street, 157-159, 180-182, 191-193 St. Julien Street, 6-8, 15 Hume Street, 156 Madison Avenue, 150, 151 Pine Lawn Avenue, 110, 119 East Street, 108-112, 117, 140, 157-159 Sanders Street, 78-82, 95, 136, 139-143 Elgin Street, 92, 101-109, 129-137 Giles Street, 111-113, 90-92 Rectory Street, 845-871 Stedwell Street, 73-81 Chesley Avenue, 86 Anderson Avenue, 22, 36, 37 Pegler Street, 119-121 Smith Street, 63-69 Sackville Street, 898-914 Trafalgar Street, 961-983 Ormsby Street, 197, and 217-227 Egerton Street

In the Low Density Residential, Neighbourhood Commercial Node, and Light Industrial designations on the lands known municipally as 1-31, 60-76, 181-201, 218-282, 330-342, 608-642, 722, 798-940, 809-945 Hamilton Road, 10 Elm Street, 580 Grey Street, 453 Bathurst Street, 245, 265 Maitland Street, 152 Pine Lawn Avenue, 123 East Street, 162 Adelaide Street North, 150-156, 165 Dreaney Avenue, 689-695 Little Grey Street, 1-5 Pearl Street, 126-128 Inkerman Street, 128-138, 149 Mamelon Street, 11-15 Hyatt Avenue, 747-753 Little Hill Street, 31 Redan Street, 184-190 Egerton Street, 54-60, 63-65 Hydro Street, 1023-1057 Trafalgar Street, 130-138, 145, 167-173, 164-174 Price Street, 134-142, 145 Arundell Street, 19-21 Elm Street, 44-50, 53 Tennyson Street, 15-23 Hyla Street, 158-166, 167 Brisbin Street, 157-159, 180-182, 191-193 St. Julien Street, 6-8, 15 Hume Street, 156 Madison Avenue, 150, 151 Pine Lawn Avenue, 110, 119 East Street, 108-112, 117, 140, 157-159 Sanders Street, 78-82, 95, 136, 139-143 Elgin Street, 92, 101-109, 129-137 Giles Street, 111-113, 90-92 Rectory Street, 845-871 Stedwell Street, 73-81 Chesley Avenue, 86 Anderson Avenue, 22, 36, 37 Pegler Street, 119-121 Smith Street, 63-69 Sackville Street, 898-914 Trafalgar Street, 961-983 Ormsby Street, 197, and 217-227 Egerton Street, the uses, intensity and form permitted in the Main Street Commercial Corridor designation may be permitted if the property is combined with a property fronting Hamilton Road.





Appendix C – Amendment to The London Plan

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to land located along Hamilton Road, and lands north and south of the Hamilton 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 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 add new policies to the Specific Policies for the Neighbourhoods Place Type and adding the subject lands to Map 7 – Specific Policy Areas – of The London Plan.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 90-92, 111-113 Rectory Street, 821-871 Stedwell Street, 60, 75-81 Chesley Avenue, 86 Anderson Avenue, 119 Smith Street, 63-69 Sackville Street, 898-914 Trafalgar Street, 961-983 Ormsby Street, 197, 217-227 Egerton Street in the City of London.

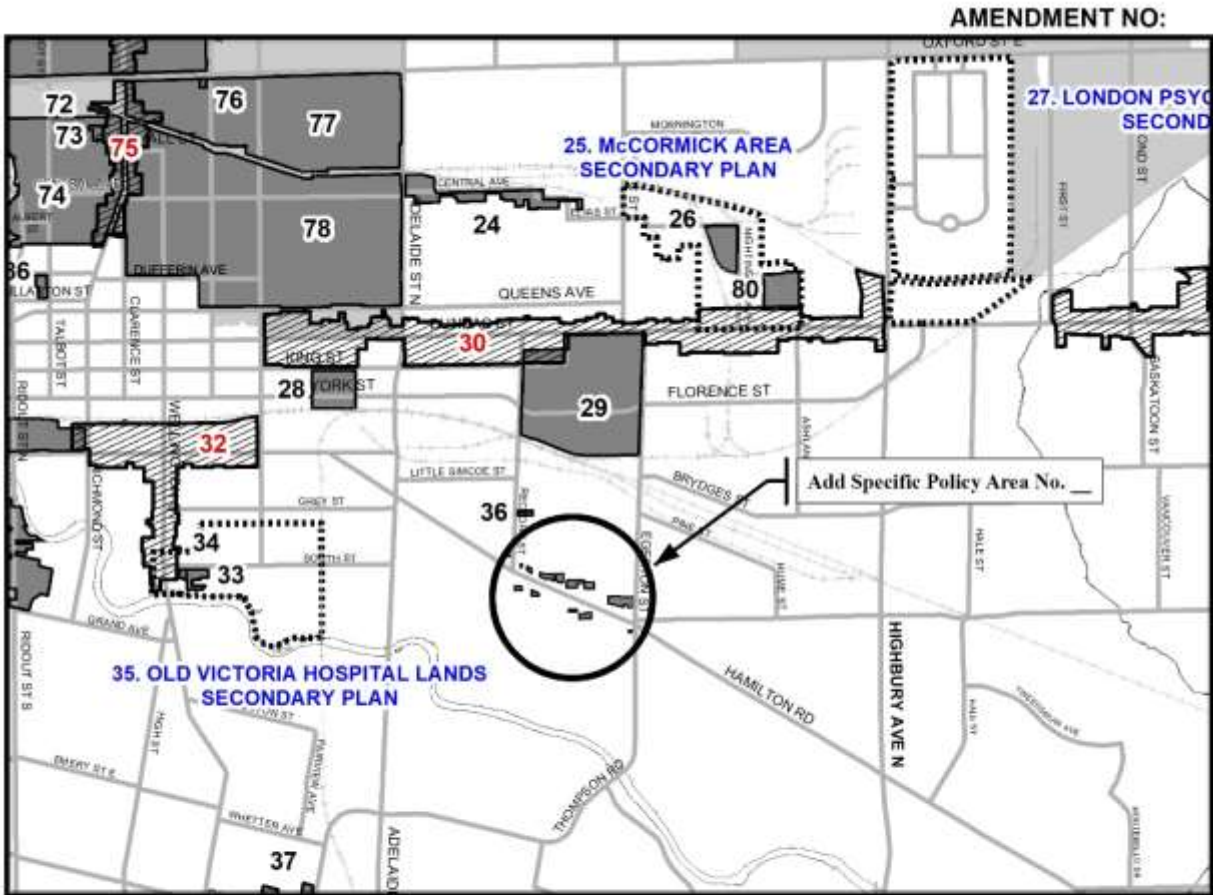
C. BASIS OF THE AMENDMENT

This recommended amendment is consistent with the Provincial Policy Statement, 2014. This amendment will facilitate the continued revitalization of the Hamilton Road Corridor so that properties generally north and south of properties fronting Hamilton Road can be developed with properties fronting Hamilton Road that are designated in the Main Street Place Type if these lots are consolidated.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

1. () In the Neighbourhoods Place Type located at 90-92, 111-113 Rectory Street, 821-871 Stedwell Street, 60, 75-81 Chesley Avenue, 86 Anderson Avenue, 119 Smith Street, 63-69 Sackville Street, 898-914 Trafalgar Street, 961-983 Ormsby Street, 197, 217-227 Egerton Street, the uses, intensity and form permitted in the Main Street Place Type may be permitted if the property is combined with a property fronting Hamilton Road.
2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy for the lands located to the north and south of Hamilton Road in the City of London, as identified in “Schedule 1” attached hereto.



<p>LEGEND</p> <ul style="list-style-type: none"> Specific Policies Rapid Transit and Urban Corridor Specific-Segment Policies Near Campus Neighbourhood Secondary Plans 	<p>BASE MAP FEATURES</p> <ul style="list-style-type: none"> Streets (See Map 3) Railways Urban Growth Boundary Water Courses/Ponds
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This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

<p>SCHEDULE # TO THE LONDON PLAN AMENDMENT NO. _____</p> <p style="font-size: x-small;">PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8997</p> <p>PLANNER: MK</p> <p>TECHNICIAN: MB</p> <p>DATE: 12/10/2019</p>
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Appendix D – Amendments to Zoning By-law Z-1

Area 1 in Appendix “A”

Bill No.(number to be inserted by Clerk’s Office)
2020

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located along the
Hamilton Road Corridor.

WHEREAS The Corporation of the City of London applied to rezone an area of land located along the Hamilton Road Corridor, as shown on the maps 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 1-399, 60-384, 603-945, 610-940 Hamilton Road, 453 Bathurst Street, 245, 265 Maitland Street, 495 Horton Street, 580 Grey Street, 170 Adelaide Street North, 10 Elm Street, 152 Pine Lawn Avenue, and 123 East Street, as shown on the attached maps, comprising part of Key Map Nos. A107 and A108, from the existing zoning (various) to a Business District Commercial Special Provision Zone (BDC()H13).
- 2) Section Number 25.2 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:
 -) BDC()H13
 - a) Permitted Uses
 - i) Any uses permitted in the BDC1 or BDC2 zone variations.
 - b) Regulations
 - i) An additional 3 metres of front yard and exterior side yard setback are required for all portions of the building above 3 storeys.
 - ii) Building Entrances A building entrance will be located on Hamilton Road.
 - iii) The lot line abutting Hamilton Road shall be interpreted as the front lot line.
 - iv) Notwithstanding ii) and iii), for the property at 495 Horton Street:
 - a. A building entrance will be located on Horton Street, and a building entrance will not be required on Hamilton Road.
 - b. The lot line abutting Horton Street shall be interpreted as the front lot line.

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 January 14, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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




File Number: OZ-8997 Map 1
 Planner: MK
 Date Prepared: 2019/12/09
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

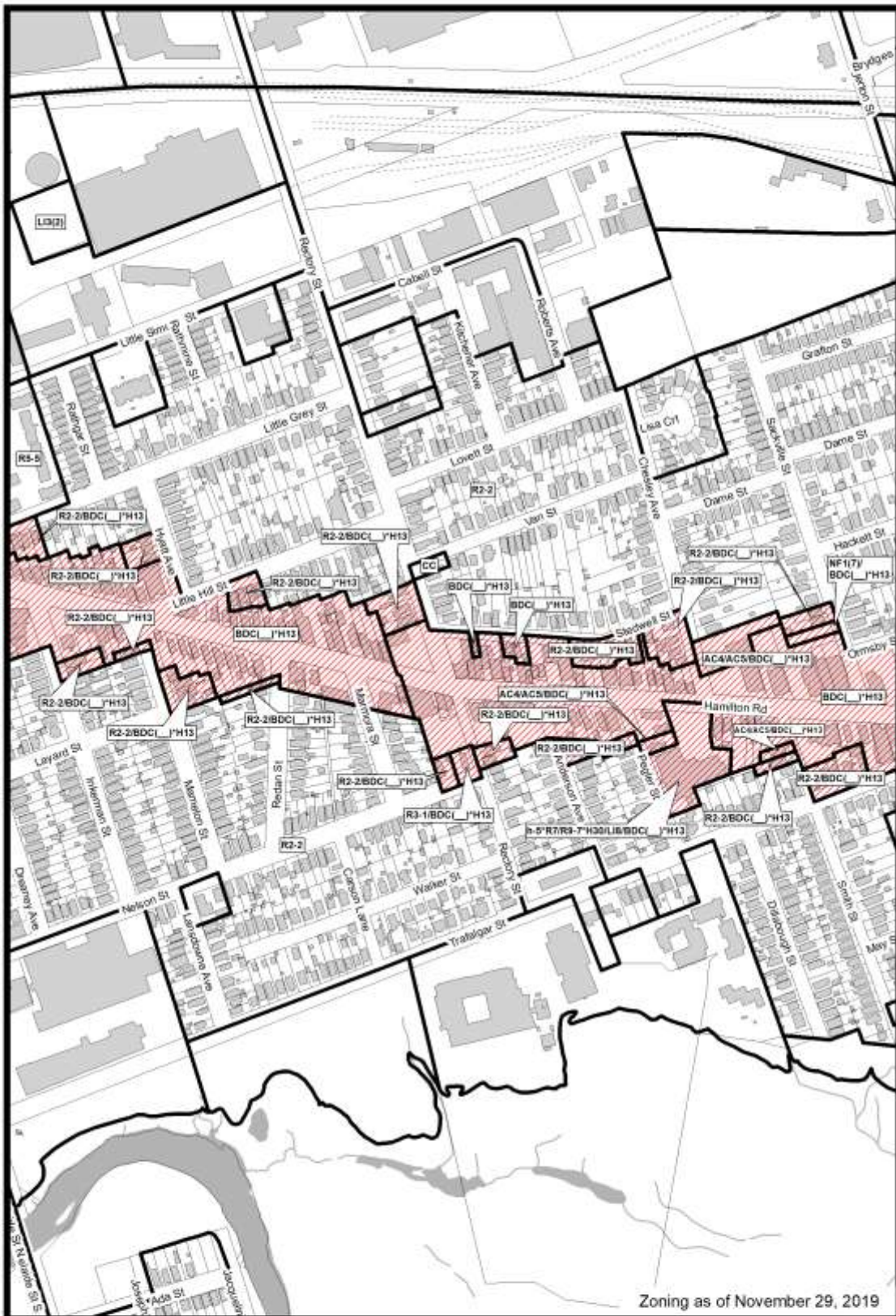
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Geotitles

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




File Number: OZ-8997 Map 2
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

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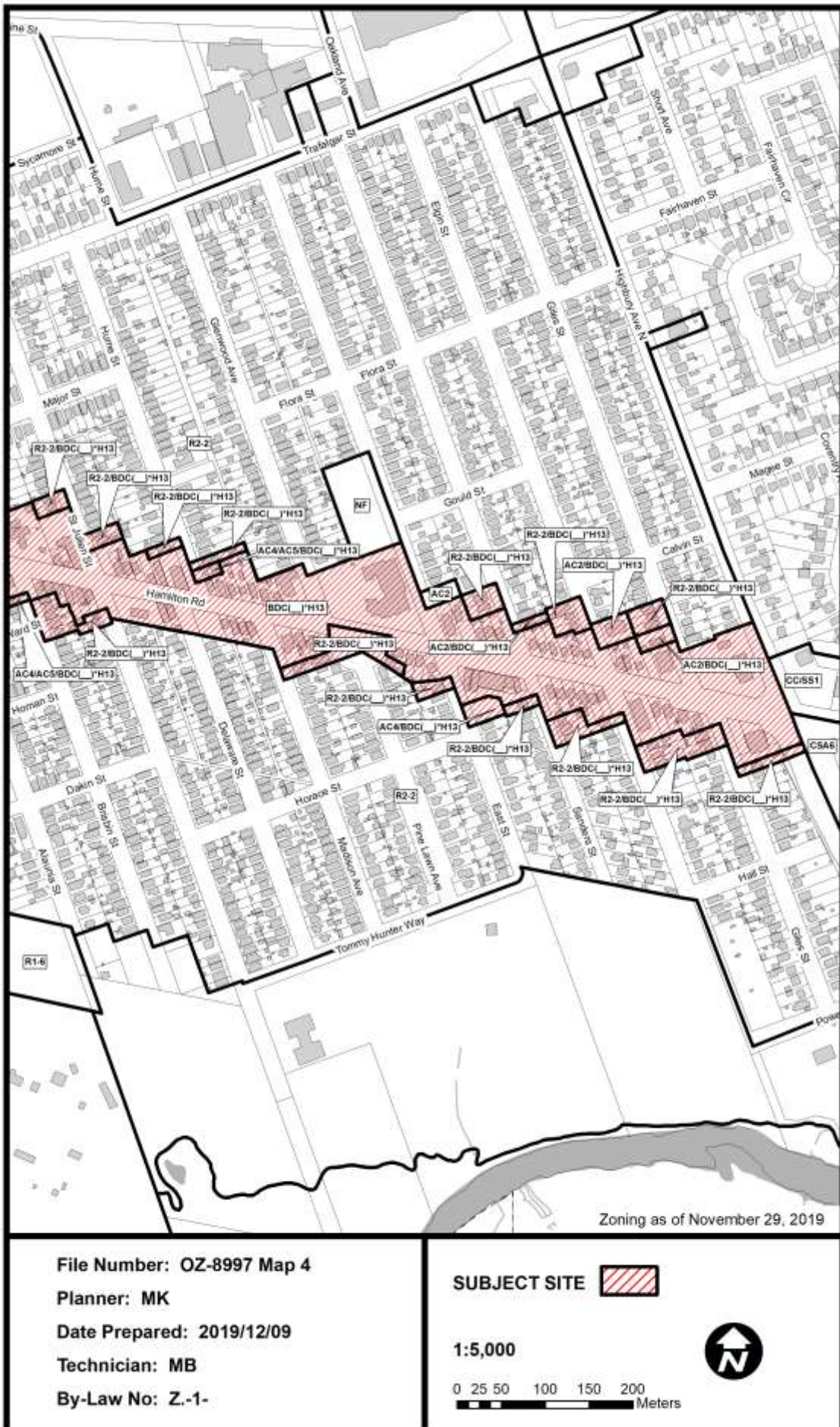
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: OZ-8997 Map 3 Planner: MK Date Prepared: 2019/12/09 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,000</p> <p>0 25 50 100 150 200 Meters</p> 
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Geodatabase

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



File Number: OZ-8997 Map 4
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

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Geodatabase

Area 2 in Appendix “A”

Bill No.(number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located along the Hamilton Road Corridor.

WHEREAS The Corporation of the City of London applied to rezone an area of land located along the Hamilton Road Corridor, as shown on the maps 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 407-601, 414-608 Hamilton Road, 109 Rectory Street, and 209 Egerton Street, as shown on the maps attached to this by-law, comprising part of Key Map No. A108, from the existing zoning (various) to a Business District Commercial Special Provision Zone (BDC()H13).
- 2) Section Number 25.2 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:
 -) BDC()H13
- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 407-601, 414-608 Hamilton Road, 109 Rectory Street, and 209 Egerton Street, as shown on the attached maps, comprising part of Key Map No. A108, from the existing zoning (various) to a Business District Commercial Special Provision Zone (BDC()H13).
- 2) Section Number 25.2 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:
 -) BDC()H13
 - a) Permitted Uses
 - i) Any uses permitted in the BDC1 or BDC2 zone variations
 - b) Location of Permitted Uses
 - i) Dwelling units, emergency care establishments, lodging house class 2 units, and accessory dwelling units may only be permitted on the rear portion of the ground floor or on the second floor or above
 - c) Regulations
 - i) An additional 3 metres of front yard and exterior side yard setback are required for all portions of the building above 3 storeys.
 - ii) Building Entrances A building entrance will be located on Hamilton Road.
 - iii) The lot line abutting Hamilton Road shall be interpreted

as the front lot line.

- iv) A minimum of 60% of the Hamilton Road building facade on the first storey of new buildings shall include façade openings.
- v) Notwithstanding ii), iii) and iv), for the property at 209 Egerton Street:
 - a. A building entrance will be located on Trafalgar Street, and a building entrance will not be required on Hamilton Road.
 - b. The lot line abutting Trafalgar Street shall be interpreted as the front lot line.
 - c. A minimum of 60% of the Trafalgar Street building façade on the first storey of new buildings shall include façade openings.

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.

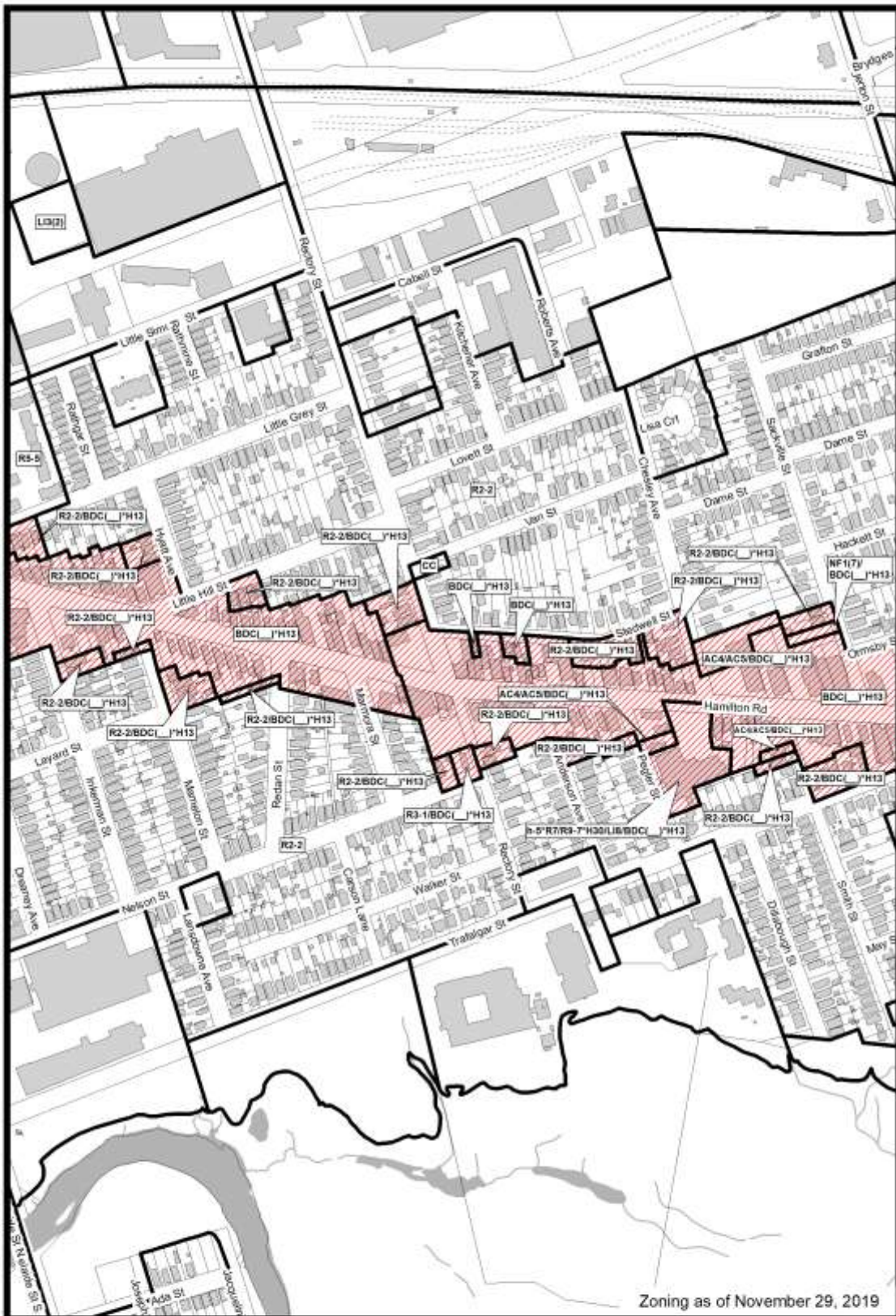
PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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




File Number: OZ-8997 Map 2
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

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Geodatabase

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



Area 3 in Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located north and south of the Hamilton Road Corridor.

WHEREAS the Corporation of the City of London has applied to rezone an area of land located to the north and south of the Hamilton Road Corridor, as shown on the maps 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 485 Horton Street, 162 Adelaide Street North, 150-156, 165 Dreaney Avenue, 689-695 Little Grey Street, 1-5 Pearl Street, 126-128 Inkerman Street, 128-138, 149 Mamelon Street, 11-15 Hyatt Avenue, 747-753 Little Hill Street, 31 Redan Street, 184-190 Egerton Street, 54-60, 63-65 Hydro Street, 1023-1057 Trafalgar Street, 130-138, 145, 167-173, 164-174 Price Street, 134-142, 145 Arundell Street, 19-21 Elm Street, 44-50, 53 Tennyson Street, 15-23 Hyla Street, 158-166, 167 Brisbin Street, 157-159, 180-182, 191-193 St. Julien Street, 6-8, 15 Hume Street, 156 Madison Avenue, 150, 151 Pine Lawn Avenue, 110, 119 East Street, 108-112, 117, 140, 157-159 Sanders Street, 78-82, 95, 136, 139-143 Elgin Street, 92, 101-109, and 129-137 Giles Street, as shown on the attached maps, comprising part of Key Map Nos. A107 and A108, from the existing Residential R2 (R2-2) Zone to a Business District Commercial Special Provision Zone (BDC()H13).

2) Section Number 25.2 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:

) BDC()H13

a) Permitted Uses

i) Any uses permitted in the BDC1 or BDC2 zone variations are permitted if the building fronts onto Hamilton Road.

b) Regulations

i) An additional 3 metres of front yard and exterior side yard setback are required for all portions of the building above 3 storeys.

ii) Building Entrances A building entrance will be located on Hamilton Road.

iii) The lot line abutting Hamilton Road shall be interpreted as the front lot line.

iv) A minimum of 1 metre depth of landscaped open space is required for all lot lines abutting a Residential Zone, with landscaped open space restricted to grass, flowers, shrubbery and other landscaping.

v) Notwithstanding a) i), and c) ii) and iii), for the property at 485 Horton Street:

- a. Any uses permitted in the BDC1 or BDC2 zone variations are permitted if the building fronts onto Horton Street.
- b. A building entrance will be located on Horton Street, and a building entrance will not be required on Hamilton Road.
- c. The lot line abutting Horton Street shall be interpreted as the front lot line.

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.

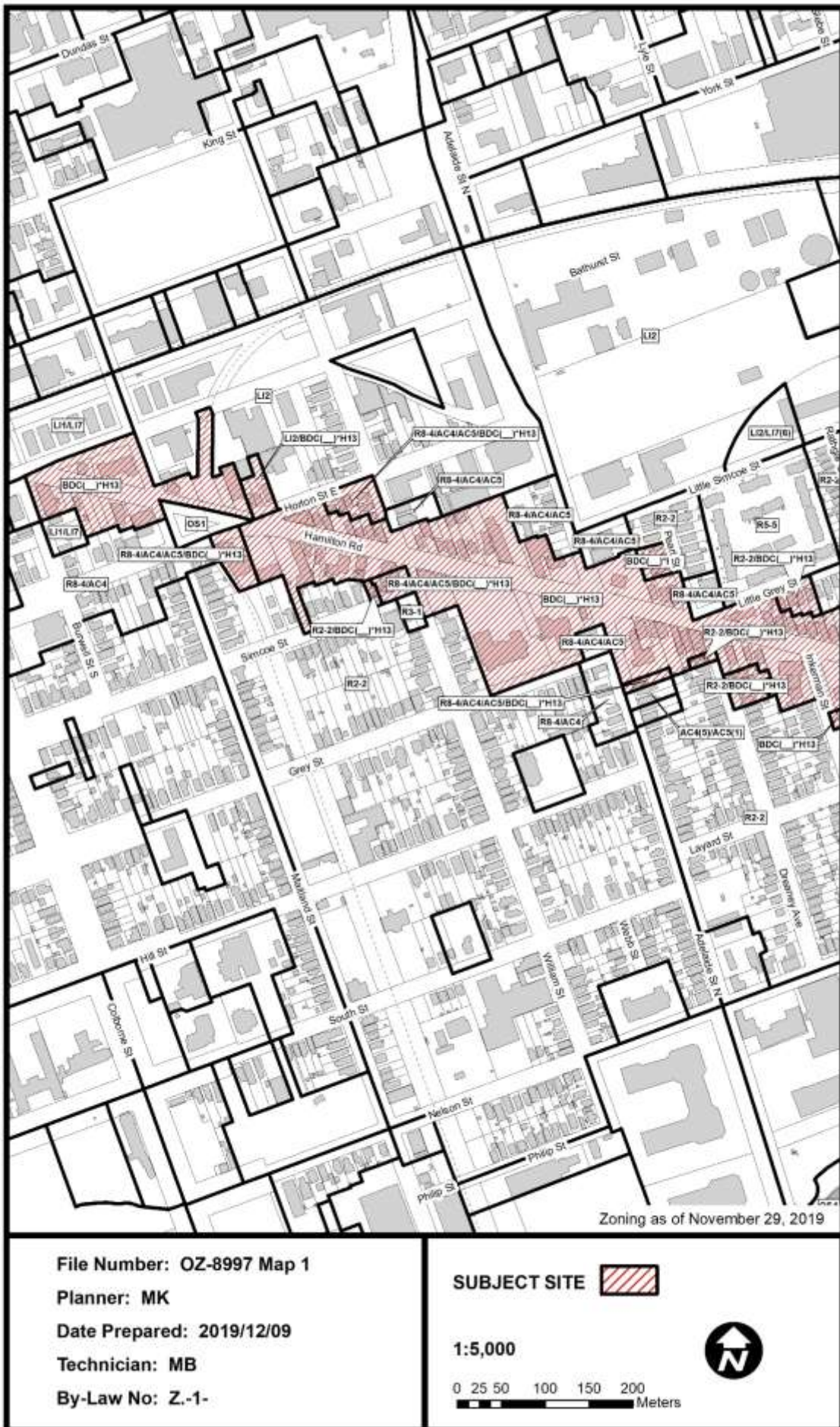
PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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



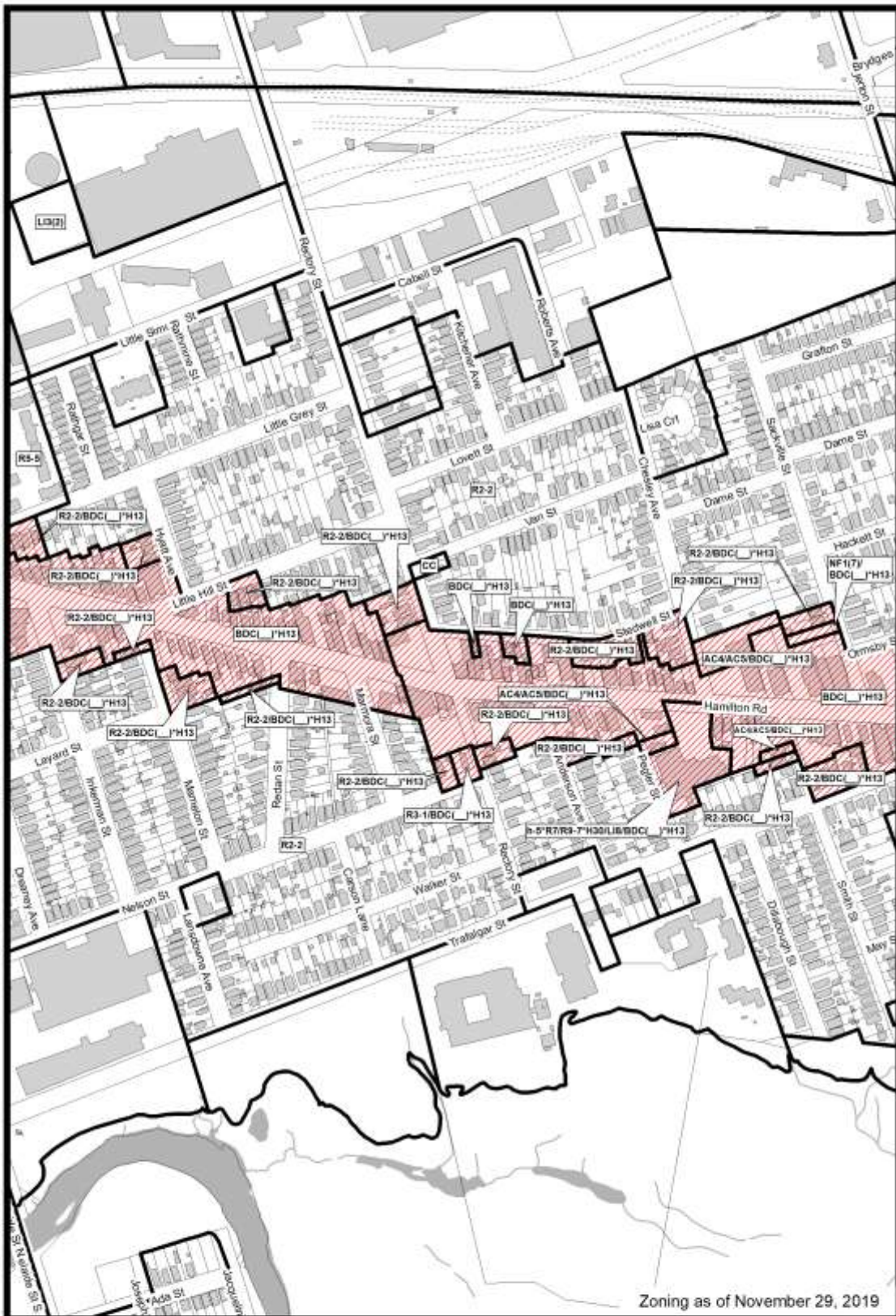
File Number: OZ-8997 Map 1
 Planner: MK
 Date Prepared: 2019/12/09
 Technician: MB
 By-Law No: Z.-1-


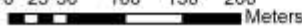

SUBJECT SITE 
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Geodatabase

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



<p>File Number: OZ-8997 Map 2 Planner: MK Date Prepared: 2019/12/09 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,000</p> <p>0 25 50 100 150 200 Meters </p> <p></p>
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Geodatabase

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



File Number: OZ-8997 Map 3
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

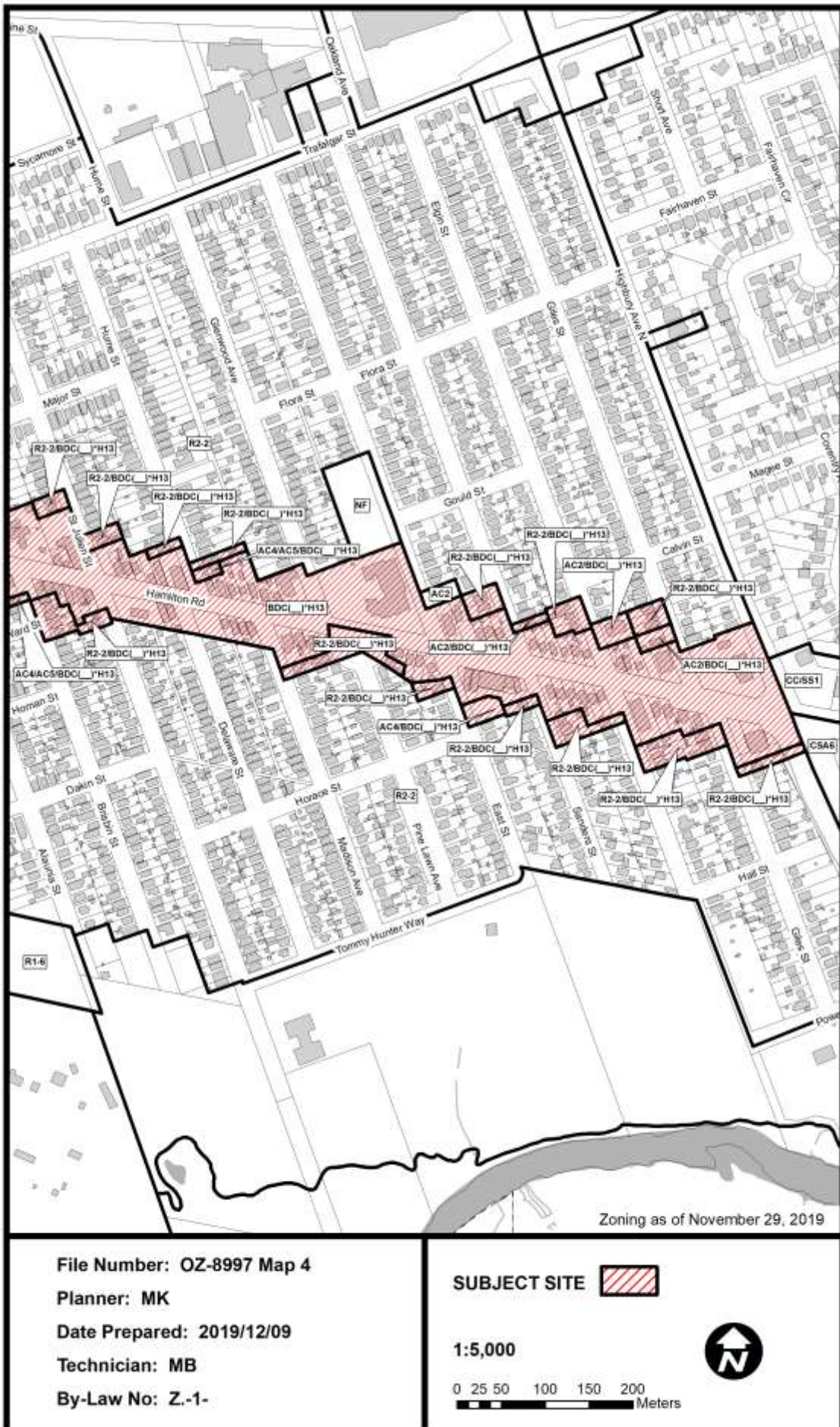
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Geodatabase

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




File Number: OZ-8997 Map 4
 Planner: MK
 Date Prepared: 2019/12/09
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters



Geodatabases

Area 4 in Appendix “A”

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located north and south of Hamilton Road.

WHEREAS the Corporation of the City of London has applied to rezone an area of land located north and south of the Hamilton Road Corridor as shown on the maps 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 90-92, 111-113, Rectory Street, 821-871 Stedwell Street, 60, 73-81 Chesley Avenue, 86 Anderson Avenue, 22, 36, 37 Pegler Street, 119-121 Smith Street, 63-69 Sackville Street, 898-914 Trafalgar Street, 961-983 Ormsby Street, 197, 217-227 Egerton Street, as shown on the attached maps comprising part of Key Map No. A108, from the existing zoning (various) to add a Business District Commercial Special Provision (BDC()H13) Zone to the existing zoning.
- 2) Section Number 25.2 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:
 -) BDC()H13
 - a) Permitted Uses
 - i) Any uses permitted in the BDC1 or BDC2 zone variations are permitted if the building fronts onto Hamilton Road.
 - b) Location of Permitted Uses
 - i) Dwelling units, emergency care establishments, lodging house class 2 units, and accessory dwelling units may only be permitted on the rear portion of the ground floor or on the second floor or above.
 - c) Regulations
 - i) An additional 3 metres of front yard and exterior side yard setback are required for all portions of the building above 3 storeys.
 - ii) Building Entrances A building entrance will be located on Hamilton Road.
 - iii) The lot line abutting Hamilton Road shall be interpreted as the front lot line.
 - iv) A minimum of 60% of the Hamilton Road building facade on the first storey of new buildings shall include façade openings.

- v) A minimum of 1 metre depth of landscaped open space is required for all lot lines abutting a Residential Zone, with landscaped open space restricted to grass, flowers, shrubbery and other landscaping
- vi) Notwithstanding a) i), and c) ii), iii) and iv), for the properties at 197, 217-227 Egerton Street:
 - a. Any uses permitted in the BDC1 or BDC2 zone variations are permitted if the building fronts onto Trafalgar Street.
 - b. A building entrance will be located on Trafalgar Street, and a building entrance will not be required on Hamilton Road.
 - c. The lot line abutting Trafalgar Street shall be interpreted as the front lot line.
 - d. A minimum of 60% of the Trafalgar Street building façade on the first storey of new buildings shall include façade openings.

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.

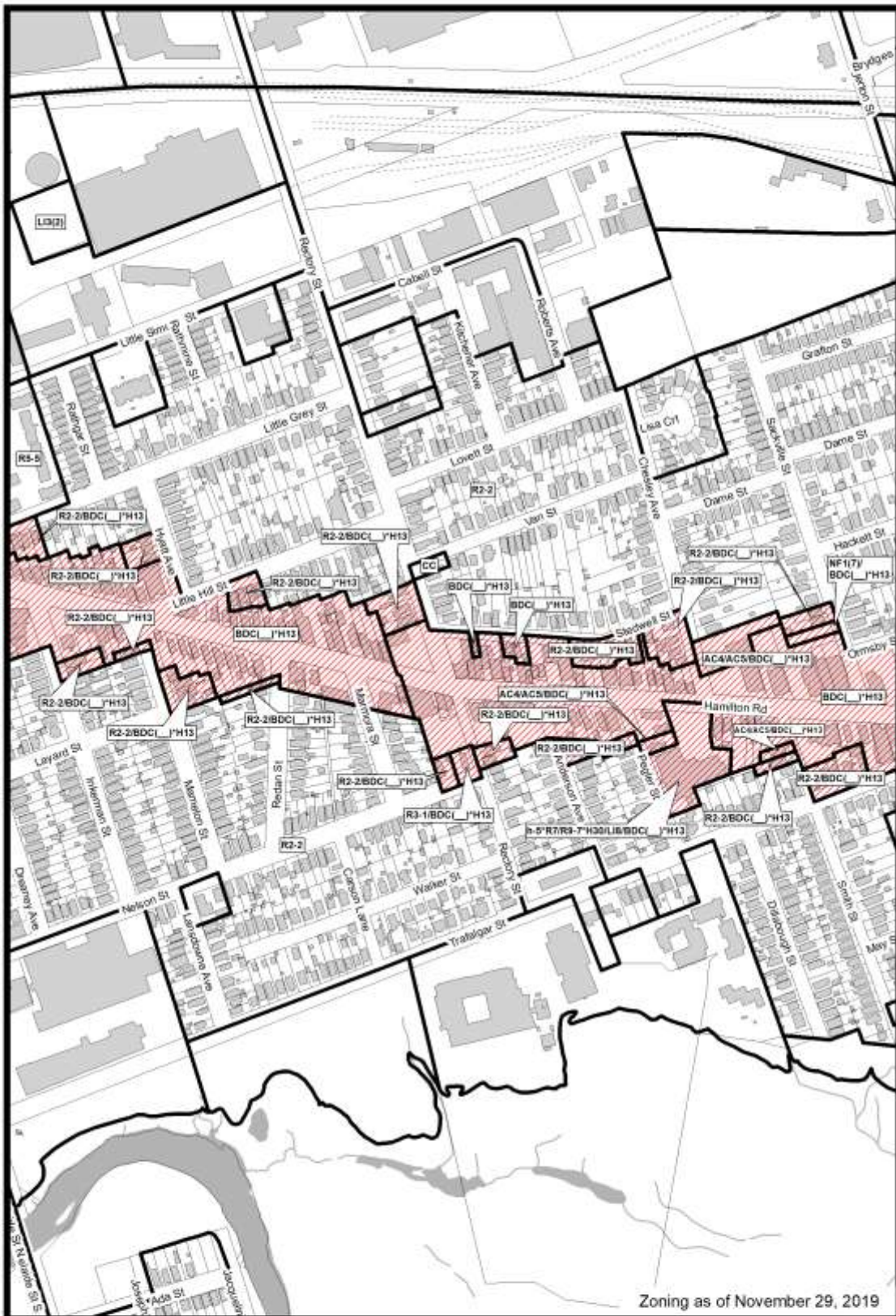
PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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




File Number: OZ-8997 Map 2
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:5,000


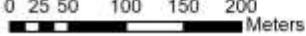

0 25 50 100 150 200 Meters



GeoDatabase

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



<p>File Number: OZ-8997 Map 3 Planner: MK Date Prepared: 2019/12/09 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,000</p> <p>0 25 50 100 150 200 Meters </p> <p></p>
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Geodatabase

Appendix E - Amendments to Zoning By-law Z-1

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-18 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land on Hamilton Road and north and south of Hamilton Road.

WHEREAS the Corporation of the City of London has applied to rezone an area of land located north and south of Hamilton Road as shown on the maps 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 "B" to By-law No. Z.-1 is amended by changing the Parking Standard for the area near Hamilton Road, as shown on the map attached to this by-law, to a Parking Standard Area 1.

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 January 14, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk


First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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



Parking Standard Areas of November 29, 2019

File Number: OZ-8997 Parking Standard Area Map 1
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

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0 25 50 100 150 200 Meters




Geodatabase

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



Parking Standard Areas of November 29, 2019

File Number: OZ-8997 Parking Standard Area Map 2
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

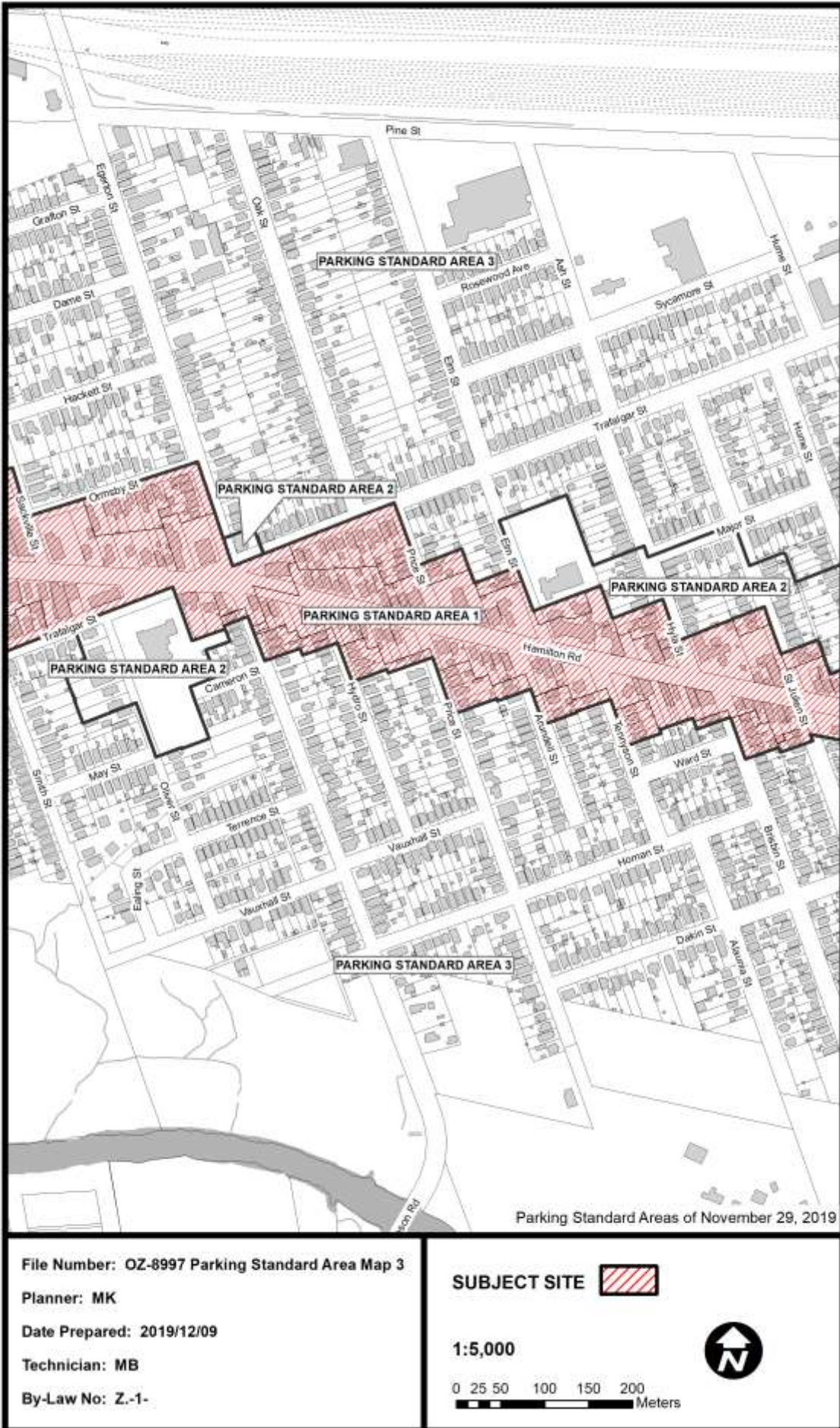
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Geodatabase

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




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



Parking Standard Areas of November 29, 2019

File Number: OZ-8997 Parking Standard Area Map 4
Planner: MK
Date Prepared: 2019/12/09
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters



Geodatabase

Appendix F - Amendments to Zoning By-law Z-1

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-18 _____

A by-law to amend By-law No. Z.-1 to
amend Definitions to add a definition.

WHEREAS the Corporation of the City of London has applied to rezone an area of land located north and south of Hamilton Road as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

1) Section 2 to By-law No. Z.-1 is amended by adding the following definition:

“Façade Openings – means any window on a building façade which provides clear, unobstructed visibility to goods, exhibits, or the interior spaces of a building through the use of transparent glazing; or any public entrance on a building façade which provides clear access from the outside to the interior spaces of a building, but does not include entrances to any stairwell, boiler room, maintenance room, mechanical or electrical or utility room.”

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 January 14, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

Appendix G – Public Engagement

Community Engagement

Public liaison: On December 5, 2019 Notice of Application and Notice of Public Meeting was sent to over 3,300 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 5, 2019.

Two Community Information Meetings were also held prior to the issuance of the Notice of Application and Notice of Public Meeting. These meetings were held on May 1, 2019 and November 13, 2019. Notices for these Community Information Meetings were distributed using the Canada Post Neighbourhood Mail program, where they were distributed as flyers to all addresses in the identified area. Over 7,000 notices were distributed to residents in the Hamilton Road area for each meeting.

16 replies were received, and approximately 55 individuals identified themselves as interested parties through the Community Information Meetings and through the public liaison associated with the Notice of Application and Notice of Public Meeting.

Nature of Liaison: The purpose and effect of the proposed amendments to the 1989 Official Plan and The London Plan, and the proposed zone changes is to allow for an expanded range of uses, to require new development to front onto Hamilton Road, to make it easier to combine lots in certain locations to create larger parcels, to increase the maximum permitted height to 13 metres, and to require certain design features to ensure fit. Amendments are also proposed to Schedule “B” in Zoning By-law Z-1 to allow for reduced parking requirements. An amendment is also proposed to Section 2, Definitions, in Zoning By-law Z-1 to add a definition for “façade openings”.

The notice also included detailed descriptions of the possible amendments to the 1989 Official Plan, The London Plan, and the Zoning By-law Z-1 and identified the subject properties.

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

Concern for:

Traffic on Hamilton Road:

Individuals identified that there were concerns about the volume and speed of traffic on Hamilton Road.

Accessibility of parking on Hamilton Road:

While there was support for the proposed reduction in parking requirements, there were concerns identified that locations for public parking should be more identifiable and that the area could benefit from a municipal parking lot.

Desire to make it easier to use vacant properties:

Many people were supportive of the recommended amendments, as they believed it would make it easier to use vacant properties and help to revitalize the Hamilton Road Corridor.

Desire for allowing taller as-of-right heights:

Some individuals indicated a desire for the Zoning By-law amendment to allow as-of-right heights that were taller than 13 metres (4 storeys). Others identified that the recommended height permission was appropriate.

Preference for additional properties that are north and south of Hamilton Road to be included in the amendments:

In response to public feedback, certain properties were added to Areas 3 and 4, beyond what was presented at the November 13 Community Information Meeting.

Concern from property owners that they would be forced to sell their homes located to the rear of properties fronting Hamilton Road, so that these properties could be redeveloped with properties fronting Hamilton Road

Property owners will not be forced to sell their properties so that they can be redeveloped with properties fronting Hamilton Road.

Agency/Departmental Comments
Housing Development Corporation

**RE: HAMILTON ROAD CORRIDOR PLANNING STUDY
NOTICE OF PLANNING APPLICATION AND NOTICE OF PUBLIC MEETING**

Housing Development Corporation, London (HDC) has reviewed the City's Notice of Planning Application and Notice of Public Meeting (Notice) for the Hamilton Road Corridor Planning Study (the Study), and fully supports the City's strategic approach to advance development along the Hamilton Road Corridor, noting that:

- The purpose of the proposed Official Plan and Zoning By-law amendments is to implement recommendations of the Hamilton Road Community Improvement Plan (HR-CIP) to support local businesses and the development of a vibrant, healthy and mixed-use area; and,
- The proposed amendments pertain primarily to lands fronting the Hamilton Road Corridor.

In completing this review, HDC recognizes the potential to similarly advance parking, land-use, setbacks, building height, land assembly permissions, and other recommended actions of the HR-CIP, to strengthen the community and incent development beyond the Hamilton Road Corridor Study area to other strategic land opportunities located within HR-CIP area.

In response to the Notice, HDC requests that, within the context of the Study, City Planning review the City's Neighbourhood School Strategy; the Surplus School Site Evaluation and Acquisition Policy; the Closed School Sites Evaluation and Approach; the (anticipated) Affordable Housing Development Toolkit; and, the Housing Stability for All Plan to determine how the Study may also help to advance other areas of the HR-CIP; specifically, Section 6: Implementation, Item 6.9:

“Explore opportunities to construct purpose-built well-designed affordable housing projects that will contribute to the revitalization of the neighbourhood.”

Recognizing that HDC is identified in the HR-CIP to lead this initiative with Planning Services - Urban Design, and others, HDC would welcome the opportunity to advance this work with City Planning through this approach and with the support of the City's municipal housing champions table.

Sincerely,

Stephen Giustizia, CEO

c. John M. Fleming, Managing Director of Planning and City Planner Kimberly Wood, HDC Development Manager Brian Turcotte, HDC Development Manager

Upper Thames River Conservation Authority

**Re: File No. OZ-8997- Application to Amend the Official Plan and Zoning By-law
Applicant: The Corporation of the City of London**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection

information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the *Planning Act*.

PROPOSAL

The applicant is proposing Official Plan and Zoning By-law amendments within the Hamilton Road Corridor Planning Study area to allow for:

- Expanded range of uses;
- Reduction in parking requirements;
- Require new development to front on Hamilton Road;
- Make it easier to combine lots in certain locations to create larger parcels;
- Increase in maximum permitted height to 13 metres;
- Require certain design features for new development to ensure fit; and,
- The addition of definitions to the Zoning By-law is being considered to implement the above.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, numerous properties within the Hamilton Road Corridor Planning Study area **are** regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has jurisdiction over 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.

DRINKING WATER SOURCE PROTECTION: *Clean Water Act*

Properties within the Hamilton Road Corridor Planning Study area fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

The UTRCA has no objections to this application. Should any development or site alteration be proposed within the regulated area as a result of this amendment, the owner will be required to obtain the necessary Section 28 permit from the UTRCA. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY
Stefanie Pratt
Land Use Planner

Appendix H – 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
- 1.1.3 – Settlement Areas
- 1.4 – Housing
- 1.7 – Long Term Economic Prosperity
- 4.0 – Implementation and Interpretation

1989 Official Plan

- Chapter 3 – Residential Land Use Designations – 3.1, 3.1.1, 3.1.2, 3.2
- Chapter 4 – Commercial Land Use Designations – 4.2, 4.3.8, 4.4.1
- Chapter 7 – Industrial Land Use Designations - 7.1.3, 7.3
- Chapter 10 – Policies for Specific Areas – 10.1.1, 10.1.2

The London Plan

Our Strategy

- Policy 55 (in-force)
- Policy 57 (in-force)
- Policy 59 (in-force)
- Policy 61 (in-force)
- Policy 62 (in-force)

Our City

- Policy 79 (in-force)
- Policy 80 (in-force)
- Policy 84 (in-force)
- Policy 85 (in-force)
- Policy 90* (under appeal)
- Policy 91* (under appeal)
- Policy 92* (under appeal)
- Policy 131 (in-force)
- Policy 132 (in-force)
- Policy 133 (in-force)
- Policy 153 (in-force)
- Policy 154 (in-force)

City Building Policies

- Policy 193* (under appeal)
- Policy 197* (under appeal)
- Policy 252 (in-force)
- Policy 253 (in-force)
- Policy 256 (in-force)
- Policy 259* (under appeal)
- Policy 269 (in-force)
- Policy 270* (under appeal)
- Policy 271* (under appeal)
- Policy 272* (under appeal)
- Policy 278* (under appeal)
- Policy 284* (under appeal)
- Policy 285* (under appeal)
- Policy 286* (under appeal)
- Policy 291* (under appeal)

- Policy 506 (in-force)
- Policy 508 (in-force)

Place Type Policies

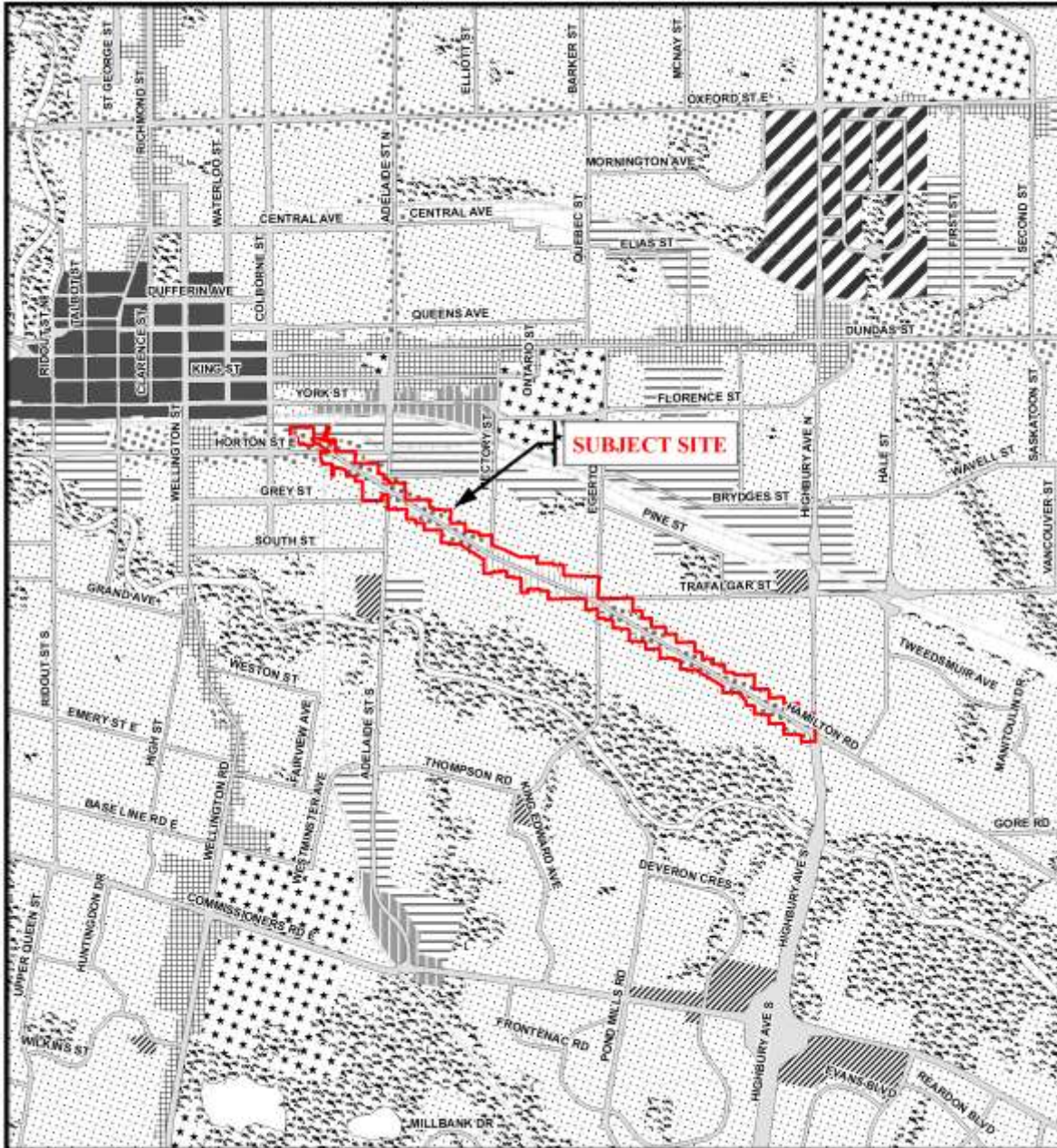
- Policy 826 (in-force)

Policy 828* (under appeal)
Policy 830* (under appeal)
Policy 832* (under appeal)
Policy 833* (under appeal)
Policy 834* (under appeal)
Policy 835 (in-force)
Policy 837* (under appeal)
Policy 839* (under appeal)
Policy 840* (under appeal)
Table 9* (under appeal)
Policy 841* (under appeal)
Policy 905 (in force)
Policy 906 (in force)
Policy 907 (in-force)
Policy 908 (in-force)
Policy 910 (in-force)
Policy 911 (in-force)
Policy 912 (in-force)
Policy 916 (in-force)
Policy 921* (under appeal)
Policy 922* (under appeal)
Policy 923 (in-force)
Policy 924 (in-force)
Policy 961* (under appeal)
Our Tools
Policy 1577* (under appeal)
Policy 1578* (under appeal)
Policy 1635 (in-force)
Policy 1636* (under appeal)
Policy 1729 (in-force)
Policy 1730 (in-force)
Policy 1731 (in-force)
Policy 1732 (in-force)
Policy 1733 (in-force)
Policy 1734 (in-force)

Note: Policies under appeal are identified in the report with an “*”

Appendix I – Relevant Background

Additional Maps



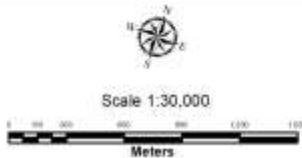
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 | |

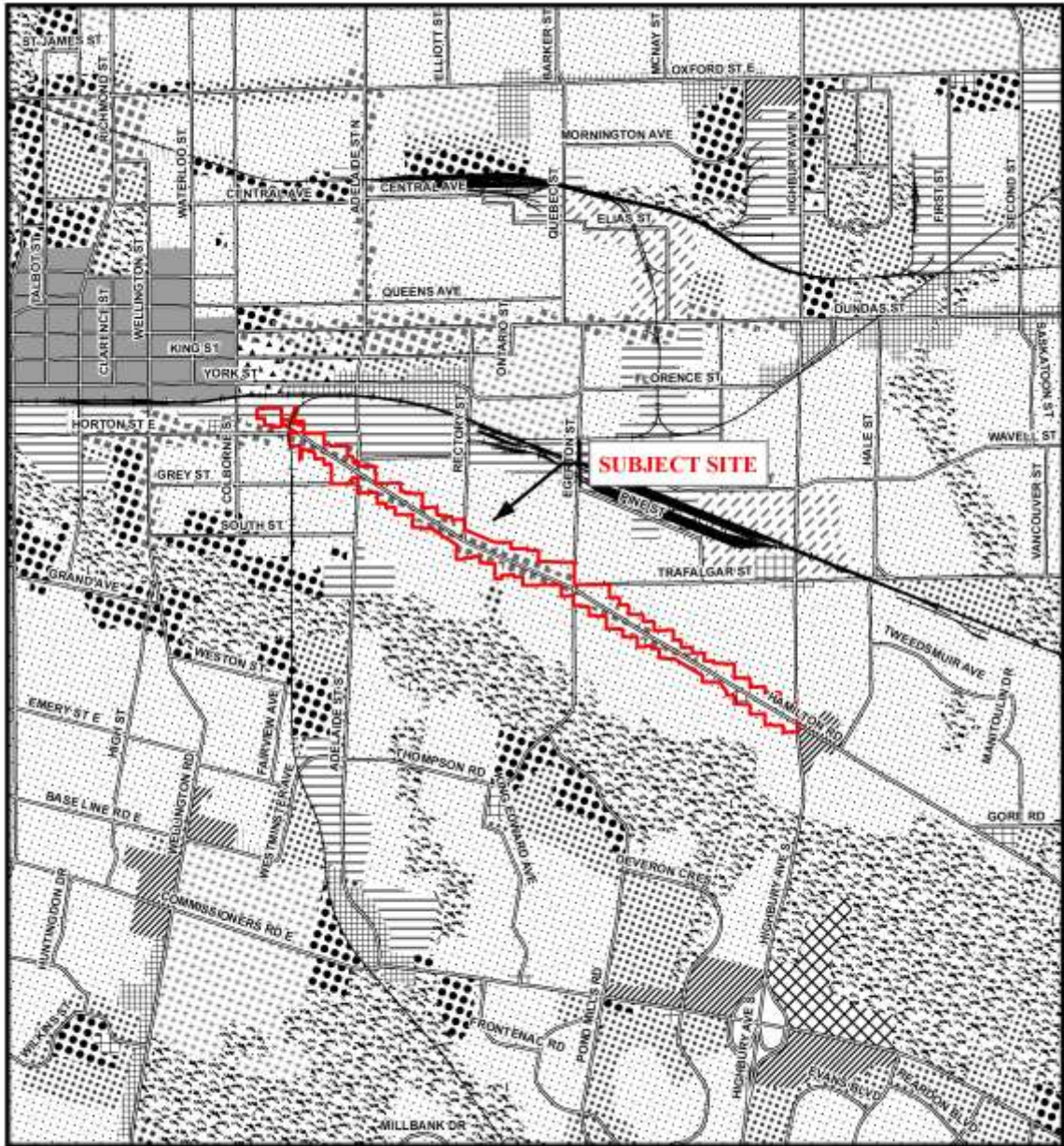
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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



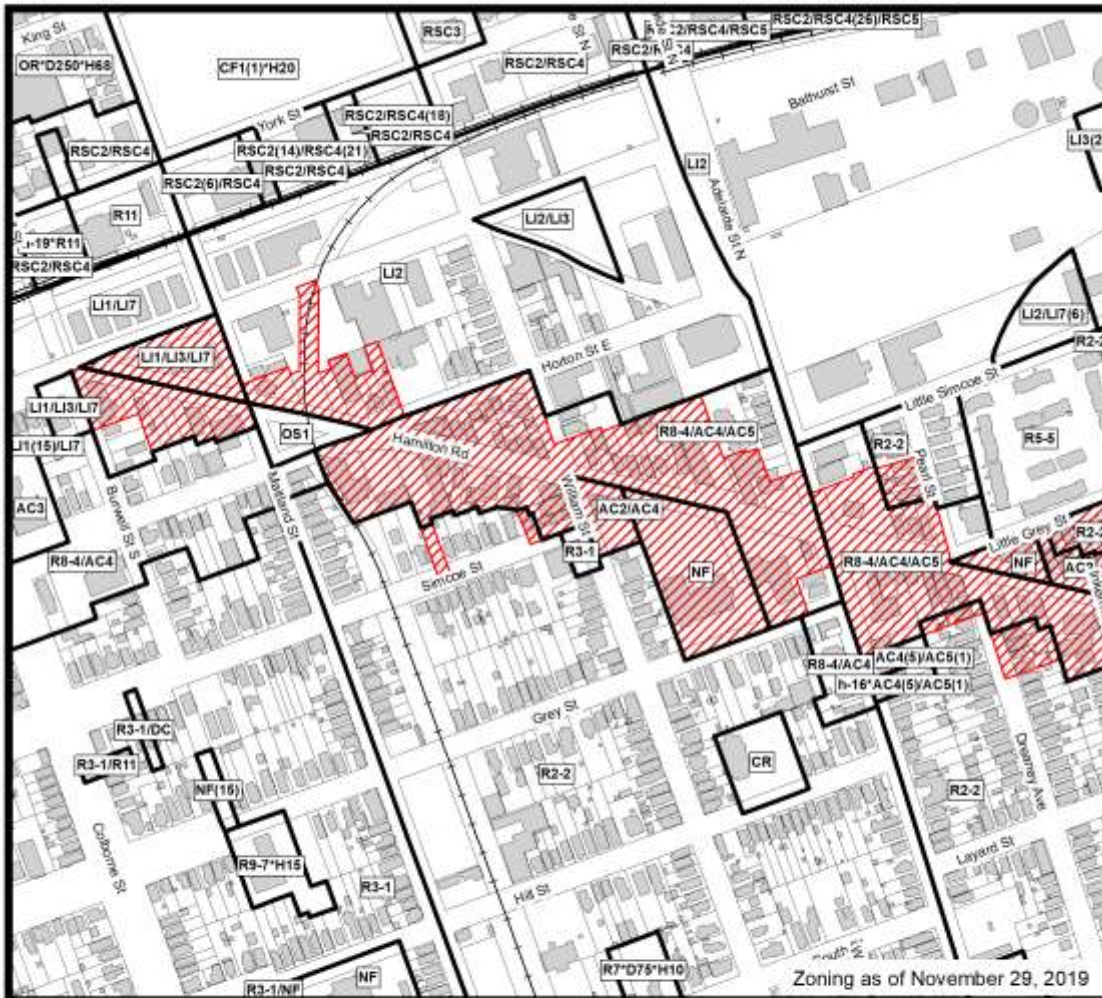
File Number: OZ-8997
Planner: MK
Technician: MB
Date: 2018/12/10



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>CITY OF LONDON 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-8997</p>
		<p>PLANNER: MK</p>
		<p>TECHNICIAN: MB</p>
		<p>DATE: 2019/12/10</p>

PROJECT LOCATION: e:\planning\projects\ip_officialplan\work\coms00\excerpts\mxd_templates\scheduleA_b&w_0x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: Various - see map

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

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|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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
 "Y" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
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CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

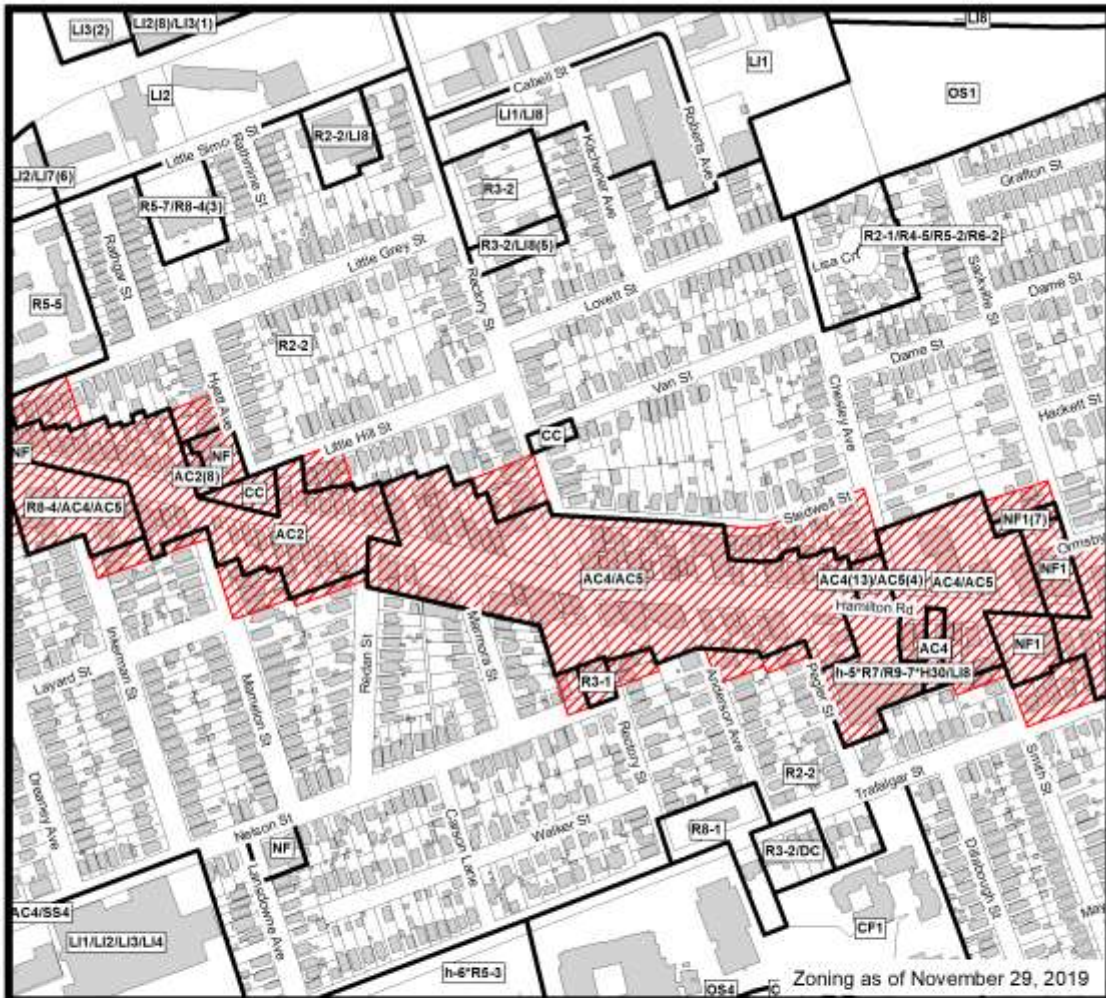


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
 OZ-8997 MK

MAP PREPARED:
 2019/12/10 MB

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 0 25 50 100 150 200 Meters



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: Various - see map

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

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| <ul style="list-style-type: none"> 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
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 "H" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
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CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

MAP 2
ZONING
BY-LAW NO. Z-1
SCHEDULE A

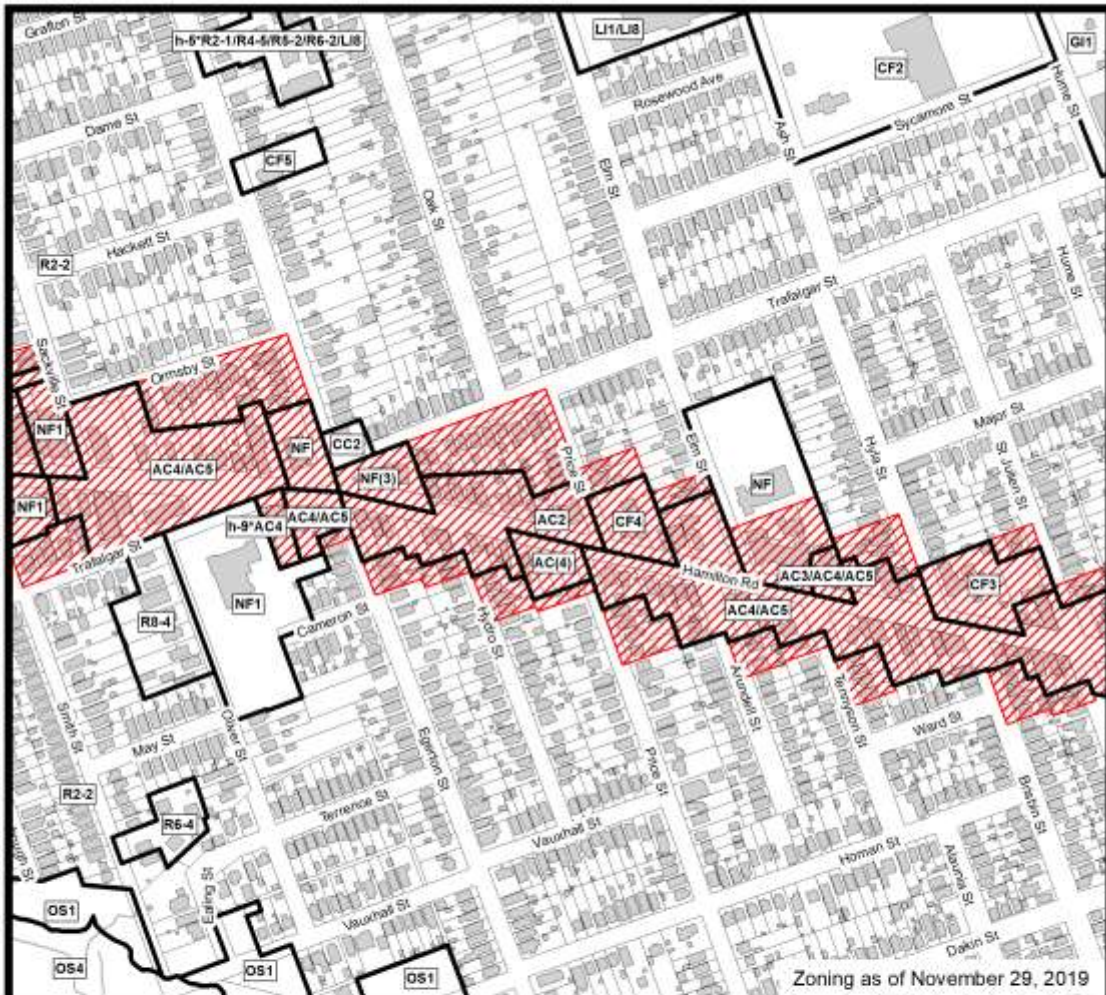


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
 OZ-8997 MK

MAP PREPARED:
 2019/12/10 MB

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: Various - see map

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

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|--|---|
| <ul style="list-style-type: none"> 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
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 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
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 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

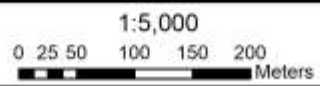
MAP 3
ZONING
BY-LAW NO. Z-1
SCHEDULE A

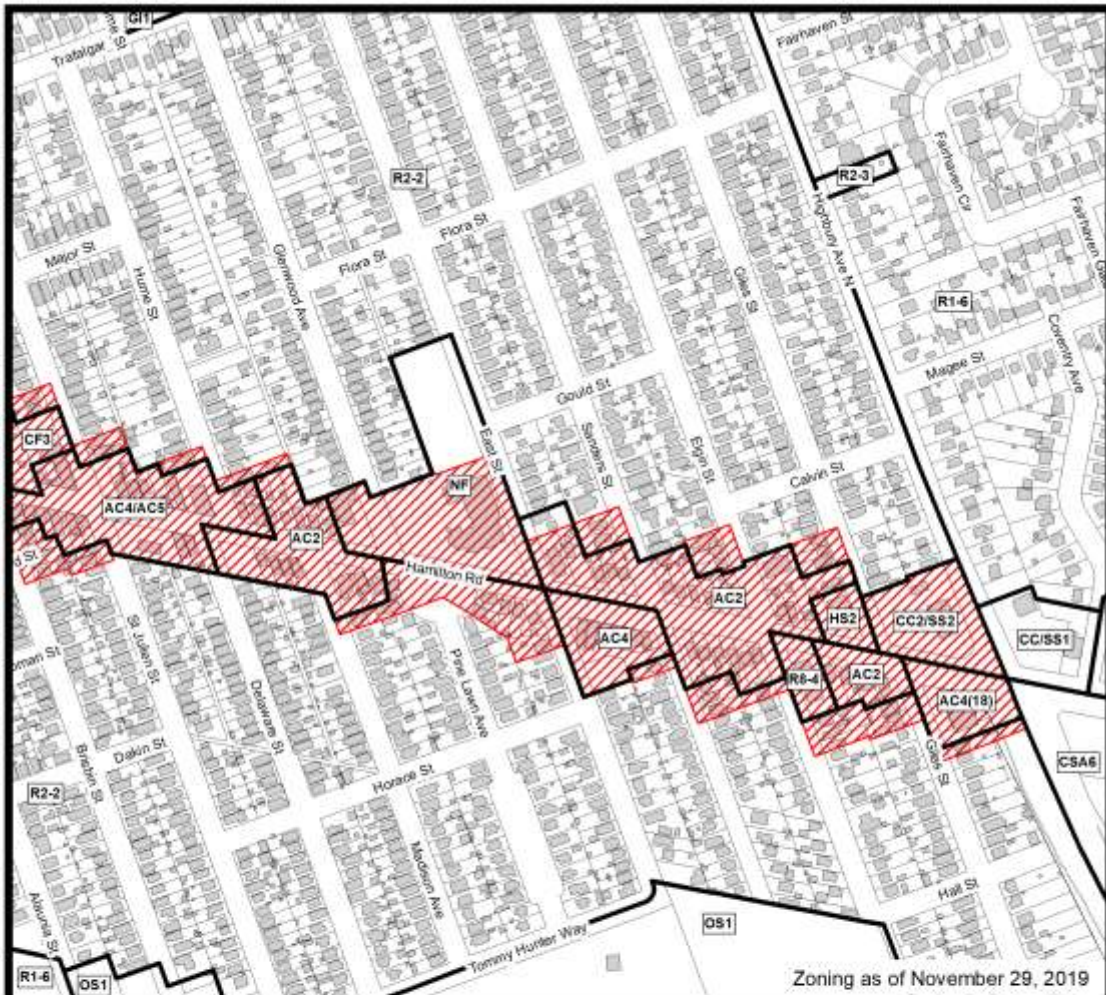


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
OZ-8997 **MK**

MAP PREPARED:
2019/12/10 **MB**





 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: Various - see map**

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

- | | |
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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
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CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

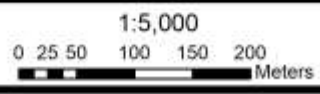
MAP 4
ZONING
BY-LAW NO. Z-1
SCHEDULE A



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

FILE NO:
 OZ-8997 MK

MAP PREPARED:
 2019/12/10 MB



Additional Reports

Planning and Environment Committee – June 18, 2018 – City of London Hamilton Road Area CIP Forgivable Loan Program

Planning and Environment Committee – March 19, 2018 – Application By: City of London - Hamilton Road Area Community Improvement Plan (File: O-8866)

Planning and Environment Committee – December 4, 2017 – City of London Draft Hamilton Road Area Community Improvement Plan

Planning and Environment Committee – August 22, 2016 – Hamilton Road Area Community Improvement Plan Proposed Study Area and Terms of Reference

From: ANDREA JOHNSON
Sent: Thursday, January 02, 2020 12:53 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Hamilton Road Corridor Project Concerns

I am the owner (Oct. 2016) and residential occupant (Nov. 2016) of 36 Pegler Street. This is directly behind the Mobil Gas Station, at 487 Hamilton Road. This is the second house I have owned, the first as the sole owner. My address is currently under review for heritage designation.

I am concerned about several of the proposals in the current plan. The City must address deficiencies in the current bylaws and code, as they are relevant to this project, as well as for other residences beside or behind a commercial lot. within the City of London

Residents who live adjacent to commercial property should have the same rights as other residential addresses to freedom FROM their commercial neighbour's activities. This includes a right to quiet enjoyment, privacy, safety, clean air, sanitation. At present the City of London's bylaws and code do not protect residential addresses that are adjacent to a commercial entity.

Proposed Height of Buildings:

There are currently NO 4 story buildings on Hamilton Road between Adelaide and Clarke Rd. The only buildings which approach this height are the church steeples and the waterpark structures. While the city desperately needs more affordable housing units - apartments in particular - 4 story buildings are out of scale with the existing late 19th and early 20th century buildings on Hamilton Road between Adelaide and Highbury. The inventory of heritage buildings with original features must be protected, and there should be incentives for their sympathetic upkeep and preservation. If the existing lots are too small to build commercial/apartment buildings on this corridor, well, there are plenty of vacant buildings on large lots (ie former Roast Buffet building at Hamilton Rd and Gore) where a larger 4 story commercial/apartment building would be a better and easier fit.

I lived on busy streets in major cities for a long portion of my adult life - Broadway and Vine in Vancouver, B.C (1993 - 98), King St. West and Strachan in Toronto (1998 - 2005) and St. Clair West and Oakwood in Toronto (2015 - 2016).

The traffic noise on Hamilton Road is exceptional, the loudest and worst of anywhere I have ever lived.

Is this due to the particular acoustics of the angled road, the building materials used, or the lack of enforcement for modified vehicles and aggressive driving ? The sound level is much worse in

summer, including blasting stereos and racing motorcycles. Developers may discover that they are unable to get a good return on their investment due to the extremely unpleasant aspects of living on or adjacent to Hamilton Road. Are there remedies for the noise, including strict enforcement, timed traffic lights that make street racing difficult, photo radar with fines, plantings and building materials that deaden and absorb sound ? Taller buildings with large windows will amplify and project the sound issues.

Residential neighbours who live adjacent to the proposed buildings will lose privacy in their homes and yards with several stories of windows(and balconies ?) over looking them.

New Zoning as it Pertains to Residences:

My address was inexplicably designated as Residential AND AC 4 and AC5 sometime in the 1990's. This house had never been the site of a business. To apply to get this zoning changed is cost prohibitive (\$ 12,000 !) and I have been told that changing this zoning designation is not relevant to the current plan or project. I am unclear as to whether the new zoning designation for residential addresses behind Hamilton Road commercial addresses will automatically receive the new BDC designation or if this only occurs if/when a Hamilton Road commercial property acquires the adjacent residential property. I have spoken with a variety of real estate appraisal professionals. For a residential address with dual commercial zoning, the fee for an appraisal jumps from about \$ 400.00 (for a house with only residential zoning) to about \$ 2400.00 for a house in my situation. This has negative implications for any residential property owner who needs an appraisal due to things like divorce, refinancing, being the executor of an estate, etc.

The proposed changes in zoning should not create headaches and extra expenses for the owners of modest homes in the the Hamilton Road Corridor. There are more residences than businesses in this corridor.

Pedestrian Safety:

The City of London appears to favour the rights of vehicles over the safety of pedestrians. An afternoon of observation and documentation would quickly reveal the amount of people who are running into traffic to cross Hamilton Road.

The large distances between signal crosswalks is challenging for anyone but an able bodied adult.

Demographics show this area has a large amount of people living at or below the poverty line. Many of these people do not have cars. There are schools in the area but no speed limits posted. Many pedestrians have young children, strollers, bundle buggies. There are pedestrians who are

elderly with walkers, are in wheelchairs or use mobility scooters. Most bus stops between Adelaide and Highbury do not have a crosswalk with a signal within a block of the stop. The lack of signal timing on traffic lights creates very dangerous and nearly impossible conditions for pedestrians to cross, even at corners. Aggressive driving in this corridor makes this even more dangerous.

The grading on Hamilton Road is terrible. Every local pedestrian can recount a time they were soaked by a large volume of standing water driven through at a high rate of speed by an oblivious driver. Trying to avoid this while carrying many pounds of groceries home from the bus stop is an unpleasant challenge.

The nearest grocery store on a bus route is located at Hamilton and Highbury. This is an extremely unsafe intersection for pedestrians at all of the corners.

The gas station at Pegler and Hamilton Rd is extremely dangerous for pedestrians. There are no raised curbs to direct the traffic flow. As many as six vehicles may be at the pumps at a time, all of which face out onto the sidewalk on Hamilton Road. The pump design, with the red lit bars, obstructs driver's visibility of pedestrians and oncoming traffic. There are advertising signs which further clutter the visual field. As there is no crossing signal at this corner, vehicles quickly pull into and out of traffic at a high rate of speed on Hamilton Road. Many gas station customers are not looking for pedestrians. There have been many fender benders and near misses at this corner. This is a tragedy waiting to happen.

Lack of Site Plan Review for Existing Buildings (My Case History as an Unfortunate Example):

When I purchased this home, it was next to Bart's Used Cars. Bart's sold a small amount of gas with two old fashioned pumps. They were open six days a week, 8 hours a day. The lot was sold and flipped by a gas station developer. Because the existing building was not demolished - only renovated - and there was no change of use, it was exempt from ANY site plan approval or review. I now live next to a 24 hour gas station with SIX pumps, with a convenience store. There are serious safety, light infiltration, noise, pedestrian safety, pollution, privacy, structural, crime, garbage and rodent poison concerns as a result of this development. These issues have an extremely negative effect on my property, and there is nothing I can do to mitigate them.

The City of London offers NO PROTECTION for a residence adjacent to a commercial property. This residential address predates any commercial development at 487 Hamilton Rd by at least 50 years. A visit and subsequent review from Site Planners prior to the site's renovation would have identified most or all of the issues before any redevelopment took place.

The lack of Site Planning Review permits a development like this - which was grandfathered in - to be exempt from requirements like buffer zones, raised curbs to direct traffic, locked enclosures for dumpsters, shielded lighting, etc.. This exemption affects area residents and other commercial operations by lowering permissible standards. This is egregious in already “blighted” areas.

While the station’s signage identifies it as a Mobil station, when I contacted Esso - who owns Mobil in Canada - I was told that Esso does not operate any Mobil stations. They are the responsibility of the “branded wholesaler” - the owner/operator of the station and convenience store. Therefore Esso/Mobil does not take part in any of the design or layout of the station, canopy, pump location, etc. It is my understanding that the entity who owns/operates this station is from Brampton. The owners have only an economic investment in the station but are not participants or residents within this community.

These are the issues which affect my property, and potentially any other residential property adjacent to a commercial address within the City of London:

Light Infiltration:

487 Hamilton Rd is on a higher elevation than Pegler street, which has a slight slope down, southwards. Due to the gas station’s higher elevation, my property has a severe amount of light infiltration from a lit canopy which is oriented towards Pegler Street - a very short residential street. An SUV or truck that enters from Hamilton Rd has headlights which directly shine into the living room windows of several residences, due to the pump orientation. This is unacceptable, and would have been avoided with professional layout and site planning. There are very bright unshielded lights over the tire compressor. Their glare makes visibility in my yard much LESS safe. My house is lit from my commercial neighbour’s excess and misdirected lighting from dusk to dawn every single night. It is bright enough to light the north rooms to the interior far south wall. When I attempted to address my concerns with the previous gas station manager, he told me that I should get “thicker curtains”.

At present London does not have any light pollution or nuisance lighting bylaws or code.

Fig. 1. The north side of my property showing the extent of the light infiltration from my commercial neighbour:



Fig 2 shows the headlights from an SUV at the gas station sweeping across my neighbour's windows, at 35 Pegler Street:



Privacy, Fencing and Structural Issues:

There is no bylaw which compels a commercial operation to erect an opaque and structurally sound fence, when they are located adjacent to a residence.

During the gas station's redevelopment I spoke to the workers and inquired about a fence. I was shrugged off and told there was no fence in the plans. I passed on my contact information to be given to the owner, but no one ever contacted me. When the gas station opened, there was the pre-existing 4' chain link fence, on top of a cement retaining wall. I hung canvas on this fence for some privacy during construction. Since there was no parking delineated, customers parked however. When they parked nose in, their headlights shone through the canvas privacy cloth, and directly through my dining room and kitchen windows (with opaque curtains). The gas station property is on an elevation approximately 48" higher than my backyard. Anyone in their parking area could easily see into my yard. After I contacted Esso regarding my concerns - the gas station manager banged on my door, and was angry that I had contacted Esso. He claimed that a taller fence would be erected. However - he suggested that I contribute \$ 2500.00 towards this fence ! I was never consulted about fence quotes. The manager hired a handyman type, not a professional carpenter, to build a 6' wood fence. The fence is very poorly built, crooked, and the posts are not even set. Some are attached to brackets, others to the previous chain link posts. Due to the concrete retaining wall being full of gravel and rebar, these brackets are not securely bolted.

During a wind the fence creaks and flaps. Despite my property being visibly much lower, there are no bollards to prevent a vehicle from backing through the fence and down into my yard. I contacted City of London's Property Standards and Building Code Division regarding the fence but received no reply to my emailed concerns.

- To build my own privacy fence I would either need to apply for a minor variance or break the City of London's Fence Bylaw to create a fence tall enough (10 feet measured from my yard) so gas station customers could not look over it. The current fence bylaw permits a tall privacy fence - but this must be 48" from the property line, which eats up a significant portion of my yard.

A residence next to a 24 hour business with vehicle traffic should NOT have to bear the costs for an opaque privacy fence. This should be the sole responsibility for the commercial neighbour. The City of London's Fence Bylaw does not even have a clause which addresses structural stability.

- The terrible fence was visible through my dining room, kitchen, back porch and (former bedroom) windows. It was very seasick looking. I spent hours cutting and sewing opaque covers for it, which are attached on my side of the fence. Even black plastic tarp is less awful to look at.

Fig.3 - the fence my commercial neighbour erected, viewed from my back yard:



Fig.4, the fence adjacent to my driveway, built by my commercial neighbour, after 6 months:



Garbage and Sanitation Issues:

Old Google streetview images show where Bart's Used Cars stored their garbage - in a small enclosure to the left of their mechanic's garage.

It can only be presumed - since the City told me they do not have Site Plans for this address since it was done prior to the 1970's - that this is where the Site Plan approved garbage bins to be located. The current dumpster location is in violation of this plan.

The Mobil station has a dumpster in plain view of area residents, visible from my front yard, within a few feet of the sidewalk, blocking the corner visibility triangle, in a location that is far from where it had been. This is particularly unpleasant in the summer when the contents STINK. Often the dumpster gets too full, then staff piles up bags of garbage BESIDE the dumpster. Gas station clients and other passers by also routinely dump trash here. Gas station staff have ignored these piles of trash for more than a week. Area residents and business owners have gone to the gas station to complain directly, and complaints have been made to the city. Other local businesses with dumpsters, like Tile Town and Enerzone do not have these dumping or maintenance issues.

While Site Planning requires dumpsters at places like the Argyle Mall to have locked 6' enclosures for their dumpsters - even though there are no adjacent residences within sightlines - there are no code or bylaw requirements for my gas station neighbour to have a locked enclosure - even with documentation of ongoing issues related to the dumpster and sanitation.

If there is no Site Plan on record for an older address, a new one should be created, including documentation including photos of the address as it was(available on Google Streetview). ALL Site Plans on record should be periodically reviewed for unauthorized changes by the owner/occupant.

Fig. 5: Stinking Garbage piled beside dumpster in Aug.2019



Fig 6: Garbage strewn around dumpster then frozen to the ground, March 2019



Fig. 7 : 2015 Streetview of 487 Hamilton Road. Garbage storage is to the left of the mechanic's bay, in the inset area:



Rodent Control and Sanitation:

This spring, the gas station installed rodent bait stations directly adjacent to my backyard patio area. I contacted Health Canada and discovered the bait stations contain Bromadiolone. This is a powerful anti-coagulant. Rodents that consume it can live for up to five days before dying a cruel death by internally bleeding to death. Any other creature - like an owl, hawk, cat, dog that consumes a contaminated mouse will also suffer an agonizing death without prompt and aggressive veterinary treatment. A commercial user is not required to post any signs warning area residents with poison identification. IF the gas station is having rodent issues - selling only pre-packaged foods in sealed containers - then this suggests that the issues lie with their handling of their clientele's garbage and station sanitation. As a pet owner, the poison bait stations make it unsafe for my pets to be in my own back yard. This is also very close to forested parkland area.

The City of London should not permit rodent bait stations to be used by a business adjacent to a residence. They should not be permitted close to parkland and areas with creeks and rivers, where wildlife live.

Chronic Noise Issues:

While the City of London has a noise bylaw, the lack of Site Plan Review offers no protection for a residential address next to a commercial operation.

A residential address is prohibited from using power tools from 10:00 p.m. to 7:00 a.m. (9:00 a.m. on Sunday). My commercial neighbour installed a tire compressor approximately 6 feet from the property line. This is audible in all of my rooms that face north. I contacted the City with regards to this, and was told that I would need to fill out a noise log with the times and dates when the sound was occurring before my complaint would be investigated. This is absurd.

A 24 hour business adjacent to a residential address should be legally compelled to observe residential noise bylaws.

Any exterior device that create noise - ie tire compressors, vacuum cleaners, etc.should either be shut off between 10:00 p.m. until 7:00 a.m. or be located where they cannot disturb adjacent residences.

While I do not hear the sounds from the gas pumps or convenience store, their customers and suppliers create ongoing noise. Loud stereos, arguments in the parking lot, idling delivery trucks, the thunking sound from the portals for the gasoline storage tank when they are driven over, angry shouts from tire compressor users, loud modified vehicles are all predictable sources of noise from a 24 hour gas station. A 1m buffer zone with plantings is not enough to dampen these issues.

The ongoing noise (and light infiltration) disturbed my sleep many times. In the middle of the night I had to open my window to shout at the gas station manager - having a loud conversation at 4:00 a.m. by the tire compressor - to SHUT UP. Eventually I moved my bedroom. In a house with limited space what this actually meant was that I had to move three rooms around, pay movers, hire an electrician, do extensive plaster repairs then paint these three rooms. In a house with sloped ceilings there are only a few places that things like tall bookcases will physically fit.

Hours of Operation, Social Issues and Crime:

The City of London needs an application and community review process for any commercial business that wants to operate 24/7 near residential property.

There should not be 24 hour commercial businesses in areas with known issues with crime, drug dealing and street prostitution. 24 hour businesses like call centers, dispatch operations, commercial bakeries, etc. do not have counter sales, constant vehicle or foot traffic. 24 hour manufacturing should only be permitted in areas where the sounds, vibration, odours, etc. will not affect area residents. 24 hour convenience stores, etc. create an attitude of “plausible

deniability” for johns who cruise the neighbourhood and pester girls and women, even those in their own front yards. Drug dealers, drug buyers and at least one drug house are also a problem in this vicinity.

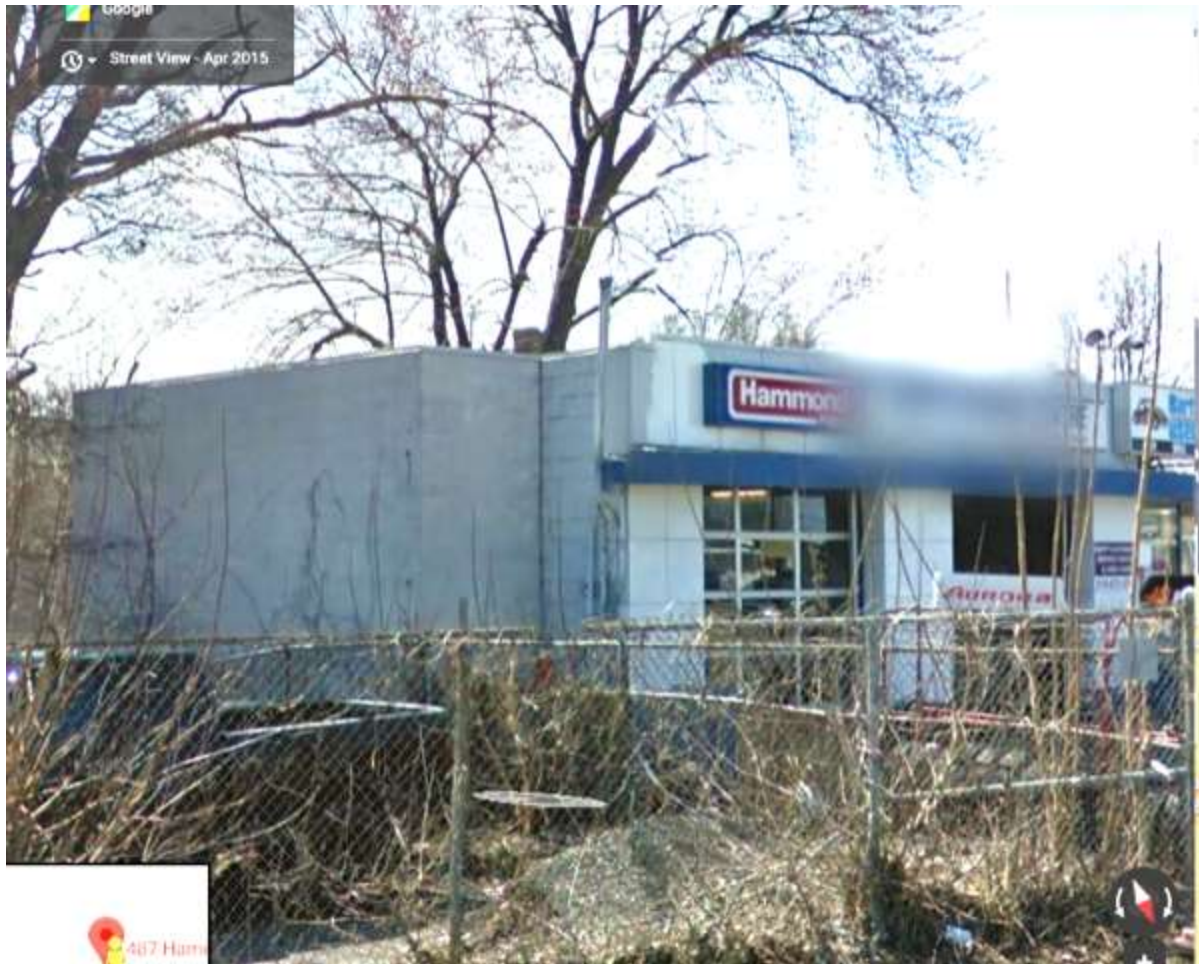
I would have never purchased property next to a 24 hr gas and convenience store. The previous business at this location was open 8 hours a day.

Air Pollution Issues:

Before I purchased this property I did some research about gas stations next to residences. There wasn't much information that was easily found.

The way that the 2016 lot was situated was with two old fashioned pumps close to Hamilton Road. Streetview Images of the address prior to 2018 show one vent pipe for the underground gasoline storage tank, situated to the northeast corner, very close to the parking lot for Enerzone. In the time I occupied my house, while the car lot was operating next door (Dec. 2016 - Jan. 2018), I smelt gasoline ONCE during a tanker refueling. This was on a day that renovations were happening in my kitchen, so we were in and out of the back door many times.

Fig 8: Vent location (single pipe sticking over roofline) in 2015:



The station was renovated in the spring of 2018. A new underground storage tank was installed. The vent pipes - three times as many - were now located 4 feet from my property line.

Fig.9 : New vent location (silver pipes to the left) in relation to my property:



Fig. 10 : Vent pipe location shown in relation to my doors and windows. Two doors and five windows face north. Four windows face west, as does the front door



While other municipalities have Gas Station Design Guidelines, London does not. I assumed there were laws or code that would protect a residence located near a gas station from negative issues, including air pollution. I was wrong.

The gas station opened at the beginning of July, 2018. I did not smell gas around the vent pipes (at this time I did not understand how the underground storage system worked) so I assumed this location was not a problem. During a tanker fill at the beginning of August I experienced my first serious gas vapour infiltration. I do not have AC, my windows were open. Suddenly in the afternoon, my 2nd floor began to strongly smell like gasoline. I looked out the window and photographed the tanker - who was not even using the vapour recovery system which is required by law. I photographed the fill, got the license plate and reported this to the TSSA and the Ministry of the Environment. My eyes burned and my house stunk for at least an hour. I could not open more windows to let out the vapours as they were coming FROM outside. I ran around and checked on all my pets to see what was happening to them. This was horrible. The vent pipes are there to alleviate excess vapour pressure within the underground storage tank during a tanker fill. The vapours are supposed to be recovered back to the tanker truck, but it can't when there is too large a volume.

The TSSA (Technical Standards and Safety Association) is solely responsible for matters pertaining to fuel handling. When I contacted the TSSA with questions about their code, they were unhelpful to the point of being obstructive. I was told that it would cost \$ 120.00, and take 120 days for my questions to be answered. I was told that I could purchase my own copy of the Liquid Fuel Handling Code, for \$ 135.00 plus HST. This code is not available online, not accessible through the library system, not even through University library collections. I managed to acquire a couple of excerpts from the code. I was shocked to discover that the TSSA code had NO GUIDELINES whatsoever for a gas station or other fuel handling facility located next to a residence ! NONE ! I was even more shocked to discover that the distance an underground gasoline storage tank was permitted to be from a property line was 1.5 m - a little over 59” !

Relevant Excerpts from the TSSA “Liquid Fuel Handling Code”:

- 4.3.1.7. Vent pipes, except for emergency vents on aboveground tanks, shall**
- (a) be provided with a weatherproof hood;
 - (b) terminate in open air
 - (i) not less than 2 m above grade level for Class II products, and not less than 3.5 m above grade level for Class I products;
 - (ii) outside buildings, such that fumes from the vent cannot enter or be drawn into any building through a window, door, or other opening, including air intakes; and
 - (iii) at a distance of at least 6 m horizontally from truck loading or parking facilities, or other likely sources of ignition, when venting Class I product tanks located in bulk plants or at railway tank car unloading facilities;
 - (c) be firmly supported and protected;
 - (d) when venting Class I product, be located to minimize the impact of gasoline vapours on people, structures, and mechanical equipment;
 - (e) comply with the distances specified in Table 3; and
 - (f) not enter a building.

2

.2.1. Location of tanks

An underground storage tank shall not be installed

- (a) inside or under any building;***
- (b) less than 1 m from a building;***
- (c) less than 1.5 m from a property line;***
- (d) less than 60 cm from an adjacent underground storage tank;***
- (e) less than 15 m from drilled water wells;***
- (f) less than 30 m from a dug water well or waterway; and***
- (g) where the loads carried by a building foundation or supports could be transmitted to the tank.***

According to TSSA’s own code, the vent pipe location was in violation as the gasoline vapours were entering my house. There were visible wavy lines from the top of the vents during a fill and a strong gas smell in my house and yard. Anyone looking at my property from the gas station side could easily see that the vents were in close proximity to my front door, and most of my windows. Gas vapours are heavier than air and sink. The lower elevation of my property is also obvious.

After numerous reports to the Ministry of the Environment and the TSSA, the TSSA sent an inspector. This inspector was the same TSSA employee who APPROVED this new vent location during the renovation. How he had the authority to inspect his own work is incomprehensible.

He claimed that the vents were within the TSSA's code. At no time did he or the representative from the Ministry of the Environment gather any air quality or soil samples, or use any type of testing equipment. I was told that to prove the gasoline vapours were entering my property, that I would need to hire my own Environmental Consultant to take samples and write a report. I spoke to several consultants and was told that this sample gathering, and report writing would cost \$ 2200.00 plus HST. There are no grants for a homeowner in my situation.

I have had an average of one gasoline vapour infiltration per month. Some months had several infiltrations. These are the infiltrations I KNOW ABOUT - and don't include the ones that happened while I was at work or doing errands. This is dependent on the wind direction. When there is a strong west or northwest wind, the vapours are blown into my house through the cracks around the doors and windows. I have storm windows on most of the windows, and weather stripping on my doors. The vapour infiltrations happen even with all of my doors and windows closed.

I have reached out to all possible sources, including my local councillor, Michael Van Holst - who could not be bothered to personally respond, or visit my location to observe the issues. His assistant, who composed the reply to my emails, suggested I contact my member of Parliament regarding this matter. I have contacted the Department of Public Health, Health Canada, various departments within the City of London, numerous Petroleum contractors, the Petroleum Contractor's Association, Environmental Consultants and labs, the Fire Department, the Ontario Fire Marshall's office, numerous real estate agents and property appraisors. I am concerned that due to the neighbour's vent location, that this created a serious defect that I would need to disclose to any potential buyer. What buyer - residential or commercial - would purchase or occupy a property that has a chronic issue with gasoline vapours infiltrating the property? There is nothing I can do to mitigate or correct this problem, which is solely the result of the gas flipper's renovation.

Without exception - every government entity I contacted deferred to the TSSA and said that this was outside of their jurisdiction.

While the City of London has a bylaw that prohibits smoking within 9 m of a Recreation Amenity or the entrance to a Municipally owned building (<https://www.london.ca/city-hall/by-laws/Documents/smoking-recreation-areas.pdf>), there are NO bylaws to prevent a commercial entity from polluting the air space or soil of a neighbouring property .

Gasoline vapour is volatile and explosive and can travel many meters low to the ground. Vapours settle in enclosed areas closest to the ground (note my elevation compared to the gas station's).

A common additive to gasoline is benzene. Benzene is a known carcinogen. This has been proven for over 100 years. There have been many studies on the toxic effect of benzene on humans. Chronic benzene exposure leads to a certain type of leukemia (Acute Myeloid Leukemia), cardiovascular damage, neurological problems, among many other illnesses. Recent studies have shown that the soil contamination from the drips from a gas pump nozzle after a fill, is 10 times worse than previously thought. This leeches through the concrete into the soil and groundwater below. Several studies have proven a three to four fold increase in AML in children who live within 50 yards of a gas station:

<https://oem.bmj.com/content/61/9/773>

<https://www.theguardian.com/environment/2014/dec/08/benzene-link-leukemia-children>

<https://academic.oup.com/aje/article/185/1/1/2631401>

<https://www.theglobeandmail.com/life/leukemia-rates-high-for-kids-living-near-gas-stations/article20434890/>

A Canadian study found clusters of AML near industries with high levels of benzene: <https://www.cbc.ca/news/canada/hamilton/cancer-study-1.5153973>

Since gasoline is an ordinary product, we have been conditioned to regard it as somewhat harmless and necessary. Gas stations are a commercial entity who should not be located anywhere near residences, schools, hospitals, etc. Locations within residential areas should be quickly phased out. A person who owns a vehicle is able to drive to a location that is not located near any residence.

Since the gas station opened next door (July, 2018) I had five cats who became acutely ill with a variety of issues - from eye irritation and excruciating oral ulcers to acute liver failure. In a 10 month period (Dec. 7, 2018 - Oct.22, 2019) I had to euthanize THREE cats, who were not responding to veterinary treatment. None of these cats were related. None of these cats were suffering from a contagious or food related illness. None of these cats had been previously ill from the conditions that led to their euthanasias. I am extremely concerned that the chronic exposure to a high concentration of gasoline vapours has seriously affected my pets health. I am seriously concerned for the implications for my own health.

The City of London must acknowledge that certain businesses do not belong adjacent to a residence, or in a residential area under any circumstances. This must be considered with all proposed re-developments of an existing area, including the Hamilton Road Corridor.

Provincial government and local municipalities must challenge the TSSA to create code that ensures the safety of ALL residents and does not prioritize commercial interests. If the TSSA had adequate code and standards for residences, would the OEV explosion have happened ?

Advisory Committee on the Environment

Report

The 1st Meeting of the Advisory Committee on the Environment
December 4, 2019
Committee Room #4

Attendance PRESENT: R. Sirois (Chair), J. Howell, K. May, M. Ross, K. Soliman, D. Szoller, A. Thompson and A. Tipping and J. Bunn (Committee Secretary)

ABSENT: M. Bloxam and M.D. Ross

ALSO PRESENT: S. Armstrong, T. Arnos, C. Parker, J. Stanford and M. Stone

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

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair and Vice Chair for the term ending November 30, 2020

That it BE NOTED that the Advisory Committee on the Environment elected R. Sirois and M. Ross as Chair and Vice Chair, respectively, for the term ending November 30, 2020.

2. Scheduled Items

2.1 Accessibility for Ontarians with Disabilities Act Training

That it BE NOTED that the attached presentation from M. Stone, Accessibility Specialist, with respect to Accessibility for Ontarians with Disabilities Act Training, was received.

2.2 Manager, Sustainability and Resiliency – Introduction

That the introduction of the Manager of Sustainability and Resiliency BE DEFERRED to the January 2020 meeting of the Advisory Committee on the Environment.

3. Consent

3.1 10th Report of the Advisory Committee on the Environment

That it BE NOTED that the 10th Report of the Advisory Committee on the Environment, from its meeting held on November 6, 2019, was received.

3.2 Municipal Council Resolution - 10th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution from its meeting held on November 26, 2019, with respect to the 10th Report of the Advisory Committee on the Environment, was received.

3.3 Notice of Planning Application - Official Plan Amendment - City-Wide Urban Design Guidelines

That A. Lockwood, Urban Designer, BE ADVISED that the City of London Climate Change Action Plan should be incorporated into this and any future Urban Design Guidelines, specifically, taking advantage of public parking lot space to install solar panel canopies; it being noted that the Notice of Planning Application, dated November 21, 2019, from A. Lockwood, Urban Designer, with respect to an Official Plan Amendment related to the City-Wide Urban Design Guidelines, was received.

3.4 Public Meeting Notice - Zoning By-law Amendment - 21 Norlan Avenue

That it BE NOTED that the Public Meeting Notice, dated November 13, 2019, from C. Parker, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 21 Norlan Avenue, was received.

3.5 Allowing "Farm Gate Sales" on Lands Within the Urban Growth Boundary

That it BE NOTED that the staff report dated November 18, 2019, as appended to the agenda, with respect to allowing "Farm Gate Sales" on lands within the Urban Growth Boundary, was received.

3.6 Bird-Friendly Development Report and Working Group Representative

That it BE NOTED that the staff report dated November 18, 2019 and the communication from L. Maitland, as appended to the agenda, with respect to Bird Friendly Development and the Bird Friendly Development Working Group, were received.

3.7 Climate Change Emergency - Update

That the staff report dated November 25, 2019, as appended to the agenda, with respect to an update on the Climate Change Emergency, BE REFERRED to the Energy Sub-Committee for a review and a report back to the Advisory Committee on the Environment in January 2020.

3.8 Cycling Advisory Committee Cycling Master Plan Review Working Group Report

That the "8.0 - Recommendations" section of the Cycling Master Plan Review Working Group Report of the Cycling Advisory Committee, as appended to the agenda, BE REFERRED to the Energy Sub-Committee for review and a report back to the Advisory Committee on the Environment in January 2020.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Pollinator Friendly Gardens Flyer

That the expenditure of up to \$300.00 from the 2019 Advisory Committee on the Environment (ACE) budget BE APPROVED to print copies of the Pollinator Friendly Gardens flyer, as appended to the agenda; it being

noted that the ACE has sufficient funds in their 2019 budget to accommodate this expenditure.

5.2 Zero Waste Conference 2019

That the Zero Waste Conference update from R. Sirois BE DEFERRED to the January 2020 meeting of the Advisory Committee on the Environment.

5.3 June Waste Conference

That R. Sirois BE APPROVED to represent the Advisory Committee on the Environment at upcoming meetings of the planning committee for a Zero Waste Festival and Conference in London on June 13, 2020.

5.4 Climate Action Presentation by D. Saxe at Green in the City Event

That the Climate Action Presentation by D. Saxe at the Green in the City Event update BE DEFERRED to the January 2020 meeting of the Advisory Committee on the Environment.

6. Adjournment

The meeting adjourned at 2:09 PM.



Accessibility for Ontarians with Disabilities (AODA) Customer Service Training



Melanie Stone
Accessibility Specialist, HR & Corporate Services



AODA

- **Goal:** To help make Ontario accessible for all



Photo Caption: This photo is of a woman in a Canadian Sledge Hockey Team jersey, seated in an ice sledge, holding 2 sledge hockey sticks. She is facing the camera with a serious expression on her face. She is holding the sledge hockey sticks with large hockey gloves.



AODA Components

- The AODA (Accessibility for Ontarians with Disabilities Act) and Integrated Accessibility Standards Regulation (IASR)
- Customer Service
- Information & Communication Standard
- Design of Public Spaces
- Transportation
- Employment



Thinking about disability

The AODA uses the Ontario Human Rights definition of disability, which includes physical disabilities as well as vision, hearing, speech, developmental, learning and mental health disabilities.

One in 7, to 1 in 5 Ontarians has a disability.

- **Who are people with disabilities?**
- Disabilities can be visible or non-visible. We can't always tell who has a disability. A disability can be temporary or permanent, and many of us will experience a disability at some point in our lives.
- The Accessibility for Ontarians with Disabilities Act, 2005 uses the same definition of disability as the Ontario Human Rights Code



Who is a customer?

- The standards must be followed by:
 - the Ontario Government and Legislative Assembly
 - all designated public sector organizations, which include municipalities, universities, colleges, hospitals, school boards and public transportation organizations
 - private businesses and not-for-profit organizations that have one or more employees in Ontario
- **Who is a customer?**
- A customer can be anyone who is accessing your organization's goods, services or facilities. They may include paying and non-paying members of the public, and individuals your organization might call customers, such as clients, members, patrons or patients.
- Customers can also be other businesses or organizations (also referred to as third parties).



Ontario Human Rights Definition of Disability

- Defining disability is a complex, evolving matter. The term "disability" covers a broad range and degree of conditions.
- A disability may have been present at birth, caused by an accident, or developed over time.
- Section 10 of the Code defines "disability" as: (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,



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- (b) a condition of mental impairment or a developmental disability,
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997. "Disability" should be interpreted in broad terms.



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Ableism

- Discrimination in favour of able bodied people.
- Understanding that the world is built for particular bodies, and workplaces, policies, public spaces, buildings and their contents are often designed in favour of able-bodied people or people without disabilities
- The Supreme Court of Canada — the highest court — has also recognized that there is a social component to disability. It has called this social component "social handicapping." What this means is that society's response to persons with disabilities is often the cause of the "handicap" that persons with disabilities experience.



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Who is required to take this training?

- The following people must be trained on serving customers with disabilities:
- all employees and **volunteers** (paid and unpaid, full-time, part-time and contract positions)
- **anyone involved in developing your organization's policies (including managers, senior leaders, directors, board members and owners)**
- anyone who provides goods, services or **facilities** to customers on your organization's behalf (such as external contact centres or facilities management companies)
- Training must be completed as soon as possible after an employee or volunteer joins your organization.
- Training must also be provided when there are any changes to your organization's accessible customer service policies.



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Customer Service Policies

- The Corporation of the City of London has its own accessible customer service policies.
- We provide information on how to use any equipment or devices available in your organization that can help to provide goods, services or facilities to people with disabilities



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Follow up training will be provided

- More detail on additional tools will be provided in the New Year as we roll out new policies and technology.
- Each committee has different policy requirements under the AODA. Please review the sections applicable to you so that your policy work is informed by accessibility legislation. For example, if you are involved in advising about public spaces, be sure you review the details of the public space standards.



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Customer Service Standard

- Our job is to ensure better accessible structures, programs and services so that we aren't the barrier that prevents people from participation
- The AODA requires commitment to providing quality goods, services and facilities that are accessible to all persons we serve
- We will continue to work with the community and allocate appropriate resources towards the elimination of accessibility barriers in customer service



City of London Accessible Customer Service Policy

- All of our staff are trained during orientation about how to provide accessible customer service.
- We have a number of tools available for customers to communicate



Common Mistakes

- Common mistakes
 - Leaning down inappropriately to talk to someone
 - Speaking loudly and slowly without being asked to
 - Being patronizing (good for you! You're outside doing things!)
 - Having different expectations/making decisions on someone's behalf
 - Speaking to a support person/partner only
 - Assuming someone is a support person and not a partner/family member/spouse
 - Offering unsolicited advice
 - Sharing personal stories of disability
 - Assessing someone's disability and worthiness for an accommodation (bathrooms & parking spots are common)
 - Describing people as their mobility aid "We need to move this wheelchair."
 - Moving a mobility aid without direction or permission



Tips

- Ask before you help. People with disabilities often have their own ways of doing things.
- Don't touch or move a person's equipment (for example, wheelchair or walker) without their permission.
- If you have permission to move a person's wheelchair or mobility aid, don't leave them in an awkward, dangerous or difficult position, such as facing a wall or in the path of opening doors or elevators.
- If you need to have a lengthy conversation with someone who uses a wheelchair or scooter, consider sitting so you can make eye contact at the same level if appropriate or invited.



Visible and invisible

- There are visible and invisible disabilities. There are temporary and permanent disabilities and there are episodic disabilities.
- Many people have disabilities that involve all three or different intersecting disabilities such as mental health and physical disability.
- For this reason, ask how you can help. Needs change and what works one day may not work the next.



Individuals with vision loss

- Vision loss can restrict someone's ability to read documents or signs, locate landmarks or see hazards. Some people may use a guide dog, a white cane, or a support person such as a sighted guide, while others may not.
- **Tips:**
- When you know someone has vision loss, don't assume the person can't see you. Not everyone with vision loss is blind. Many have some or fluctuating vision.
- Identify yourself and speak directly to your customer if they are with a companion.
- Ask if they would like you to read any printed information out loud to them, such as a policy or a bill or schedule of fees. Not everyone can read braille so ask how you can be of assistance.



- When providing directions or instructions, be precise and descriptive (for example, "two steps in front of you" or "a metre to your left"). Don't say "over there" or point in the direction indicated.
- Offer your elbow to guide them if needed. If they accept, lead – don't pull.
- Identify landmarks or other details to orient the person to the surroundings. For example, if you're approaching stairs or an obstacle, say so.
- If you need to leave the customer, let them know by telling them you'll be back or saying goodbye.
- Don't leave your customer in the middle of a room – guide them to a comfortable location.



People who are deaf/Deaf or hard of hearing

- People who have hearing loss may identify in different ways. They may identify as deaf/Deaf, oral deaf, deafened, or hard of hearing. These terms are used to describe different levels of hearing or the way a person's hearing was diminished or lost.
- A person with hearing loss might use a hearing aid, an amplification device or hearing ear dog. They may have preferred ways to communicate, for example, through sign language, by lip reading or using a pen and paper.



People who are deaf/Deaf or hard of hearing

- Once a customer has self-identified as having hearing loss, make sure you face the customer when talking and that you are in a well-lit area so the person can see you clearly.
- As needed, attract the person's attention before speaking. Try a gentle touch on the shoulder or wave of your hand.
- Maintain eye contact. Use body language, gestures and facial expression to help you communicate.
- If the person uses a hearing aid, reduce background noise or if possible, move to a quieter area.
- Don't assume that the customer knows sign language or reads lips.
- If necessary, ask if another method of communicating would be easier (for example, using a pen and paper).
- When using a sign language interpreter, look and speak directly to the customer, not the sign language interpreter. For example, say "What would you like?" not "Ask her what she'd like."



Speech

- Cerebral palsy, stroke, hearing loss or other medical conditions or disabilities may make it difficult for a person to pronounce words or express themselves. Some people who have severe difficulties may use a communication board or other assistive devices.
- **Tips:**
- Don't assume that a person who has difficulty speaking doesn't understand you.
- Speak directly to the customer and not to their companion or support person.
- Whenever possible, ask questions that can be answered "yes" or "no."
- If the person uses a communication device, take a moment to read visible instructions for communicating with them.
- Be patient. Don't interrupt or finish your customer's sentences.
- Confirm what the person has said by summarizing or repeating what you've understood and allow the person to respond – don't pretend if you're not sure.
- If necessary, provide other ways for the customer to contact you, such as email.



Learning Disabilities

- The term "learning disabilities" refers to a range of disabilities. One example of a learning disability is dyslexia, which affects how a person takes in or retains information. This disability may become apparent when the person has difficulty reading material or understanding the information you are providing.
- People with learning disabilities just learn in a different way.
- **Tips:**
- Be patient and allow extra time if needed. People with some learning disabilities may take a little longer to process information or to understand and respond.
- Try to provide information in a way that works for your customer. For example, some people with learning disabilities find written words difficult to understand, while others may have problems with numbers and math.
- Be willing to rephrase or explain something again in another way, if needed.



Mental Health

- Did you know that one in five Canadians will experience a mental health disability at some point in their lives?
- Mental health disability is a broad term for many disorders that can range in severity. A person with a mental health disability may experience depression or acute mood swings, anxiety due to phobias or panic disorder, or hallucinations. It may affect a person's ability to think clearly, concentrate or remember things.
- You may not know someone has this disability unless you are told. Stigma and lack of understanding are major barriers for people with mental health disabilities.
- **Tips:**
- If you sense or know that a customer has a mental health disability, treat people with the same respect and consideration you have for everyone else.
- Be confident, calm and reassuring. Ask the customer for what they need.
- Listen carefully, and work with the customer to meet their needs. For example, acknowledge that you have heard and understood what the person has said or asked.
- Respect your customer's personal space.
- Limit distractions that could affect your customer's ability to focus or concentrate. For example, loud noise, crowded areas and interruptions could cause stress.



Developmental or intellectual disability

- Developmental disabilities (such as Down syndrome) or intellectual disabilities can mildly or profoundly limit a person's ability to learn, communicate, do everyday physical activities or live independently. Supports, encouragement and inclusion
- **Tips:**
- Don't make assumptions about what a person can or cannot do.
- Don't exaggerate your speech or speak in a patronizing way.
- Use plain language.
- Provide one piece of information at a time.
- If you're not sure of what is being said to you, confirm by summarizing or repeating what was said, or politely ask them to repeat it – don't pretend if you're not sure.
- Ask the customer if they would like help reading your material or completing a form, and wait for them to accept the offer of assistance.
- Be patient and allow extra time if needed.



What creates disabling conditions?

- Expectations of fast pace & quick travel
- Ignorance or dismissive attitudes
- Lack of appropriate support technology
- Lack of creativity/problem solving
- Structural inaccessibility (stairs, poor lighting, temperature fluctuations, flashing lights, lack of snow removal, etc...)
- Inequitable funding
- Fear of doing the “wrong” thing so doing nothing at all
- Fear in the workplace
- Distractions and loud noises
- Not providing enough information for someone to request assistance ahead of time.



Service animals

- Customers with disabilities are permitted to:
- Enter all public City facilities with service animals
- Go anywhere customers normally have access unless excluded by law
- Customer is responsible for the care and supervision of their service animal
- Avoid talking to, touching or making eye contact with the working animal
- Employees with disabilities are able to bring their service dogs into any area they are required to work with very few exceptions.



If you host an event or customers be sure to accessible details

- If it applies, inform your customer of the accessible features in the immediate area (such as automatic doors, accessible washrooms, elevators or ramps).
- Think ahead and remove any items that may cause a physical barrier, such as boxes left in an aisle.
- If the service counter at your place of business is too high for a person using a wheelchair to see over, step around it to provide service. Use a clipboard handy if filling in forms or providing a signature is required.
- Keep in mind that a person’s physical disability may not be visible or obvious. For example, a person may have difficulty standing for long periods of time and may ask to sit while waiting to be served.



Accommodations

- Support persons for customers with disabilities are common and welcome at all city facilities
- Consent is required if confidential information is going to be discussed
- Support person is free to enter City facilities at no charge
- Speak directly to the customer, not the support person unless you are directed to do so



Service Disruptions

- We are required by law to provide public facing information about all service disruptions.
- If a service/program or building is to be closed or cancelled you should post your service disruption information on your website and other areas easily accessible to patrons.



This photo is an image of a person holding a temporary closure sign. The person’s hands are in the photo and their blue shirt is in the background.



Additional Assistance Available

Visit www.london.ca/accessibility

- You can also call me! ☺
- Melanie Stone, Accessibility Specialist ext. 2425 mstone@london.ca or accessibility@London.ca